

TRAVEL GUIDELINES FOR CJA ATTORNEYS AND EXPERTS
Updated 7.20.23

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INTRODUCTION

These guidelines have been prepared to inform CJA attorneys and experts of the court’s policies and procedures related to travel.

Travel expenses reasonably incurred in providing representation under the Criminal Justice Act (CJA) may be claimed on the CJA-20 or CJA-30 voucher form for CJA attorneys. There are no restrictions for paying mileage or travel time for CJA attorneys from other divisional offices or for out-of-district CJA attorneys, with the approval of the presiding Judge. All expenses must be itemized, documented with appropriate receipts, and attached to the documents tab in eVoucher. See CJA Guidelines §§ [230.46](#), [230.60](#), and [230.63.40](#).

In determining the reasonableness of expenses of persons furnishing investigative, expert, or other services, claimants and the court should be guided by the provisions of these Guidelines regarding reimbursement of expenses of counsel. CJA attorneys should email expert invoices and/or receipts to the CJA Clerk in the appropriate division, who will prepare the CJA-21 or CJA-31 voucher. See CJA Guidelines § 320.80

The guidelines set forth the procedures for obtaining government travel rates and provide a summary of recurring allowable and non-allowable charges. While it is impossible to address all possible travel-related issues, the guidelines are intended to serve as a basic resource.

AUTHORIZATION TO TRAVEL

1. If extraordinary travel is expected or if lodging accommodations are above the GSA lodging rate, the CJA attorney must request permission from the Court by filing an Ex-Parte Motion for Travel Expenses for themselves or their expert. **See end of document for links.**

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2. If the submitted CJA-20 voucher exceeds the statutory maximum and includes travel expenses, the CJA Clerk should attach any order authorizing travel expenses to the documents tab in eVoucher for 7th Circuit review.

An attorney or expert traveling as part of his or her representation under the CJA is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business. Only those expenses which were actually incurred and were essential to and in connection with representation under the CJA should be claimed.

§ 230.66.50 Service of Process

In addition, an attorney appointed to represent a fact witness has the obligation to inform the witness to contact the U.S. Marshal's office on how to make travel arrangements and to obtain government transportation rates when the witness is required to remain away from their residence overnight.

A Fact Witness Voucher, Form OBD-3 must be prepared by the attorney for each witness. For detailed information, call the U.S. Marshal or obtain USMS Pub. No. 74, September 1997.

Fact witness fees, witness travel costs, and expenses for service of subpoenas. These expenses are not paid out of the CJA appropriation, but instead are paid by the Department of Justice pursuant to Fed. R. Crim. P. 17, and [28 U.S.C. § 1825 \(link is external\)](#). See CJA Guidelines § [320.40](#), for guidance on payment of witness fees generally.

TRANSPORTATION ALLOWABLE

A. Expenses Payable as Transportation

Transportation expenses that may be claimed on the voucher include fares, automobile rental fees including gasoline charges, mileage reimbursement for use of privately-owned vehicle (POV), parking and any expenses incident to transportation such as baggage transfer, business-related telephone, and food when on overnight travel. Regardless of the dollar amount, receipts are required for reimbursement of all travel expenses.

B. Methods of Transportation

Authorized Methods. Methods of transportation authorized for travel include railroads, airlines, ferries, buses, subways, transportation terminal limousines, taxis, rental automobiles, privately-owned vehicles, and other necessary means of conveyance. Travel shall be by the method of transportation that will result in the greatest advantage to the government, cost and other factors considered. There is no reimbursement for first class or business class travel expenses. Travelers should exercise prudence in the selection of

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the least expensive rental vehicle necessary to adequately perform the official travel. The court will not reimburse Personal Accident Insurance (PAI) or Personal Effects Coverage (PEC) for rental automobiles. In addition, no reimbursement will be made for add-ons or upgrades when renting an automobile, or for the excessive cost of refueling a rental car at the rental agency.

Privately-Owned Vehicle. Use of a privately-owned vehicle for CJA case-related travel should be claimed at the mileage rate then in effect for the federal judiciary employees. The government will reimburse case-related parking fees and tolls if documented with receipts.

