

## **Statutory Criteria for Fee Cap Waiver Guidelines**

1. Representation Required Additional Time and Effort;
2. Representation Presented Novel and Difficult Issues; or
3. Representation Involved Other Circumstances Warranting a Waiver

### **Examples of Factors to Be Considered For Fee Cap Waivers (including but not limited to the following)**

- Single charge representation (especially misdemeanor and juvenile cases);
- Juvenile charged with an offense that would be a felony if committed by an adult;
- Jury trials, including misdemeanors;
- Extensive travel required during representation;
- Juvenile certification/transfer hearings – J&DR court jurisdiction retained;
- Issues requiring extensive legal research;
- Matters involving DNA and other scientific evidence;
- Multiple defendant, victim, or “spree” cases;
- Complex fraud cases;
- Representation of a client requiring the services of an interpreter;
- Representation of a client with serious mental health issues, or accessibility challenges;
- Insanity defense;
- Complex investigation, considering number and accessibility of witnesses interviewed, record collection, document organization and use of investigative, expert or other services;
- Matters involving unusually long and complex pretrial hearings, trial, or sentencing hearing;
- Serving as advisory counsel to pro-se defendant during felony trial;
- Change of venue cases.