

**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF LASSEN**

**GENERAL ORDER  
2024-06**

**REVISED FEES AND BILLING GUIDELINES FOR PRISON DEFENSE**

This General Order establishes revised fees and billing guidelines for Prison Appointed Defense Counsel effective October 1, 2024. This order is to be implemented into Local Rules of Court with a future revision.

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**PRISON APPOINTED ATTORNEY FEES SUPPLEMENT**

This order serves as a supplement applicable to Prison Appointed Attorney Fees in Department 5. Any matters not addressed within this supplement will defer to the relevant provisions in currently established Local Rules of Court.

- (a) Fees for Private Appointed Prison Defense Counsel.** Private appointed indigent criminal defense assigned by the Lassen Superior Court for Prison Defense Counsel within Department 5 shall be compensated as follows:

For First Degree Murder defense: \$150.00 per hour

For “Three Strike” (25 to Life) defense: \$125.00 per hour

For all other Felony defense: \$115.00 per hour

For Investigator Fees: \$65.00 per hour

For Travel for counsel whose principle office is located outside Lassen County: \$200.00 flat rate per travel necessary to attend court

- (b) Guidelines for Billing Purposes.** The purpose of these guidelines is to promote uniformity in billing. The guidelines cannot address all situations. The basic principles of billing are:

- (i)** Billing for actual time spent
- (ii)** Efficient work
- (iii)** Detailed explanations for work performed

Receipts are required for reimbursable expenses.

Multiple cases on calendar shall be apportioned, including wait times between and amongst the cases. Per diem billing is no longer accepted. The apportionment of time includes cases where the defendant has more than one case on calendar.

Attorney billing shall account for time in 0.1 hour increments.

**(c) Billable and Non-Billable Activities:**

**1. Billable Activities:**

- (i) Services performed while Court is in session or in chambers. This includes time waiting for a case to be called.
- (ii) Any out of court activities reasonably required to represent a client.
- (iii) Travel time to and from an institutional facility housing your client for the purposes of visiting said client.
- (iv) Time to review notes or summaries of a client's case in preparation for court dates will be compensated so long as an adequate description is provided of the work and its relation to the court date. *'File review' as a description when billing is inadequate.*

Counsel accepting appointment under this rule shall do so with clear understanding that the court will make an independent determination of the necessity and justification for hours spent; and may reduce a claim for hours found not to be reasonably necessary for the representation of the defendant or spent on unfounded motions or procedures.

The Court reserves the right to review and adjust payment for any billed service or expense determined to be unreasonable or unnecessary.

**2. Non-Billable Activities:**

- (i) Clerical and support staff including preparing proofs of service; faxing; and filing, copying or preparations of billings. The Court considers these costs overhead costs.
- (ii) Service of documents and subpoenas on the District Attorney, Public Defender or any other attorney or agency that accepts service by fax, mail or email.
- (iii) File maintenance: Opening, labeling and storing a client's file. Some file related activities such as breaking down discovery and exhibits and creating trial notebooks are billable so long as the activities are specifically described.


- (d) **Deadline for Filing Claims by Appointed Prison Defense Counsel.** The State Controller's Office (SCO) Penal Code Section 4750 Manual states in part, regarding deadlines for submitting claims for reimbursement of prison defense costs, "Claimants have six months after the close of the month in which the costs were incurred (PC § 4750(j)) to file a claim. Claims filed after the six-month deadline will not be reimbursed by SCO."

PC § 4750(j) states: "No city, county, or other jurisdiction may file, and the state may not reimburse, a claim pursuant to this section that is presented to the Department of Corrections and Rehabilitation or to any other agency or department of the state more than six months after the close of the month in which the costs were incurred."

With this, the Court requires timely submission of all prison defense related claims. Any claims submitted outside of a timeframe sufficient for the claims to be forwarded to the County for filing with the SCO within the deadlines established in PC § 4750 will not be processed by the Court.

The contents of this order are intended to be implemented into a future revision of the Superior Court of California, County of Lassen's Local Rules of Court, effective January 1, 2025. At such time and with the successful implementation into Local Rules of Court, this General Order shall be revoked and rescinded by its own provisions.

Dated: September 23, 2024

  
Mark Nareau  
Presiding Judge of the Superior Court