

Superior Court of California-County of San Bernardino
 APPOINTED SERVICES FEE SCHEDULE

Revised 7-1-2017



The Court's Local Rules and appointed service claim forms are available on the Court's website: www.sb-court.org

A. ATTORNEY FEES - CRIMINAL CASES

TYPE OF HEARING	MISD	FELONY			COMMENTS
		Complaint	Info/Indict.	Complex	
Appointment - Misdemeanor	\$300				Arraignment on Misd. Complaint, entry of initial plea, all conferences with defendant and/or prosecutor and pre-trials, discovery, readiness conferences and sentencing.
Appointment-General Felony Criminal Compliant		\$350			Arraignment on Fel. Compliant, entry initial plea, conference with defendant, discovery, all court appearances prior to Info./Indict., conferences w/prosecutor, preliminary hearing or entry of 859a or misdemeanor plea, confirmation of 859a plea, sentencing.
Appointment-Felony Info. or Indictment Arraignment on info./indictment, entry of plea, conference w/defendant, discovery, conf.s w/prosecutor, review transcript of preliminary hrng., readiness conf., pre-trial calendar, change of plea and sentencing			\$250		If new counsel. Additional time reasonably expended by attorney shall be paid at the rate of \$60/HR at the discretion of the Court.
			\$150		If same attorney who has appointed on criminal complaint. Additional time reasonably expended by attorney shall be paid at the rate of \$60/HR at discretion of the Court.
Appointment-Complex Felony				\$270	Arraignment, entry of plea, conf. w/defendant, discovery, confs. w/ prosecutor, review transcript of prelim. hrng., readiness conf. and pre-trial calendar. Additional time reasonably expended by attorney shall be paid at the rate of \$65/HR at discretion of the Court.
Appointment to represent same defendant in additional pending cases	\$75	\$150	\$150	\$150	
Appointment to represent witness	\$60/HR ¹	\$60/HR ¹	\$60/HR ¹	\$65/HR ¹	Note 1=Not to exceed max. of \$180
Trial-Half Day	\$150	-	\$195	\$250	
Trial-Full Day	\$250	-	\$390	\$450	
Probation violation hearings	\$35	\$50	\$50	\$50	
Prob. violation hrng. add'l pending case	\$35	\$50	\$50	\$50	
Prob. Hrng., pronouncement judgment and related post-trial motions	-	-	\$50 ²	\$55	Note 2= Plus hourly at \$60/HR at Court's discretion.
Prep. and appearance re: Petition to Revoke Probation	-	-	\$195	\$250	
Written motions and/or evidentiary hearings, collectively, on a complaint	\$60/HR ³	\$60/HR ³	-	-	Note 3= Not to exceed a maximum of \$150.
Motions under PC 995 or 1538.5 and evidentiary motions	-	-	\$195 ⁴	\$65/HR	Note 4= Any increase shall be at discretion of Court.
Add'l Court appear. not for convenience of appointed attorney	-	-	\$50	\$55	
Mileage	-	See Note	See Note	See Note	Note-Mileage may be paid at Court-approved rate at Court's discretion if case is transferred to another District exceeding 30 miles from appointing District.

B. ATTORNEY FEES - JUVENILE COURT

TYPE OF HEARING OR ACTIVITY	FEE
Conference with juvenile, parents, probation officer, includes detention hearing or prehearing	\$250
Disposition hearing, conference with juvenile, parents, probation officer	\$85
Jurisdictional Half Day	\$195
Trial Half Day	\$150
Trial Full Day	\$250
Additional court appearance/prior to adjudication/not for convenience of appointed attorney	\$50
Prima Facie or contested dispositional (not to exceed one-half day)	\$130
Court appearance after adjudication (annual review, appearance review, change of placement)	\$50

C. ATTORNEY FEES - CIVIL, FAMILY LAW

TYPE OF HEARING OR ACTIVITY	FEE
Appointment, entry of plea, conferences, includes case preparation and appearances	\$300
Written motions and/or evidentiary hearings, collectively on a complaint	\$60/HR
Trial on civil or family law complaint-Half Day	\$150
Trial on civil or family law complaint-Full Day	\$250
Additional court appearance not for convenience of appointed attorney	\$50
Preparation and appearances regarding stipulated agreements	\$50
Hourly rate for out of court preparation time reasonably expended at discretion of the Court	\$60/HR

Not to exceed a maximum of \$180

D. ATTORNEY FEES - PROBATE, GUARDIANSHIP, CONSERVATORSHIP

TYPE OF HEARING OR ACTIVITY	FEE	COMMENTS
Appointment	\$300	Appointment court appearance (if any) included. Receive pleadings from Court, prepare and create file, calendar hearings, conduct initial file review, prepare billing.
Trials	\$150/HR	
Additional court appearance not for convenience of appointed attorney	\$100	
Hourly rate for out of court preparation time reasonably expended at discretion of the Court	\$100/HR*	

* Fee will increase to \$125/hr effective 7/1/2019 and may increase to \$150/hr effective 7/1/2021 if such an increase is then consistent with fees in comparable counties.

