

MEMORANDUM TO CRIMINAL PANEL ATTORNEYS

RE: REVIEW AND BILLING OF RECORDED JAIL CALLS

July 9, 2008

Recent bills over the last six months indicate a dramatic increase in time and therefore costs associated with review of recorded jail calls. In a growing number of cases, the District Attorney is providing CD recordings of hundreds of calls as part of the discovery procedure. The District Attorney is not highlighting relevant portions of the calls. While each attorney must decide how to best represent their client, if attorneys bill their full hourly rate to review many hours of calls this will create distinct budget problems for the panel.

Attorneys are expected to review the calls in the most efficient and reasonable manner possible. Several attorneys have secured court orders permitting law clerks/students and/or paralegals to review the calls at a substantially reduced rate (i.e. generally no more than \$35.00 per hour at a maximum). Appointed counsel should direct the review so that the reviewer knows what to review, how to organize the findings and/or highlight areas of interest. Attached is an EXCEL spreadsheet developed by a panel attorney specifically to catalogue and summarize recorded jail phone calls. This spreadsheet also documents the work performed, as documentation of time/hours may be required for bill review and processing.

Law clerks/students or paralegals reviewing the calls pursuant to Court Authorization will be paid directly by the Court, as is true for any expert or ancillary service provider. Simply use a modified AUTHORIZATION FOR FUNDS FOR APPOINTMENT OF EXPERT WITH SUPPORTING DECLARATION OF COUNSEL form from BASF's website. In the supporting Declaration, alert the court to the number of hours needed, the hourly rate, the reason for the review and expected cost savings.

When submitting the bill for review, attach the EXCEL or similar worksheet, if one has been completed, or alternatively the index that appears on the computer screen when each CD of recorded calls is inserted.

For those who have already encountered the task of conducting and directing review of jail recordings, and have suggestions to offer on how to efficiently review and catalogue calls, we welcome your suggestions and we will pass them along to other counsel.

People v. Defendant
Jail Call Summaries

Call #	CD #	PHONE NUMBER	DATE	TIME	PIN	PHONE	DURATION	RESULT	NOTES	NAMES MENTIONED	RELEVANT
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