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A division of the State Appellate Defender Office  
Marilena David, Director

**Michigan Appellate Assigned Counsel System  
Attorney Fee and Reimbursement Policy**

Approved by the Appellate Defender Commission on January 15, 2026, and effective  
January 15, 2026

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**Hourly Rate for Legal Services:**

\$154/hr.: Capital Felony Representation (life statutory maximum offenses)  
\$141/hr.: Noncapital Felony Appellate Representation

Youth Appellate Representation will be paid commensurate with the rate  
schedule above.

**Expense Reimbursement:**

\$50/hr.: Hourly rate for travel  
\$0.440/mi.: Mileage rate (based on State of Michigan standard mileage rate  
and is subject to adjustment by calendar year)  
\$0.20/page: Printing and copying\*  
Full cost: Reasonable, actual expenses related to the representation of the  
client\*\*

\*If printing and copying is done at a professional printing and copying service,  
then a reasonable actual cost will be reimbursed.

Attorneys are required to promptly and timely provide the client with a copy of  
the transcripts and other documentation upon receipt of same, or as early in  
the appellate proceedings as possible, unless the client has affirmatively stated  
that the materials should not be directly sent to them, and/or should be sent to  
another place and person as directed by the client.

Attorneys are strongly encouraged to use a printing service for printing or  
copying jobs, to minimize costs and expenses, particularly when performing  
large or bulk printing jobs.

In-house printing and copying expenses will be reimbursed at the above rate. Attorneys must provide a description of the printing or copying service performed, including document type, number of pages, and the date it was incurred when submitting in-house printing and copying expenses for reimbursement.

\*\*The following non-exhaustive list of examples is intended to provide guidance for reasonable, general expenses (actual receipts and other documentation is required for reimbursement requests):

- **Hotel rooms:** reasonableness is determined by the time of year, location, and reasonable need for an overnight stay away from the attorney's primary location, and/or other relevant circumstances, including time of court hearing, in-person client visit, or other proceedings.
- **J-pay:** current MDOC charge per J-pay (upload the full receipt, divide by the total number of J-pays, and provide the relevant dates of use).
- **Collect/Prepaid calls:** actual cost of telephone call (provide receipts and documentation).
- **Flash drives/CDs/hard drives:** if needed to obtain documents, discovery, etc., from another agency (provide receipts, documentation, and explanation).
- **FOIA requests:** provide receipts or documentation and an explanation.

### **Reporting of Time and Expenses:**

All reimbursable time and all expenses incurred must be entered into the MAACS voucher system by the 10th day of the following month (the monthly billing entry deadline) in which the services were performed and the expenses were incurred, unless MAACS directs or otherwise allows. Untimely entries and 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 the separate matters with an explanation, and with reference to the other matters.

Time spent reporting legal services and expenses (vouchering) is not reimbursable.

Time spent responding to grievances is not reimbursable. See SBM Ethics Opinion RI-297.

Documentation must be provided with the vouchers for actual expenses incurred except postage, parking, or tolls under \$10. All other expenses will not be reimbursed without the required documentation.

Video visits require confirmation and/or documentation of visit (i.e., MDOC email confirmation).

### **Ethical concerns associated with the confidentiality of billing records**

Voucher entries must be detailed enough for the MAACS voucher review team to assess accuracy and reasonableness. However, attorneys should remember that vouchers may become part of the public court file. Professional and ethical obligations under MRPC 1.6 (current clients) and MRPC 1.9 (former clients) require attorneys to avoid disclosing client confidences, privileged information, secrets, or strategy in voucher submissions. Because courts, prosecutors, and others may review these records, attorneys must take care to minimize the inclusion of any confidential or privileged information.

### **Attorney Fee Reimbursement:**

Attorneys will be reimbursed at the hourly rate listed above for all reasonable time expended in the representation of their client.

### **Definition of Reasonable:**

Time and expenses submitted for reimbursement are considered *reasonable* if they are necessary to prepare or present the client's case and ensure the client receives a defense comparable to one privately funded.

In assessing reasonableness, relevant factors may include (but are not limited to): the length of the record, the volume of discovery, the extent of investigation required, the need for litigation in multiple courts, the complexity of legal issues, the experience of counsel, and any unique client needs.

Time and expenses submitted for payment are presumed to be reasonable, unless the requested submission is deemed to be unreasonable by clear and convincing evidence.

When evaluating time spent on client visits, it should also be noted that MAACS roster attorneys are encouraged to make frequent visits—both in

person and by video — to maintain consistent communication with their clients.

