

Superior Court of California - County of San Bernardino

APPOINTED SERVICES FEE SCHEDULE

Pages 1, 2 and 3 Revised 3-1-2021



The Court's Local Rules and appointed service claim forms are available at the Court's website: www.sb-court.org

A. ATTORNEY FEES - CRIMINAL CASES

TYPE OF HEARING OR ACTIVITY	MISD	FELONY			COMMENTS
		Complaint	Info./Indict.	Complex	
Appointment - Misdemeanor	\$300				Arraignment on Misd. Complaint, entry of initial plea, all conferences with defendant and/or prosecutor and pre-trials, discovery, readiness conferences and sentencing.
Appointment - General Felony Criminal Complaint		\$350			Arraignment on Fel. Complaint, entry initial plea, conference with defendant, discovery, all court appearances prior to Info./Indict., conferences with prosecutor, preliminary hearing or entry of 859a or misdemeanor plea, confirmation of 859a plea, sentencing.
Appointment - Felony Info. or Indictment, Arraignment on info./indictment, entry of plea, conference w/defendant, discovery, confs. w/prosecutor, review transcript of preliminary hrg., readiness conf., pre-trial calendar, change of plea and sentencing			\$250		New counsel: Additional, reasonably expended time, shall be paid at the rate of \$60/HR at the Court's discretion.
			\$150		Same attorney appointed on criminal complaint: Additional, reasonably expended time, shall be paid at the rate of \$60/HR at the Court's discretion.
Appointment - Complex Felony				\$270	Arraignment, entry of plea, conf. w/ defendant, discovery, confs. w/ prosecutor, review transcript of prelim. hrg., readiness conf. and pre-trial calendar. Additional reasonably expended time shall be paid at the rate of \$65/HR at the Court's discretion
Appointment to represent same defendant in additional pending cases	\$75	\$150	\$150	\$150	
Appointment to represent witness	\$60/HR ¹	\$60/HR ¹	\$60/HR ¹	\$65/HR	Note 1 = Not to exceed max. of \$180.
Trial - Half Day	\$150	---	\$195	\$250	
Trial - Full Day	\$250	---	\$390	\$450	
Probation violation hearings	\$35	\$50	\$50	\$50	
Prob. violation hrg. add'l pending case	\$35	\$50	\$50	\$50	
Prob. hrg., pronouncement judgment and related post-trial motions	---	---	\$50 ²	\$55	Note 2 = Plus hourly at \$60/hr at Court's discretion.
Prep. and appearances re: Petition to Revoke Probation	---	---	\$195	\$250	
Written motions and/or evidentiary hearings, collectively, on a complaint	\$60/HR ³	\$60/HR ³	---	---	Note 3 = Not to exceed a maximum of \$150.
Motions under PC 995 or 1538.5 and evidentiary motions	---	---	\$195 ⁴	\$65/HR	Note 4 = Any increase shall be at discretion of Court.
Additional Court appearance not for convenience of appointed attorney	---	---	\$50	\$55	
Mileage	---	See Note	See Note	See Note	Note - Mileage may be paid at Court-approved rate at Court's discretion only if case is transferred to another District exceeding 30 miles from appointing District.

B. ATTORNEY FEES - JUVENILE COURT

TYPE OF HEARING OR ACTIVITY	RATE
Conference with juvenile, parents, probation officer, includes detention hearing or prehearing	\$250
Disposition hearing, conference with juvenile, parents, probation officer	\$85
Jurisdictional Half Day	\$195
Trial Half Day	\$150
Trial Full Day	\$250
Additional court appearance/prior to adjudication/not for convenience of appointed attorney	\$50
Prima Facie or contested dispositional (not to exceed one-half day)	\$130
Court appearance after adjudication (annual review, appearance review, change of placement)	\$50

C. ATTORNEY FEES - CIVIL, FAMILY LAW

TYPE OF HEARING OR ACTIVITY	RATE	COMMENTS
Appointment, entry of plea, conferences, includes case preparation and appearances	\$300	Claims for attorney fees in Family Law cases must be submitted by the last day of each month, beginning the month of appointment. Claims submitted more than 30 days late are subject to penalty of 10% of claim amount per month. [LRC 1460]
Written motions and/or evidentiary hearings, collectively on a complaint	\$60/HR (Not to exceed \$180)	
Trial on civil or family law complaint - Half Day	\$150	
Trial on civil or family law complaint - Full Day	\$250	
Additional court appearance not for convenience of appointed attorney	\$50	
Preparation and appearances regarding stipulated agreements	\$50	
Hourly rate for out of court preparation time reasonably expended at discretion of the Court	\$60/HR	

