



**Michigan Appellate Assigned
Counsel System**

Attorney Fee and Reimbursement Policy

Approved by the Michigan Appellate Defender Commission September 20, 2023

Revised March 20, 2024

Effective October 1, 2023 – September 30, 2024

Hourly Rate for Legal Services:

\$142/hr:	Capital Felony Representation (life statutory maximum offenses)
\$130/hr:	Noncapital Felony Appellate Representation
\$118/hr:	Misdemeanor Appellate Representation
\$118/hr:	Youth Appellate Representation (tentative rate, pending review)

Presumptive Reasonable Hours* for Legal Services:

15 hrs: Appeal from plea conviction and sentencing
Appeal from youth plea adjudication
Appeal from resentencing
Appeal from probation violation proceeding
Preconviction or preadjudication appeal
Appeal involving parole determination

45 hrs: Appeal from trial conviction and sentencing
Appeal from youth trial adjudication
Motion for relief from judgment or related appeal (MCR 6.500)
Appeal involving sentence of life imprisonment for youth

* A request for fees within these thresholds will be presumed reasonable. A request for additional fees must be accompanied by an explanation as to the reasonableness of the fee requested. Relevant considerations include, but are not limited to, the length of the record, the volume of discovery, the need for investigation, the need for litigation in multiple courts, the complexity of legal issues, and the unique needs of a client.

Expense Reimbursement:

\$50/hr:	Hourly rate for travel (excluded from presumptive maximum)
\$0.440/mi:	Mileage rate (based on State of Michigan standard mileage rate)
\$0.20/page:	Printing and copying
Full cost:	Reasonable actual expenses related to the representation

Reporting of Time and Expenses:

All reimbursable time and expenses must be submitted to MAACS for review within 15 days after the calendar month in which services were provided or expenses were incurred, unless MAACS directs or allows otherwise. Untimely submissions are not guaranteed payment.

Time for legal services must be reported accurately, rounded-up to the nearest 1/10-hr (6-min) increment, and not based on averages. Time must be reported separately for each activity according to categories provided by MAACS. Time spent on multiple matters, such as travel to see separate clients, must be divided appropriately between matters with an explanation. Time spent reporting legal services and expenses (vouchering) is not reimbursable.

Documentation must be provided for actual expenses except postage, parking, or tolls under \$10.

Compliance Review:

All time and expenses are subject to review by MAACS for compliance with this policy, accuracy, and reasonableness. Reviews may be conducted randomly or based on specific billing and performance parameters.

Upon request by MAACS, roster attorneys must answer all questions and provide non-privileged records regarding any assignment under review, as well as detailed timekeeping records for all legal services and travel provided in connection with MAACS representation, including time-of-day in 1/10-hr increments.

Submission of Requests for Reimbursement:

Requests for reimbursement (vouchers) must be signed and submitted quarterly, within deadlines established by MAACS. After review and approval by MAACS, vouchers will be forwarded to the applicable trial court or county for payment to the attorney.

Reimbursement of Trial Court or Local System:

Subject to appropriation, if a trial court or local indigent criminal defense system provides payment under this policy, MAACS will reimburse one-half of its costs.

Reductions:

If a trial court or local indigent defense system does not pay a request for reimbursement in full, it must provide a written explanation for the reduction in writing, reviewable by motion to the trial court and/or appeal.