

## CJA Travel

1. I have to go visit my client out of town. Are there any rules I must follow?
  - a. The CJA Guidelines [§230.63.40](#) state that counsel are guided by the [Judiciary Staff Travel Regulations](#).
2. My client is housed at a facility in South Dakota. Do I need approval to travel there?
  - a. No. The District of South Dakota has a blanket travel authorization for within district travel. You only need to get approval if you need to stay the night and there are no hotels with the government rate available.
3. Can I get reimbursed for meals?
  - a. The CJA provides for reimbursement of actual expenses incurred. CJA panel attorneys and experts and others traveling primarily for CJA responsibilities (CJA service providers), therefore, must be reimbursed on an actual expense basis, not to exceed the allowances that would be reimbursable if the travel were performed by a judiciary employee (per diem), or a lesser amount as authorized by the presiding judge. [§ 455.15](#)
4. How can I find the applicable per diem rates?
  - a. The U.S. General Services Administration sets the per diem rates. Go to <https://www.gsa.gov/travel> and choose the correct location and dates. The website includes both hotel rates and your meals and incidental expense rates. We will reimburse you for your actual expenses up to the applicable government rate.
5. Are there any restrictions on the daily lodging rate?
  - a. Yes. You should request the government rate for any hotel stay. A traveler must obtain prior authorization to exceed the daily lodging rate by providing justification with multiple hotel rates and why any hotel offering the government rate is not a viable option. [§ 430.20](#)
6. I'm having a working meeting with my expert over lunch. Can I be reimbursed for that?
  - a. To be eligible for reimbursement you must be outside of the local commuting area of your office currently set as a 30-mile radius. In addition to that you must be away from your home or office for more than 12 hours. [§420.30](#) The same applies for meeting with your client.

In either situation you may not pay for their meal. Your expert would also need to be outside of their local commuting area to be reimbursed for a meal. CJA will never reimburse for a meal for your client.

7. I'm traveling to see more than one client. How do I bill for that?
  - a. You will need to prorate your time and cross reference each case. Time or expenses "spent in common" includes work performed simultaneously or within the same unit of time, or expenses incurred, for more than one representation (e.g., travel on behalf of more than one client). Double billing of time or expenses

is prohibited (e.g., billing the same travel time or expenses to more than one representation).

While time spent in common on more than one CJA representation must be prorated, the entire amount of travel or other expenses applicable to more than one CJA representation must be billed to one representation. The supporting materials to the voucher on which the expenses are billed must cross-reference the other CJA representations.

If the other client is a retained client, or a state court appointment, you may simply state that. Proration of time among CJA representations must not result in an appointed counsel billing a larger amount than would have been billed if all the time was assigned to one representation. [§230.50](#)

8. My client is out of state. Do I need approval to travel to visit them?
  - a. If you need to stay overnight out of state then yes you need prior authorization. Submit a Travel Authorization in eVoucher. If you are doing a day trip to visit them you do not need approval.
  
9. Are there any rules about driving instead of flying?
  - a. Yes. When making travel arrangements, travelers should use the least expensive mode of transportation and class of fare that will reasonably accommodate the official purpose of the travel. Air travel is generally the most cost effective, expeditious mode of long-distance transportation and should normally be used for trips of 500 miles or more one-way from a traveler's residence or official duty station. If you choose to drive instead of flying, we will reimburse for what the cost of the flight would have been and M&IE is limited to what would have been claimed if you flew. You should provide that documentation with your voucher. [§440.10](#)
  
10. Can CJA pay for my flight?
  - a. Yes. By submitting a Travel Authorization through eVoucher and the judge approving your travel, the National Travel Service is notified of the approval. You may call them to book your flight and the District of South Dakota will be billed directly. They may book your hotel for you; however, you will have to pay for that upon arrival and seek reimbursement on your voucher.
  
11. Can I rent a car?
  - a. You should exhaust all public transportation options before renting a car. If public transportation is not available due to the location, include this information in your Travel Authorization.