D. ATTORNEY FEES - PROBATE, GUARDIANSHIP, CONSERVATORSHIP

TYPE OF HEARING OR ACTIVITY	RATE	COMMENTS
Appointment (including appointment court appearance, if any)	\$300	Receiving pleadings from Court; preparing and creating file, calendar hearings, initial file review, preparing billing.
Trials	\$150/HR	
Additional court appearance not for convenience of appointed attorney	\$100	
	7/1/2017*	7/1/2019* 7/1/2021* *Cases appointed on or after date (for out of court prep time only)
Hourly rate for out of court preparation time reasonably expended at discretion of the Court	\$100/HR	\$125/HR \$150/HR

Attorney Fee Schedule Notes

Attorneys appointed by the Court may not charge fees for their services in excess of the rates and limits in this Appointed Services Fee Schedule. [LRC 1400]

All claims shall be fully itemized as to specific dates, hours & activities. When hourly billing is authorized by the Court, minimum billing increment is 0.25 hrs (15 min.) [LRC 1402]

All claims must be submitted on Court forms to the Court where the case is heard within **60** days of case completion. All statements for post-dispositional activities are to be submitted within **60** days of the hearing. If an attorney submits a claim before the end of a case, a copy of prior billings for the same case must be submitted with subsequent billings. [LRC 1405]

The above fee provisions will cover the usual and ordinary handling of a criminal case, including ordinary office expenses. However, expenses reasonably and necessarily incurred by counsel, including costs of service and process, copies of documents and long-distance telephone calls may be reimbursed. Original receipts required. Expenses for investigators or experts and any single expense item in excess of \$50.00 shall not be incurred without prior express written approval from the Court. [LRC 1411]

In cases where, because of the complexities thereof, the seriousness of the charge or novel legal procedures being involved, extensive research, trial preparation and investigation are required, additional extraordinary fees may be allowed at the discretion of the Court. It should be understood that extraordinary fees are not designed to cover the routine or usual legal services or ordinary office expenses. [LRC 1412]

Complex felony billing rate must have prior express written approval of the Court. [LRC 1410]

All attorney fees for Capital/LWOP for cases appointed after September 1, 1997 are established by the Court's Capital/LWOP Panel Fee Schedule Agreement. [LRC 1413]

E. ATTORNEY FEES - APPELLATE DIVISION

TYPE OF HEARING OR ACTIVITY		RATE	
Communications (including client/def., prev. counsel)		up to 3.5 hrs at \$60/hr, maximum \$175	
Record Review		60 pages per hour at \$60/hr	
Preparation of Proposed Statement on Appeal		\$60/hr	
Motions	Extensions of Time	up to 0.5 hr at \$60/hr, maximum \$25	
	Augment	up to 1.5 hrs at \$60/hr, maximum \$75	
	Other Motions	Reasonable time at Court's discretion at \$60/hr	
Appellant's Opening Brief			
Statement of Facts	Very Simple	up to 1/3 of record review time at \$60/hr	
Briefed Issues	Simple	up to 2.5 hrs at \$60/hr, maximum \$125	
	Simple/Average	up to 4 hours at \$60/hr, maximum \$200	
	Average	up to 6 hours at \$60/hr, maximum \$300	
	Average/Complex	up to 8 hours at \$60/hr, maximum \$400	
	Complex	up to 11 hours at \$60/hr, maximum \$550	
	Unbriefed Issues	Simple	up to 13.5 hours at \$60/hr, maximum \$675
	Average	up to 0.5 hours at \$60/hr, maximum \$25	
Complex	up to 2.5 hours at \$60/hr, maximum \$125		
		up to 5 hours at \$60/hr, maximum \$250	
Reply Brief		up to 1/3 of Appellant's Opening Brief recommendation	
Supplemental Brief		Appellant's Opening Brief issue standards	
Review of Opposing Counsel Brief		up to 2.5 hours at \$60/hr, maximum \$125; 0 hours if Wende	
Petitions - Habeas		up to 12 hours at \$60/hr, maximum \$600	
Petition for Rehearing		up to 6 hours at \$60/hr, maximum \$300	
Petition for Review		up to 10 hours at \$60/hr, maximum \$500	
Other Petitions		Reasonable time at Court's discretion at \$60/hr	
Review Response		Reasonable time at the Court's discretion at \$60/hr	
Reply to Response		up to 1/3 of petition time at \$60/hr	
Oral Argument		up to 7.5 hours at \$60/hr, maximum \$375	
Review Opinion		up to 1.5 hours at \$60/hr, maximum \$75; up to 0.25 hours at \$50/hr if Wende, max \$10	
Other	Review Superior Court File	up to 2 hours at \$60/hr, maximum \$100	
	Miscellaneous	Reasonable time at Court's discretion at \$60/hr	
Expenses	Photocopying	Up to \$.10 per page (10¢/pg) – original receipt required	
	Postage	Actual, if reasonable at Court's discretion – original receipt required	
	Telephone	Actual, if reasonable at the Court's discretion - copy of bill or phone log required	
	Travel	Attorney mileage may only be reimbursed if authorized in advance by the Court, at the current Court-approved rate in effect on dates of service. Mileage reimbursement will generally only be authorized for travel for interviews properly prepare a brief. If mileage reimbursement is authorized, locations (city) must be specified on claim	
Computerized Research		Ordinary research not compensable	
Paralegal/Law Clerk		Services on Appellate cases must have specific prior Court approval to be reimbursed, and will be reimburse up to max. rate of \$25/hr. If approved, services must be fully itemized as to specific dates/hours/activities	
Expert Witnesses, Investigator, Translator		Services must have prior Court approval to be reimbursed, and will be reimbursed at the same rate allowed for criminal case appointments, and the misdemeanor investigator rate (\$17.50/hr). If approved, services must comply with the Court's applicable rules pertaining to appointed services, including full itemization as to specific dates, hours, and activities	

