



## Washington State Office of Civil Legal Aid

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Jill A. Malat  
Children's Representation  
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To: Children's Representation Program Attorneys

From: Jill Malat

Re: Policy regarding extraordinary compensation.

Date: March 15, 2016

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The Office of Civil Legal Aid now has a limited amount of funds to compensate attorneys for work on cases that require an extraordinary amount of time. Attorneys will be able to request compensation for additional time needed to effectively represent their clients. Funding is limited to up to 10 hours per case. Attorneys will be compensated at the rate of \$75 per hour following approval by the Children's Representation Program Manager. This compensation rate applies to all attorneys regardless of whether they have a case-by-case contract or a percentage FTE contract.

Prior authorization is required before an attorney may seek extraordinary compensation. In order to obtain authorization for extraordinary compensation, an attorney must make a request in writing to the Children's Representation Program Manager in advance. There is no entitlement to extraordinary compensation. Within limits of OCLA's current appropriation and other obligations, requests for extraordinary compensation will be considered on a case-by-case basis.

The following factors will be taken into consideration;

- Commonly represented siblings are living apart
- The client is placed outside of county
- The attorney has to spend an extraordinary amount of time with client due to communication barriers e.g., child is preverbal, or barely verbal, has a severe disability that makes communication challenging
- The attorney has had to spend extraordinary amount of preparation time for a hearing
- The attorney is required to participate in a hearing or hearings that well exceed the usual time for such proceedings

- Extended time helping with the client's involvement in collateral cases related to the dependency proceeding.
- Other circumstances described by the attorney that justify extraordinary expenditure of time representing the client.