

DISTRICT OF OREGON CJA INTERPRETER POLICIES AND RATES

(effective May 15, 2017)

- Changes from 2011 policies
 - Abolish full/half day rates for Spanish-language out-of-court interpreting.
 - Increase hourly rates.

- Out of court interpreter services
 - Spanish
 - § Federally-certified: \$75 per hour
 - § Non-federally certified: \$60 per hour
 - Non-Spanish: negotiate reasonable rate

- Document translation
 - Spanish: \$0.20 cents per word
 - Non-Spanish: negotiate a reasonable rate

- Audio Transcription and Translation:
 - Spanish
 - § Federally-certified: \$75 per hour
 - § Non-federally certified: \$60 per hour
 - Non-Spanish: negotiate reasonable rate

- Thirty Minute Rule/Two Hour Minimum (one 2h minimum per day)
 - Services up to and including 30 minutes: bill for actual time spent
 - Services over 30 minutes but under two hours, bill for two hours (including travel)
 - Services over two hours: bill for actual time spent

- General guidelines
 - Authorization required for combined services over \$2,500
 - Bill in six-minute increments (tenths of an hour)
 - Only one two-hour minimum per day, even for multiple clients
 - Mileage is reimbursable

- Cancellation Policy
 - Interpreters are an integral and valued part of effectively representing financially-eligible defendants. Every effort should be made to avoid less than 24 hours' notice of a cancelled interpreter appointment. Should that occur, the interpreter can bill CJA for any actual out-of-pocket expenses and for the actual time expended to get to and from the appointment.

Interpreter Cancellations

(adapted from Per Olson's email of March 23, 2017)

The existing policy has been that when a cancellation occurs with less than 24 hours' notice, it is the attorney's responsibility to pay the interpreter. (It's vaguely worded, but it's in the current CJA manual, as well as in a 2011 memo to the court that established the current pay method). Typically though, the CJA fund pays the interpreter for a half-day if the cancellation was beyond the attorney's control. But, the new 9th Circuit policy would seem to prohibit that practice, and it does not seem to allow for any payment to the interpreter for dead time caused by a cancellation. (They can be reimbursed for out-of-pocket expenses and travel time to a cancelled meeting under the policy).

Tips to Avoid Cancellations

. . . or at least, to avoid the cost of cancellations falling on you.

1. If it's a presentence interview, consider having probation hire the interpreter. That way, if the PO cancels, probation is responsible.
2. Consider having the USA hire the interpreter for a proffer meeting, for the same reason. (There may be good reasons not to do that, but it might be okay in the right case).
3. If it's a court hearing, don't worry about it, because the court is responsible for payment under their policies and procedures.
4. For in-custody clients, call the facility or check on line just more than 24 hours before the meeting to ensure client hasn't been moved. (Warning: that email from the Sheridan staff confirming a meeting room does not assure that the client will actually be there when you show up. The room schedulers don't seem to coordinate with the transport people).
5. Be aware of transport dates from a facility. For example, transports from Sheridan (to Portland) occur on the Thursday of the week before the hearing, so don't schedule a meeting at Sheridan on that Thursday or Friday if your client's got a hearing the next week. (Sorry if that's obvious).
6. Consider cancelling more than 24 hours ahead of time if the forecast calls for ice, snow, etc.

Tip Sheet for CJA Interpreter Billing in the District of Oregon

Due to new CJA policies and procedures adopted by the Ninth Circuit, Spanish-language interpreters in the District of Oregon must bill in six minute increments (tenths of an hour) for CJA services beginning on May 15, 2017. For services provided prior to May 15, 2017, bill at the half/full day rate.

The District of Oregon permits a two-hour minimum for services (including travel time) over 30 minutes and under two hours. The two-hour minimum may only be reimbursed once per day, even if multiple clients are seen. Services below 30 minutes and over two hours must be billed according to actual time spent. Travel time should be separated onto another line in eVoucher except when included in a two-hour minimum.

Questions? Contact the CJA team!

oregon_evoucher_support@fd.org

(503) 326-2123, ask for eVoucher help

Example of a CJA-21 entry for services on or after May 15, 2017:

Date	Description	Units	Rate	Amt
05/15/2017	round trip travel time to Specific Jail	1.7	\$75.00	\$127.50
05/15/2017	meeting with client and attorney.	1.6	\$75.00	\$120.00
05/17/2017	translation of attorney letter to Client. 398 English words.	398.0	\$0.20	\$79.60
05/26/2017	2 HR MIN. 0.7 spent in round trip travel and 0.4 spent for investigator phone call with witness from attorney's office.	2.0	\$75.00	\$150.00
05/28/2017	Follow up call between investigator and witness.	0.3	\$75.00	\$22.50

Minutes	Tenths
0-3	.0
3-6	.1
7-12	.2
13-18	.3
19-24	.4
25-30	.5
31-36	.6
37-42	.7
43-48	.8
49-54	.9
55-60	1.0

Rates

- ž Spanish-language federally certified interpreter: \$75/hr
- ž Spanish-language non-federally certified interpreter: \$60/hr
- ž Document translation: \$0.20/English word
- ž Mileage is reimbursable