F. INVESTIGATOR AND LEGAL RUNNER FEE SCHEDULE

TYPE OF HEARING OR ACTIVITY	RATE	COMMENTS
Juvenile Delinquency, Misdemeanor, Felony, Family Law, Guardianship	\$35/HR	Prior express written approval of the Court is required for all investigation and legal runner services. A file stamped copy of the court order of appointment must accompany all claims for payment for investigation and legal runner services. Costs of services performed prior to the order of the Court, and costs of services beyond that provided for in the court order, will be denied. [PC987.2 Rules & Procedures] Investigator services, when appointed by the Court, shall be limited to actual investigative work and related activities such as testifying. Appointed investigator services shall not include activities that would normally be performed by attorney/staff, or in propria persona (pro per) defendant. [PC987.2 Rules & Procedures]
Capital/Life Without Parole	\$40/HR	
Per Diem (associated with authorized travel)	\$25/DAY	
Legal Runner (see notes below)	See Note 1	
Mileage paid at current Court approved rate		

G. EXPERT FEE SCHEDULE

TYPE OF HEARING OR ACTIVITY	RATE	RATE MD/PhD or equivalent	RATE MD/PhD BOARD CERTIFIED IN FIELD	COMMENTS
Experts	Max \$80/HR	Max \$95/HR	Max \$125/HR	Prior express written approval of the Court is required for all expert services. A file stamped copy of the Court order of appointment must accompany all claims for payment for expert services. Billings must be signed by defense counsel prior to submittal to the Court for payment. [PC987.2 Rules & Procedures] Costs of services performed prior to the order of the Court, and costs of services beyond that provided for in the court order, will be denied. [LRC 1418.1]
Testimony Half Day	Max \$350	Max \$600	Max \$600	
Testimony Full Day	Max \$600	Max \$1,000	Max \$1,000	
Paralegals	Max \$25/HR			
Transcription services (see notes below)	See Note 2			
Requests for extraordinary expert billing rates that exceed those specified in this fee schedule must be submitted in compliance with the Court's PC987.2 Rules & Procedures. It is the duty of counsel to endeavor to negotiate the lowest hourly rate the expert will work for recognizing that the expert's services are a public expense. [LRC 1419.6]				

Expert/Investigator/Legal Runner Fee Schedule Notes:

Specific prior Court approval is required for all investigator services, and expert services including transcription services. [LRC 1418.1, 1419.3]

All claims for investigators and experts shall be submitted on Court forms within 60 days of completion of case, and must provide sufficient specificity with regard to services performed to support the bill for payment, with dates and hours of service itemized. [PC987.2 Rules & Procedures]

The minimum billing increment is 0.25 hours (15 minutes). [LRC 1402] Locations (city) must be specified on claims when claiming travel time or requesting mileage reimbursement.

Original receipts required for all expense items. Special expense items and any single expense item in excess of \$50 must have specific prior court approval to be reimbursed.

Paralegal appointments are generally reserved for capital cases. [LRC 1418.4 and PC987.2 Rules & Procedures] Paralegals must work under direction and supervision of a member of State Bar. [B&P 6450] Legal runner services, when appointed by the Court, are limited to photocopying, and transporting of materials, orders and motions. [PC987.2 Rules & Procedures]

Note 1: Legal runner rate is California minimum wage plus 15.3% self-employment tax

Note 2: Transcription services, when appointed by the Court, may be authorized at the lowest commercially-available rate

The Court's Local Rules, Procedures for Administration of 987.2 Penal Code Applications, and appointed service claim forms are available at the Court's website: www.sb-court.org

Psychiatric/Psychological Evaluation Services Fee Schedule is available on the court website at <https://www.sb-court.org/general-information/psychiatricpsychological-appointments>