

# **DefenderData Tips**

## **CREATING CASES**

Create the case as soon as the assignment comes into the office, and use the complete docket number, including the court code (e.g. yrkcd, lewdc), the case type (e.g. cr, pc), the year (may be 2016 or 16) and the case number (zeros at the beginning of the court-generated number may be dropped). Do not include any spaces and be sure to use the dashes (e.g. CUMCD-CR-16-1234). If this is done routinely, almost all assignments will be approved for billing without the need for counsel to do anything else.

If a case has been created and not approved within 14 days of creation, assume the court did not send a copy of the assignment to MCILS and email or fax (287-3293) a copy to MCILS.

For clients with multiple docket numbers, **CREATE ONE CASE FOR EACH DOCKET NUMBER**. The Commission seeks resources from the Legislature based on the number of cases handled by assigned counsel, so it is important that DefenderData does not underrepresent the number of cases assigned to MCILS counsel. (See below for information on how to efficiently bill companion cases.)

### Child Protection Cases

For new PC cases, create a case with the CPP file type and use that case to submit vouchers for the PPO stage and again for the Jeopardy stage. Once the case reaches the review stage, create a second case with the RCP case type. Use that case to bill all the review stages, including permanency guardianship, cease reunification, and the like. Once a TPR is filed, create a new case with the TPR case type and use that case to bill the TPR. To get newly created RCP or TPR cases approved, forward the original order of assignment to MCILS.

### Client information

Please include the client's date of birth. The address, phone, gender and ethnicity fields are optional.

### Unneeded or duplicate case entries

Add the word "delete" to the end of the docket number for any case that you need removed from your account.

### Probation violations

Create a new case entry for probation violations using the PV file type. If during the course of PV representation, the State files an additional motion adding additional grounds for revocation, use the existing case for resolution of all the motions/grounds alleged. If a PV is completed and billed, however, and a new PV is filed, create a new case to cover the new motion(s).

## Appeal

Create a new case entry once the case reaches the appeal stage and use the file type APP. If appellate attorney was also trial counsel, no new assignment will be issued by the court. To get these cases approved, forward a copy of the original assignment to MCILS with a note that trial counsel has filed an appeal and created a new appeal case in DefenderData.

## Lawyer of the Day

Create a separate case for each Lawyer of the Day appearance. The docket number should identify the court and the date of appearance in the following format: CUMCD-LOD-040816. For the client name, use LOD for the first and last name.

## **SUBMITTING VOUCHERS**

### Requesting Exceptions

If you click submit and receive a message that the voucher exceeds the cap, be sure to enter a justification for exceeding the cap in the text box on the voucher or by attaching a letter BEFORE you click “request exception.”

## **FILE TYPE**

In criminal cases, the file type should relate to the original charges even if the charges change before disposition. So a felony theft charge gets the FEL file type, even if it is pled down to a misdemeanor at disposition.

## **DISPOSITIONS:**

Please be as accurate and complete as possible with disposition information, including entering the sentence in criminal cases.

For cases with more than one voucher, update the disposition date and the disposition of the case on successive vouchers so that they reflect the state of affairs existing at the time the voucher is submitted.

## **CRIMINAL CHARGES:**

In criminal cases, enter the charges that exist at the time of assignment. If one or more of those charges is dismissed, indicate that in the disposition field and create the charges that resulted in conviction, as well as the disposition on those charges.

## **MULTIPLE VOUCHERS FOR THE SAME CLIENT**

When billing for multiple cases on behalf of one client that were worked on simultaneously, put almost all of the time on one case and indicate on the voucher that the time includes work on multiple docket numbers. On the other case(s), enter only one or two events (e.g. open file, review discovery) and place a note on the voucher that identifies the case with most of the time on it.

When submitting multiple vouchers for the same client, please submit all of the vouchers on the same day so that we are able to review the vouchers together to guard against duplication of entries.

## **TIME ENTRIES**

Do not create multiple events on the same day that are identical to each other. For multiple phone calls or emails with the same person, for example, aggregate the time (you can indicate the number of calls or emails in the comment section if the resulting time is extensive). If you chose to include identical entries on the same day, use the comment section to make clear that the task was done twice (e.g. two jail visits to the client on the same day).

Avoid ambiguous entries. The event drop down menu contains some ambiguous options such as “review,” “review file,” and “out of court/other.” Please either select more specific event options or identify the work actually done in the comment section to the event.

## **EXPENSES**

### Photocopies Non-Routine

This is for copies made in the office that number in excess of 100 (we do not reimburse for copies numbering fewer than 100). Enter THE NUMBER OF COPIES MADE, and the system will calculate reimbursement at \$.05/page.

### Mileage

Mileage is not allowed to home Superior or District Courts. For Criminal cases, the UCD is the home criminal court, so mileage is not allowed to the County Superior Court (for Aroostook, the closest Superior Court is the home UCD court).

When entering mileage expenses, ENTER THE NUMBER OF MILES, and the system will calculate reimbursement at the rate of \$.44/mile.

### “Other expense” category

Enter the actual amount expended and attach a copy of the receipt to the voucher. Click on the green + sign on the top right corner of the voucher to upload the attachment.

### Invoices for Experts, PI’s Interpreters, etc.

These invoices should be forwarded to MCILS for payment and not paid by the attorney or included on the voucher. Review the invoices for accuracy before submitting them and be sure to obtain and submit receipts for any out of pocket expenses claimed by the expert/investigator. When submitting the invoices, include a certification that the work was performed and was satisfactory. Also, be sure to **INCLUDE A COPY** of the authorization to expend funds issued by MCILS along with the invoice and certification.

### Subpoena/Witness fees

Subpoenas should be submitted to the Sheriff for service. When submitting subpoenas, include a certificate of indigency (See M.R.U.C.P. 17(b)) or a copy of your assignment so the Sheriff knows the subpoenas are issued on behalf of an indigent client. Indicate in your cover letter that the Sheriff should submit the bill to MCILS.

Witness fees and mileage are not required to be served at the time of service, but the witness under subpoena remains entitled to those fees. If witnesses who appear in response to your subpoena inquiry about witness fees and mileage, direct them to submit their request to MCILS using the form on the MCILS website: [www.maine.gov/mcils/forms/index.html](http://www.maine.gov/mcils/forms/index.html). The attorney should not pay witness fees and mileage and should not include them on the voucher.