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Director

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ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

WASHINGTON, D.C. 20544

January 28, 2005

MEMORANDUM TO: **JUDGES, UNITED STATES COURTS OF APPEALS**
JUDGES, UNITED STATES DISTRICT COURTS
UNITED STATES MAGISTRATE JUDGES
CIRCUIT EXECUTIVES
FEDERAL PUBLIC/COMMUNITY DEFENDERS
DISTRICT COURT EXECUTIVES
CLERKS, UNITED STATES COURTS OF APPEALS
CLERKS, UNITED STATES DISTRICT COURTS
SENIOR STAFF ATTORNEYS
CHIEF PREARGUMENT/CONFERENCE ATTORNEYS

SUBJECT: Implementation of a Maximum Hourly Rate Increase for Attorneys Appointed in Capital Cases (**INFORMATION**)

The Fiscal Year 2005 Omnibus Appropriations Act includes, in the federal judiciary's Defender Services appropriation, funds to raise the maximum hourly compensation rate from $125 to $160 in capital cases (federal capital prosecutions and capital post-conviction proceedings) for attorneys appointed to represent persons financially unable to obtain adequate representation, pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, and the Antiterrorism and Effective Death Penalty Act of 1996, codified in part in 21 U.S.C. § 848(q).

The new maximum capital attorney rate of $160 per hour will apply to work performed on or after February 1, 2005. Where the appointment of counsel occurred before this effective date, the new maximum capital hourly rate applies to that portion of services provided on or after February 1, 2005.

If you have any questions concerning this matter, please contact the Office of Defender Services, Legal and Policy Branch Duty Attorney, on (202) 502-3030.

Leonidas Ralph Mecham

cc: CJA Panel Attorney District Representatives