



King County

Department of PUBLIC DEFENSE

EXPERT SERVICES Authorizations and Payment Requests Checklist

I. REQUIRED DOCUMENTATION

Ensure that your packet is arranged in the following order. Please verify that the case number and caption are consistent throughout all documents, **including** the title/header pages (Superior **or** District Court).

1. Order Authorizing Expert Services at Public Expense
2. Sealing/Protective Order(s) (Refer to Section II)
3. Motion and Certification for Expert Services at Public Expense
4. Attorney Declaration
5. Expert's General Fee Schedule (If vendor is new to DPD)
6. Expert's CV (If vendor is new to DPD, or providing updated copies)
7. King County Substitute W9 (If vendor is new to DPD. Access the forms & instructions via King County [website](#).)

CONTENTS:

1. **Motion and Certification for Expert Services at Public Expense** (The following information must be included):

- Name of Attorney(s) for Defendant.
- Full name of Expert; including the business name, or if expert is a sole proprietorship.
- Name of Defendant (indicate suffix/hyphen, AKA/FKA), including their charge(s). **Ensure case name, case number, and dates match on all pages of the packet.**

2. **Attorney Declaration** (The following information must be included):

The body of the attorney's declaration needs to include **sufficient specificity** as to allow the examiner to clearly understand the nature of the request, why the expert is needed and what the expert is expected to perform on behalf of the client. "Check boxes" cannot be used as a substitute for attorney declarations. The declaration, at a minimum, must include:

- Name of the attorney-of-record making the request.
- Name of the expert whose services are being requested.
- Detailed explanation of why the services are reasonable and necessary to the defense of the client's case.
- List of prior services.
- Summary of the expert's expected testimony, if applicable.
- Itemized "cost-per-service" breakdown.

An example of the cost-per-service breakdown looks like this:

- | | | |
|----------------------------------------------------------------------|-----------------|----------------------|
| ➤ Record Review/Analysis: | Number of hours | Hourly fee requested |
| ➤ Interviewing/Testing: | Number of hours | Hourly fee requested |
| ➤ Scoring/Interpretation of data: | Number of hours | Hourly fee requested |
| ➤ Consultations with Attorneys: | Number of hours | Hourly fee requested |
| ➤ Preparation of report(s): | Number of hours | Hourly fee requested |
| ➤ Travel Time: Does expert charge for travel time? If yes, how much? | | |

NOTE: The expert must be able to provide the attorney with an estimate for all of the above. A lack of sufficient specificity may result in the Expert Request being denied or returned for additional information. In either instance, it will result in unnecessary delay.

3. Order Authorizing Expert Services at Public Expense (The following information must be included):

- Full name of defendant's attorney.
- Attorney's signature and matching dates on all applicable pages of the packet.
- Full name of expert- including their business (DBA) name, and/or if expert is a sole proprietorship.
- Specific services sought.
- Whether the defendant is in-custody or out-of-custody.
- Trial date, if applicable.
- Total financial amount for services being sought, including rate(s).
- Whether the amount is an hourly rate or flat fee.
- Whether the Expert Order will be sealed or not sealed.
- Whether attorney is appointed or not appointed.
- Email addresses of everyone who should receive the Order and Affidavit.

II. SUBMISSION OF MATERIALS

SEALED:

1. Sealing and Protective Order(s) for King County Superior Court cases must first be submitted to the Chief Criminal Judge, pursuant to policies in Section 10.2 of the King County Superior Court Criminal Department Manual: <https://www.kingcounty.gov/~media/courts/superior-court/docs/criminal/criminal-manual.ashx?la=en>. You will submit the entire Expert Services packet as described in Section I to King County Superior Court in accordance with current policy. The sealing and protective order(s) will be addressed by the court and then the packet, including the unsigned ORES, will be sent by the court to DPD for review of the Expert Services Request by the Expert Services Administrative Attorney.
2. Sealing and Protective Order(s) for King County District Court must first be submitted to DPD for review of the Expert Services Request and will then be forwarded by DPD to King County District Court Presiding Judge *after* approval of the Expert Services Request by the Expert Services Administrative Attorneys for review of the sealing order(s). You will be notified by DPD when your Expert Service request has been sealed and filed by the court.

