

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
WESTERN DISTRICT OF PENNSYLVANIA
3100 U.S. COURTHOUSE
700 GRANT STREET
PITTSBURGH, PA 15219
WWW.PAWD.USCOURTS.GOV

Erie Courthouse
17 South Park Row
Erie, PA 16501

JOSHUA C. LEWIS
CLERK OF COURT

Johnstown Courthouse
208 Penn Traffic Building
319 Washington Street
Johnstown, PA 15901

Pro Bono Counsel:

The enclosed information is being provided to assist you with submitting any request for approval for reimbursement of expenses incurred during your pro bono representation. The procedures and forms for reimbursement can be found on the court's website at <https://www.pawd.uscourts.gov/pro-bono-opportunities>. The court has limited funds for such reimbursements which counsel should consider when determining the most economically feasible approach to managing the litigation.

If you intend to seek reimbursement of costs, you must first obtain pre-approval from the presiding judge for anticipated reimbursable costs. Failure to obtain pre-approval of any expense may result in the denial of reimbursement. Once initial authorization has been obtained, and should the anticipated amount of expense change, counsel must supplement or amend their request for pre-approval. Prior approval and reimbursement for an expense does not ensure that later requests for that same request will be granted.

Subject to judicial review, the Court may approve the following out-of-pocket expenses for reimbursement. With any request for reimbursement, supporting documentation (i.e., receipts and invoices) MUST be submitted.

Reproduction Costs

Anticipated out-of-pocket expenses incurred for items such as photocopies, photographs, and printing, limited to \$0.10 per page for copying of documents. Reimbursement for the copying of documents or printing or delivery services will not be approved if the presiding judge concludes that electronic transmission of the documents would have been sufficient for adequate preparation of a matter.

Deposition/Transcript Costs

Court reporter fees for depositions of essential witnesses may be reimbursed. A transcript of the deposition should not be ordered unless it is essential to the presentation of the case. To reduce expenses, out of town witness depositions should be taken by telephone or video teleconference. Only one form of deposition will be reimbursed (video OR transcript), but not both. Attach invoices or a statement which includes the deponent's name, date of deposition, number of pages, and per page rate.

Local Travel Expenses

Mileage may be reimbursed at the rate of reimbursement for official government travel in effect at the time the expense was incurred, plus parking, tolls, and other reasonable transportation costs.

Postage Charges

Actual out-of-pocket expenses necessary for express and overnight delivery services incurred in your representation. Attach invoices and receipts.

Investigative or Expert Fees

Investigative or expert fees necessary for the adequate preparation of a matter. Attach invoices or receipts.

Service/Witness Fees

Service and witness fees that are not otherwise avoided, waived or recoverable. Attach invoices, receipts, or copies of checks.

Interpreter Fees

Costs of interpreter services not otherwise avoided, waived or recoverable. Attach invoices or receipts.

Other Expenses

Additional expenses may be approved by the presiding judge. However, no such additional expenses shall be eligible for reimbursement unless, prior to the expenses being incurred, the attorney shall have obtained the written approval of the presiding judge. When requesting reimbursement under this provision, a detailed description of the expenses shall be attached to the request for approval filed with the presiding judge. For other expenses attach receipts, prior approval, and a statement describing expenses.

Restrictions on Reimbursement

General office overhead, including paralegal fees, are not reimbursable pursuant to these guidelines.

The presiding judge may disallow any reimbursement for an expense that is not sufficiently documented.

The Court also recognizes that in certain instances, a prevailing party may apply for costs and attorneys' fees under 42 U.S.C. § 1988 or other fee-shifting statutes. In those instances, any application for attorneys' fees and/or costs on behalf of a party who has 1) prevailed and 2) received reimbursement of expenses from the Fund shall indicate on their application and/or Bill of Costs what claimed fees and/or costs were reimbursed under this Fund. In order that the Fund may remain solvent and available to assist future pro bono appointments, the amount of any such fees and/or costs shall be promptly returned to the Clerk of Court.

Michael Palus
Pro Bono Program Coordinator
412-208-7543