



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

Mary Mosiman, CPA
Auditor of State

State Capitol Building
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

NEWS RELEASE

Contact: Mary Mosiman
515/281-5835
or Tami Kusian
515/281-5834

FOR RELEASE July 18, 2013

Auditor of State Mary Mosiman today released a report on a special investigation of the State Public Defender's Office for the period August 31, 2007 through March 31, 2011. The State Public Defender's Office is an administratively attached unit of the Iowa Department of Inspections and Appeals which coordinates the provision of legal representation to indigent persons. The legal representation is provided through State Public Defender Offices or through private attorneys who contract with the State Public Defender or who are appointed by the Court. The special investigation was requested by the Clay County Attorney as a result of concerns regarding claims submitted by a contract attorney.

Mosiman reported the special investigation identified \$177,755.35 of improper disbursements to Ney McDaniel, an attorney who contracted with the State Public Defender's Office. Mosiman reported it was not possible to determine if additional amounts were improperly disbursed to Mr. McDaniel because certain claims were not readily available. In addition, it was not possible to determine if specific activities, such as phone calls, research and preparing documents, were accurately reported by Mr. McDaniel. In addition, while Mr. McDaniel's presence at some meetings and hearings was verified, it was not possible to determine whether the length of time Mr. McDaniel reported was reasonable for every case.

Mosiman reported the improper disbursements identified include \$81,060.00 paid to Mr. McDaniel for 80 days for which he claimed 24 hours or more in a single day, \$31,686.00 for 55 days for which he claimed at least 20 but less than 24 hours in a single day, \$48,696.00 for 152 days for which he claimed more than 15 but less than 20 hours in a single day and \$10,176.00 for 113 days for which he claimed more than 12 but not more than 15 hours in a single day. The improper disbursements identified include only the amount paid to Mr. McDaniel for more than 12 hours for a single day.

September 3, 2008 was included in the 80 days for which Mr. McDaniel claimed more than 24 hours in a single day. According to Mosiman, it was determined Mr. McDaniel reported he worked 45.2 hours for 38 cases on September 3, 2008. The hours were reported on 33 different claims.

Mosiman also reported the improper disbursements include \$6,137.35 of mileage claimed by Mr. McDaniel. Mr. McDaniel claimed mileage to the same destination for multiple cases for 122 days which resulted in 208 duplicate payments. The mileage claimed was not allocated among the cases. Instead, he claimed the full amount of mileage for each case as if the case was the only one for which he traveled to the destination that day.

The report also includes recommendations to strengthen the Office's internal controls, such as improvements to policies and procedures established by the State Public Defender's Office to ensure amounts claimed are appropriate. Recommended improvements include tracking hours claimed by day and ensuring additional costs, such as mileage, are properly allocated between cases.

Copies of the report have been filed with the Clay County Attorney's Office, the Attorney General's Office and the Division of Criminal Investigation. A copy of the report is available for review in the Office of Auditor of State and on the Auditor of State's web site at <http://auditor.iowa.gov/specials/1160-4270-0E00.pdf>.

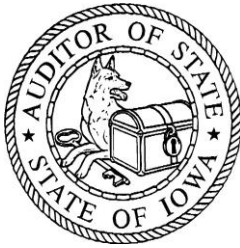
#

**REPORT ON SPECIAL INVESTIGATION OF THE
DEPARTMENT OF INSPECTIONS AND APPEALS
OFFICE OF THE STATE PUBLIC DEFENDER**

**FOR THE PERIOD
AUGUST 31, 2007 THROUGH MARCH 31, 2011**

Table of Contents

	<u>Page</u>
Auditor of State's Report	3-4
Investigative Summary:	
Background Information	5-8
Detailed Findings	8-15
Recommended Control Procedures	14-15
Exhibits:	
	<u>Exhibit</u>
Summary of Findings	A 17
Hours Reported by Ney McDaniel for September 3, 2008	B 18-27
Calendar of Hours Reported by Ney McDaniel	C 28-34
Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day	D 35-46
Duplicate Mileage Claims	E 48-81
Staff	82
Appendices:	
	<u>Appendix</u>
Copies of Correspondence Between the State Public Defender and Ney McDaniel	1 84-87
Example of an Adult Claim	2 88-103
Example of a Juvenile Claim	3 104-108



