

CLARK COUNTY INDIGENT DEFENSE POLICY AND PROCEDURE

Number:	2024-3.4 Amendment
Title:	Non-Attorney Compensation and Reimbursement
Effective Date:	Original Policy June 1, 2017; 3.3 Amendment, December 1, 2018 (3.4 time spent keeping time and preparing invoices added)

1. PURPOSE

This policy sets out a uniform process for the compensation of investigators, experts and other professional service providers (herein, “vendors”) utilized in an indigent defense case, pursuant to preauthorization by Clark County Public Defense (CCPD).

IMPORTANT NOTE: CCPD will not pay for services that have not or were not preauthorized. If a service invoice exceeds the amount preauthorized, CCID will only pay the amount preauthorized. The only exception allowed is “in the interest of justice and on a finding that timely procurement of necessary services could not await prior authorization”, as limited under the above court rules; for example, discovery provided to the attorney the weekend prior to trial that requires specific investigation services.

2. GUIDELINES

2.1 Travel Time and Mileage (amended effective 3/1/2024).

- (1) Non-routine Travel. A vendor must have written preauthorization to be compensated for non-routine travel time, mileage, or expenses. Reimbursement for mileage will not be preauthorized, except where the vendor agrees to not charge for travel time or the vendor agrees to a reduced rate for travel time. If mileage reimbursement is preauthorized, reimbursement is at the I.R.S. Standard Mileage (.67 cents per mile) Rate. An example of non-routine travel is an investigator required to travel to Coos Bay, Oregon to interview a witness.
- (2) Routine Travel. CCPD will not pay for mileage reimbursement for routine travel. CCPD will not pay for travel time to and from the Clark County Courts, Prosecutor’s Offices, Jail, Public Defense Office, or the office of an attorney within a 20-mile radius of the courthouse. CCPD will pay for travel time required to provide the professional services necessary to complete the function for which the vendor is preauthorized. ‘Function’ means the type of service preauthorized: investigation, evaluation, expert, other services. For example, travel time for crime scene investigation or witness interviews not conducted at the Prosecutor’s Office necessary for investigation services will be paid.

2.2 CCPD will not pay for vendors’ time or expense picking up discovery.

- 2.3 Investigators may charge a ½ hour one-time case file creation or set-up fee. This charge is intended to cover the administrative costs of creating a case file and conducting a conflicts check. This fee is also intended to include any costs associated with copying or uploading discovery.
- 2.4 CCPD will not pay an expert or investigator rate for activities accomplished by the investigators' or experts' administrative staff.
- 2.5 With the exception of during trial, CCPD will not pay for time spent waiting over 20 minutes.
- 2.6 Unless expressly preauthorized, CCPD will not pay an expert for an interview with the prosecution that lasts longer than an hour. CCPD expects this policy to be enforced by the assigned attorney. CCPD requests attorneys seek telephonic or electronic (Zoom) interviews with experts when the expert is 20 or more miles distant from the PA's office.

3. REQUIREMENTS, PROCEDURES AND DEADLINES FOR INVOICES

- 3.1 No retainers or other advance fees will be paid.
- 3.2 Time spent keeping time and preparing invoices will not be paid by the CCID.
- 3.3 **Invoices must be submitted at least every 30 days;** Vendors should not wait to bill for services rendered until the completion of work or a case.
- 3.4 At the end of a calendar year, if services from that year are not billed by the third Tuesday of January of the following year, the balance of any Authorization will be zeroed out. This means the Authorization is no longer available for use. If necessary, a new request for services must be submitted.
- 3.5 If an invoice is not received within 60 days of the rendered service, CCPD reserves the right to refuse to honor the invoice.
- 3.6 Service providers who have not been set up as a vendor with Clark County must submit an original signed W-9 form in order to be paid. Email the completed form to: County.AuditorAPSupplierSet-up@clark.wa.gov
- 3.7 CCPD encourages vendors to sign-up for Electronic Funds Transfer (EFT) to expedite receipt of payment. Instructions and the form are available on our website.
- 3.8 In order for payment to be issued, an original invoice must be submitted to CCPD - via email to: Cnty.PublicDefense@clark.wa.gov

- 3.9 Invoices must be submitted on the vendor's letterhead, be made payable by Clark County Public Defense, PO Box 5000, Vancouver, WA 98666-5000
- 3.10 Issuance of payment is "net 30 days" unless an exception has been preapproved. Properly completed paperwork is the best way to expedite payment.