

481—9.5(815) Claims for other professional services. The department shall process claims for necessary and reasonable expenses for investigators, foreign language interpreters, expert witnesses, certified shorthand reporters, and medical/psychological evaluations if the claimant has an IRS form W-9 on file with the department and the claim conforms to the requirements of this rule.

9.5(1) Claims for investigative services. The department shall process and forward for payment claims for necessary and reasonable expenses for investigators if the following conditions are met:

a. The investigator submits a signed original and one copy of a claim containing the following information:

- (1) The case name, case number and county in which the action is pending.
- (2) The name of the attorney for whom the services were provided.
- (3) The date on which services commenced.
- (4) The date on which services ended.
- (5) The total number of hours claimed.
- (6) The total amount of the claim.
- (7) The claimant's name, address, social security number or federal tax identification number, and telephone number.

b. Court approval to hire the investigator was obtained before any expenses for the investigator were incurred.

c. One copy of each of the following documents is attached to the claim:

- (1) The application and order granting authority to hire the investigator.
- (2) The order appointing counsel. This order is unnecessary if the attorney is not court-appointed but the court, in granting the application noted above, determines that, although the client is able to employ counsel, funds are not available to the client to pay for the necessary investigation.
- (3) An itemization of the investigator's services detailing the expenses incurred, the services rendered, the date(s) on which the services were rendered, the time spent on each date, and the manner in which the amount of the claim for services was calculated.
- (4) A court order approving the dollar amount of the claim. For purposes of this subrule, if the court order authorizing hiring the investigator sets a limit for the claim, the court order approving the amount of the claim is unnecessary.

d. The claim is approved for payment by the state public defender.

The department will return claims that do not comply with this subrule to the state public defender.

9.5(2) Claims for foreign language interpreters. The department shall process and forward for payment claims for necessary and reasonable expenses for foreign language interpreters if the following conditions are met:

a. The interpreter submits a signed original and one copy of a claim containing the following information:

- (1) The case name, case number and county in which the action is pending.
- (2) The name of the attorney for whom the services were provided.
- (3) The date on which services commenced.
- (4) The date on which services ended.
- (5) The total number of hours claimed.
- (6) The total amount of the claim.
- (7) The claimant's name, address, social security number or federal tax identification number, and telephone number.

b. Court approval to hire the interpreter was obtained before any expenses for the interpreter were incurred.

c. One copy of each of the following documents is attached to the claim:

- (1) The application and order granting authority to hire the interpreter.
- (2) The order appointing counsel. This order is unnecessary if the attorney is not court-appointed but the court, in granting the application noted above, makes one of the following specific findings:
 1. The client is indigent, or

2. Although the client is able to employ counsel, funds are not available to the client to pay for necessary interpreter services.

(3) An itemization of the interpreter's services detailing the expenses incurred, the services rendered, the date(s) on which the services were rendered, the time spent on each date including the time services began and ended on each day, and the manner in which the amount of the claim for services was calculated.

(4) A court order approving the dollar amount of the claim. For purposes of this subrule, if the court order authorizing hiring the interpreter sets a limit for the claim, the court order approving the dollar amount of the claim is unnecessary.

(5) If the interpreter charges a "minimum" amount for services based on a specific time, a certification by the interpreter that no other services have been performed or charges made by the interpreter for any portion of that specific time.

d. The claim is approved by the state public defender.

The department will return claims that do not comply with this subrule to the state public defender.

9.5(3) Claims for expert witnesses. The department shall process and forward for payment claims for necessary and reasonable expenses for expert witnesses if the following conditions are met:

a. The expert witness submits an original and one copy of a signed claim containing the following information:

- (1) The case name, case number and county in which the action is pending.
- (2) The name of the attorney for whom the services were provided.
- (3) The date on which services commenced.
- (4) The date on which services ended.
- (5) The total number of hours claimed.
- (6) The total amount of the claim.
- (7) The claimant's name, address, social security number or federal tax identification number, and telephone number.

b. Court approval to hire the expert witness was obtained before any expenses for the expert witness were incurred.

c. One copy of each of the following documents is attached to the claim:

- (1) The application and order granting authority to hire the expert witness.
- (2) The order appointing counsel. This order is unnecessary if the attorney is not court-appointed but the court, in granting the application noted above, determines that, although the client is able to employ counsel, funds are not available to the client to pay for necessary expert witness services.
- (3) An itemization of the expert witness's services detailing the expenses incurred, the services rendered, the date(s) on which the services were rendered, the time spent on each date, and the manner in which the amount of the claim for services was calculated.

(4) A court order approving the dollar amount of the claim. For purposes of this subrule, if the court order authorizing hiring the expert witness sets a limit for the claim, the court order approving the amount of the claim is unnecessary.

(5) If the expert charges a "minimum" amount for services based on a specific time, a certification by the expert that no other services have been performed or charges made by the expert for any portion of that specific time.

d. The claim is approved by the state public defender.

The department will return claims that do not comply with this subrule to the state public defender.

9.5(4) Claims for certified shorthand reporters. The department shall process and forward for payment claims for necessary and reasonable expenses for depositions and transcripts provided by certified shorthand reporters if the following conditions are met:

a. The certified shorthand reporter submits a signed original and one copy of a claim containing the following information:

- (1) The case name, case number and county in which the action is pending.
- (2) The name of the attorney for whom the services were provided.
- (3) The date on which the deposition/court proceeding commenced.

