



Washington State Office of Civil Legal Aid

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To: Children's Representation Program Attorneys

From: Bailey Zydek, Program Manager

Re: Travel Reimbursement Policy

Date: 5-5-23 (Revised)

Overview

The Office of Civil Legal Aid has a limited amount of funds available for reimbursement for case-related travel. In-person client contact is key to an effective attorney-client relationship and is a requirement of the [Representation of Children and Youth in Dependency Cases Practice, Caseload, and Training Standards](#) to which all OCLA-contracted attorneys must adhere.

Additionally, the Standards call for attorneys to communicate regularly with different professionals involved in the child's dependency case and to attend hearings and other case-related events (e.g., permanency planning staffings) which concern the client and where the attorney's in-person participation may be necessary. Some of these case-related activities may require travel to counties outside of the attorney's residence or even to other states. This policy outlines policies and procedures related to travel that is eligible for reimbursement pursuant to these Standards and existing funds. Failure to abide by the policies and procedures herein could result in requests for travel reimbursement being denied.

Out-of-State Travel

Contractors must obtain CRP staff pre-approval for any case-related out-of-state travel for which they wish to seek reimbursement. Contractors should completely fill out and submit a Travel Request Form as far in advance of their desired travel dates as possible to crp@ocla.wa.gov with support@ocla.wa.gov cc'd. The Program Manager or their designee will review the request and either approve, deny, or ask for more information. For all authorized out-of-state travel, the following rules and conditions apply:

- Airfare: OCLA will only reimburse for coach-class seats. Contractor should select the most economical flight option available that serves the contractor's case-related travel needs. The cost of any upgrades is the sole responsibility of the contractor. Contractors must provide receipts when invoicing OCLA for airfare reimbursement.
 - If it is more feasible or economical for the contractor to drive to their out-of-state destination (e.g., Oregon or Idaho), OCLA will reimburse for mileage at the [IRS Standard Mileage Rate](#) for that travel period.

- **Parking:** If overnight parking is required for travel, Contractors must utilize the most cost-effective parking option reasonably available. (E.g. Offsite airport parking vs. overnight parking at the terminal). For day travel, Contractors should utilize street parking over fee-based lot parking where safe and feasible to do so. Receipts are required for all parking fees in excess of \$25 for a single parking event.
- **Ground transportation:** OCLA will only reimburse for “economy” rental cars and only where use of a car is necessary for the contractor to fulfill their case-related duties while in out-of-state travel status. Contractor should select the most economical rental option available. If access to a car while in travel status is not essential, contractor is encouraged to rely on Uber/Lyft/taxi or the destination city’s public transportation system where safe and practical. Contractors must provide receipts when invoicing OCLA for ground transportation reimbursement.
- **Lodging:** OCLA will only reimburse for out-of-state lodging costs that fall within the per diem rates published by the [U.S. General Services Administration](#) plus taxes. Any upgrades or expenses that exceed this amount are the sole responsibility of the contractor.¹ Contractor must be away from their official station and residence overnight in order to claim reimbursement for lodging. Contractors must provide receipts when invoicing OCLA for lodging reimbursement.
- **Meals:** Meals are only compensated where the contractor was in travel status pursuant to the “3-Hour Rule.”² OCLA will reimburse for all meal costs according to the per diem rates published by the [U.S. General Services Administration](#). Contractors do *not* need to provide meal receipts when invoicing OCLA for reimbursement. Contractors must be in travel status during the entire designated meal periods in addition to the 3-Hour Rule to be eligible for reimbursement of that meal:
 - Breakfast meal period = 7:00 a.m. - 8:00 a.m.
 - Lunch meal period = 12:00 p.m. to 1:00 p.m.
 - Dinner meal period = 5 p.m. to 6 p.m.

In-State Travel

Not all in-state case-related travel is eligible for travel reimbursement. Contractors must select the most economical mode of travel available that meets their case-related travel needs and allows them to render standards-based legal representation. The rules and conditions concerning reimbursement for in-state case-related travel are as follows:

- **400 Mile Roundtrip Rule:** Contractors must seek prior approval from the Program Manager or their designee before undertaking case-related travel necessary to render standards-based legal representation for which the contractor wishes to be reimbursed.

