Superior Court of Placer County

Policy for Court-Appointed Professionals in Criminal Cases

SECTION I. PURPOSE AND SCOPE OF POLICY

This policy establishes application and appointment procedures, standards of experience and behavior, removal from an appointment list, allowable costs, and required billing procedures for professionals that may be appointed by the Court in criminal cases. Areas of expertise for professionals include, but may not be limited to, psychological or psychiatric evaluation, criminal investigation, and representation of indigent parties in criminal and/or quasi-criminal matters (Family Law contempt) or related civil matters that fall under the W&I Code or Penal Code. This policy does not cover procedures for Minor's Counsel in Family, Probate, or Juvenile Law.

SECTION II. LIMITATIONS ON SCOPE OF POLICY

This policy shall in no way limit the ability of a judicial officer from making orders as permissible by law and in the interest of justice. This policy does not prescribe a specific course of action for any court-appointed professional executing their duties upon appointment.

SECTION III. APPLICATION AND APPOINTMENT LIST

Professionals interested in serving on one of the Court's appointment lists must complete the "Court-Appointed Professional Cover Sheet" and return it, along with a signed application, and all supplemental documents indicated therein, to the Court via email at: courtadmin@placer.courts.ca.gov or by mail to the following address:

Superior Court of California, County of Placer
Attn: Presiding Judge
P.O. Box 619072
Roseville, CA 95661-9072

Application materials received by the Court shall be reviewed by the Judges of the Court. The Court reserves the right to exercise its full discretion to appoint, or not appoint, a professional to the panel list or specified class. A decision by the Court is final and not subject to review. On occasion, a decision to deny an application may indicate that the Applicant can re-submit his/her application at a later time. Applicants shall be notified of approval or denial to serve on the Court's appointment list via the contact information provided within the application. Upon approval, the professional shall be added to the appointment list for the respective area of expertise and become eligible for appointment immediately.

Attorneys approved for indigent defense will be assigned to a Class based on experience and indicated preference (see Attachment A for further detail). If interested in consideration for re-classification to an advanced class, the attorney must submit the "Appointed Counsel Reclassification Application and Agreement," along with all attachments indicated therein, to the address provided above. Applicants shall be notified of approval or denial for reclassification.

SECTION IV. APPOINTMENT

Professionals shall be appointed from the Court's appointment list whenever possible. If extenuating circumstances require appointment of a professional not currently serving on one of the appointment lists, the required application materials shall be requested and reviewed by the Court upon receipt. Appointments to serve as criminal defense counsel will only occur from the appointment list if the Placer County Public Defender, conflict defender, and second level conflict defender are unable to represent the defendant.

When the Court appoints a professional to perform services, the Court will make an order for the appointment and provide copies to the parties and the appointed person(s).

SECTION V. ALLOWABLE EXPENSES

The compensation for expert psychological consultations and full evaluations are as follows:

Code	Description	Expense	Rate	Max Hours	Max Pay
Penal Code §1027	Full Evaluation	County	$200/hr.	8	$1600
Welfare and Institutions Code § 6600	Full Evaluation	County	$200/hr.	8	$1600
Penal Code §288.1[1]	Full Evaluation	Court	$200/hr.	8	$1600
Evidence Code § 1026/1027[1]	Consultation	Requesting Party	$200/hr.	3	$600
	Evaluation			8	$1600
Welfare & Institution Code §5303.1	Consultation	Court	$200/hr.	3	$600
Penal Code§§ 1368- 1370.1	Consultation	Court	$200/hr.	4	$800
Expedited report supplemental Fee	Reports required by the court less than 21 days from referral date	Court	N/A	N/A	$100
In-Custody Evaluations Supplemental Fee		Court	N/A	N/A	$100
Missed[2] Appointment Fee		Court	N/A	N/A	$250

*New rates apply to any referral conducted after January 3, 2023

[1] In an effort to support new individuals entering the alienist/forensic psychologist profession, the Court has agreed to an alternative rate of $2,500 for Penal Code 288.1 and Evidence Code 1026/1027 evaluations performed by Fellows at the UC Davis Medical Center. Appointments shall be limited to these two sections and only for in-custody defendants housed at the South Placer Adult Correctional Facility.

[2] Only two attempts to perform an evaluation are authorized by each order. If a defendant misses two appointments, the expert should not attempt to schedule additional appointments and shall advise counsel and the court of the unsuccessful attempts. Professionals will not be compensated for additional attempts, beyond the first two, to complete an assessment or evaluation without a new appointment order.

The maximum hourly compensation for appointed attorneys is as follows:

Class 1A:	$155/hour
Class 1B:	$110/hour
Class 2:	$100/hour
Class 3:	$90/hour
Class 4:	$80/hour

**Hourly rates for attorneys are set by the County of Placer and are restated here for simplicity.*

*** For a list of the case types permitted in each class and the minimum experience required for each class, please see Attachment A.*

Appointed attorneys who must appear in a court of another county on a case transferred from this court are entitled to reasonable travel and living expenses necessarily incurred in connection with those appearances. If traveling by private automobile the attorney shall be reimbursed for necessary mileage at the rate allowed by the County of Placer at the time of travel. Lodging expenses will be allowed at the rate provided by the Judicial Council of California at the time of stay.

