



STATE OF ALABAMA
Department of Finance
Office of the Director
State Capitol, Suite N-105
Montgomery, Alabama 36130
Telephone (334) 242-7160 Fax (334) 353-3300
www.finance.alabama.gov



Kay Ivey
Governor

Christopher Roberts
OIDS Director

Bill Poole
Director of Finance

ATTORNEY TRAVEL POLICY MEMORANDUM

To: Indigent Defense, Indigent Defense Attorneys and Alabama Judiciary

Re: Travel, In-State (overnight) and Out-of-State

From: Office of Indigent Defense Services, Christopher Roberts, Director *CR*

Authority: Alabama Code Section 41-4-322

Issue Date: May 10, 2023

This memo seeks to clarify Office of Indigent Defense Services (OIDS) travel policies. "Travel" for purposes of this memo includes in-state travel in which an overnight stay is required or any out-of-state travel. Counsel is required to obtain pre-approval by the court in these events. Counsel will ordinarily submit for reimbursement of expenses upon final billing or an eligible interim claim as outlined in OIDS Administrative Rules; however, requests for reimbursement of expenses on any case in advance of final disposition may be submitted to the OIDS Director in writing and sent to oids@oids.alabama.gov. Upon approval of this request, counsel would submit a claim solely for expenses. The remainder of counsel's fees will be submitted upon final disposition.

TRAVEL POLICIES & PROCEDURES

A. Prior Authorization Required

In-state travel in which an overnight stay is required, or any out-of-state travel, shall be approved in advance by the trial court as necessary as a reasonable cost or expense. No fees or expenses shall be paid for travel prior to authorization by the trial court, and reimbursement will occur only upon conclusion of travel.

B. Reimbursable Expenses

1. Travel

The traveler is responsible for selecting the mode of transportation, preferably the least costly to the State. The traveler is entitled to reimbursement for actual and necessary expenses incurred based on the mode. Below are policies and procedures regarding transportation.

- a. Commercial Airline Transportation: Economy fare airline transportation may be utilized for long distance trips. Baggage fees will be reimbursed. Itemized receipts are required.
- b. Mileage on Privately Owned Vehicles: Mileage will be reimbursed at the applicable rate, in effect at the time of travel, as established by the Internal Revenue Code in lieu of actual expenses for transportation. Personal vehicles may be utilized for long distance trips only if the mileage cost for the trip is less than the cost of a round-trip, economy, commercial airline fare. Exemptions for extraordinary circumstances may be authorized by OIDS. Authorization must be obtained prior to travel.
- c. Other Transportation: If required for out-of-state travel, rental of a standard, compact vehicle and gasoline purchases for the rental vehicle at the destination are reimbursable with itemized receipts. Travel and/or rental insurance will not be reimbursed. Actual expenses for public transportation (shuttle, UBER, taxi, etc.) including reasonable tips, are reimbursable. Itemized receipts are required.
- d. Other: Any other travel-related expenses (e.g., parking, tolls, etc.) must be supported by receipts or, in appropriate circumstances, documentation.
- e. Lodging/Meals and Incidental Expenses (M&IE): Travel requiring an overnight stay will be reimbursed for actual expenses up to the applicable CONUS rate for the location or the standard CONUS rate for lodging, meals, and incidental expenses. On travel days (first and last day of the trip), the expert will be entitled to 75% of the daily M&IE allowance. Receipts are not required for M&IE, however, receipts are required for lodging. For travel greater than 12 hours duration and not requiring an overnight stay, the traveler will be entitled to 75% of the daily M&IE allowance. CONUS rates can be found at <https://www.gsa.gov/travel/plan-book/per-diem-rates> . The M&IE allowance includes tips related to meals, lodging and baggage.
- f. These same travel rules apply to international travel. Lodging and M&IE rates for international travel can be found at https://aoprals.state.gov/Web920/per_diem.asp.