

## Guidelines for Filling Out Fee Applications

### Why fill out the fee application

The fee application has several uses for IDS and the court system.

1. **It's a record of the cases your office disposes of.** The fee application is a tangible record of a case disposition. Because of this, it is important that the fee application have the file number on it, as well as the defendant's name, charge, and disposition.
2. **It provides information that IDS uses to determine your office's cost effectiveness.** IDS calculates your office's cost effectiveness using a combination of how many of each type of case is disposed of, how many cases are withdrawn, and how many lawyers are in your office. Offices with large caseloads, based on the information in the analysis, may be eligible for more attorneys. In order to accurately portray the caseload, however, the charge and disposition must be correct.
3. **It provides a means of recoupment.** Each recoupment-eligible fee application must be turned into the judge after the case is disposed. Please see the IDS memo on recoupment-eligible cases, entitled "PD Offices, Submitting Fee Applications to the Court, and Recoupment," in the PD Office Disposition Reporting Procedures section of the IDS website. The money from recoupment goes into IDS's budget, which in turn benefits the PD offices. If a fee application is not turned into the judge, or if it is not filled out correctly, the recoupment process is not triggered.

### What happens to the fee application

After you dispose of a case, one copy of the fee application goes to the judge for recoupment purposes. Check with your administrative assistant to see what your office's procedure is for the other copy. The administrative assistant compiles the information from fee applications into a weekly disposition report that is sent to IDS along with paper copies of the fee applications. The public defenders have asked IDS to routinely audit these reports to insure accuracy and fairness in reporting. The fee applications are stored at IDS. Please make sure that the fee applications are filled out completely and accurately, and are submitted in a timely manner.

### How to fill out the fee application

When filling out the fee application, the most important thing to do is to make sure that all fields are completed. Many offices use CMS to fill out much of the information automatically. Please make sure of the following.

- All fields are completed. This includes the county; court; file number; client's name, address, and social security number, if known; charge, class, and name of offense, if applicable; disposition; judgment; disposition date; time spent on the case; judge's name; and attorney's name.
- Check the box for the most serious original charge. If this is a felony, please put both the class and name of offense. Some felonies could have many classes, so please specify both, or it may be difficult to determine the correct charge. For example, it would be next to impossible to determine what class of felony "drugs" would be.

- Starting in FY08, if a fee application does not have a file number or is not on the current fee application form, it will not be counted on the disposition report. Without a file number, IDS has no way of knowing if a case has already been reported. Without the official form, IDS will not be able to recoup anything.

*Exception:* Drug Treatment Court, Community Resource Court, and other courts where the attorney represents many clients during a single session in court do not need a fee application submitted for each case. Instead, please submit a single fee application with “VARIOUS” as the defendant’s name and report the total number of hours that the court session lasted. You must also attach to this fee application a list of the clients’ names, file numbers, and session dates for each client represented during that session. You may attach that day’s docket if you prefer, but you must identify which clients you represented.

- Please make sure that the fee application is submitted during the fiscal year in which the case was disposed. Holding onto fee applications for disposed cases only hurts your office’s overall cost-effectiveness, which again is calculated by how many attorneys are in your office and how many cases are disposed of. A case cannot be reported to IDS until the paper fee application has been submitted as well.
- IDS is working with the PD Data Committee to develop a more accurate case weighting system. The purpose of a case weighting system is to ensure that cases that take more time are given more weight when measuring attorney workload. For example, a Felony B1 case will typically take more time to dispose than a Felony I case, so a Felony B1 case should have a greater case weight. Consequently, it is imperative that you accurately and completely fill in the charge section on the fee application. When the new case weighting system takes affect, it will be even more important that your fee applications have the correct charge and disposition, in order for your office to get the full and accurate credit for the case.