Attorney Fee Schedule Notes:

All claims must be submitted on Court forms to the Court where the case is heard within 60 days of completion of case. All statements for post-dispositional activities are to be submitted within 60 days of the hearing. If an attorney submits a claim before the end of a case, a copy of prior billings for the same case must be submitted with subsequent billings. [LRC 1414] When hourly billing is approved by the Court, the minimum billing increment is 0.25 hours (15 minutes). [LRC 1413]

Claims for attorney fees in Family Law cases must be submitted by the last day of each month, beginning the month of appointment. Any claim submitted more than 30 days late is subject to penalty of 10% of claim amount per month. [LRC 1417]

The above fee provisions will cover the usual and ordinary handling of a criminal case, including ordinary office expenses. However, expenses reasonably and necessarily incurred by counsel, including costs of service and process, copies of documents and long-distance telephone calls may be reimbursed. Original receipts required. Expenses for investigators or experts and any single expense item in excess of \$50.00 shall not be incurred without prior expressed written approval from the Court. [LRC 1415]

In cases where, because of the complexities thereof, the seriousness of the charge or novel legal procedures being involved, extensive research, trial preparation and investigation are required, additional extraordinary fees may be allowed at the discretion of the Court. It should be understood that extraordinary fees are not designed to cover the routine or usual legal services or ordinary office expenses. [LRC 1416]

Complex felony billing rate must have prior expressed written approval of the Court, unless the case and defendant were listed on the District Attorney's list of death penalty and LWOP cases during the dates of service on the attorney service claim [LRS 1403] All attorney fees for Capital/LWOP for cases appointed after September 1, 1997 are established by the Court's Capital/LWOP Panel Fee Schedule [LRC 1419]

E. ATTORNEY FEES - APPELLATE DIVISION

TYPE OF HEARING OR ACTIVITY		FEE	
Communications (including client/def., prev. counsel)		Up to 3.5 hrs at \$60/hr, maximum \$175	
Record Review		60 pages per hour at \$60/hr	
Preparation of Proposed Statement on Appeal		\$60/hr	
Motions	Extensions of Time	up to 0.5 hr at \$60/hr, maximum \$25	
	Augment	up to 1.5 hrs at \$60/hr, maximum \$75	
	Other Motions	Reasonable time at Court's discretion at \$60/hr	
Appellant's Opening Brief	Statement of Facts	up to 1/3 of record review time at \$60/hr	
	Briefed Issues	Very Simple	up to 2.5 hrs at \$60/hr, maximum \$125
		Simple	up to 4 hours at \$60/hr, maximum \$200
		Simple/Average	up to 6 hours at \$60/hr, maximum \$300
		Average	up to 8 hours at \$60/hr, maximum \$400
		Average/Complex	up to 11 hours at \$60/hr, maximum \$550
	Unbriefed Issues	Complex	up to 13.5 hours at \$60/hr, maximum \$675
		Simple	up to 0.5 hours at \$60/hr, maximum \$25
		Average	up to 2.5 hours at \$60/hr, maximum \$125
		Complex	up to 5 hours at \$60/hr, maximum \$250
Reply Brief		up to 1/3 of Appellant's Opening Brief recommendation	
Supplemental Brief		Appellant's Opening Brief issue standards	
Review of Opposing Counsel Brief		up to 2.5 hours at \$60/hr, maximum \$125; 0 hours if Wende	
Petitions-Habeas		up to 12 hours at \$60/hr, maximum \$600	
Petitions for Rehearing		up to 6 hours at \$60/hr, maximum \$300	
Petition for Review		up to 10 hours at \$60/hr, maximum \$500	
Other Petitions		Reasonable time at Court's discretion at \$60/hr	
Review Response		Reasonable time at the Court's discretion at \$60/hr	
Reply to Response		up to 1/3 of petition time at \$60/hr	
Oral Argument		up to 7.5 hours at \$60/hr, maximum of \$375	
Review Opinion		up to 1.5 hours at \$60/hr, maximum \$75; up to 0.2 hours at \$50/hr if Wende, max \$10	
Other	Review Superior Court File	up to 2 hours at \$60/hr, maximum \$100	
	Miscellaneous	Reasonable time at Court's discretion at \$60/hr	
Expenses	Photocopying	up to \$.10 per page (10¢ pg)- original receipt required	
	Postage	Actual, if reasonable at Court's discretion-original receipt required	
	Telephone	Actual, if reasonable at the Court's discretion-copy of bill or phone log required	
	Travel	Atty mileage may only be reimbursed if authorized in advance by the Court, at the current Court-approved rate in effect on dates of service. Mileage reimbursement will generally only be authorized for travel for interviews to properly prepare a brief.	
Computerized Research		Ordinary research not compensable	
Paralegal/Law Clerk		Services on Appellate cases must have specific prior Court approval to be reimbursed, and will be reimbursed up to a max. rate of \$25/hr. If approved, services must be fully itemized as to the specific dates/hours/activities.	
Expert Witnesses, Investigator, Translator		Services must have prior Court approval to be reimbursed, and will be reimbursed at the same rate allowed for criminal case appointments, and the misdemeanor investigator rate (\$17.50/hr.). If approved, services must be fully itemized as to specific dates, hours, and activities.	

