



## BILLING GUIDELINES

### COURT APPOINTED COUNSEL PURSUANT TO FC 3150

Revised Date: April 22, 2026

#### Professional Independence of Counsel

Nothing in this Agreement or the FC 3150 Billing Guidelines shall be interpreted to interfere with Contractor's independent professional judgment, ethical obligations, or duties as court-appointed counsel for a child under Family Code section 3150 and California Rules of Court Rules 5.240–5.242. Contractor shall act as an independent legal advocate for the child and not as a neutral investigator or agent of the Court.

#### 1. General

- a. **Introduction.** The guidelines set forth herein are for the Superior Court of Santa Barbara ("Court") and the private attorneys appointed by the Court to represent minors pursuant to Family Code section 3150 ("Counsel").
- b. **Purpose.** The purpose of these guidelines is to create uniformity in attorney billing practices and to provide Counsel a framework within which to submit their billings.
- c. **Terms and Conditions**
  - A) The Court reserves the right to review all bills for accuracy and accountability.
  - B) Should any discrepancies arise between the billing of a file and the Trial Court's understanding of the case, Court and Counsel will confer before final approval of the bill.
  - C) Should billing irregularities persist with any lawyer or law firm, the Court reserves the right to remove an attorney from the appointments panel after reasonable notice to cure. Removal from the panel does not affect any active court appointment, which may only be terminated by court order pursuant to California Rules of Court Rule 5.240.

#### 2. Appointment of Counsel to Represent a Child under Family Code section 3150 (CRC Rule 5.240)

- a. **Request for Appointment of Counsel.** The court may appoint counsel to represent the best interest of a child in a family law proceeding on the court's own motion or if requested to do so by:
  - (1) A party;
  - (2) The attorney for a party;
  - (3) The child, or any relative of the child;
  - (4) A mediator under Family Code section 3184;
  - (5) A professional person making a custody recommendation under Family Code sections 3111 and 3118, Evidence Code section 730, or Code of Civil Procedure section 2032.010 et seq.;

- (6) A county counsel, district attorney, city attorney, or city prosecutor authorized to prosecute child abuse and neglect or child abduction cases under state law; or
- (7) A court-appointed guardian ad litem or special advocate;
- (8) Any other person who the court deems appropriate.

**b. Orders Appointing Counsel for a Child.** The Court must issue written orders when appointing and terminating counsel for a child. The order is written on a form approved by the Judicial Council of California for use named FL-323, *Order Appointing Counsel for A Child*.

3. **Compensation for Services (CRC Rule 5.241).** All court orders regarding compensation, ability to pay, and manner of payment will be written on Form FL-323.

**a. Determination of Counsel Fees and Payment.** The Court must determine the reasonable sum for compensation and expenses for counsel appointed to represent the child in a family law proceeding, and the ability of the parties to pay all or a portion of counsel's compensation and expenses.

**b. Determination of Ability to Pay.**

- A) If the court determines that the parties have the ability to pay all or a portion of the Counsel fees, the Court must order that the parties pay in any manner the court determines to be reasonable and compatible with the parties' financial ability, including progress or installment payments.
- B) The court may use its own funds to pay counsel for a child and seek reimbursement from the parties.
- C) If the court finds that the parties are unable to pay all or a portion of the cost of the child's counsel, the court must pay the portion the parties are unable to pay.

4. **Billing and Payment Provisions**

**a. Compensation.** The Court must pay all or a portion of Counsel's compensation that the parties are unable to pay.

- A) The fixed hourly attorney rates paid by the Court to Counsel are outlined below:  
\$100.00 per hour for attorneys  
\$50.00 per hour for attorney support staff
- B) The Court will reimburse for actual hours of work. Travel time for traveling to and from place of business to Court is not reimbursable.
- C) The Court does not ordinarily reimburse expenses, including travel, mileage, or filing fees. However, reasonable and necessary expenses may be considered if pre-approved by the Court or authorized by court order.

