

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO



MEMORANDUM

TO : All CJA Panel Attorneys

FROM: Gustavo A. Gelpí, Chief Judge *Gustavo A. Gelpí*  
Aida M. Delgado-Colón, U.S. District Judge  
Chair, CJA Committee *Aida M. Delgado-Colón*

DATE: March 25, 2021

RE : Local Rule 144(b): Filing of Vouchers for Fees and Expenses

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Local Rule 144 (b) became effective on December 21, 2020. Please be on notice that its dispositions are subject to strict enforcement. This Memorandum is issued to answer questions raised by some and make clear the procedural and operational mechanisms of Rule 144(b).

The first matter all must have clear is that all vouchers, as per CJA Guidelines are to be submitted "as soon as possible upon completion of services rendered, but not later than forty-five (45) days from the final disposition of the case".

Were an extension of time to become necessary three things must happen: a) there must be a motion showing of good cause for the extension, b) the extension must be sought reasonably before the 45th day via written motion and c) said request must be approved by the presiding judicial officer. This means you cannot wait until the last day to submit your request and assume that the time extension will be granted. Judicial officers will be evaluating the "good cause" requirement. You may not bill for the drafting, filing and review of any motion or order in connection with voucher fees and expenses. Were an extension to be

granted, make sure you do not exceed the date of submission, since payment will be denied. The motion and order should be uploaded to the electronic voucher.

Any voucher submitted for payment in which the filing date exceeds the case completion date for a year or more, will not be considered for payment, nor paid. This means that a voucher filed after a year or more will be returned to counsel and not considered for payment.

The statement of good cause within the motion for extension of time is separate and different from the letter or statement to be made on CJA Form 26 (Statement for a Compensation Claim in Excess of the Statutory Case Compensation Maximum) or excess memorandum. This means that statements such as "case complexity, having a difficult client, extensive discovery" do not constitute a proper explanation, nor good cause as to why the voucher was not or may not be filed within 45 days of case conclusion. These explanations remain insufficient and do not constitute good cause for a delayed submission.

There is a recurrent problem among CJA Panel Attorneys that while not specifically addressed by Local Rule 144(b), needs to be addressed within this Rule. Currently, there are cases in which CJA Clerks return vouchers not in compliance with applicable guidelines and ask for corrections and re-submission within 10 days. Please, be mindful that when a voucher is returned to counsel, it is considered as "not filed" and its filing date is that in which it is refilled. Most attorneys re-file several weeks or months after neglecting the time frame granted. Considering the requirement of having vouchers processed and or paid within 90 days after submission, any delay in which the attorneys incur in correcting deficiencies within the voucher are attributable to the Court were the filing date not to be changed. To avoid unfair results and confusions as it relates to the application of Local Rule 144(b) please be aware that: if you file timely (within the 45 days or upon good cause shown within the term granted by the presiding judicial officer) and your voucher is returned as filed with deficiencies that require corrective action, you will be protected if refilling within the 10 days granted by the Clerk's Office. Submissions at a later date will be considered out of term and the voucher upon refilling will not be subject to payment.

Copy: All Judicial Officers  
María Antongiorgi, Esq., Clerk of Court  
Ada García, Esq., Administrative Manager