

Instructions for Completing Non-Appropriated Fund Voucher:
Request for Reimbursement of Pro Bono Attorney Expenses in Civil Cases

(1) Reimbursement of Pro Bono Attorney Expenses in Civil Cases

(a) The Non-Appropriated Fund (Fund) will be used to reimburse attorneys who are acting in connection with the Pro Bono Civil Assignment Panel for certain expenses associated with the evaluation, preparation or presentation of civil actions in the Eastern District of Michigan.

(b) Applications for reimbursement of pro bono attorney expenses by the Fund are submitted to the Court Administrator for review and recommendation to the judicial officer to whom the case was assigned for approval. Forms requesting reimbursement are available at all Clerk's Office locations in the Eastern District of Michigan.

(c) The Fund may not be used to reimburse attorneys for expenses associated with the preparation or presentation of an appeal to the United States Court of Appeals or the United States Supreme Court, however the Fund may be used to reimburse attorneys for expenses associated with the preparation and argument of interlocutory appeals. A *pro bono* attorney's responsibility to a client continues through entry of judgment and the filing of notice of appeal if the client wishes to appeal.

(d) The maximum amount that may be disbursed from the Fund in any case is \$2,000.00, unless substantial documentation is provided indicating that additional reimbursement is warranted. Requests for reimbursement that exceed \$2,500 also require approval of the Chief Judge.

(e) Requests for reimbursement from the Fund may be made *ex parte*.

(f) Reimbursement from the Fund is limited to the following allowable expenses. Failure to provide receipts or other written documentation as proof may result in a request being returned for additional information or not being approved.

i) Depositions and Transcripts. Attorneys may order transcripts of depositions necessary in the preparation of the case. Cost of transcripts may not exceed the page rate for ordinary transcript established in the Eastern District of Michigan. Attorneys may be required to show that they first attempted to obtain *pro bono* court reporting services from a member of the Michigan Association of Professional Court Reporters.

ii) Investigative or Expert Services. Attorneys may request investigative or expert services necessary in the preparation of the case. Such services require prior approval of the judicial officer to whom the case is assigned.

iii) Travel. Reimbursement may be claimed for travel at the most recent prescribed rate set by the Director of the Administrative Office of the United States Courts. Distances shown by a standard highway mileage guide may be used as the basis for such

claims, or actual mileage may be shown. The reimbursement request must show the points between which official travel was performed, the total mileage claimed if by private automobile, and the dates of travel. For further guidance, relevant portions of the *Guide to Judiciary Policy*, Vol. 19, Ch. 4 may be provided upon request.

iv) Fees for Service of Process. Attorneys may request reimbursement for fees for service of papers and the appearance of witnesses.

v) Interpreter Services. Attorneys may request reimbursement for costs of interpreter services.

vi) Photocopying, Telephone Calls. Attorneys may request reimbursement for out-of-pocket expenses incurred for photocopying, photographs used in the case, toll calls, etc., only if costs were incurred outside the attorney's office and necessary to the preparation of the case.

(g) The Fund may not be used to reimburse attorneys for general office expenses, including office overhead, payroll, equipment depreciation, basic telephone service, etc.

(h) The Fund may not be used to reimburse expenses that may be statutorily recovered or costs or fees taxed against the party or attorney.

(2) Attorneys' Fees Not Reimbursable from the Fund

Attorneys' fees may not be reimbursed from the Fund. However, in any action or proceeding to enforce a provision of 42 U.S.C.A. §§ 1981, 1981a, 1982, 1983, 1985 and 1986, title IX of Public Law 92-318, the Religious Freedom Restoration Act of 1993, or title VI of the Civil Rights Act of 1964, the Court, in its discretion, may allow the prevailing party, other than the United States, a reasonable attorney's fee as part of the costs. 42 U.S.C. § 1988.

In the event of an award of attorney's fees or costs to pro bono counsel in the course of litigation, the court may order return to the fund of any payments made from the fund to counsel for fees and expenses in an amount equal to the award.

(3) Requests for Reimbursement

(a) Requests for reimbursement from the Fund must be filed within 60 days of entry of judgment. If the attorney has withdrawn or been dismissed prior to the entry of judgment, the request for reimbursement must be filed within 60 days of withdrawal or dismissal.

(b) Requests for reimbursement from the Fund must be made on a form available at all Clerk's Office locations in the Eastern District of Michigan.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

NON-APPROPRIATED FUND VOUCHER

**Request for Reimbursement of Pro Bono Attorney Expenses
in Civil Cases**

Attorney Name: _____

Address: _____

Case Information

Case Number: _____

Case Name: _____

Type: Prisoner Civil Rights

Employment Discrimination

Judge Assigned: _____

Date Judgment
Entered: _____

Date Withdrawn
or Dismissed
(if applicable): _____

Reimbursement Requested

(Refer to attached instructions.)

Depositions & transcripts \$ _____

Investigative/Expert Services _____

Travel _____

Fees for Service of Process _____

Interpreter Services _____

Photocopying, Telephone Calls _____

Total Reimbursement Requested \$ _____

Attorney's Signature (Date)**Reviewed:**_____
Kinikia D. Essix, Court Administrator (Date)**Approved:**_____
United States District Judge (Date)**Requests in excess of \$2,500 also require approval of Chief Judge:**_____
Chief Judge (Date)**Completed requests for reimbursement should be forwarded to:**

**Kinikia D. Essix
Court Administrator
505 Theodore Levin United States Courthouse
231 W. Lafayette Boulevard
Detroit, Michigan 48226**