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

Mary Mosiman, CPA
Auditor of State

State Capitol Building
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

Auditor of State's Report

To Sam Langholz, Director of the
Office of the State Public Defender

As a result of alleged improprieties regarding certain claims filed with the Office of the State Public Defender, we conducted a special investigation of the Department of Inspections and Appeals, Office of the State Public Defender (SPD). We have applied certain tests and procedures to certain claims submitted from August 1, 2007 through March 31, 2011. Copies of claims submitted prior to August 1, 2007 were not available. Based on our review of relevant information and discussions with officials and staff from SPD, the Clay County Attorney's Office and with assistance from the Division of Criminal Investigation (DCI), we performed the following procedures:

- (1) Evaluated internal controls to determine whether adequate policies and procedures were in place and operating effectively.
- (2) Scanned all payments made by SPD to attorneys who contracted with SPD to provide legal representation to indigent clients to determine if any claim amounts appear unreasonable individually or in total on a fiscal year basis.
- (3) Reviewed all claims and related billing statements submitted by Ney McDaniel, an attorney who contracted with SPD to provide legal representation to indigent clients in northwest Iowa, to determine mathematical accuracy and whether the claims agreed with information recorded on the related billing statements.
- (4) Summarized information from claims and billing statements submitted by Mr. McDaniel to determine the number of hours and costs Mr. McDaniel reported for specific days. We then reviewed the total hours and costs reported per day to determine reasonableness.
- (5) When possible, compared information recorded on claims and billing statements submitted by Mr. McDaniel with calendars maintained for court actions or case file documents to determine whether information recorded on the claims and billing statements was reasonable. We also spoke with various individuals regarding meetings recorded on claims and billing statements.
- (6) Summarized all mileage and other costs from the claims and billing statements submitted by Mr. McDaniel to determine whether the costs were properly allocated to the appropriate cases.


These procedures identified \$177,755.35 of improper disbursements to Mr. McDaniel. We were unable to determine if additional disbursements were improperly issued to Mr. McDaniel because certain claims were not readily available. We were also unable to determine if specific activities, such as phone calls, research and preparing documents, were accurately reported by Mr. McDaniel. In addition, while we confirmed Mr. McDaniel attended some meetings and hearings, we were unable to determine whether the length of time Mr. McDaniel reported was reasonable for every case. Several internal control weaknesses


were also identified. Our detailed findings and recommendations are presented in the Investigative Summary and **Exhibits A** through **E** of this report.

The procedures described above do not constitute an audit of financial statements conducted in accordance with U. S. generally accepted auditing standards. Had we performed additional procedures, or had we performed an audit of financial statements of the Office of the State Public Defender, other matters might have come to our attention that would have been reported to you.

Copies of this report have been filed with the Clay County Attorney's Office, the Attorney General's Office and the Division of Criminal Investigation.

We would like to acknowledge the assistance and many courtesies extended to us by officials and personnel of the Office of the State Public Defender, the Division of Criminal Investigation, the Clay County Attorney's Office, the Clay County Clerk of Court and the State Court Administration during the course of our investigation.


MARY MOSIMAN, CPA
Auditor of State


WARREN G. JENKINS, CPA
Chief Deputy Auditor of State

January 11, 2013

Department of Inspections and Appeals
Office of the State Public Defender
Investigative Summary

Background Information

The State Public Defender's Office (SPD) is an administratively attached unit of the Iowa Department of Inspections and Appeals and consists of an Administration Division, a Local Public Defender Division and an Appellant Defender Office. The State Public Defender coordinates provision of legal representation to indigent persons who are accused of committing crimes or involved in juvenile court matters. The Appellant Defender Office represents indigent persons in all aspects of the direct appeal to the Iowa Supreme Court of their criminal convictions or in their appeals from the denial of post conviction relief. The legal representation is provided through State Public Defender Offices or through private attorneys who contract with the State Public Defender or who are appointed by the Court. The types of cases handled by SPD include:

- Felonies,
- misdemeanors, if there exists a potential for jail sentence,
- juvenile matters, including delinquency, termination of parental rights, child in need of assistance, judicial bypass proceedings and juvenile commitments,
- probation and parole revocation cases,
- civil commitment proceedings and
- other matters authorized by law.

