PUBLIC DEFENDER SERVICES
ONLINE VOUCHER SYSTEM (OVS) PROBLEM AREAS

PROBLEMS WITH SUBMISSION

1. **Not Submitting Full Voucher or Voucher is not Legible**
   Some entries are cut off at the bottom of the pages. Be sure the entire voucher is legible. Also the entire voucher must be submitted in paper form. The entire voucher consists of the Order Approving Payment of Appointed Counsel Fees and Expenses, Defense Counsel Voucher Information Page, Itemized Statement of Legal Services Pages, and the Itemized Statement of Expense Pages with required invoices attached.

2. **One Certified Copy of the Complete Voucher Needed**
   As of July 2014, PDS requires only one certified copy of the complete voucher.

3. **Not Following Through with all Changes Throughout the Voucher**
   When you make a written change to the printed voucher, be sure to change all areas of the voucher affected by the change.
   For example, if you wrote on the paper voucher an Out-of-Court entry for "0.5" with the Explanation of "Closing file," you would need to adjust the following areas of the voucher:
   a. Itemized Statement of Legal Services Pages: Adjust "Total" of Out-of-Court Column; in the "GRAND TOTALS" box, adjust "TOTAL TIME OUT-OF-COURT" time and dollar amount, and "TOTAL FEE CLAIM."
   b. Defense Counsel Voucher Information Page: Adjust "FEE CLAIMED" and "TOTAL CLAIMED."
   c. Order Approving Payment of Appointed Counsel Fees and Expenses: Adjust total approved for payment.
   Remember all changes to the voucher must be initialed by the attorney.

4. **When vouchers are returned ("Bucked") to the attorney, please send the corrected voucher back.**
   If the corrected voucher was sent back, we know it was in our computer system and just needed to be updated. If the bucked voucher is sent as a new voucher, it will be processed as a new voucher and lose its place in order of payment.

5. **Voucher Not in Proper Sequence**
   The voucher should be in the following sequence:
   a. Order Approving Payment of Appointed Counsel Fees & Expenses
   b. Defense Counsel Voucher Information Page
   c. Itemized Statement of Legal Services Pages
   d. Itemized Statement of Expense Pages
   e. Copies of Itemized Invoices
   This will assist PDS in reducing the processing time for the vouchers.

PROBLEMS WITH THE ORDER APPROVING PAYMENT

1. **Incorrect Order Approving Payment**
   Use the "Order Approving Payment" that is printed from the OVS system. This form has the necessary information the agency needs to retrieve and process the voucher from the OVS system.

2. **Circuit Court's Seal Missing**
   Be sure the court's seal is affixed to the Order Approving Payment.

3. **Entered Date**
   Be sure to have a complete entered date (Day/Month/Year).

4. **OVS Number Illegible or Missing**
   The OVS number on the Order Approving Payment must be legible to avoid any delay in processing the voucher.

5. **Not Initialing Corrections**
   If changes are made to the printed voucher, initial the changes.

6. **Incorrect Address on the Voucher**
   If the address printed on the Order is incorrect, then the agency has incorrect information. You should change the address on the Order, but you must also fax the correct address to PDS at (304) 558-6612.

PROBLEMS WITH THE DEFENSE COUNSEL VOUCHER INFORMATION PAGE

1. **Attorney Work Only**
   ONLY ATTORNEY TIME SHOULD BE ENTERED INTO THE ITEMIZED STATEMENT OF LEGAL SERVICES PAGES.
   If your paralegal, assistant, or secretary are performing legal tasks, the entries must be billed as paralegal time and are billed as an expense on the attorney's Appointed Counsel Voucher. For further information on paralegal billing, see the "Problems With The Itemized Statement of Expense Pages" section listed below.

2. **Client Status Incorrect**
   Check the correct "Client Status." If the client you are representing is a juvenile, then check the Juvenile Status. If the client you are representing is the adult, then check the Adult Status.

3. **Client's Name**
   Enter the name of the client who is being represented by the attorney. Enter the full name, if your client is an adult. There are several ways you may enter the names of juvenile clients. If you have one juvenile client, enter his or her initials. If you have multiple juveniles with the same last name, enter the last name with the word "Children." Example: Mary, James, & John Smith could be entered as Smith Children. For other examples on how to key the client's name in the OVS system, click on the circle with the question mark beside the "Client's Name" in the OVS System.

4. **Incorrect Disposition Date**
   The disposition date is the last date a court takes action on the case, not the date the crime was committed.

5. **Incorrect Last Date of Service**
   THE DATE YOU PREPARE THE VOUCHER IS NOT THE "LAST DATE OF SERVICE." The "Last Date of Service" is the last date on which the attorney performed substantive work on the case.

6. **Municipal Court Appointments**
   All Municipal Court appointments are keyed in under "Case Type" as "Municipal Charges." The criminal charge is entered as usual.

7. **Case Type After Sentencing**
   IMPORTANT NOTE:
   The governing statute authorizes PDS to pay up to two vouchers. An interim voucher can be submitted after a case has been pending for six months. A final voucher is submitted when a case is completed. If a third voucher is received with the same charges and case numbers, the payment will be refused. If you have submitted a final voucher, but additional services are required, such as an appeal, revocation, or habeas, this requires a new voucher with a new "Case Type;" otherwise it will be rejected as a third voucher.

