

Section 4. Payment of expenses incident to representation. **Notes added to clarify**

(a) (1) Appointed counsel, experts, and investigators may be reimbursed for certain necessary expenses directly related to the representation of indigent parties.

(2) The services or time of a paralegal, law clerk, secretary, legal assistant, or other administrative assistants shall not be reimbursed. Normal overhead expenses also shall not be reimbursed.

(3) The following expenses will be reimbursed without prior approval if reasonably necessary to the representation of the indigent party:

(A) **Long distance telephone charges**, if **supported by a log showing the date of the call, the person or office called, the purpose of the call, and the duration of the call stated in one-tenth (1/10) hour segments**;

Suggest: Copy of phone bill w/charges highlighted, this is also the procedure for outgoing faxes. Incoming faxes are processed the same as an in-house copy at .07¢ each.

(B) **Mileage** for travel within the state in accordance with Judicial Department travel regulations, if supported by a log showing the mileage, the purpose of the travel, and the origination and destination cities;

(C) **Lodging** where an overnight stay is required at actual costs, if supported by a receipt, not to exceed the current authorized executive branch rates;

For in-state rates: www.state.tn.us/finance/act/travel.html

For out-of-state rates: www.state.tn.us/finance/act/policy.html

(D) **Meals** in accordance with the Judicial Department travel regulations if supported by a receipt, where an overnight stay is required;

(E) **Parking** at actual costs up to ten dollars per day if supported by a **receipt**;

(F) **Photocopying - Black and White Copies -**

(i) In-house copying at a rate not to exceed seven cents **(\$0.07 per page**; **For reimbursement the # of copies must be stated. i.e. 12 copies @ .07¢ = .84¢**

(ii) Actual cost of outsourced copying **if supported by a receipt**, at a rate not to exceed ten cents (\$0.10) per page;

(iii) Actual cost of providing to client a copy of appellate briefs and opinion.

(iv) The cost of providing to the indigent party a copy of the court file or transcript will not be reimbursed once the appeal is complete because the original file and transcript belong to the client.

(v) Prior approval of the court and the director is required if an attorney, expert, or investigator anticipates that total copying costs will exceed \$500.

(G) Photocopying - Color Copies -

(i) **In-house** color copying at a **rate not to exceed one dollar (\$1.00 per page**; **Must note copies were color on expense notation. For reimbursement the # of copies must be stated. i.e. 12 copies @ \$1.00 = \$12.00.**

(ii) Actual cost of outsourced color copies at a rate not to exceed \$1.00 per page if supported by a **receipt**;

(iii) Prior approval of the court and the director is required if an attorney, expert, or investigator anticipates that total copying costs will exceed \$500.

(H) **Computerized Research** at actual cost for case-related legal and internet research if **supported by receipts**. If actual costs are not incurred, compensation will be limited to time spent conducting the search. Pro rata cost of subscription[s] will not be paid.

(I) **Miscellaneous expenses** such as **postage**, commercial delivery service having computer tracking capacity, film, or **printing** will be compensated at actual cost, not to exceed the fair and reasonable market value, **if accompanied by a receipt**. (For **.39¢ stamps** we are **authorized** to reimburse if you note letter to whom and enter the **.39¢ as necessary expense without a receipt**) **Prior approval** of the court and the director is required if an attorney, expert, or investigator anticipates that total miscellaneous expenses will exceed \$250. **Registered or certified, return receipt mail must be accompanied by a receipt to order to be reimbursed.**

(J) Expenses relating to improving the indigent party's appearance, including but not limited to expenses for dental plates, haircuts, clothing and cleaning charges for clothing, are not reimbursable.

(b) Expenses not listed in section 4(a), including travel outside the state, will be reimbursed only if prior authorization is obtained from the court in which the representation is rendered and prior approval is obtained from the director.

(1) Authorization of expenses shall be sought by motion to the court.

(2) The motion shall include both an itemized statement of the estimated or anticipated costs and specific factual allegations demonstrating that the expenses are directly related to and necessary for the effective representation of the indigent party.