- (4) The date on which the transcript was ordered.
- (5) The date on which the transcript was delivered.
- (6) The number of pages and cost per page.
- (7) The total amount of the claim.
- (8) The claimant's name, address, social security number or federal tax identification number, and telephone number.

b. Court approval to hire the certified shorthand reporter was obtained before any expenses for the certified shorthand reporter were incurred.

c. One copy of each of the following documents is attached to the claim:

- (1) The application and order granting authority to hire the certified shorthand reporter.
- (2) The order appointing counsel. This order is unnecessary if the attorney is not court-appointed but the court, in granting the application noted above, determines that, although the client is able to employ counsel, funds are not available to the client to pay for necessary certified shorthand reporter services.
- (3) An itemization of any additional services or charges based on some criterion other than cost per page.

(4) If the certified shorthand reporter charges a "sitting fee" or "minimum" amount for services based on a specific time, a certification by the certified shorthand reporter that no other services have been performed or charges made by the certified shorthand reporter for any portion of that specific time.

(5) If the certified shorthand reporter is a state employee, a certification by the certified shorthand reporter that none of the time for which the claim is being submitted is time for which the certified shorthand reporter was being paid by the state.

d. Unless the certified shorthand reporter has a contract with the state providing for a different rate or manner of payment, claims for certified shorthand reporter services will be limited to the rate approved by the Iowa supreme court for preparation of transcripts and other certified shorthand reporter services.

e. The claim is approved by the state public defender.

The department will return claims that do not comply with this subrule to the state public defender.

9.5(5) Claims for court-ordered evaluations. The department shall process and forward for payment claims for necessary and reasonable evaluations to establish a defense or to determine whether an indigent is competent to stand trial if the following conditions are met:

a. The person performing the evaluation submits a signed original and one copy of a claim containing the following information:

- (1) The case name, case number and county in which the action is pending.
- (2) The name of the attorney for whom the services were provided.
- (3) The date on which services commenced.
- (4) The date on which services ended.
- (5) The total number of hours claimed.
- (6) The total amount of the claim.
- (7) The claimant's name, address, social security number or federal tax identification number, and telephone number.

b. Court approval to conduct the evaluation was obtained before any expenses for the evaluation were incurred.

c. One copy of each of the following documents is attached to the claim:

- (1) The application and order granting authority to conduct the evaluation. This order must specify that the purpose of the evaluation is either to establish a defense to a pending charge or to determine whether an indigent is competent to stand trial.
- (2) The order appointing counsel. This order is unnecessary if the attorney is not court-appointed but the court, in granting the application noted above, determines that, although the client is able to employ counsel, funds are not available to the client to pay for the evaluation.

(3) An itemization of the evaluator's services detailing the expenses incurred, the services rendered, the date(s) on which the services were rendered, the time spent on each date, and the manner in which the amount of the claim for services was calculated.

(4) A court order approving the dollar amount of the claim. For purposes of this subrule, if the court order authorizing the evaluation sets a limit for the claim, the court order approving the amount of the claim is unnecessary.

(5) If the evaluator charges a "minimum" amount for services based on a specific time, a certification by the evaluator that no other services have been performed or charges made by the evaluator for any portion of that specific time.

d. The claim is approved by the state public defender.

The department will return claims that do not comply with this subrule to the state public defender.

9.5(6) *Submission of claims.* Claims for payment for professional services provided to a public defender must be submitted to the public defender for whom the services were provided. Other claims for payment for professional services must be submitted to the state public defender at the following address: State Public Defender, Claims, Lucas State Office Building, Des Moines, Iowa 50319.

9.5(7) *Claims from state employees.* Claims submitted by state of Iowa employees must be submitted on a state travel voucher form.

9.5(8) *Claim form for other professional services.* Claimants other than state of Iowa employees shall use the following form in filing claims for investigative services, foreign language interpreters, expert witnesses, certified shorthand reporters and court-ordered evaluations.

INDIGENT DEFENSE MISCELLANEOUS CLAIM FORM			
1. CHECK THE BOX INDICATING THE TYPE OF CLAIM:			
<input type="checkbox"/> CERTIFIED SHORTHAND REPORTER <input type="checkbox"/> INVESTIGATOR <input type="checkbox"/> EVALUATION <input type="checkbox"/> EXPERT WITNESS <input type="checkbox"/> INTERPRETER _____ <div style="text-align: right;">(LANGUAGE)</div> <input type="checkbox"/> OTHER (EXPLAIN):			
2. CASE INFORMATION:			
COUNTY:		COURT NUMBER:	
COURT-APPOINTED ATTORNEY:			
TITLE OF CASE:			
CLIENT'S FULL NAME:			
3. CLAIM INFORMATION:			
CERTIFIED SHORTHAND REPORTER:		DATE ORDERED ____/____/____ DATE DELIVERED ____/____/____	
ALL OTHER CLAIM TYPES:		DATE SERVICES BEGAN ____/____/____ DATE SERVICES ENDED ____/____/____	
CLAIM TOTAL: \$			
4. APPROVAL: _____		CLAIM TOTAL: \$	
STATE PUBLIC DEFENDER			
5. CLAIMANT INFORMATION:			<input type="checkbox"/> Change of Information
NAME:		E-MAIL:	
ADDRESS:		PHONE:	
CITY:	STATE:	ZIP:	FAX:
SS # OR FEDERAL ID #		ARE YOU A STATE EMPLOYEE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
6. CERTIFICATION: I, THE UNDERSIGNED, CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.			
DATE: ____/____/____		CLAIMANT SIGNATURE:	