

Superior of California, County Court of San Bernardino

Appointed Attorney Fee Schedule



The following is a summary of the Superior Court's rules and procedures pertaining to appointed services of attorneys. These procedures are available on the Court's website at <https://www.sb-court.org/forms-and-rules/appointed-services-and-claim-forms>.

ESTABLISHING A VENDOR CODE

Appointed attorney services are paid by the County of San Bernardino. To establish a vendor code, the County requires a current W-9 form, available at www.irs.gov. To reduce payment processing time, you may attach the W-9 form to your first claim form.

CAPITAL/LWOP CASES

Attorney fees for Capital/LWOP cases are established by the Court's Capital/LWOP Fee Schedule Agreement.

COURT APPOINTMENT

Prior express written approval of the Court is required for all appointed attorney services.

FEE LIMITS

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]

SCOPE OF WORK (BILLABLE ACTIVITIES) (LOCAL RULE 1402)

All claims shall be fully itemized as to specific dates, hours, activities, case name, case number and date of appointment and primary charge. When hourly billing is allowed under the Appointed Services Fee Schedule and at the discretion of the Court, the minimum reported increment should be 0.25 hours (15 minutes).

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.

APPOINTMENT OF COUNSEL IN CONSERVATORSHIPS AND GUARDIANSHIPS

Appointments of counsel are personal and cannot be delegated to other attorneys. Only the attorney appointed by the court may render legal services to the client and appear at hearings. If appointed counsel intends to delegate tasks to another attorney who is under his or her direct supervision, before such delegation, counsel must obtain an amendment of the appointment order to include the name of the supervised attorney. [LRC 20-1315 and LRC 20-1402]

CLAIM PROCEDURES AND APPOINTED ATTORNEY FEE SCHEDULE

EXPENSES

These provisions will cover the usual and ordinary handling of a criminal case, including ordinary office expenses. However, expenses reasonable 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]

EXTRAORDINARY FEES (LOCAL RULE 1412)

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. Extraordinary fees are not designed to cover the routine or usual legal services or ordinary office expenses. The motion for extraordinary fees shall be heard by the supervising judge of the district at which the case is assigned.

CLAIM (PAYMENT) PROCESS

All claims for payment of fees shall include claimant's California State Bar number.

Court-appointed Attorneys shall request payment using one of the Court's following Appointed Service Claim Forms, available on the Court website, at <https://www.sb-court.org/forms-and-rules/appointed-services-and-claim-forms>.

Appointed service claim forms are to be either dropped off or mailed to the Court Verifying Official at the courthouse where the case is assigned. Although it's not necessary to include, a file stamped copy of the court order of appointment will reduce the payment processing time.

TIMELY SUBMISSION OF CLAIMS

The Court in its discretion shall determine when extenuating circumstances sufficient to justify a delay in submission of a claim exist.

Case Type	Local Rule of Court	Deadline	Penalty	Maximum Penalty
Criminal, Juvenile Delinquency, Civil, Appeals (<i>Pre-Disposition</i>)	1405	Within 60 days of completion of case	10% per month	20%
Criminal, Civil, Appeals (<i>Post Disposition</i>)	1405	Within 60 days of the hearing		
Family Law	1460	Last day of the month of appointment	10% per month	No maximum
Guardianship - Ongoing	20-1315	At least every 2 years		
Guardianship - Terminated	20-1315	With or before the hearing on final accounting or petition for waiver of accounting		
Conservatorship - Ongoing	20-1402	At least every 2 years		

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]

For additional details regarding late claims, please refer to the appropriate [Rule of Court](#).

CLAIM PROCEDURES AND APPOINTED ATTORNEY FEE SCHEDULE

MILEAGE

Mileage may be paid at the Court approved rate at Court’s discretion only if case is transferred to another district exceeding 30 miles from appointing district. When claiming travel time or mileage reimbursement, locations (city) must be specified.

APPOINTED ATTORNEY FEE SCHEDULE

A. CRIMINAL

Case/Appointment Type	Fee/Rate
Misdemeanor	\$90 per hour
Felony	\$100 per hour
Sexually Violent Predators (SVP) and Writs of Habeas Corpus (WHC)	\$140 per hour

B. JUVENILE DELINQUENCY (AD HOC APPOINTMENTS OUTSIDE OF CONTRACT)

Type of Hearing or Activity	Fee/Rate
All activities paid hourly	\$90 per hour

C. FAMILY LAW

Type of Hearing or Activity	Fee/Rate
Appointment (Initial appointment appearance and case preparation)	\$300
All other activities paid hourly	\$100 per hour

D. PROBATE, GUARDIANSHIP, CONSERVATORSHIP

Type of Hearing or Activity	Fee/Rate
Appointment: Appointment court appearance (if any), receiving pleadings from Court; preparing and creating file, calendar hearings, initial file review, preparing billing.	\$300
Trials	\$150 per hour
Additional court appearance not for convenience of appointed attorney	\$100
Cases appointed on or after date (for out of court prep time only)	7/1/2017 7/1/2019 7/1/2021
Court preparation time reasonably expended at Court’s discretion	\$100 per hour \$125 per hour \$150 per hour

E. APPELLATE DIVISION (MISDEMEANOR APPEALS)

Type of Hearing or Activity	Fee/Rate	Notes
Misdemeanor Appeal	\$90 per hour (Max 45 hours)	More than 45 hours requires prior Court approval
Photocopying Expense	Up to 10 cents per page	Original receipt required
Postage Expense	Actual cost, if reasonable	Original receipt required
Other Expenses	Actual cost, if reasonable	May be reimbursed with prior Court authorization