### **Multiple Case Numbers:**

If a client has multiple case numbers that are the same case type and sentenced on the same date before the same judge, the request for payment should be submitted on one voucher with reference to the other applicable case number(s).

### **Review of Vouchers:**

All vouchers will be subject to two levels of initial review for compliance, one for accuracy, and the second for reasonableness, to be completed by those MAACS employees that the Administrator assigns to the MAACS voucher review team.

The MAACS voucher review team will examine all vouchers to ensure that the services billed were provided, that the vouchers submitted are accurate and reasonable in terms of both dollars charged and hours billed, and that the roster attorneys maintain adequate billing records and files in compliance with the MAACS attorney fee and reimbursement policy, and the attorney's ethical obligations.

The MAACS voucher review team is authorized to approve, deny in part, or deny in full any request for reimbursement submitted by a MAACS roster attorney for payment.

### **Denial of Request for Reimbursement:**

If MAACS denies a request for reimbursement in full or in part, it must provide a written explanation for the reduction in writing to the attorney, reviewable under the appeal procedure below.

### **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 all non-privileged records about any assignment under review. Roster attorneys must maintain detailed and accurate timekeeping records for all legal services and travel provided in connection with MAACS representation,

including time-of-day, in 1/10-hr (6-minute) increments. Upon request, roster attorneys must produce the receipts and documentation for all expenses incurred and claimed for reimbursement.

### **Submission of Requests for Reimbursement:**

All work performed and all expenses incurred during the first fiscal quarter must be signed and submitted for processing by the deadline for the applicable quarterly submission, or as otherwise established by MAACS:

- **First Quarter** submission deadline (for October, November, and December billing) is **January 10<sup>th</sup>** (unchanged).

Monthly billing system (effective January 1, 2026). See Summary Chart of Deadlines, *infra*.

All work performed and all expenses incurred during the preceding month must be entered into the MAACS voucher system and submitted for processing by the 10<sup>th</sup> day of the following month (the deadline for the applicable monthly submission), or as otherwise established by MAACS.

- **January 2026** monthly billing deadline is **February 10, 2026**.
- **February 2026** monthly billing deadline is **March 10, 2026**.
- **March 2026** monthly billing deadline is **April 10, 2026**.
- **April 2026** monthly billing deadline is **May 10, 2026**.
- **May 2026** monthly billing deadline is **June 10, 2026**.
- **June 2026** monthly billing deadline is **July 10, 2026**.
- **July 2026** monthly billing deadline is **August 10, 2026**.
- **August 2026** monthly billing deadline is **September 10, 2026**.
- **September 2026** monthly billing deadline is **October 10, 2026**.

Late submissions of monthly vouchers for will not be processed and paid until the end of the following month.

Vouchers that are submitted after the deadline for the September monthly billing deadline or fourth quarter of the fiscal year (i.e., after October 10, 2026), will be denied payment.

If a case is completed prior to the end of the month, or fiscal quarter, the voucher may be submitted early to MAACS for processing, but it will not be submitted to the county for processing and payment until the end of the monthly billing period, or relevant fiscal quarter.

MAACS will complete a review of all vouchers within 14 days of the date designated by MAACS for timely submission of the monthly or quarterly vouchers, except for billing pertaining to the month of September when the review will take place and be completed within 10 days of the monthly submission deadline, i.e., by October 20, 2026.

### **County Payment of Requests for Reimbursement:**

After the MAACS team reviews all timely submitted vouchers for an applicable month or fiscal quarter, MAACS will send each county or local funding unit an Excel or CSV file containing the information needed to process payment for that month's or that quarter's vouchers.

Once the county receives this file, it must issue payment for all vouchers within 21 days, except for the month of September, when the county must issue its payments within 14 days of the MAACS submission date of October 20, 2026, i.e., the county must issue all payments by November 4, 2026.

If the county fails to make full and timely payments to roster attorneys, it will forfeit reimbursement from the MAACS fund for that quarter.

### **County Reimbursement from MAACS Fund:**

For counties or local funding units to receive reimbursement from the MAACS fund, proof of payment of all vouchers for the fiscal quarters must be uploaded to the MAACS voucher system on the following schedule:

- **First Quarter** (for October, November, and December vouchers) deadline is **March 15**.
- **Second Quarter** (for January, February, and March vouchers) deadline is **June 15**.
- **Third Quarter** (for April, May, and June vouchers) deadline is **September 15**.
- **Fourth Quarter** (for July, August, and September vouchers) deadline is **November 7**.

