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CLERK OF SUPERIOR COURT

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCHISE

ADMINISTRATIVE ORDER NO. 2008-26 (AMENDING 2008-25)

IN RE: GUIDELINES FOR COMPENSATION AND ASSOCIATED EXPENSES OF COURT APPOINTED COUNSEL, PARALEGALS, INVESTIGATORS, COURT REPORTERS, INTERPRETERS AND PHYSICIANS

It appearing to the court that guidelines previously set by Administrative Order 2000-10 regarding compensation and reimbursement to be paid to persons appointed by the superior court and justice courts to the extent such appointments are made, are in need of modification and revision, it is therefore

ORDERED compensation shall be made for the following services or activities where the appointment has been approved by the court, at the rates set forth:

1. **COURT APPOINTED COUNSEL FOR INDIGENT DEFENDANTS (excluding court appointed counsel in the offices of the public and legal defender):**

Fifty dollars ($50.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

2. **COURT APPOINTED COUNSEL FOR INDIGENT DEFENDANTS IN CAPITAL CASES:**

Seventy-five dollars ($75.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

3. **CO-COUNSEL FOR INDIGENT DEFENDANTS IN CAPITAL CASES:**

Fifty dollars ($50.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

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4. SPANISH-SPEAKING COURT APPOINTED COUNSEL FOR INDIGENT SPANISH-ONLY SPEAKING DEFENDANTS:

Fifty-five dollars ($55.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

5. PARALEGALS ASSISTING COURT APPOINTED COUNSEL:

Twenty dollars ($20.00) per hour for legal services provided at the request of an attorney assigned by the Indigent Defense Coordinator to represent indigent persons. Paralegal shall not be compensated for any work performed of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

6. INVESTIGATORS PROVIDING SERVICES TO COURT APPOINTED COUNSEL FOR INDIGENT DEFENDANTS:

Twenty-five dollars ($25.00) per hour for work performed prior to or during trial; fifteen dollars ($15.00) per hour for assistance in court. Before obtaining the services of an investigator, prior approval from the court is required. A copy of the motion and order approving the use of an investigator and setting forth the specific number of hours so approved shall accompany any billing statements submitted for payment.

7. COURT APPOINTED INVESTIGATORS IN PROBATE, GUARDIANSHIP OR CONSERVATORSHIP CASES:

One hundred dollars ($100.00) per investigation conducted and Report to Court submitted; reimbursement for mileage at the then-current county rate, and actual and reasonable out-of-pocket expenses incurred in the course of conducting the investigation.

8. COURT REPORTERS:

Two hundred fifty dollars ($250.00) per day for non-employee court reporters. Travel and other expenses are included in the daily rate.

9. INTERPRETERS:

Interpreters employed by the court may impose reasonable charges for their translation services in pending civil and criminal cases upon all persons including

the offices of the public and legal defender and the county attorney, but shall translate forms for the court and offices of the public defender, legal defender, contract and appointed counsel and the county attorney without charge. Forms desired to be translated shall be processes through the office of the court administrator.

Non-employee interpreter services shall be reimbursed as follows: one hundred ninety dollars ($190.00) per day for work of more than three (3) hours begun in the morning and continuing after a noon recess; one hundred twenty-five dollars ($125.00) for work of three hours or less whether begun in the morning or afternoon or through the noon recess period; twenty dollars ($20.00) per hour for work performed after 5:00 p.m. Travel and other expenses are included in the rates.

10. PHYSICIANS:

Not to exceed five hundred dollars ($500.00) for Rule 11 examinations and reports, which shall be submitted with itemized billing; the usual charges in the community for physicians in the particular specialty of the witness for forensic services.

11. EXPENSES (except where excluded in the above rates):

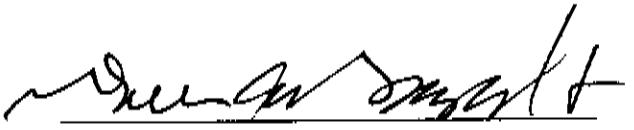
Transcription of interview tapes of English-speaking persons will be reimbursed at a rate of not more than two dollars ($2.00) per page. Transcriptions of interview tapes of Spanish-speaking persons will be reimbursed at a rate of not more than four dollars and fifty cents ($4.50) per page. Copying charges will be reimbursed at a rate of not more than ten cents ($.10) per page. Reimbursement will not be made for facsimile expenses.

Travel shall be reimbursed at the then-current county rate for travel necessary to accomplish the work assigned or to the courthouse for a scheduled court appearance. Lodging and other charges necessarily incurred will be paid at the then current rate for out-of-county services only.

IT IS FURTHER ORDERED that the above limits may be exceeded upon a showing of necessity or good cause to the court on petition and order in writing. In determining the compensation to be set or reimbursement to be authorized, the court shall consider the amount of time to be expended, which may be limited by the court; the necessity for such work and the work previously performed in the particular case; the experience of counsel; the complexity of the matter; and any other factors which may be presented to or known by the court. Prior court approval shall be required, which requirement may be waived only upon a showing of dire need or emergency.

IT IS FURTHER ORDERED that the rates set forth above shall be effective for all court appointed services as of August 27, 2008. Thereafter, all previous administrative orders pertaining to compensation and reimbursement are hereby void and of no further effect. (void.)

DATED at Bisbee, Arizona, this 26th day of August, 2008, 03rd day of September, 2008, effective the nunc pro tunc.



Wallace R. Hoggatt
Presiding Judge