NOT SEALED:

1. Requests for expert services with *no* Sealing and Protective Order(s) should be emailed to: DPD-ExpertRequests@kingcounty.gov. **NOTE:** Mailbox for submission of requests only. Contact designated DPD staff with any other inquiries.

III. REVIEW PROCESS

UNSEALED REQUESTS (ALL COURTS)

1. Attorney submits Expert Services request (motion and order) to DPD-ExpertRequests@kingcounty.gov
2. DPD staff will intake and forward Expert Services request to independent Expert Services Administrative Attorneys for review.
3. Upon approval, DPD staff will email signed copies of all pleadings and billing affidavits to the attorney following the Expert Services Administrative Attorney's ruling.
4. DPD will file the signed originals with the Court.

SEALED REQUESTS - SUPERIOR COURT

1. Attorney submits Expert Services Request (motion and order) and Sealing/Protective Order(s) to Superior Court Chief Criminal Judge at SeaCrimMotions@kingcounty.gov.
2. Sealing/Protective Order(s) reviewed for signature by Chief Criminal Judge
3. Court submits Expert Services request (unsigned motion and order and signed sealing/protective orders) to DPD-ExpertRequests@kingcounty.gov
4. DPD staff will intake and forward Expert Services request to independent Expert Services Administrative Attorneys for review.
5. Upon approval, DPD staff will email signed copies of all pleadings and billing affidavits to the attorney following the Expert Services Administrative Attorney's ruling.
6. DPD will file the signed originals with the Court.

SEALED REQUESTS – DISTRICT COURT

1. Attorney submits Expert Services request (motion and order) and Sealing/Protective Order(s) to DPD-ExpertRequests@kingcounty.gov
2. DPD staff will intake and forward Expert Services request to independent Expert Services Administrative Attorneys for review.

3. Upon approval, DPD staff will email signed copies of all pleadings and billing affidavits to the attorney following the Expert Services Administrative Attorney's ruling.
4. DPD staff will forward the signed Expert Services request (motion and order) and unsigned Sealing/Protective Order(s) to the Presiding Judge or designee in King County District Court
5. Upon approval of the Sealing/Protective Order(s), DPD staff will notify attorney that their Expert Services request has been sealed.

IV. REQUESTS FOR PAYMENT

1. **No payment will be made in excess of the amount authorized.** If additional services or a change in rates are necessary, the attorney must obtain additional authorization through a new Expert Services request in advance.
NOTE: Sealing and Protective orders do not carry over from an original to a supplemental request. If sealing is needed for a request for supplemental funding, new Sealing/Protective Orders is required.
2. An "Expenses and Expert Billing Affidavit" and instructions will be sent to you at the time of authorization.
3. Carefully review the billing instructions for details on the payment process.
4. Submit Billing Affidavits and any other documentation as required under the Expert Services Policy to: DPD-ExpertBilling@kingcounty.gov. Expert Services billing is only to be submitted by the attorney; Expert Services billing will not be accepted from the Expert directly.
NOTE: This mailbox is for submission of Billing Affidavits only. Contact designated DPD staff with any other inquiries.
5. It is the responsibility of the attorney to follow up with their Expert to ensure payment has been received.
6. Payment Timelines:
 - o King County generally aims to remit payment within 30 days
 - o A Payment Detail Report, displaying all payments made to an expert within a given billing period, are automatically generated by the King County Procurement 7 days following the date of payment and will be sent fromm DPD Finance staff to the Expert once available.
NOTE: An Expert performing work on multiple cases might receive one payment for several cases if bills are submitted simultaneously during a billing period. The Payment Detail Report will itemize which cases were paid in that batch.

NOTE: These protocols are subject to revision and will be published as updated.