

## INSTRUCTION SHEET–EXTRAORDINARY EXPENSE REQUEST

### *When to fill in form?*

Please fill in the form for any request on a case for witnesses, experts, or service provider that will bring the total expenses in the case to over \$500.00. The request should be completed for a case where the cumulative costs will exceed \$500.00. For example, if you have a case that you spend \$400.00 on an exhibit, and need a polygraph which will cost \$300.00, you will need to fill out a request on that case as your cumulative amount to be spent is over \$500.00.

### *What do I need from expert or witness?*

You will need an estimate from you expert, witness, or provider you wish to hire as to how much his/her service will cost. While this doesn't necessarily need to be in writing, we have less problems with mis-communications if it is in writing. However, many times the exigency of the situation will not allow that. When you fill in the form with the estimate, and we send it back to you with our approval or denial, it is extremely important that you share with your expert or witness what the approval amount is; you need to let him/her know that if the services exceed the approval amount on the form, you will have to get further authorization from our office for further costs or expenses. . If your expert has out of pocket expenses, such as motels, cab fare, or copying charges, we need receipts in order to pay them, and estimates of these expenses are to be included in the request for approval.

### *Is there any monetary limit for extraordinary expenses?*

While there is no cap on how much you can request, we will only grant reasonable requests. We are hesitant to grant requests for out of state providers unless the attorney can demonstrate he/she has unsuccessfully attempted to locate an in-state expert, witness, or provider.. Sometimes one simply is not available and we understand that. Further, we will probably not grant requests for cold "expert" shopping requests; that would be, for example, granting a request to further a theory on the case that has no basis in fact for the particular case at hand. We would ask that the attorney ask the expert, witness or provider if they would consider giving any sort of discount for indigent cases- some do.

### *How soon will my request be considered?*

We recommend you faxing us the form at 701 845-8633. We try to respond that day or the next by fax; if you have not heard in 24 hours, we urge you to call to make sure we have the request. Please call at 701 845-8632. We are cognizant of time issues in your cases. We prefer to have your requests in as far in advance of trial time as possible. This problem becomes very evident with out of state witnesses; short notice to get an out of state witness to ND can be a real problem for us in terms of making arrangements. Any arrangements for out of state witnesses needs to go through our office in terms of travel, motel and expenses.