Failure to upload proof of payment of vouchers by the deadlines set forth in this policy will result in forfeiture of reimbursement from the MAACS fund for that quarter.

The MAACS voucher review team will submit all county or local funding unit requests for reimbursement to the Michigan Supreme Court Finance Department by the following dates:

- **First Quarter** (for October, November, and December vouchers) by **March 30**.
- **Second Quarter** (for January, February, and March vouchers) by **June 30**.
- **Third Quarter** (for April, May, and June vouchers) by **September 30**.
- **Fourth Quarter** (for July, August, and September vouchers) by **November 21**.

**Chart summarizing billing, submission, payment, and reimbursement deadlines for MAAACS vouchers (FY 2026-27):**

<b>Fiscal Quarter</b>	<b>Billing Month/Year</b>	<b>Attorney submission deadline</b>	<b>MAACS processing deadline</b>	<b>County payment deadline</b>	<b>County reimburs. submission deadline</b>	<b>Sup. Cr. Finance Dept. deadline</b>
1 <sup>st</sup> Q	October 2025	01/10/26	01/24/26	02/15/26	03/15/26	03/30/26
1 <sup>st</sup> Q	November 2025	01/10/26	01/24/26	02/15/26	03/15/26	03/30/26
1 <sup>st</sup> Q	December 2025	01/10/26	01/24/26	02/15/26	03/15/26	03/30/26
2 <sup>nd</sup> Q	January 2026	02/10/26	02/24/26	03/15/26	06/15/26	06/30/26
2 <sup>nd</sup> Q	February 2026	03/10/26	03/24/26	04/15/26	06/15/26	06/30/26
2 <sup>nd</sup> Q	March 2026	04/10/26	04/24/26	05/15/26	06/15/26	06/30/26
3 <sup>rd</sup> Q	April 2026	05/10/26	05/24/26	06/15/26	09/15/26	09/30/26
3 <sup>rd</sup> Q	May 2026	06/10/26	06/24/26	07/15/26	09/15/26	09/30/26
3 <sup>rd</sup> Q	June 2026	07/10/26	07/24/26	08/15/26	09/15/26	09/30/26
4 <sup>th</sup> Q	July 2026	08/10/26	08/24/26	09/15/26	** 11/07/26	11/21/26
4 <sup>th</sup> Q	August 2026	09/10/26	09/24/26	10/15/26	** 11/07/26	11/21/26
4 <sup>th</sup> Q	September 2026	10/10/26	** 10/20/26	** 11/04/26	** 11/07/26	11/21/26

\*\* Earlier due dates because of 4<sup>th</sup> quarter and year-end processing deadlines \*\*

### **Reimbursement of Trial Court or Local Funding System:**

Subject to appropriation, if a trial court or local indigent criminal defense system provides timely payment under this policy, MAACS will reimburse one-half of its costs pursuant to the Appellate Defender Act, MCL 780.18a, *et. seq.*

The failure to comply with any of the provisions of this policy, either in whole or in part, by the county or the local funding unit will result in the forfeiture of reimbursement of all funds for that fiscal quarter from the MAACS fund.

### **Appeal Procedure:**

If an attorney disagrees with the voucher review team's decision, they may appeal by sending a letter or email to the MAACS Administrator expressing their desire to appeal the decision and may include any relevant documentation for the appeal. The appeal must be submitted within 30 days of receipt of the written decision of the voucher review team and must specifically identify any alleged errors.

The Administrator will conduct a de novo review. A written decision will be issued within 30 days of receiving the appeal, except when there is good cause to extend the time for a decision.

If the attorney disagrees with the Administrator's decision, they may appeal to the Appellate Defender Commission by sending a letter or email to the Appellate Defender expressing their desire to appeal the Administrator's decision within 30 days of receipt of the Administrator's written decision. The Appellate Defender will submit the appeal to the Commission at the next regularly scheduled meeting. The Commission will conduct a de novo review and issue a decision at that meeting. The decision will be provided to the attorney by the Appellate Defender in writing. The Commission's decision is final and is not subject to further review.

### **Michigan Supreme Court Applications:**

As a general rule, MAACS attorneys should file applications for leave to appeal to the Michigan Supreme Court for any client serving a minimum sentence greater than twenty years. Other applications to the Michigan Supreme Court are within an attorney's discretion. In making the decision, an attorney should factor in a client's literacy and competence to represent themselves, as well as the issues involved. An attorney must always answer a prosecutor's application for leave to appeal. Reasonable time and expenses for applications for leave to appeal to the Michigan Supreme Court will be reimbursed in accordance with the policy and provisions set for above.

