OCR Billing Policies and Procedures

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OCR Website www.coloradochildrep.org

- Attorney Center
  - Billing Tab
  - The OCR's Billing and Payment Procedures
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Guiding Principles

- OCR is responsible for a fully-funded program
- OCR is funded exclusively by taxpayer dollars

  Attorneys will provide legal services in a *cost-effective manner* without compromising the integrity of such services or the safety and well-being of children

- OCR wants to pay you for the legal work you perform as an attorney/GAL

  Legitimate work you complete on a case to further & support your legal representation

Legal Services

Chief Justice Directives

Children's Code §§ 19-3-203, 19-7-102, etc.

An activity that is reasonably necessary to provide competent and diligent representation which is within the scope of the attorney's appointment

Case Types

OCR appropriations pay for attorney services in the following limited case types & related appeals

- Title 19 -- D&N
- Tile 19 -- Juvenile Delinquency, including Direct File & Expungement
- Tile 19 -- support, adoption, paternity, termination
  Paternity – indigence finding before begin work (Not needed for minor parent)
- Title 14 -- Domestic Relations
  Indigence finding before begin work
- Title 15 -- Probate
  Indigence finding before begin work
- Title 22 -- Truancy
- Title 27 -- Mental Health

OCR does not fund legal services provided in ancillary misdemeanor, county, or traffic matters

OCR appointment eligibility lists

- Attorneys are identified for each case type in judicial districts
  - By July 1st of each year, OCR sends appointment eligibility lists to judicial districts
  - Learn your district's procedures
- May represent a child's interest in a related legal proceeding in different case type
  - EX: Delinquency GAL may be appointed in subsequent D&N
  - (Colorado Rule of Professional Conduct 1.1 Competence)

Billing Rates

- Attorney -- $75/hr.
- Paralegal/Social Work Professional -- $30/hr.

CJD & OCR Contract – Maintain records of all work performed relating to court appointments

30-day billing period

EXTENUATING CIRCUMSTANCES – PLEASE CALL!!!

Billable time

An activity that is reasonably necessary to provide competent and diligent representation which is within the scope of the attorney's appointment

Professional and ethical obligations

- Attorneys shall not charge an unreasonable fee. Co. Rule of Prof. Conduct 1.5
- An attorney contracting with the OCR cannot engage in duplicative or multiple/value billing or seek reimbursement in excess of those actually incurred. See, *People v. Shields*, 905 P.2d 608 (Co 1995) and *People v. Walker*, 832 P.2d 935 (Co. 1992)

Billable time

Substantive work takes priority

- Ex: Wait time; travel time

No Administrative Activities

- Setting up files, typing, organizing attorney files, filing, billing

Billable	**Not Billable**
Copy charges @ 10 cents	Time spent copying
Long distance telephone call	Telephone call when no contact is made
Child's meal ≥ $10.00	Items purchased for child/youth
Mileage (appropriations)	Parking fees, toll charges

Billable Time -- Travel

Travel time
- Cost-effective
- Do not include commute between home and office

Case types
- **D&N**
  Travel w/in state w/o expenses
  Cost-effective

- **Other case types** – pre-approval if over 100 miles

Travel expenses
- Pre-approval – lodging, meals
- Mileage

Presumptive Fees

OCR has established a presumptive maximum fee for each case type

Once reached, no further payments

- OCR C.A.R.E.S. Office Billing Details screen

Request Excess Fees

Excess Fees

- Request before surpass allocation
  - OCR CARES Office Billing Details screen
- Request by Excess Fees Request Form
  - Supported by a description of legal work s/he anticipates is reasonably necessary
- Approved by OCR for either an amount or for a time period not to exceed six (6) months
  - Notified by email & OCR C.A.R.E.S. Office Billing Details Screen

Excess Fees Form

http://www.coloradochildrep.org/**attorney-center/billing/**

CARES Billing

The Colorado Attorney Reimbursement Electronic System (CARES) is the OCR's billing and case management system, utilized by all OCR contract attorneys. If you are an OCR contract attorney, you can access CARES by clicking the logo to the right.

C.A.R.E.S.
Colorado Attorney Reimbursement Electronic System

The OCR's Billing and Payment Procedures

The OCR's billing guidelines and the CARES system user manuals are provided below. These are the three most important guides to attorney reimbursement. Please review these documents prior to contacting OCR with questions.

- Billing Policies & Procedures Manual - contains the OCR's official rules and guidelines regarding billing procedures for OCR contract attorneys, revised February 25, 2015.
- CARES User Manual – contains step-by-step instructions for how to enter time into the CARES system.
- CARES Billing Manual – a guide for understanding billing and payments in the CARES system

Billing Forms

- Excess Fees Request Form
- Travel Expenses Request Form

STATE OF COLORADO 1876

Excess Fees Request

Colorado Office of the Child's Representative

*** Your Name**

*** Your Colorado Attorney Registration Number**

*** Your E-mail**

* Confirm E-mail

Case Information

*** Case Number**

*** Case Type**

*** Judicial District / County**

Excess Fees Form

The online form prompts you for all required information, for example:

- Case Number
- Case Type
  If JD: Has this child been sentenced? Does this case involve pending probation revocation? What is the child's current placement? Child's date of birth and, if child is 18 or older, date of GAL appointment extension based on finding of developmental disability.
- Judicial District / County
- Date through which you are requesting excess fees (not to exceed six months)
- Next court date (leave blank if none)
- Total dollar amount paid on this case to date
- Total estimated additional cost in dollars
- Provide an explanation of and reason for your request (legal issues)

Excess Fees Form: After Submission

- After you click “Submit Request” on the online form, your request is automatically sent to OCR.
- You will receive a receipt summary of your request via email.
- You will receive notification of OCR’s decision on your request via email.
  - Request may be approved in full or in part
  - Request may be denied (OCR will provide an explanation in the email you receive)
  - Request may be returned to you for additional clarifying information

If you need to resubmit your request with additional information, you will receive an email with a hyperlink and instructions. Click on the hyperlink to access a form prepopulated with your previous entries. Instead of needing to start from scratch, you can make any adjustments here and click “Submit Request.”

Litigation Support

PRE-APPROVAL

Experts (CJD 12-03)

Interpreters (CJD 06-03)

Investigators

Transcript Fees (CJD 05-03)

OCR support

PLEASE CALL US!!!!