

Billing Review Guidelines for Managed Assigned Counsel Program



Effective Date: 2024-11-15

I. Purpose

The purpose of these Billing Review Guidelines is to provide clear, consistent, and transparent standards for reviewing and approving attorney fee and expense submissions under the Managed Assigned Counsel (MAC) Program. These guidelines ensure that billing complies with established rates, accurately reflects services provided, and promotes efficient management of public defense funds. By outlining expectations for timekeeping, allowable expenses, and documentation, these guidelines support fair compensation for defense attorneys while protecting the integrity of the Private Assigned Counsel (PAC) fund.

These Billing Review Guidelines supplement, but do not supersede, the IDS Policies Governing Attorney Fee and Expense Applications in Non-Capital Criminal and Non-Criminal Cases at the Trial Level. In the event of any conflict between these guidelines and IDS Policies, the IDS Policies Governing Attorney Fee and Expense Applications in Non-Capital Criminal and Non-Criminal Cases at the Trial Level will take precedence.

II. Current Workflow

Beginning June 3, 2024, MAC attorneys submit their hours and expenses through defenderData. Attorneys are encouraged to maintain contemporaneous timekeeping and submit their vouchers during the first week of each payment month. IDS reviews the submitted vouchers, converts approved vouchers to a .csv file, and sends the file to the North Carolina Financial System (NCFS) for payment.

All vouchers undergo both automatic and manual review. Vouchers may be approved, rejected, reduced, or returned for additional information. Some vouchers are flagged for "special review" due to potential issues and are similarly subject to approval, rejection, reduction, or a request for additional information (see Appendix A for workflow details).

Reasonableness of Invoice

- **Case Complexity:** The hours billed should be reasonable and aligned with the complexity of the case (e.g., misdemeanor cases should generally require fewer billed hours than felony cases).
- **Independent Review:** All submissions will undergo an independent review for reasonableness and fairness.
- **Final Approval:** Once reviewed and verified, vouchers are submitted for final approval.

III. Review Guidelines and Rules

A. Voucher Special Review

Vouchers containing the following billing will be subject to additional review:

- Time entries exceeding nine (9) hours in court in a single day.

- Total work time exceeding ten (10) hours in a single day.
- Total work time exceeding sixty (60) hours in a week.
- Total work time exceeding 258 hours in a month.

Vouchers flagged for special review may be approved, rejected, reduced, or returned for additional information. IDS may request further documentation or justification before waiving any of the above limitations. When deciding whether to waive a limitation, IDS will consider factors such as:

- Case complexity
- Length of trial or litigation
- Emergencies (e.g., natural disasters or events leading to extended court closures)

IDS reserves the right to request documentation supporting the waiver of a billing limitation. Such requests will be made via the defenderData system within ten (10) days after the relevant billing cycle closes. Attorneys will have thirty (30) days from the date of notification to provide the requested documentation. If IDS determines that a waiver is appropriate, payment will be issued during the next available MAC billing cycle.

To ensure quality representation, IDS further reserves the right to implement measures including but not limited to placing an attorney's ability to receive new appointments on hold whenever it identifies a pattern of time exceeding ten hours per day or sixty hours per month.

B. Voucher Rejection

Vouchers containing the following will be rejected:

- Duplicate entries
- Billing for administrative tasks
- Expenses exceeding \$25 that either (1) have not been preapproved, or (2) do not include a receipt (excluding mileage, if specified in your contract)
- Time entries exceeding twenty (20) total hours in a single day

If any billing entries are deemed improper, they will be flagged for clarification. IDS staff will notify the attorney of any rejected items within ten (10) days after the close of the relevant billing cycle. Attorneys may be given an opportunity to correct improper entries. IDS will consider factors such as the frequency and nature of improper entries when deciding whether to allow revisions.

C. Review of Decision

Review of an adverse decision, except for those provided for in Paragraph III. B., will be conducted according to IDS Policy #04.01.07, "Adverse Decision of Executive Director and Procedures for Review."

Attachment A – Policy History

Policy Name:	Billing Review Guidelines for Managed Assigned Counsel Program
Policy Number:	06.02.01
Custodian:	Deputy Director
Effective Date:	2024-11-15
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