## **Motions for Relief from Judgment (6.500 motions):**

In all motions for relief from judgment, or successive motions for relief from judgment, see MCR 6.500, *et seq.*, roster attorneys will be paid for all reasonable legal services performed in the Trial Court, and any reasonable expenses incurred.

Attorneys will be paid for reasonable legal services and reasonable expenses for all work performed in the Court of Appeals and Supreme Court, after an adverse, final decision in the lower court.

Attorneys will also be paid for all reasonable legal services and reasonable expenses for any interlocutory appeals to the Court of Appeals, and the Supreme Court, during the pending proceedings in the lower court.

## **MAACS Onboarding Training Program – Attorney Compensation and Requirements:**

To ensure consistent, high-quality appellate representation and to support the development of new roster attorneys, MAACS will provide a structured, year-long onboarding training program consisting of both instructional and clinical components. Participation in this program is mandatory for all attorneys admitted to the roster after the effective date of this policy, unless expressly exempted by the MAACS Administrator.

### **A. Compensation for Training**

1. **Hourly Rate:** Time spent participating in MAACS-approved onboarding training will be compensated at the noncapital felony appellate representation rate, consistent with other compensable legal services under this policy.
2. **Billing Method:** Training costs will be divided equally among all open MAACS assignments held by the attorney on the date each training session is completed.
  - Each hour of training must be entered into the MAACS voucher system consistent with monthly entry deadlines and reporting requirements.
  - Time must be recorded in 1/10-hour increments and labeled in the training categories designated by MAACS.

3. **Quarterly Submission:** Training hours are subject to the same quarterly billing deadlines, late-submission rules, and county payment requirements applicable to all reimbursable time under this policy.
4. **Attorneys With Zero Open Cases:** If an onboarding attorney has zero open MAACS assignments on the date a training session is completed:
  - the attorney must still enter the training time into the MAACS voucher system during the applicable monthly reporting period;
  - the training hours will accrue without allocation until the attorney receives their first MAACS assignment(s);
  - once the attorney has one or more open cases, the accrued training hours will be billed at that time, divided equally among all open cases on the date of allocation; and
  - all accrued training hours must be submitted within the next quarterly submission deadline after the attorney receives their first case assignment.
5. **Reasonableness:** Training time is presumptively reasonable when entered in accordance with this policy and within MAACS's established training schedule.

## **B. Instructional Training Requirements**

1. **Weekly Instruction:** MAACS staff will provide approximately one hour of instructional training per week covering substantive law, appellate practice, procedure, strategy, and client-centered representation.
2. **Mandatory Attendance:** Attendance at live instructional sessions is mandatory for onboarding attorneys. Reasonable efforts should be made to notify MAACS staff of the inability to attend a live session.
3. **Make-Up Requirement:** If an attorney misses a live session, they must complete the recorded session within 30 days. Failure to do so may lead to corrective action or a temporary suspension of new case assignments.

4. **Verification:** MAACS may require proof of completion to confirm participation.

### C. Clinical Training Requirements

1. **Weekly Clinics:** MAACS Litigation Support Counsel will lead weekly, one-hour clinical sessions focused on applied learning and casework.
2. **Attendance Requirement:** Onboarding attorneys must attend at least 40 out of 52 clinic sessions during the 12-month onboarding period. Reasonable efforts should be made to notify MAACS staff of the inability to attend a live session.
3. **No Make-Ups / No Recordings:** Clinical sessions will not be recorded and cannot be made up due to their interactive and case-based nature.
4. **Noncompliance:** If an attorney is at risk of failing to meet the 40-session requirement, the MAACS Administrator or their designee may extend the onboarding period, require supplemental clinical work, pause new assignments, or take other actions consistent with roster performance standards.

### D. Duration and Extensions

1. **Standard Duration:** The onboarding period is one year from the date of roster admission.
2. **Optional Extension:** MAACS may, at its discretion, offer onboarding attorneys the option to continue training beyond the one-year period. Participation in any extended training is voluntary. Compensation during any extension will follow the same guidelines unless MAACS specifies otherwise.

### E. Compliance and Review

1. **Applicability of Existing Policy:** All provisions governing accuracy, reasonableness, voucher review, documentation, timeliness, and confidentiality apply equally to training time.
2. **Documentation:** MAACS may require additional verification documenting attendance or completion of onboarding

requirements.

3. **Consequences for Noncompliance:** MAACS may limit new assignments, extend the onboarding period, require remedial training, or take other reasonable action to ensure compliance with training and performance requirements.