Instructions for Expert Services and Witness Agreements

Updated 12/13/21

To acquire expert services and witnesses in an expedient fashion, the County has authorized the District Attorney to enter into expert services and witness agreements using a short form, one page agreement. The District Attorney’s authority is for an amount up to $5,000.00 in compensation and a period of not more than 90 days from the date of execution. If the services will be for more than $5,000 or more than 90 days, a standard agreement must be used.

Department Policy: An Expert Services and Witness Agreement must be executed before services are provided by the contractor. The date of the execution is the date the agreement is signed by the District Attorney and shall be the start date for the contractor services. In the absence of the District Attorney, the Chief Deputy District Attorney may sign the agreement. Services performed before the date of execution will not be paid by the Auditor-Controller. The District Attorney will not allow back dating of agreements.

Form Location: Please contact the administrative support staff to obtain a copy of the form.

Compensation: Compensation shall be stated as the hourly rate. Each agreement must include a total number of estimated hours. The total number of actual hours worked shall not exceed the total number of estimated hours of service stated in the agreement. Compensation shall be reviewed and approved by the District Attorney or Chief Deputy District Attorney.

Information: The full name of the contactor, mailing address, email address and phone number is required.

Processing: After being signed by the contractor and the District Attorney, the prosecutor assigned to the case must promptly deliver the signed document to the DA Financial Analyst. The Financial Analyst will process the agreement with other county departments.

Mileage: The contactor must be informed “travel by car will be reimbursed at the county rate per mile” rather than the contractor’s hourly rate or the contractor’s hourly rate for driving time.

Attorney responsibility: The prosecutor assigned to the case is responsible for monitoring the expert to ensure the expert does not exceed the total number of estimated hours needed outlined in the agreement. The prosecutor assigned to the case is also responsible for ensuring the agreement is disclosed to the defense pursuant to Brady. For additional attorney responsibilities, see “Invoices for Services” below.

Invoices for Services: Instruct the contractor to send the invoices to the prosecutor assigned to the case. The prosecutor will need to approve the invoice and deliver the invoices to the DA Administrative Analyst. The Administrative Analyst will then process the invoice for payment.