**b. Billing**

- A) The Court must only be billed for attorney or support staff work and must be billed for actual time only, rounded up to the nearest tenth of an hour (.10).
- B) If counsel is appointed to represent a child in one case and is also scheduled on the same calendar date to represent another child, and the total court time is one hour, counsel shall bill only for the actual time spent per case and shall not bill one hour to each case. Waiting time is compensable when counsel is required to be present; however, such time must be reasonably allocated across cases and may not be billed more than once.
- C) There will be no "bundling of services", and therefore each legal task must be itemized

on the invoice. Multiple activities under one billing time allotment should not be listed.

- D) One claim per case must be submitted to the Court monthly on ongoing cases. Invoices and claims for completed work must be submitted within thirty (30) days of service completion, with a maximum timeframe of sixty (60) days, except for purposes of fiscal year accounting described in section 4.b.H below. For example, if the last day of worked performed for March is March 29<sup>th</sup> on an ongoing case, claim must be submitted to the Court on or before April 29<sup>th</sup>.

For appointment termination, invoices and claims must be submitted to Court within thirty (30) days after the appointment termination date.

- E) Claim packet must include the following documents:
- i. Detailed Vendor Invoice (Please use “client” instead of party names in detail lines.)
  - ii. Form FL-323, Order Appointing Counsel for a Child

- F) Vendor claims must be submitted to the Court electronically:

Submit via e-mail at [AP@sbcourts.org](mailto:AP@sbcourts.org). Scan and save each invoice into one pdf file, in an order as outlined in section 4.b.E above, and name the pdf file as “Claimant NameMMDDYYFLxxxx” (example: MarySmith013126FL12345), using the last day of work in a month as the date and respective case number. For the e-mail Subject, use FL 3150 Invoice(s). Please note: You must only attach up to ten (10) separate invoices per email.

- G) Timely submission of Vendor Claim is vital for the Court to report expenses and encumber public funds in the appropriate budget period. Vendor Claims submitted after sixty (60) days will risk non-payment. Late submissions may be considered upon a showing of good cause, subject to available funding and should be accompanied by a letter explaining the reason(s) for the delay.
- H) For purposes of fiscal year accounting, Counsel must submit any invoices or bills for services accrued within the fiscal year ending June 30 as soon as possible and in no event 10 days after the end of the fiscal year.
- I) For purposes of smooth transition to these new billing guidelines, Counsel must submit all outstanding and unclaimed bills as of February 28, 2026, to the Court finance department by April 30, 2026.

**c. Reimbursement**

- A) The Court will carefully review Counsel claims requesting reimbursement and the assigned judge reserves the right to limit or cut amounts deemed by the Judge to be excessive. Such review is limited to reasonableness of time and compliance with these guidelines and does not evaluate Counsel’s legal judgment or advocacy.
- B) The Court shall pay Counsel within thirty (30) days of receiving correct and proper billing documents. Payments to Counsel are contingent upon the satisfactory performance of obligations under the Court Order. Satisfactory performance refers to compliance with statutory duties and billing requirements and does not permit evaluation of Counsel’s independent legal judgment.
- C) Payment does not imply acceptance of billing for administrative purposes. This provision applies solely to administrative and fiscal review and does not affect Contractor’s independent legal role or professional judgment. Counsel shall

immediately refund any payment made in error. The Court shall have the right at any time to set off any amount owing from Counsel to the Court against any amount payable by the Court to Counsel. The Court will make reasonable efforts to resolve billing discrepancies at the time of invoice review prior to exercising any setoff or recoupment rights.

- D) Expenses. Expenses are generally the responsibility of the Counsel and must not be separately billed unless pre-approved by the Court as reasonable and necessary.

**d. Confidentiality and Privilege**

- A) Nothing in these Billing Guidelines requires disclosure of information protected by the attorney-client privilege or attorney work product doctrine. Any audit or review is limited to verification of billing information such as dates, time spent, and general nature of services.