

## **IMPORTANT NOTICE**

### **End of Fiscal Year 2010-2011 Claims Processing for the Court Appointed Counsel Program (Non-Capital Appointments)**

We are fast approaching the end of fiscal year 2010-2011. Limited funds are available to pay FY 2010-11 claims during the budget impasse. This memo describes the Administrative Office of the Courts' year-end procedures for processing payments of the court appointed counsel claims until the 2011-2012 Budget Act is signed.

#### **Last Day of Normal Processing**

On Thursday, June 30, the AOC will process all claims that are transmitted from the projects the evening of June 29 (Wednesday transmission). This will be the last day of the normal claims processing for FY 2010-2011.

#### **Criteria for Claims To Be Processed Using FY 2010-2011 Funds**

Claims transmitted to the AOC by the projects on and after June 30, 2011, will be processed for payment only if the work is performed on or before June 30, 2011, and only if they meet the following criteria:

- Interim claims must have an AOB filing date of June 30, 2011, or earlier;
- Final claims must have an opinion filing date of June 30 or earlier;
- For *Wende/Sade C./Ben C.* cases that allow a 30-day period for supplemental pro per briefing after the AOB is filed, the 30-day period must conclude on or before June 30;
- For other *Wende/Sade C./Ben C.* claims, the dismissal order or opinion must be filed June 30 or earlier; or
- For cases with court orders for abandonment, dismissal, counsel replacement, etc., the order must be filed June 30 or earlier.

Once the accrued funds for FY 2010-2011 are exhausted, the AOC will hold all transmitted claims until the FY 2011-2012 budget is signed.

#### **Claims To Be Held for the Enactment of FY 2011-2012 Budget**

All claims transmitted to the AOC where the specified filing date (AOB, opinion, the *Wende* AOB plus 30 days, etc.) is July 1, 2011, or later will not be processed for payment until the FY 2011-2012 budget is signed. Early interim claims with a record size of 7,500 pages that are transmitted to the AOC after June 29, 2011, will be processed when the budget is signed.

In the event a budget is signed before exhaustion of the accrued funds, the AOC will continue this procedure and pay claims based on the fiscal year in which the work is performed until the funds are used.

#### **Addendum by projects**

All AOC date references are to the date the court files (receives) the brief, opinion, or order. (Cal. Rules of Court, rule 8.25(b)(1). Please note that the rule 8.25(b)(3) "date of mailing" provision does not apply when determining whether the above claims criteria are met.