



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SOLANO

BILLING GUIDELINES

COURT APPOINTED COUNSEL PURSUANT TO FC 3150 Revised Date: **January 17, 2025**

1. **General**

- a. **Introduction.** The guidelines set forth herein are for the Superior Court of California, County of Solano (“Court”) and the private attorneys appointed by the Court to represent minors pursuant to Family Code section 3150 (“Counsel”).
- b. **Purpose.** The purpose of these guidelines is to create uniformity in attorney billing practices and to provide Counsel a framework within which to submit their billings.
- c. **Terms and Conditions**
 - A) The Court reserves the right to review all bills for accuracy and accountability.
 - B) Should any discrepancies arise between the billing of a file and the Trial Court’s recollection of the case, Court and Counsel will meet and confer before final approval of the bill.
 - C) Should billing irregularities persist with any particular lawyer or law firm, the Court reserves the right to remove the offending party from the appointments list after reasonable notice and opportunity to reform and follow the guidelines.

2. **Appointment of Counsel to Represent a Child under Family Code section 3150 (CRC Rule 5.240)**

- a. **Request for Appointment of Counsel.** The court may appoint counsel to represent the best interest of a child in a family law proceeding on the court's own motion or if requested to do so by:
 - (1) A party;
 - (2) The attorney for a party;
 - (3) The child, or any relative of the child;
 - (4) A mediator under Family Code section 3184;
 - (5) A professional person making a custody recommendation under Family Code sections 3111 and 3118, Evidence Code section 730, or Code of Civil Procedure section 2032.010 et seq.;
 - (6) A county counsel, district attorney, city attorney, or city prosecutor authorized to prosecute child abuse and neglect or child abduction cases under state law; or
 - (7) A court-appointed guardian ad litem or special advocate;
 - (8) Any other person who the court deems appropriate.
- b. **Orders Appointing Counsel for a Child.** The Court must issue written orders when appointing and terminating counsel for a child. The order is written on a form approved by the Judicial Council of California for use named FL-323, *Order Appointing Counsel for A Child*.

- 3. Compensation for Services (CRC Rule 5.241).** All court orders in regards to compensation, ability to pay, and manner of payment will be written on Form FL-323.
- a. **Determination of Counsel Fees and Payment.** The Court must determine the reasonable sum for compensation and expenses for counsel appointed to represent the child in a family law proceeding, and the ability of the parties to pay all or a portion of counsel's compensation and expenses.
 - b. **Determination of Ability to Pay.**
 - A) If the court determines that the parties have the ability to pay all or a portion of the Counsel fees, the Court must order that the parties pay in any manner the court determines to be reasonable and compatible with the parties' financial ability, including progress or installment payments.
 - B) The court may use its own funds to pay counsel for a child and seek reimbursement from the parties.
 - C) If the court finds that the parties are unable to pay all or a portion of the cost of the child's counsel, the court must pay the portion the parties are unable to pay.
- 4. Billing and Payment Provisions**
- a. **Compensation.** The Court must pay all or a portion of Counsel's compensation that the parties are unable to pay.
 - A) The fixed hourly attorney rates paid by the Court to Counsel are outlined below:

For all work occurring after May 1, 2023	\$95.00 per hour
For all work occurring after January 9, 2025	\$108.00 per hour
 - B) The Court will reimburse Counsel for actual hours of attorney work only, including actual travel time to meet a party outside Court. Travel time for traveling to and from place of business to Court is not reimbursable.
 - C) The Court will not provide reimbursement for travel expenses, mileage, or any other expenses.
 - b. **Billing**
 - A) Counsel must bill the Court for attorney work only. Counsel must bill for actual time only, rounded up to the nearest tenth of an hour (.10).
 - B) Double or multiple billing will not be tolerated. For example, if an attorney is called to court for an appointment to represent a child on one case, and is also scheduled at the same calendar date to represent another child; assuming total court hours is one hour, the Counsel will bill for the actual time per case and not one hour for each case.
 - C) There will be no "bundling of services", and therefore each legal task must be itemized on the Counsel's invoice. Counsel should not list multiple activities under one billing time allotment.
 - D) Counsel must submit one claim per case to the Court on a monthly basis on ongoing cases. Invoices and claims for completed attorney work must be submitted within thirty (30) days of service completion, with a maximum timeframe of sixty (60) days, except for purposes of fiscal year accounting described in section 4.b.H below. For example, if the Counsel's last day of performing work for March is March 29 on an ongoing case, claim must be submitted to the Court on or before April 29th.

For appointment termination, Counsel must submit invoices and claims to Court within thirty (30) days after the appointment termination date.

- E) Claim packet must include the following documents:
 - i. Vendor Claim Form
 - ii. Claim and Order for Compensation of Court Appointed Counsel
 - iii. Form FL-323, Order Appointing Counsel for a Child
 - iv. Detailed Invoice
- F) The two options for submitting vendor claims to the Court are electronic submission and paper submission:
 - Option 1: Submit Vendor Claim packet (original and one copy) to the Court Fiscal Department by drop box or by mail to the address below.
 - Superior Court of California, County of Solano
 - Attention: Fiscal (Executive Office)
 - 600 Union Avenue
 - Fairfield, CA 94533
 - Option 2: Submit Vendor Claim packet to Court Fiscal Department via e-mail at CourtOrderClaims@solano.courts.ca.gov. Scan and save all documents into one pdf file, in an order as outlined in section 4.b.E above, and name the pdf file as “Claimant NameMMDDYYFFL1xxxx” (example: MarySmith013125FFL123456, using the last day of work in a month as the date and respective case number. For the e-mail Subject, use the same pdf file name.
- G) Timely submission of Vendor Claim is vital in order for the Court to report expenses and encumber public funds in the appropriate budget period. Vendor Claims submitted after sixty (60) days will risk non-payment and should be accompanied by a letter explaining the reason(s) for the delay.
- H) For purposes of fiscal year accounting, Counsel must submit any invoices or bills for services accrued within the fiscal year ending June 30 as soon as possible and in no event 20 days after the end of the fiscal year.
- I) For purposes of smooth transition to this new billing guidelines, Counsel must submit all outstanding and unclaimed bills as of January 31, 2025 to the Court fiscal department by February 28, 2025.

c. Reimbursement

- A) The Court will carefully review Counsel claims requesting reimbursement and the assigned judge reserves the right to limit or cut amounts deemed by the Judge to be excessive.
- B) The Court shall pay Counsel within thirty (30) days of receiving correct and proper billing documents. Payments to Counsel are contingent upon the satisfactory performance of obligations under the Court Oder.
- C) Payment does not imply acceptance of Counsel claims, services, or deliverables. Counsel shall immediately refund any payment made in error. The Court shall have the right at any time to set off any amount owing from Counsel to the Court against any amount payable by the Court to Counsel.

D) Expenses. Any and all expenses are the responsibility of the Counsel and must not be separately billed to the Court, including those related to travel. The attorney fees for actual hours paid to Counsel is the entire compensation for all attorney work performed, including all of Counsel's expenses incurred.