

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO



MEMORANDUM

TO : All CJA Panel Attorneys

FROM: *Gustavo A. Gelpi*  
Gustavo A. Gelpí, Chief Judge

*Aida M. Delgado-Colón*  
Aida M. Delgado-Colón, U.S. District Judge  
Chair, CJA Committee

DATE : February 22, 2021

RE : Payment of CJA Vouchers: Delayed Filing

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In mid-January 2021, Attorney Francisco Adams brought to our attention the fact that vouchers filed after the 45 day period upon conclusion of the case, were being denied consideration and payment. At the time, he requested reconsideration on the application of Local Rule 144, as amended, which became effective on December 23, 2020.

Thereafter, all delayed vouchers (those where payment had been denied and those pending evaluation) were identified and analyzed.

Relevant to the determination being made and herein informed are:

- a) Policy Regarding Timely Submission of CJA Vouchers, dated November 13, 2019: granting attorneys a period of time in which to file vouchers "over 45 days" and establishing that "effective January 1, 2020", the Court was not to accept vouchers that exceeded two (2) years after final disposition.

b) Local Rule 144, Local Rules for the District Court, effective December 23, 2020: requiring filing of vouchers within 45 days of case conclusion, providing for an extension of time upon good cause shown and precluding consideration of vouchers filed after one (1) year.

Considering the existence of a hiatus between both guidelines, as approved, which are of prospective application, the Court has decided to reconsider and evaluate for payment vouchers that as of January 1, 2020, did not exceed two years and those already beyond the 45 days as of December 23, 2020. Since the requirement of “good cause” is a policy guideline that has remained a requisite under local policies, the final determination remains within judicial discretion.

Panel attorneys are to be mindful that going forward the Court will be strictly enforcing Rule 144 and that “just cause” is required while seeking any extension of time beyond the 45 days. Also, please be aware that vouchers submitted beyond the 45 days without an extension being approved by a judicial officer or submitted for payment beyond a year upon completion of services, will not be considered for payment.