

# ULSTER COUNTY DEPARTMENT OF FINANCE

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June 7, 2024

To: All Ulster County Assigned Counsel Program (ACP) Panel Attorneys

## **Reimbursement Procedure:**

To ensure validity of claims and equitable payment to providers of legal services to persons in criminal defense and family law matters under County Law article 18-B, the Department of Finance is enacting the following standards.

### **Submission of vouchers (post-arraignment Assigned Counsel services, Criminal or Family Court)**

- Vouchers must be prepared and submitted using the ACP online portal, access to which can be provided by the ACP Administrator.
- In general, all claims for compensation and reimbursement for a proceeding should be submitted at the conclusion or disposition of the case.
- *Per the Ulster County Comptroller's procedure on 18B claims, vouchers must be submitted in a timely way, within 90 days of case disposition.*
  - If a voucher is submitted more than 90 days after case disposition, a written explanation must be provided as an attachment to their voucher in the ACP Portal stating the cause of the delay.
  - Any voucher submitted more than 5 years after the date of disposition or date of Adjournment in Contemplation of Dismissal shall be deemed abandoned and will not be approved for payment.
- For vouchers exceeding \$10,000, attorneys must submit an affirmation to the court stating that the amount of time worked was necessary due to complexity or other reasons, accompanied by an order which the judge must sign to confirm to the ACP the exact amount to be paid. Both the attorney's signed affirmation and the judge's signed order must be attached in the ACP portal as supporting documents.

### **Submission of Requests for Payment (CAFA services)**

- Requests for Payment (RFPs) must be mailed or emailed to ACP staff within 90 days of the arraignment.

### **Vendor Registration**

- All attorneys must be registered as vendors with Ulster County.

### **Insurance:**

- All attorneys must provide proof of current malpractice insurance which names County of Ulster as an additional loss payee.

- Attorneys who drive their own vehicles for assignments will ensure that their automotive insurance policy will be the primary policy in the event of any claims.

## Travel

- Reimbursement for time spent traveling and mileage is dependent on the type of case and service, which have different funding sources (Ulster County only receives reimbursement from New York State for travel time billed on criminal matters, per the Hurrell-Harring Statewide Expansion contract between the state and the county):
- **Counsel at First Appearance (CAFA):**
  - Time spent traveling to and from the arraignment is reimbursable at \$158/hour.
  - Mileage expenses are not reimbursable.
- **Post-Arraignment CRIMINAL cases:**
  - Time spent traveling is reimbursable at \$158/hour.
  - Mileage expenses in one's personal vehicle are reimbursable at the IRS rate (<https://www.irs.gov/tax-professionals/standard-mileage-rates>) which is updated regularly. Miles should be rounded to the nearest whole number.
  - All travel expenses **must** be supported by an online map calculating the total distance of trips claimed.
  - Other costs of travel, including tolls and parking, are reimbursable with receipts.
- **FAMILY COURT cases:**
  - Time spent traveling is NOT reimbursable, effective July 1, 2024. Requests for payment for time spent traveling after July 1, 2024 will be denied.
  - Mileage expenses in one's personal vehicle are reimbursable at the IRS rate (<https://www.irs.gov/tax-professionals/standard-mileage-rates>) which is updated regularly. Miles should be rounded to the nearest whole number.
  - All travel expenses **must** be supported by an online map calculating the total distance of trips claimed.
  - Other costs of travel, including tolls and parking, are reimbursable with receipts.
- **Appellate Cases Requiring Overnight Travel**
  - If an attorney has a case requiring overnight travel, accommodation and meal expenses may be reimbursed up to the maximum allowed under Ulster County's own employee travel reimbursement policy.
  - All such expenses should be approved by the presiding judge, and confirmed to be reasonable and necessary, before submitting a claim for reimbursement.

## Other expenses

- Printing and photocopying are reimbursable at a rate of \$0.15 per page up to a total of \$15.00 per voucher without a receipt. If over \$15.00, receipt is required.
- Postage is reimbursable up to \$15.00 without a receipt, but with number of stamps specified.
- All other expenses besides mileage require receipts.
- Service of Process expenses require invoice and proof of payment, as do other professional services attorneys may require.
- Expenses for investigators, interpreters, social workers, case managers, mental health service providers, forensic experts, or transcription services, can be arranged directly through the Assigned Counsel Program and Ulster County will pay the vendors directly.
- Except for time spent traveling at the rate of \$158/hour, CAFA claims have no reimbursable expenses.

## Interim Vouchers

- Ulster County will accept interim vouchers in instances where the total amount being claimed on the voucher exceeds \$1,000 and there is an explanation for longer than anticipated duration of the case submitted in the portal with the voucher.

- If an attorney wishes to submit an interim voucher which does not meet the above criteria, a written request must be made to the ACP administrator and approved. Such requests will be granted in the case of permanency hearings, for instance.

Max Cordella  
Deputy Commissioner of Finance