¹ Note: Some hotels attach a ‘Destination Amenity Fee’ to their room billings. These are a way for hotels to add unadvertised costs and exceed allowable state lodging rates. OCLA will not pay a Destination Amenity Fee. Contractors who agree to pay the Destination Amenity Fee will not be reimbursed for it

² The 3-Hour Rule: Contractors qualify for meal reimbursement under the three-hour rule if they are in travel status for at least three (3) hours *beyond* their normally scheduled workday and do not stay overnight. The three hours may consist of hours occurring before, after, or a combination of both before and after their regularly scheduled work hours. The per diem rate is based on the traveler’s final destination before returning home. The 3-hour rule applies to Saturday and Sunday, although the contractor only needs to be in travel status three (3) hours to be eligible for meals.

- Where feasible, it may be more economical for a contractor to fly to an in-state destination and rent a car (or engage a rideshare service such as Uber or Lyft) in order to visit a client or otherwise engage in case-related activity required for standards-based legal representation than it would be to drive to that same destination in a personal vehicle. The Program Manager or their designee may request that the contractor provide a cost comparison between air travel and its attendant costs (air fare, mileage to/from airport, airport parking, ground transport) and travel by personal vehicle. Program Manager may authorize reimbursement up to the most cost-effective mode of travel based on this analysis.
- Mileage: Contractors may invoice OCLA for mileage accrued during case-related travel where contractor traveled more than 50 miles, using the most direct route available, from their official residence and/or official duty station, whichever is closer to the destination (*i.e.*, travel that amounts to 100+ miles roundtrip from the contractor's office/residence to the destination and back). This is known as the "50-mile Rule". Mileage is reimbursed at the [IRS Standard Mileage Rate](#) for that travel period. Contractor must abide by the terms of the 400 Mile Roundtrip Rule (above) for any travel that is anticipated to be in excess of 400 miles roundtrip. Failure to abide by the 400 Mile Roundtrip Rule could disqualify a contractor from being eligible for reimbursement.
- Lodging: Prior approval from the Program Manager or their designee is required before a contractor may utilize lodging for in-state case-related activity. Approval will not be unreasonably withheld. Authorized in-state overnight hotel stays will be reimbursed per the [Office of Financial Management Per Diem Rate Tables](#). Any upgrades or expenses that exceed the amount indicated in the aforementioned per diem rate tables are the sole responsibility of the contractor (see FN 1). Contractors must provide receipts when invoicing OCLA for lodging expenses.
- Parking: If overnight parking is required for travel, Contractors must utilize the most cost-effective parking option reasonably available. (E.g. Offsite airport parking vs. overnight parking at the terminal). For day travel, Contractors should utilize street parking over fee-based lot parking where safe and feasible to do so. Receipts are required for all parking fees in excess of \$25 for a single parking event.
- Meals: Under the three-hour rule for non-overnight travel, meals will not be reimbursed unless the contractor is in travel status for case-related purposes for at least 11 hours of the claimed travel day. "Travel status" in this context means that the contractor was 50+ miles away from their residence or official workstation, whichever is closer, during the entirety of the meal period for which the contractor is seeking reimbursement. For pre-approved overnight stays and those situations where contractors are in travel status for at least 11 hours of the claimed travel day, OCLA will reimburse for meals according to the per diem rates published by the [Office of Financial Management Per Diem Rate Tables](#). Contractors do *not* need to provide meal receipts when invoicing OCLA for reimbursement. Contractors must be in travel status during the entire designated meal periods to be eligible for reimbursement of that meal:
 - Breakfast meal period = 7:00 a.m. - 8:00 a.m.
 - Lunch meal period = 12:00 p.m. to 1:00 p.m.
 - Dinner meal period = 5 p.m. to 6 p.m.

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Travel Reimbursement Procedure

To receive reimbursement, contractors must complete the travel voucher form provided by OCLA (and which can be found on our [website](#)) and provide all required supporting documents. Instructions for filling out the travel reimbursement voucher can also be found on the website or be provided to the contractor upon request by emailing support@ocla.wa.gov.

Travel invoices need to be submitted within 10 calendar days after the close of the contractor's contractual 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 contractor.