F. PSYCHOLOGICAL/PSYCHIATRIC EVALUATION EXPERT FEE SCHEDULE

TYPE OF HEARING OR ACTIVITY	FEE	COMMENTS
PC 1026/1368 Eval and Report	\$350	A copy of the letter of appointment or file-stamped order must accompany all claims for appointed evaluation services. Per Local Rule 1460.7, upon prior approval of the Court, in cases where, because of complexities, the seriousness of the charge, or where novel medical examinations, extensive research and/or trial preparation are required, expert fees may be allowed for M.D.s and P.h.D.s in excess of the rates provided in this section. Requests for extraordinary rates must be made by written motion with a detailed supporting declaration. If hourly billing is authorized by the Court. Services must be fully itemized. Effective July 1, 2011, a stipend of \$50 shall apply in addition to the standard flat rate for appointments to evaluate defendants housed at the High Desert Detention Center in Adelanto, CA. Juvenile Court appointed evaluation services shall be paid at applicable current Probation Department rates.
PC 1368 Eval and Report, and determination by MD Psychiatrist if antipsychotic medication is medically appropriate	\$600	
Defense requested 1017 Eval and Report	\$350	
Addiction Eval and Report	\$350	
Sex Offender Eval and Report	\$350	
Court Appearance/Testimony by Psychologist- Half Day	\$350	
Court Appearance/Testimony by Psychologist - Full Day	\$600	
Court Appearance/Testimony by Psychiatrist - Half Day	\$600	
Court Appearance/Testimony by Psychiatrist - Full Day	\$1,000	

G. INVESTIGATOR AND LEGAL RUNNER FEE SCHEDULE

TYPE OF HEARING OR ACTIVITY	RATE	COMMENTS
Juvenile Delinquency, Misdemeanor, Felony, Family Law, Guardianship	\$30/HR	Prior expressed written approval of the Court is required for all investigation and legal runner services. A file stamped copy of the court order of appointment must accompany all claims for payment for investigation and legal runner services. Costs of services performed prior to the order of the Court, and costs of services beyond that provided for in the court order, will be denied. [PC987.2 Rules and Procedures] Investigator services, when appointed by the Court, should be limited to actual investigative work and related activities such as testifying. Appointed investigator services shall not include activities that would normally be performed by attorney/staff, or in propria personal (pro per) defendant [PC987.2 Rules & Procedures]
Capital/Life Without Parole	\$35/HR	
Per Diem (associated with authorized travel)	\$25/Day	
Legal Runner (see notes below)	See Note 1	
Mileage paid at current Court approved rate		

H. EXPERT FEE SCHEDULE

TYPE OF HEARING	RATE	RATE IF MD/PhD or equivalent	RATE IF MD/PhD BOARD CERTIFIED IN FIELD	COMMENTS
Experts	Max \$80/HR	Max \$95/HR	Max \$125/HR	Prior expressed written approval from the Court is required for all expert services. A file stamped copy of the Court order of appointment must accompany all claims for payment for expert services. Billings must be signed by defense counsel prior to submitting to the Court for payment. [PC987.2 Rules & Procedures]Costs of services performed prior to the order of the Court, and costs of services beyond that provided for in the court order, will be denied [LRC 1460.6]
Testimony Half Day	Max \$350	Max \$600	Max \$600	
Testimony Full Day	Max \$600	Max \$1,000	Max \$1,000	
Paralegals	Max \$25/HR			
Transcription services (see notes below)	See Note 2			
Requests for extraordinary expert billing rates that exceed those specified in this fee schedule must be made by written motion with a detailed supporting declaration specifying the unique nature of the expert service and why an extraordinary billing rate is justified, and receive prior approval from the Court. It is the duty of counsel to endeavor to negotiate the lowest hourly rate the expert will work for recognizing that the expert's services are a public expense [LRC 1460.7]				

Expert/Investigator/Legal Runner Fee Schedule Notes:

Specific prior Court approval is required for all investigator services and expert services including transcription services [LRC 1460.6]

All claims for investigators and experts shall be submitted to Court forms within 60 days of completion of case, and must provide sufficient specificity with regard to services performed to support the bill for payment, with dates and hours of service itemized. [PC987.2 Rules & Procedures]

The minimum billing increment is 0.25 hours (15 minutes). [LRC 1460.1] Locations (city) must be specified on claims when claiming travel time or requesting mileage reimbursement.

Original receipts required for all expense items. Special expense items and any single expense item in excess of \$50 must have specific prior court approval to be reimbursed.

Paralegal appointments generally reserved for capital cases. [LRC 1451 and PC987.2 Rules & Procedures] Paralegals must work under direction and supervision of a member of the State Bar. [B&P 6450] Legal runner services, when appointed by the Court, are limited to photocopying, and transporting of materials, orders and motions. [PC987.2 Rules & Procedures]

Note 1: Legal runner rate is California minimum wage plus 15.3% self-employment tax (eff.1/1/17 \$10.50 +\$1.61=\$12.11/hr)

Note 2: Transportation services, when appointed by the Court, may be authorized at the lowest commercially-available rate