Reimbursement will be for the common carrier that is the most efficient, expeditious and advantageous to the court. All reimbursement for use of a common carrier must be supported by travel receipts. Submission of credit card statements alone is not sufficient for reimbursement purposes.

REIMBURSABLE EXPENSES

§ 230.60 Attorney Compensation for Travel Time

§ 230.50(f) Proration of Claims

While time spent in common on more than one CJA representation must be prorated, the entire amount of travel expenses applicable to more than one CJA representation must be billed to one representation. The supporting materials to the voucher on which the expenses are billed must cross-reference the other CJA representations.

An appointed attorney who travels on behalf of more than one CJA representation must prorate the travel time and may not bill the entire time on one voucher.

§230.63.40 Travel Expenses

- (a) Travel by privately owned automobile should be claimed at the mileage rate currently prescribed for federal judiciary employees who use a private automobile for conduct of official business. Parking fees, ferry fares, and bridge, road, and tunnel tolls may also be claimed. Transportation other than by privately owned automobile should be claimed on an actual expense basis.
- (b) Per diem in lieu of subsistence is not allowable, since the CJA provides for reimbursement of expenses actually incurred. Therefore, counsel's expenses for meals and lodging incurred in the representation of the defendant would constitute reimbursable "out-of-pocket" expenses.
- (c) In determining whether actual expenses incurred are "reasonable," counsel should be guided by travel and subsistence expense levels set by the [Judiciary Staff Travel Regulations](#).

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Current GSA rates for hotel, (not including room tax), meals and incidentals may be obtained by contacting the Clerk of Court or visiting www.gsa.gov/perdiem.

- (d) Federal law authorizes attorneys, experts, and other persons traveling primarily in connection with carrying out responsibilities under the CJA to use government travel rates from common carriers and lodging providers. (See: [18 U.S.C. 3006A\(link is external\)](#) note; Federal Courts Administration Act of 1992, Pub. L. No. 102-572, title VII, § 702, [106 Stat. 4515](#) (Oct. 29, 1992).)
- (1) Government rates may provide substantial cost reductions or increased flexibility over ordinary commercial rates. To obtain such rates, prior approval must be obtained from the appointing authority.
 - (2) Government contract airfares must be booked through the carrier or the judiciary's contract travel agent using the court's centrally billed account.

Receipts must be submitted with the voucher for all travel and subsistence expenses regardless of the amount incurred. Submission of credit card statements alone is not sufficient for reimbursement purposes.

An attorney or expert may be compensated for time spent in travel status to and from the travel destination. Travel time to and from Court may be claimed if the round trip is over an hour.

When the travel period is 24 hours or less and no lodging is incurred, meals will not be reimbursed. Only those travel expenses related to the case will be reimbursed such as mileage, parking, and tolls. During authorized overnight travel, reimbursement will be made for actual subsistence expenses. Expenses of subsistence include all reasonable charges for meals (maximum three per day), lodging, all fees and tips to waiters, porters, and hotel maids, and transportation between places of lodging and business.

NON-REIMBURSABLE EXPENSES

The cost of travel for spouses, other family members and friends is not allowable. In addition, snacks, alcoholic beverages, entertainment (e.g., movies), travel insurance taken while traveling, parking fines or fees for traffic violations, personal automobile expenses, expenses incurred in traveling by indirect routes for personal reasons, use of taxis to obtain meals, and expenses submitted without receipts are not reimbursable. If a traveler lengthens a trip or incurs any cost for personal reasons or performs work that is not related to the purpose of the official travel, the increased cost caused by such action is not allowable.

OTHER REFERENCES

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1. General Services Administration daily lodging rate: www.gsa.gov/perdiem
2. Travel and subsistence expense levels set by the Judiciary Staff Travel Regulations –
See § 455.15 CJA Panel Attorneys and Related Service Providers
<https://jnet.ao.dcn/policy-guidance/guide-judiciary-policy/volume-19-travel-and-relocation/ch-4-judiciary-staff-travel-regulations>
3. CJA [Guide, Vol. 7, § 230.63.40 \(Travel Expenses\)](#)
4. CD/IL CJA Plan, Page 17, Item XII – Compensation of CJA Panel Attorneys

Any questions pertaining to travel should be directed to the CJA Clerk in the appropriate Central District of Illinois divisional office.