**UNITED STATES DISTRICT COURT**

**Northern District of California**

**CONFIDENTIAL EX PARTE APPLICATION FOR CJA FUNDS IN A CAPITAL HABEAS CASE**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Case Name: |  | | | Case number: |  | | Date of initial appointment: | |  |
| Budget Phase: |  | | | Amendment #: |  | | Date petition due/filed: | |  |
| Core Materials**[[1]](#footnote-1)** (page estimate): | |  | | | | | Non-core materials (page estimate): | |  |
| Supplemental Discovery (page estimate): | | |  | | | | |  | |
| Estimated Time Period Covered by this Application: | | | From: | |  | To: | |

|  |  |  |  |
| --- | --- | --- | --- |
| Lead attorney: |  | Hourly rate: | $ |
| Co-counsel: |  | Hourly rate: | $ |

**Please provide a description of the current procedural status as it relates to this request:**

# ATTORNEY HOURS

(Please review *Capital Habeas Budgeting Overview*)

| **Tasks** | **Requested Hours** | | **Brief Justification**  *If necessary, submit additional detail in Confidential Case Evaluation Form.* |
| --- | --- | --- | --- |
| **Lead** | **Co-Counsel** |
| In Court Hearings |  |  |  |
| Conf/Correspond with Client |  |  |  |
| Prepare for and Conduct Witness IVs/Depositions |  |  |  |
| Consult with Experts & Investigators |  |  |  |
| Obtaining & Reviewing the Court Record[[2]](#footnote-2) |  |  |  |
| Obtain & Reviewing Documents & Evidence[[3]](#footnote-3) |  |  |  |
| Consult with Co-Counsel  and Expert Counsel |  |  |  |
| Legal Research and Writing[[4]](#footnote-4) |  |  |  |
| Travel |  |  |  |
| Other |  |  |  |
| Total Hours Requested for All Tasks |  |  |  |
| Total Attorney Costs for All Tasks | **$** | **$** |  |
| **Total Cost – Both Counsel** | **$** | |  |

SERVICE PROVIDERS

(Paralegal, Associate, Investigator(s), Experts**[[5]](#footnote-5)**)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Name and Specialty** | **Requested** | | **Cost** | **Brief Justification**  *If necessary, submit additional detail in Confidential Case Evaluation Form.* |
|  |  | **Hours** | [**Rate**](http://cand.uscourts.gov/expertCompRate#CHExpRates)**[[6]](#footnote-6)** |  |  |
| **1** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
| **2** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
| **3** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
| **4** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
| **5** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
| **6** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
| **7** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
| **8** |  |  | **$** | **$** |  |
|  |  |  |  |  |  |
|  | **Total Amount Requested For Experts:** | | | **$** |  |

# EXPENSES

| **Type** | **Cost** | **Brief Justification**  *If necessary, submit additional detail in Confidential Case Evaluation Form.* |
| --- | --- | --- |
|
|  |
|  | **$** |  |
|  | **$** |  |
|  | **$** |  |
|  | **$** |  |
|  | **$** |  |

|  |
| --- |
| IF ANY PORTION OF YOUR REQUEST IS BEING MADE *NUNC PRO TUNC*, YOU MUST COMPLETE THIS SECTION BEFORE SUBMITTING YOUR FUNDING REQUEST *NUNC PRO TUNC AUTHORIZATION* **NOTE:** *Counsel is responsible for the oversight of expert services and funding status. Nunc pro tunc requests may be denied absent extraordinary circumstances. Justification provided must be sufficiently persuasive and detailed to overcome failure to obtain authorization timely*.  *Nunc Pro Tunc* Date:  Justification for *nunc pro tunc* request: |

# ATTORNEY DECLARATION

I, , hereby declare under penalty of perjury that the information provided in this Ex Parte Request for CJA Funds is accurate and truthful and that I am a licensed attorney authorized to practice law in the District Court, Northern District of California.

|  |  |  |
| --- | --- | --- |
| /s/ | Date: |  |
| Type Full Name |  |  |

|  |
| --- |
| **INSTRUCTIONS:**   1. Save completed application as PDF. 2. In eVoucher, create a CJA26 and upload the budget under the DOCUMENT tab. 3. Fill out the face page of the CJA26 including the total amount of the increased statutory maximum in attorney fees that you are requesting. 4. Confirm and submit the CJA26 though eVoucher. 5. You will receive an email from the eVoucher system when your budget has been approved. 6. Call CJA Supervising Attorney Diana Weiss @ 415-522-2822 if you have any questions. Email to [cja@cand.uscourts.gov](mailto:cja@cand.uscourts.gov) |

1. Core materials: trial transcript from opening to verdict, substantive motions, state appellate briefs and decisions, and state post-conviction pleadings, exhibits, transcripts, and decisions. [↑](#footnote-ref-1)
2. Core records only. [↑](#footnote-ref-2)
3. Non-core and supplemental records only. [↑](#footnote-ref-3)
4. List anticipated pleadings. [↑](#footnote-ref-4)
5. If you are seeking funds for an expert who was not involved in the trial or subsequent proceedings, please attach his/her resume. [↑](#footnote-ref-5)
6. Ctrl+Click to review established presumptive rates for experts in capital habeas cases. [↑](#footnote-ref-6)