The SPD started the Contract Attorney Program in 1993. Attorneys authorized to practice in Iowa may contract with SPD. The name of the attorney will be included on a list maintained by a particular county. The Court of the particular county will first appoint the local public defender, but the Court must appoint a contract attorney if the public defender is unable to take the case. Appointments are done on a rotating basis considering the experience of the attorney and the difficulty of the case. If the contract attorney is unable to handle the case, the Court may appoint a private or non-contract attorney.

Court appointed attorneys must submit written claims to SPD for review, approval and payment. The claims must include a Fee Claim Form, a copy of the signed order appointing the attorney, a copy of any application to exceed fee limitations, a copy of any order that affects the amount to be paid, an itemized list of all work done, a copy of any application and court order authorizing expenses for experts, investigators, translators or depositions and a copy of any receipts for payment of expenses.

Claims should typically be submitted at the conclusion of each case but may be paid at interim points under the following circumstances:

- Juvenile cases – Initial claims for services may be submitted after the dispositional hearing, if any. Subsequent claims may be submitted after each juvenile court review hearing held on the case.
- Appellate cases – The attorney may submit a claim after filing the attorney's proof brief and a final claim at the conclusion of the case.
- Class A felony cases – Interim claims may be submitted once every 3 months, with the first claim submitted at least 90 days following the effective date of the attorney's appointment.

SPD has established hourly rates for adult and appellate cases. The rates are summarized in **Table 1**.

Table 1

Description	Appointed:		
	Before 07/01/06*	After 06/30/06	After 06/30/07
Attorney time:			
Class A felonies	\$ 60/hour	\$ 65/hour	\$ 70/hour
Class B felonies	\$ 55/hour	\$ 60/hour	\$ 65/hour
All other criminal cases	\$ 50/hour	\$ 60/hour	\$ 60/hour
All other cases	\$ 50/hour	\$ 55/hour	\$ 60/hour
Paralegal time	\$ 25/hour	\$ 25/hour	\$ 25/hour

* - And appointed after 06/30/99.

The rates established for juvenile cases varied prior to June 30, 2007. However, the hourly rate for court appointments after June 30, 2007 has not changed from \$60/hour. If the attorney was appointed prior to July 1, 2007, the lower hourly rate applies through the first court hearing on or after July 1, 2007.

In addition to the hourly rates established by SPD, fee limitations for combined attorney time and paralegal time have been established based on the type of case. The fee limitations established for certain types of cases are listed in **Table 2**.

Table 2

Type of Case	Fee Limitations
Class A felonies	\$ 18,000
Class B felonies	3,600
Class C felonies	1,200
Class D felonies	1,200
Aggravated misdemeanors	1,200
Serious misdemeanors	600
Simple misdemeanors	300
Proceedings under Iowa Code Chapter 229A	10,000
Child in Need of Assistance (CINA) and delinquency (through disposition)	1,200

SPD also reimburses the following expenses for court appointed cases if they are reasonable, necessary and relate to a case the attorney is appointed to by the Court.

- Travel – Mileage at \$.30 per mile between September 2, 2005 and January 31, 2008 and \$.35 per mile on or after February 1, 2008. The number of miles driven must be listed in the itemization of services or on the claim form.
- Photocopy expenses – reimbursed at \$.10 per page. The number of copies made must be listed in the itemization of services or on the claim form. If actual costs exceed \$.10 per page, the attorney may attach a receipt from an outside vendor for the claimed expenses.
- Telephone expenses – Reimbursed for the actual cost of toll and collect phone calls or at \$.10 per minute for calls. If claiming the actual cost of calls, a

receipt or a copy of the phone bill indicating calls for which reimbursement is sought must be attached to the claim form.

