

## INSTRUCTIONS FOR COMPLETING AD HOC COUNSEL DEBENTURE FORM

1. Read Supreme Court Administrative Order No. 4.
2. The compensation rate for ad hoc counsel services is as follows:

7/1/99 - 6/30/23	\$50.00 per hour
7/1/23 & later	\$100.00 per hour

Maximum compensation effective 3/1/94 is as follows unless a written application for excess compensation has been approved by the Assigned Counsel Coordinator prior to the date(s) on which services subject to excess compensation are rendered (see A.O. 4 section 6(d)):

Trial Court	
Felonies involving possible life imprisonment	\$25,000.00
Major Felonies	5,000.00
Minor Felonies	2,000.00
Juvenile	2,000.00
Termination of Parental Rights Petitions	5,000.00
Misdemeanors	1,000.00
All other proceedings	1,000.00
Supreme Court	
All appeals	\$ 2,000.00

3. Services and expenses must be itemized chronologically and separately. Express time in hours and fractions; i.e. 3.25. Indicate what the service is for; i.e., research, hearing, trial, etc. Total all services, and total all expenses separately. Note provisions under Section 6 of Administrative Order No. 4 relating to securing permission to incur expenses for special services.
4. If paralegal or investigative expenses are authorized by the Assigned Counsel Coordinator, these expenses should be documented separately from attorney expenses. Authorization should be attached to the debenture. In no case will payment be made for any third party expenses in excess of amounts approved in advance by the Assigned Counsel Coordinator.
5. Mileage: List the starting and destination points with the total number of miles traveled. Multiply miles by the current GSA rate in effect as of the trip date.
6. Telephone calls: You may 1) list your total expense as a single line or 2) list each call separately. Attach a copy of your phone bill with call(s) highlighted.
7. Photocopies: Copies made in your office are reimbursable at .10 per copy. List the number of copies at .10 and show the total cost.
8. Third party expenses that you paid: Must be approved in advance by the Assigned Counsel Coordinator. You must attach copies of invoices and proof of payment along with the Assigned Counsel Coordinator's approval.
9. You may use your office's billing program to itemize services and expenses. Make sure you complete the rest of the debenture form, sign it, and attach your itemization to the form.
10. Bills for third party services such as psychiatric evaluations, depositions, or investigations which have been authorized by the Assigned Counsel Coordinator in accordance with Administrative Order No. 4 should be submitted directly to the Defender General for payment. A copy of the authorization should be attached. No payment will be made for fees exceeding amounts approved in advance in writing by the Assigned Counsel Coordinator. Fees beyond those so approved will be the responsibility of the assigned attorney. Mail third party invoices to: Office of the Defender General, 6 Baldwin Street, 4<sup>th</sup> Floor, Montpelier, VT 05633-3301.
11. Ad hoc counsel must provide either the firm's Employer Identification Number or the attorney's Social Security Number, depending on how payment is to be made. The attorney must sign the debenture form even if payment is to be made to the firm.
12. Two or More Counts or Offenses: The maximum fee is not established by the number of offenses charged. More than one offense does not increase the case maximum unless it arose out of a separate incident. You do not need to prorate time between cases, unless your billing program does so.
13. Debentures must be received by the Assigned Counsel Coordinator no later than three months after the completion of the case in court. The original debenture must be submitted. The Assigned Counsel Coordinator will forward approved debentures to the Office of the Defender General for payment.
14. If the case is disposed, no debenture will be paid without submission of a completed adult or juvenile case report.
15. Questions about payment of assigned counsel expenses should be directed to the Office of the Defender General, 6 Baldwin Street, 4<sup>th</sup> Floor, Montpelier, VT 05620-3301 (802) 828-3168. Additional informational materials, instructions and forms may be obtained from the Defender General's website ([www.defgen@vermont.gov](http://www.defgen@vermont.gov)).