The maximum compensation for criminal investigator services are as follows:

Capital or life sentence cases:	$4,000
Additional invoice(s) for capital/life cases	$2,000
Non-capital or non-life sentence cases	$2,000
Additional invoice(s) for non-capital/non-life cases	$1,000

Except in a Death Penalty case, allowable fees for investigative services will be determined by the judicial officer presiding over the case and shall be documented in the court order. Pursuant to Penal Code, § 987.9, investigative services for a Death Penalty case will be determined by a judge of the court, other than the trial judge presiding over the case in question.
Due to the nature of the service provided, investigators may bill for reasonable travel time and mileage. Mileage shall be reimbursed at the current rate authorized by the County of Placer. Investigator invoices in non-capital or non-life sentence cases shall not exceed a sum of $2,000. Additional invoices may be submitted upon a showing that further investigation is necessary and in an amount not to exceed $1,000 per application. In capital or life sentence cases, the initial invoice shall not exceed $4,000 and additional invoices made upon a showing that further investigation is necessary shall not exceed $2,000.

SECTION VI. NON-BILLABLE ACTIVITIES AND EXPENSES

Unless pre-approved in writing by the Presiding Judge, appointed attorneys and experts cannot bill for travel time.

SECTION VII. PAYMENT OF CLAIMS AND BILLING PROCEDURE

Payments are processed by the County of Placer and Placer Superior Court, depending on the type of service provided.

Newly appointed professionals providing services under this policy will be required to submit IRS form W9, California State form CA-590 and Judicial Council Payee Data Record. To receive payment for services on a case-by-case basis through the Placer County Assigned Counsel & Experts Program, professionals must complete a Payment Voucher, include all required documentation according to the type of services provided and submit to the County of Placer for processing.

Attorney Payment Vouchers must be submitted to the County of Placer for processing. The County will forward all claims to the Superior Court of California for review and approval prior to processing for payment by the County.

Expert Payment Vouchers must be submitted to the County of Placer for processing. Other than routine psychological evaluations (referred via a Letter of Psychological Appointment), all Expert Payment Vouchers must be signed by the attorney prior to submitting for payment by either the County or the Court.

Detailed payment instructions and contact information are provided on each Payment Voucher and can be found on the County of Placer Assigned Counsel & Experts Program webpage https://www.placer.ca.gov/1369/IndigentDefense-Assigned-Counsel-and-Exp.

Incomplete payment voucher packets that are missing required information will be returned to the requestor and will need to be resubmitted.

SECTION VIII. REMOVAL FROM APPOINTMENT LIST AND INACTIVE STATUS

The Court reserves the right to exercise its full discretion to remove a professional from the panel list or specified class. The professional shall be notified by email and/or mail, at the most up-to-date address provided to the Court, of any removal intent. The professional may respond, in writing, to the Presiding Judge within 30 court days. If the Court does not receive a written response, the professional shall be removed from the appointment list without further communication from the Court. A decision by the Court to remove a panelist is final and not subject to review.

Reasons for removal from an appointment list includes, but are not limited to, any disciplinary action, including being placed on probation, against the professional by the professional's licensing agency, or the suspension or revocation of the professional's license by the professional's licensing agency, any criminal charge involving moral turpitude, falsification of any material statement made in the application for appointment or any subsequent claims/reports/requests for authorization in the course of appointed service, failure to maintain eligibility under these rules or the California Rules of Court, inability to perform duties with professionalism, competence, and diligence, failure to personally provide services agreed upon for the appointment, and any conduct that the Court deems inappropriate or unbecoming of an appointed professional.

Psychological experts who decline two successive referrals will be placed on Inactive Status and notified of this change in writing. The expert may respond, in writing, to the Presiding Judge within 180 days requesting to be reactivated. If the Court does not receive a written response, the expert will be removed from the appointment list without further communication from the Court. A decision by the Court to remove a panelist is final and not subject to review.

Psychological experts may inform the Court, in writing to the Presiding Judge or in response to a specific referral request, that they are unavailable for appointments during a specified period of time. The expert will be placed in Inactive Status for this period of time, not to exceed 180 days, and will be automatically returned to the active list at the end of the specified period.

Professionals may request, in writing, to be removed from an appointment list. Requests should be sent to the Court via email at: courtadmin@placer.courts.ca.gov or by mail to the following address:

Superior Court of California, County of Placer
Attn: Presiding Judge
P.O. Box 619072
Roseville, CA 95661-9072

APPROVAL

This policy will remain in place unless rescinded or modified by the Presiding Judge and Court Executive Officer.

Judge Jeffrey S. Penney
Presiding Judge

Date: 10/27/26

Jake Chatters
Court Executive Officer

Date: 10/26/2026

ATTACHMENT A

Attorney Class	Case Types Permitted	Minimum Experience Required
Class 1A	Capital punishment	See California Rules of Court, Rule 4.117.
Class 1B	Non-capital homicides, offenses with max sentence of life or life without the possibility of parole	In addition to Class 2 requirements, attorney is certified Criminal Law Specialist or equivalent experience and proficiency. In good standing with State Bar of California.
Class 2	All crimes for which upper term of punishment is five (5) years or more, but less than Class 1A/B.	Handled 20 or more felony cases as lead counsel; of which five (5) were cases submitted to jury and five (5) included contested factual hearings such as PC 1538.5 or PC 995 motions. In good standing with State Bar of California.
Class 3	All other felonies and any juvenile justice allegations.	Handled at least five (5) felony cases or 25 misdemeanor cases as lead counsel; of which any two (2) cases were submitted to jury. In good standing with State Bar of California.
Class 4	Misdemeanor and civil	In good standing with State Bar of California.