- Postage expenses – Reimbursed for the actual cost of ordinary and necessary postage.
- Parking expenses – Reimbursed for the actual cost. A receipt is required if parking expenses exceed of \$2.00 per day.
- Faxes – The cost of receiving a fax is limited to \$.10 per page. Reimbursement is not provided for sending a fax unless there is a long-distance phone charge associated with it. If an outside vendor is paid to send or receive a fax, a receipt showing the actual amount paid must be submitted.
- Court authorized expenses – The following costs will be reimbursed if the attorney obtains a court order authorizing the expenses prior to being incurred: lodging (\$50 per night plus tax), meals (based on actual receipts and limited to \$28.00 per day), evaluation of client and costs such as a shorthand reporter, investigation, interpreter or expert witness.

Each year, County Attorneys must submit a budget. While preparing an annual budget, the Clay County Attorney reviewed the total payments made to each of the 5 contract attorneys assigned cases from Clay County during fiscal year 2010. According to the County Attorney, his comparison showed Ney McDaniel, a contract attorney, was paid approximately \$122,000.00 while payments made to the other contract attorneys ranged from approximately \$20,000.00 to \$37,000.00. Based on the number and types of cases Mr. McDaniel provided services for, he was paid more than other contract attorneys in the area for similar services.

Using the \$60 hourly rate paid by SPD for non-Class A and non-Class B felony adult cases, the County Attorney estimated Mr. McDaniel would have had to submit claims which averaged approximately 40 hours per week for each of the 52 weeks in fiscal year 2010. However, being familiar with the amount of work assigned to contract attorneys by SPD in Clay County, he found this estimate to be much greater than reasonable. He shared his concerns with SPD officials and an agent of the Division of Criminal Investigation (DCI.)

Mr. McDaniel provided services for indigent clients within the northwest section of the State of Iowa from 2005 until 2011. On February 17, 2011, SPD issued a letter to Mr. McDaniel stating, in part, “A recent review of your claims to the Indigent Defense Fund for fiscal years 2009 and 2010 indicates an unusually high level of billing for your legal services.” It also stated “It appears highly unlikely that these claims accurately reflect the actual hours that you worked during these years.” A copy of the letter is included in **Appendix 1**.

On March 7, 2011, Mr. McDaniel responded to the letter by stating he had performed indigent services since 2005 in 8 counties throughout northwest Iowa and the services he claimed constituted approximately 98-99% of his entire law practice. He also explained in the letter the high billing amount was a result of hours which were not all worked in the year during which the related claims were submitted. His position was some of the work he billed in fiscal years 2009 and 2010 was actually performed in earlier years but not billed until fiscal years 2009 and 2010. A copy of Mr. McDaniel’s response is also included in **Appendix 1**.

On April 20, 2011, SPD responded to Mr. McDaniel by e-mail stating his explanation the hours spanned multiple years would account for a portion, but not all, of the high fees. The letter concludes with the termination of Mr. McDaniel’s contract effective March 21, 2011. **Appendix 1** includes a copy of the e-mail.

As a result of alleged improprieties regarding claims submitted to SPD, the County Attorney requested the Office of Auditor of State conduct an investigation of claims submitted by Mr. McDaniel. As a result, we performed the procedures detailed in the Auditor of State's Report for claims submitted from August 31, 2007 through March 31, 2011.

Detailed Findings

These procedures identified \$177,755.35 of improper disbursements to Mr. McDaniel. We were unable to determine if additional amounts were improperly disbursed to Mr. McDaniel because certain claims were not readily available. We were also unable to determine if specific activities, such as phone calls, research and preparing documents, were accurately reported by Mr. McDaniel. In addition, while we confirmed Mr. McDaniel attended some meetings and hearings, we were unable to determine whether the length of time Mr. McDaniel reported was reasonable for each case.

The improper disbursements identified include \$81,060.00 paid to Mr. McDaniel for 80 days for which he claimed 24 hours or more in a single day, \$31,686.00 for 55 days for which he claimed at least 20 but less than 24 hours in a single day, \$48,696.00 for 152 days for which he claimed more than 15 but less than 20 hours in a single day and \$10,176.00 for 113 days for which he claimed more than 12 but not more than 15 hours in a single day. The improper disbursements identified include only the amount paid to Mr. McDaniel for more than 12 hours for a single day.

