**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
**IN AND FOR THE COUNTY OF COCHISE**

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**ADMINISTRATIVE ORDER NO. 2015-06 (Amending and Replacing 2013-07)**

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**IN RE: GUIDELINES FOR COMPENSATION AND ASSOCIATED EXPENSES OF COURT APPOINTED COUNSEL, PARALEGALS, INVESTIGATORS, COURT REPORTERS, INTERPRETERS AND PHYSICIANS**

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It appearing to the court that guidelines previously set by Administrative Order 2013-07 regarding compensation and reimbursement to be paid to persons appointed by the superior court and justice courts to the extent such appointments are made, are in need of modification and revision, it is therefore

**ORDERED** compensation shall be made for the following services or activities where the appointment has been approved by the court, at the rates set forth below. These rates do not supersede any contractually agreed upon rate or condition of service with the County or other funding authority.

1. **COURT-APPOINTED COUNSEL FOR INDIGENT DEFENDANTS (excluding court appointed counsel in the offices of the public and legal defender):**

Fifty dollars ($50.00) per hour for legal services provided by counsel for indigent persons in cases assigned by the Indigent Defense Coordinator. Counsel shall not be compensated for any work performed by counsel of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions. This rate does not apply for capital cases or life felonies.

2. **SPANISH-SPEAKING COURT-APPOINTED COUNSEL FOR INDIGENT SPANISH-ONLY SPEAKING DEFENDANTS:**

Fifty-five dollars ($55.00) per hour for legal services provided by Spanish-speaking counsel for indigent persons in cases assigned by the Indigent Defense Coordinator. Counsel shall not be compensated for any work performed by counsel of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

3. **PARALEGALS ASSISTING COURT-APPOINTED COUNSEL:**

Twenty dollars ($20.00) per hour for legal services provided at the request of counsel assigned by the Indigent Defense Coordinator to represent indigent persons. Paralegal shall not be compensated for any work performed of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support

work involved in preparing and transmitting documents, copying, organizing, filing or similar functions. Before obtaining the services of a paralegal, prior approval from the court is required. A copy of the motion and order approving the use of a paralegal and setting forth the specific number of hours so approved shall accompany any billing statements submitted for payment

## 4. INVESTIGATORS PROVIDING SERVICES TO COURT-APPOINTED COUNSEL FOR INDIGENT DEFENDANTS:

Twenty-five dollars ($25.00) per hour for work performed prior to or during trial; fifteen dollars ($15.00) per hour for assistance in court. Before obtaining the services of an investigator, prior approval from the court is required. A copy of the motion and order approving the use of an investigator and setting forth the specific number of hours so approved shall accompany any billing statements submitted for payment.

## 5. COURT-APPOINTED INVESTIGATORS IN PROBATE, GUARDIANSHIP OR CONSERVATORSHIP CASES:

Two hundred fifty dollars ($250.00) per investigation conducted and Report to Court submitted; Travel and other expenses are included in the rate.

Three hundred dollars ($350.00) per case for Court Appointed Attorneys representing wards.

## 6. COURT REPORTERS:

Three hundred dollars ($300.00) per day for non-employee court reporters. Travel and other expenses are included in the daily rate.

## 7. INTERPRETERS:

Interpreters employed by the court may impose reasonable charges for their translation services in pending civil and criminal cases upon all persons including the offices of the public and legal defender and the county attorney, but shall translate forms for the court and offices of the public defender, legal defender, contract and appointed counsel and the county attorney without charge. Forms desired to be translated shall be processed through the office of the court administrator.

Non-employee Spanish interpreter services shall be compensated as follows: two hundred twenty five dollars ($225.00) per day for work of more than three (3) hours begun in the morning and continuing after a noon recess; one hundred fifty dollars ($150.00) for work of three hours or less whether begun in the morning or afternoon or through the noon recess period; twenty dollars ($20.00) per hour for work performed after 5:00 p.m. Travel and other expenses are included in the rates.

## 8. PHYSICIANS/MENTAL HEALTH EVALUATORS:

Not to exceed five hundred dollars ($500.00) for Rule 11 examinations and reports, which shall be submitted with itemized billing; the usual charges in the community for

physicians in the particular specialty of the witness for forensic services.

**IT IS FURTHER ORDERED** that the court may order payment in excess of any of the hourly rates or payment caps, either on motion of a party or on the court's own initiative, if it appears that the relevant service is not reasonably available within the limits stated in this Order. However, the rates enumerated within this order are deemed presumptively reasonable. If a party may be subject to an order to reimburse the court or otherwise to bear the cost of any service, the party's financial obligation is limited to the amounts stated in this Order, unless the party is given notice that the court is contemplating exceeding the limits stated in this Order and is further given an opportunity to be heard and to suggest alternatives. A party who has been given notice and an opportunity to be heard and to suggest alternatives may be ordered to reimburse the court or otherwise to bear the cost of any service at the hourly rate or with the payment cap set by the court. Prior court approval shall be required, which requirement may be waived only upon a showing of dire need or emergency.

**IT IS FURTHER ORDERED** that the rates set forth above shall be effective for all court appointed services initiated after March 23, 2015. Thereafter, all previous administrative orders pertaining to compensation and reimbursement are hereby void and of no further effect.

**DATED** at Bisbee, Arizona, this 17th day of March, 2015.

**JAMES L. CONLOGUE**
**Presiding Judge**