



UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
OFFICE OF THE CLERK

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**PROCEDURES FOR CJA REIMBURSEMENT  
OF COMPUTER-ASSISTED LEGAL RESEARCH EXPENSES**

Reasonable CALR expenses (including, but not limited to, legal research performed on Westlaw and Lexis-Nexis) will be reimbursed under either § 230.63.30 of the CJA Guidelines as a reimbursable out-of-pocket expense or under § 320.60 as an expert service, as long as the expenses are itemized and reasonably documented. Whenever appointed counsel incurs charges for computer-assisted legal research, counsel should attach to the compensation voucher a copy of the bill and receipt for the use of the legal research services or an explanation of the precise basis of the charge (e.g., indicating the extent to which it was derived by proration of monthly charges, or by charges identifiable to the specific research). If the amount claimed is in excess of \$800, or if it includes costs for downloading or printing, counsel should include a brief statement of justification.

The Court may authorize counsel to obtain computer-assisted legal research services, where the research is performed by employees of a commercial legal research firm or organization rather than by appointed counsel, provided that the total amount charged for computer-assisted legal research services is reasonable. Requests by counsel for authority to obtain such computer-assisted legal research services should include a brief explanation of the need for the research services; and an estimate of the charges. Claims for compensation for such services should be submitted on [Form CJA 21 \(Authorization and Voucher for Expert and Other Services\)](#), or, in a death penalty proceeding, [Form CJA 31 \(Death Penalty Proceeding: Ex Parte Request for Authorization and Voucher for Expert and Other Services\)](#). For information concerning reimbursement for the cost of direct use, by appointed counsel, of computer-assisted legal research services. See [Guide, Vol 7A, § 230.63.30](#).

Attorneys with contracts that bill for actual expenses (whether per hour or per transaction) may simply submit their bill as documentation. Attorneys with flat-rate contracts may prorate their expenses. Examples of acceptable proration formulas follow:

## **1. Lexis-Nexis**

Attorneys who use monthly flat-rate contracts with Lexis-Nexis can obtain itemized billing reports of CALR usage, with the charges for each client prorated as a portion of the monthly cost. The default billing report (the report mailed with the monthly bill) is broken down by client. More specific summaries can be accessed online via “power invoice” or the attorney may request monthly specific summaries. Attorneys may access their invoices at any time online. (There is a 48-hour lag time between usage and posting online.) To ensure proper documentation for purposes of reimbursement under the CJA Guidelines, attorneys must accurately type in the client name when prompted during research; attorneys may find it convenient to type in “CJA-client name.” For attorneys who use monthly flat-rate contracts with Lexis-Nexis, the billing report broken down by client with proration charges listed is sufficient documentation.

## **2. Westlaw and other vendors**

Westlaw provides similar record-keeping options, in that it itemizes research by the client name the attorney enters when prompted during research. However, it does not provide a “net amount,” i.e., Westlaw does not perform the calculation to show the amount charged based on proration. The following formula should be used for any vendor that does not calculate proration: prorate client research expenses as a percentage of all research expenses for the month, then multiply the percentage by the monthly rate.

For example, if the billing report lists “gross amounts,” the attorney would determine the percentage of the monthly bill attributable to the CJA client, then multiply that percentage by the monthly rate. That is, if the gross amounts listed for the entire month were \$100, the gross amount attributable to the CJA client was \$10, and the monthly rate was \$60, the eligible amount would be \$6. (\$10 is 10% of \$100; 10% of \$60 is \$6).

If the billing report lists the number of hours spent, the attorney would determine the percentage of the hours attributable to the CJA client, then multiply that percentage by the monthly rate. That is, if the hours spent for the entire month were 100 hours, the hours spent on the CJA client were 10 hours, and the monthly rate was \$60, the eligible amount would be \$6.

If the billing report lists the number of transactions performed, the attorney would determine the percentage of the transactions performed attributable to the CJA client, then multiply that percentage by the monthly rate. That is, if the transactions performed for the entire month totaled 100, the transactions performed for the CJA client totaled 10, and the monthly rate was \$60, the eligible amount would be \$6.

For attorneys who use monthly flat-rate contracts with Westlaw or other vendors, a billing report broken down by client suffices to document the percentages used in this calculation. In the absence of an appropriate billing report or invoice, the attorney is required to submit an affidavit or an equivalent document showing the percentage of the monthly bill attributable to the CJA client.