   Example 1: You were appointed to represent the client on a Supreme Court Appeal and the underlying charge is Murder. The case type entered would be Supreme Court and the charge entered would be Supreme Court Appeal. The underlying charge is not to be entered.
   Example 2: You were appointed to represent the client in a Probation/Revocation case and the underlying charge is Assault & Battery. The case type entered would be Revocation and the charge entered would be Parole/Probation. The underlying charge is not to be entered.
   Example 3: You were appointed to represent a client on a Murder charge. You have sent a six-month interim voucher in for payment. The client has been sentenced and the case is now completed. The case type entered would be Felony and the charge entered would be Murder. Any work on the case after the sentencing, for voucher purposes, would be considered a new case and new case type.
   Exception: Abuse and neglect and any juvenile case may be billed at any disposition.

8. List the Code Citation

The actual Code Citation should be entered, not a letter, case number, or criminal charge. For example, the code cite would be "61-3-12."

9. One Case Number Per Line

Each case number must be entered separately. Example: The case has the following case numbers: 15-JA-1 to 15-JA-6. There should be six entries listed under the case information.

10. Count Field (in the Case Information Section) is Not Correct

For voucher purposes, the count field required to be set forth in the case information section means each separate charge, not the designation of the numbered paragraphs of a complaint or indictment. For a felony case which alleges one count each of grand larceny, burglary, and assault, the count field would be one (1) for each charge. The case information would look like this:

Primary Case	Case Type	Specific Criminal Charge	Code Citation	Case Number	Count
☑	Felony	Grand Larceny	61-3-13(a)	14-F-45	1
☐	Felony	Burglary	61-3-11	14-F-46	1
☐	Felony	Assault & Battery	61-2-9	14-F-47	1

Normally, the count is always one, but there is an exception. The exception would be if the case alleges more than one count for the same type of case, same violation of the same code cite, all under the same case number. For example, if a case alleges one count each of grand larceny and burglary and two counts of felony assault, then the count field in the case information section should indicate one (1) for the grand larceny, one (1) for the burglary, and (2) for the assaults. The case information would look like this:

Primary Case	Case Type	Specific Criminal Charge	Code Citation	Case Number	Count
☑	Felony	Grand Larceny	61-3-13(a)	15-F-13	1
☐	Felony	Burglary	61-3-11	15-F-13	1
☐	Felony	Assault & Battery	61-2-9	15-F-13	2

11. Attorney Signature

Attorney must sign the voucher.

PROBLEMS WITH THE ITEMIZED STATEMENT OF LEGAL SERVICES PAGES

1. Duplicate Entries

If an entry looks like a duplicate entry, the agency will take it off the voucher. You need to give further explanation to let us know it is not a duplicate entry. On the first interim voucher submitted, include all fees for services rendered and reimbursement for all expenses made on behalf of the client up to and including the last date of service. If subsequent voucher(s) are submitted, do not key entries that were included or should have been included on previous vouchers; the agency will take off these entries. This causes significant delay in processing vouchers because we must retrieve previous paid vouchers and compare them line by line.
You can search Voucher History in the OVS system for verification of entries. To check on any vouchers submitted prior to the OVS system, contact Voucher Processing at (304) 558-3905.

2. Duplicate Vouchers

If one voucher has been sent to PDS, there is no need to send a second.

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3. **Prepare Voucher Entry Limitations**
   On vouchers under $500, the entry must not exceed one half hour.
   On vouchers over $500, the entry must not exceed one hour.
   The entry must be claimed by whoever prepared the voucher, either the attorney or a paralegal.

4. **Close and Open File**
   Opening and closing files cannot be claimed on both the paralegal's invoice and the attorney's fees and must represent actual time.

5. **"Clerical" Entries**
   PDS will not pay for "clerical" entries, i.e. copy, mail, fax, etc.

PROBLEMS WITH THE ITEMIZED STATEMENT OF EXPENSE PAGES

1. **Invoices Not Attached to the Voucher**
   The OVS system alerts you when an itemized invoice is needed to be attached.

2. **Wrong Expense Code Used**
   Mileage is entered under Mileage not Transportation.
   Fax is entered under In-Office Copies.
   Copies of medical/hospital records are entered under the Out-of-Office Copies.

3. **Paralegal Entries**
   Paralegal time must be billed as an expense on the appointed counsel's voucher. Paralegals cannot bill time for conference with the attorney or any other staff members. The attorney must attach an invoice detailing the time and nature of the services of the paralegal in the same form that attorney time and services are detailed. The identity of the paralegal must be stated and a separate invoice must be prepared for each paralegal. The invoice must provide information regarding the hourly rate paid by the attorney to the paralegal. The paralegal, by statute, cannot bill for "in-court" time at any amount.

If you have any questions concerning any of these problem areas listed above, you should contact Sheila Coughlin by phone at (304) 558-3905 extension 57712 or email: Sheila.J.Coughlin@wv.gov.