

Direct Bill Case Expenses Supplement

Certain case expenses are paid directly to the service provider by the SPD Fiscal Unit. Attorneys should not incur any out-of-pocket expenses for interpreter service, medical records, transcription service, or discovery. These expenses should be billed to the SPD Fiscal unit by the service provider.

Interpreters

The attorney must complete the Interpreter Request form for all interpreter service. Attorneys should complete their portion of the form and send it on to the service provider.

A private bar attorney may retain the services of an interpreter when necessary **without** prior approval if:

- 1) the hourly rate conforms to the reimbursement rates established by the office of the Director of State Courts (currently \$40.00 for the first hour and \$20.00 for each additional ½ hour for certified interpreters and \$30.00 for the first hour and \$15.00 for each additional ½ hour for other qualified interpreters)

2) the total amount of billable interpreter time (professional service + **travel***) does **not** exceed **12 hours**

*Interpreters may charge \$25.00/hr. for travel time **if providing the service involves travel to a destination more than 30 miles, one way, from the interpreter's principal office.**

If an interpreter has requested a higher hourly rate than stated above, the attorney **must** submit an expense authorization request and **receive approval before proceeding**.

If **more** than 12 hours of interpreter time is needed, the attorney **must** submit an expense authorization request and **receive approval before proceeding**.

The interpreter's bill must list the dates of service and time spent performing interpreter duties. Travel time must also be itemized by date and indicate the destination city or location. Interpreters may also charge for mileage at the state rate in effect at the time the service is provided.

The interpreter must submit a copy of the completed and signed Interpreter Request form with his/her bill to: **Wisconsin State Public Defender, PO Box 7923, Madison, WI 53707-7923.**

Medical Records

Per Wisconsin ss. 146.83(1b), an attorney provided by the State Public Defender as a "person authorized by the patient" to request medical records. This allows SPD appointed attorneys or their agents the ability to contact medical records companies directly and request records. Medical records rates are set by Wisconsin ss. 146.83. Private bar attorneys and their agents are **required** to provide the Order Appointing Counsel to the medical records provider at the time of the request.

[Health Care Provider Letter 2013 WI ACT 342](#)
[Health Care Records Q and A Medical Records Rates](#)
[SPD Health Records Release](#)

[How to request Medical Records](#)

Transcripts

The office of the State Public Defender (SPD) pays for transcripts that are ordered by appointed counsel. The SPD will pay for the original and one copy only. **Prior expense approval is required for all transcription services.** If prior approval is not obtained, the obligation to pay the transcript expense falls upon the attorney who requested the service.

Trial Level Appointments

- Attorneys are to use their best judgment when deciding what transcripts are needed. No attorney should have a blanket policy of ordering transcripts.
- Transcripts obtained during trial level representation belong to the client, but should be retained by counsel until the conclusion of representation. If a Notice of Intent to Pursue Post-Conviction Relief is filed, the transcripts must be forwarded to SPD Appellate intake along with the date stamped copy of the Notice of Intent and Appellate Questionnaire.
- Do not order transcripts for post-conviction review.

Appellate Level Appointments

- Transcripts needed for post-conviction review will be ordered by SPD Appellate staff.
- Transcripts obtained during appellate level representation belong to the client, but they are to be retained by counsel until the conclusion of representation.
- When you request copies of the court record under [Wisconsin ss. 967.06](#), the Clerk of Court will bill the SPD directly.
- **If the provided trial proceedings transcripts are incomplete or if a transcript of a post-conviction hearing is needed, the attorney of record will need to order the transcript.**

[How to Request Transcripts](#)

Discovery

Discovery is the material and information that a prosecuting attorney is required to disclose by Wisconsin ss. [971.23](#) and [980.036](#) or by the constitution and laws of Wisconsin or the United States. Rates of reimbursement are mandated by Wisconsin Administrative Code [PD 8](#). Billings for discovery should be sent to: **Wisconsin State Public Defender, Attention: Fiscal Unit, PO Box 7923, Madison, WI 53707-7923.**