

**Lander County
Public Defender Billing Instructions**

I. INVOICING AND PAYMENT

A. Definitions

Qualified Attorney: An attorney approved by the Department to provide indigent defense services within certain categories of cases as set forth in the Regulations (NAC 180).

Case-Related Expenses: Expenses, other than attorneys' fees, reasonably necessary to provide an appropriate defense. Such expenses may include, without limitation, fees for investigators, expert witnesses, forensic services, photocopying, and transcription.

Counsel Administrator: Refers to the Fiscal Officer, Laken Sullivan.

B. Set Up as a Vendor

Qualified Attorneys, Experts, and Investigators **must be set up as a vendor** in the Lander County system. This is a one-time process. Prior to payment of your first invoice, a W-9 must be submitted to Counsel Administrator at: lsullivan@landercountynv.org.

Please ensure this step is completed as soon as possible after your initial contract is approved.

C. Attorneys' Fees

Qualified Attorneys providing services to Eligible Clients within Lander County in exchange for an hourly rate shall submit monthly invoices to the Counsel Administrator at: lsullivan@landercountynv.org.

Such invoices shall be submitted on the "Request for Attorney's Fees" form, with appropriate backup, no later than ten (10) days after the end of the month in which the services were rendered. The backup shall contain time entries rounded to the nearest one-tenth (1/10th) of an hour, describing with specificity the work performed and identifying the attorney who performed it.

Invoices also need to include the name of the court, court case number, and client's name. If the client is a juvenile, please only use last name and first initial. **Please note:** in juvenile matters, only include the first initial and last name on the Request for Attorney Fees form, as well as any backup material. Including a full name on a juvenile matter will cause the Request to be sent back to the attorney to remove the full name.

Pursuant to NRS 7.125, attorneys will be compensated at the following hourly rates for court appearances and other time reasonably spent on the matter to which the appointment is made:

- (1) \$125.00/hour in cases in which the death penalty is sought,

- (2) \$100.00/hour in all other cases, or
- (3) The rate specified in an agreement between an attorney and county.

The Counsel Administrator shall approve for payment all reasonable attorney's fees reflected on the Requests for Attorneys' Fees and backup. Qualified Attorneys may submit the backup from LegalServer or their own case management system. In the case of a final bill, the hours and case disposition need to be entered into LegalServer (or the Counsel Administrator needs to be notified to assist the attorney with entering such information). In reviewing for reasonableness, the Counsel Administrator may consider factors such as: (i) average case times as determined by workload analysis; (ii) time and skill required; (iii) complexity of the case; and (iv) experience and ability of the Qualified Attorney(s). The Fiscal Counsel Administrator may request additional information or explanation where necessary. In the event the Counsel Administrator denies or modifies a Request for Attorneys' Fees, it shall provide an explanation to the Qualified Attorney as to why the denied portion was not reasonable. Such denials shall be subject judicial review pursuant to NRS 7.135.

D. Case-Related Expenses

Insofar as Case-Related Expenses are incurred in providing services to Eligible Clients, the following procedures shall apply:

1. Pre-Authorization: Case-Related Expenses expected to exceed two thousand five hundred dollars (\$2,500) shall be submitted to the Counsel Administrator for pre-authorization before they are incurred. The Qualified Attorney shall submit the request for pre-authorization to the Counsel Administrator by email at lsullivan@landercountynv.org. The request shall include an explanation of why the expense is reasonably necessary to provide Representational Services.
2. Reasonableness Review: All Case-Related Expenses, whether or not they are subject to pre-authorization, are subject to the Counsel Administrator review for reasonableness. Invoices for Case-Related Expenses shall be submitted to the Counsel Administrator for such review no later than thirty (30) days following the termination of the representation. Any requests for expenses not timely submitted shall be waived. The Counsel Administrator shall approve all reasonable and necessary Case-Related Expenses and shall submit the invoice with approval to accounts payable for payment.

Payment: The Lander County Finance office is responsible for issuing payments for approved invoices.