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	Effective Date: 06/09/23	
Approved by: Chief Justice Roger A. Page and Director Michelle J. Long		
Subject: Over Claim – Review Procedure R. 13, Secs. 6(a)(7)(C)		

POLICY STATEMENT:

When ACAP triggers an over claim, the following review procedure applies:

1. *AOC Compliance Officer sends an email requesting the attorney respond within two weeks by a written affidavit explaining which cases they worked on the subject date and how much time was spent on each indigent case.*

2. *After the two-week period or if the attorney has indicated he/she will not comply or cannot comply with a request for additional supporting documentation, a letter from the Lead Attorney for the Indigent Services Team will be sent via email and regular first-class U.S. mail, informing the attorney that he/she has 30 days to comply or the claim will be substantially reduced or denied entirely pursuant to Rule 13, sec. 6(b)(2) (thirty days is in lieu of any additional emails from the Compliance Officer and provides sufficient time for a response even given slow mail delivery in various parts of the state). Any determination to reactivate the claim after a denial is at the discretion of the Director or if required after the review of the Chief Justice.*

3. *After the expiration of 30 days or if the attorney has not submitted documentation with sufficient specificity during that period, a notice that the claim has been placed in denied status will be sent to the attorney via email. The email notice will also state that the claim will be submitted for review only upon the request of the attorney within 10 days from the date of the notice or the attorney waives further review. A paper copy will be sent via first class U.S. mail the same day.*

4. *If the attorney timely requests the review of the Chief Justice, the claim summary and documentation will be submitted with a confidential cover memo explaining the reasons for the Director’s determination. The Chief Justice will either concur in the denial or reverse and/or modify the Director’s determination. The attorney will be notified by the AOC of the final determination by the Chief Justice within 30 days from date the attorney requested review of the denied or reduced claim.*