



Washington State Office of Civil Legal Aid

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Children's Representation Program
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To: Children's Representation Program Attorneys

From: OCLA Children's Representation Program

Re: Policy for Compensation of Independent Expert Services (Rev. 1)

Date: March 7, 2022

The Office of Civil Legal Aid has limited funding available to allow attorneys to engage a third-party professional to work independently on behalf of their clients.¹

Prior authorization is required before an attorney may seek to engage a third-party professional at OCLA expense. Authority to provide state funding for a third-party professional is discretionary and subject exclusively to the determination of the CRP Manager or their designee. Requests for compensation will be considered on a case-by-case basis.

Situations where a third-party professional may be needed may include, among others:

- An independent home study is needed.
- A third party's professional assistance is needed to help the attorney address unique or difficult racial, cultural, disability, or other challenges experienced by the child in current or proposed placements.
- A third-party professional assessment is needed to assess and determine services needed for a child or youth.
- Third-party professional assistance is needed by the attorney to help review discovery where the discovery is more extensive and complex than average.
- Independent third-party professional assistance is needed to address or respond to findings and/or recommendations offered by a state social worker or CASA/GAL that are at odds with the child's stated interests.

Authorization Procedure

The attorney is responsible for identifying and contracting with third-party professionals.² To obtain authorization for reimbursement for a third-party professional, an attorney must email crp@ocla.wa.gov with a brief description of the service needed and the cause number of the case for which the expert is needed. The CRP Manager will review the request with the attorney to assess whether engagement of a third-party professional is necessary and appropriate to further the attorney's standards-based representation of the child.

¹ Standard of Practice 1.4(2) The standard assumes that attorneys appointed to represent youth in dependency proceedings will have access to adequate social work and clerical support.

Payment Policy & Procedure

Payment for professional services from a third-party professional will be made on a cost-reimbursable basis. After services have been provided, the attorney will submit an invoice along with the third-party professional's invoice and proof of payment to the CRP Manager. Exceptions may be made in those circumstances where the cost of the service would create an undue financial burden on the attorney. Exceptions to the standard cost-reimbursement policy will be made on a case-by-case basis. In those cases, the attorney shall submit an invoice to the CRP Manager along with a copy of the third-party professional's invoice and a statement from the attorney affirming that contracted services have been completed to the attorney's satisfaction and that the attorney will remit payment to the third-party professional upon receipt of funds from OCLA.

Invoices need to be submitted within 10 calendar days after the close of the billing period. All invoices submitted beyond 30 days after the billing period may not be paid. **Invoices submitted after July 10th of the current calendar year will not be paid.** OCLA will process payments on a timely basis consistent with the payment terms in our underlying contract with the attorney.