The improper disbursements also include \$6,137.35 of mileage claimed by Mr. McDaniel. He claimed mileage to the same destination for multiple cases for 122 days. The mileage claimed was not allocated among the cases. Instead, he claimed the full amount of mileage for each case as if the case was the one for which he traveled to the destination that day.

All findings are summarized in **Exhibit A** and a detailed explanation of each finding follows.

IMPROPER DISBURSEMENTS

Table 3 summarizes the amounts paid to Mr. McDaniel by SPD by fiscal year. As illustrated by the **Table**, the amount paid to Mr. McDaniel increased each year from fiscal year 2005 through fiscal year 2010. As previously stated, Mr. McDaniel's contract with the SPD was terminated effective March 21, 2011.

Table 3

Fiscal Year	Number of Cases Reported	Amount
2005	24	\$ 11,372.34
2006	189	102,328.77
2007	215	131,178.00
2008	320	195,730.35
2009	364	247,425.22
2010	325	248,196.94
2011*	201	171,733.20
Total	1,547	\$ 1,107,964.82

* - For services through March 21, 2011.

When we compared this information to other contract attorneys paid by SPD, we determined Mr. McDaniel was included in the top 10 vendors, on a statewide basis, who received

payments from the Indigent Defense Fund. However, the other 9 vendors were law firms with multiple attorneys and/or paralegals.

Each attorney's and paralegal's time is to be included in claims submitted to SPD. However, Mr. McDaniel did not employ a paralegal. Claims submitted by Mr. McDaniel exceeded claims from firms with multiple attorneys and paralegals. According to a representative of SPD, had Mr. McDaniel employed an assistant, he would be required to include their time on a separate line of the claim. Mr. McDaniel did not include any time for this line item for any of his claims. In addition, staff members from the Clay County Attorney's office did not work with anyone other than Mr. McDaniel. As a result, the additional hours and fees claimed by Mr. McDaniel could not be due to a paralegal.

The specific concerns we identified during our review of the claims submitted by Mr. McDaniel are discussed in detail in the following paragraphs.

Hours Billed - As stated previously, claims are to be submitted after the conclusion of the case along with required paperwork, including a claim form, signed order appointing counsel, an itemized list of services performed and a copy of any court order authorizing additional expenses as necessary.

We reviewed all available claims Mr. McDaniel submitted between August 31, 2007 and March 31, 2011. Claims submitted prior to August 31, 2007 were not available. An example of an adult claim and a juvenile claim submitted by Mr. McDaniel and the related billing statements are included in **Appendices 2** and **3**, respectively. As illustrated by the **Appendices**, the claims include a case number, client name, a summary of the hours spent by the attorney, any paralegal hours, the hourly rate claimed and the total amount claimed. The claim also states when the attorney was appointed to the case and the date the claim was submitted (referred to as the date of service.) Also, as illustrated by the **Appendices**, the claims may include a single case or multiple cases.

The claims are also accompanied by a billing statement which summarizes all activity for the case. As illustrated by the **Appendices**, the billing statements include the various dates Mr. McDaniel worked on the case, a brief description of the services performed and the number of hours, or portion of an hour, claimed by Mr. McDaniel. The billing statements also include costs incurred, such as for copies, postage and mileage.

Using the claims and billing statements Mr. McDaniel submitted, we summarized the number of hours he reported, the cases for which the hours were reported and any related costs. We summarized the information on electronic spreadsheets which allowed us to sort the information Mr. McDaniel submitted by case number. When the information was sorted in this manner, we were able to identify all claims which included a specific case number.

We also sorted the information from the claims and billing statements by the date Mr. McDaniel reported he performed services for the cases assigned to him. **Exhibit B** includes the portion of the spreadsheet which includes all activity reported by Mr. McDaniel for September 3, 2008. As illustrated by the **Exhibit**, we identified 38 cases which Mr. McDaniel claimed have performed to work on that day. The cases were included on 33 different claims submitted between October 10, 2008 and July 30, 2009.

When the information from Mr. McDaniel's billing statements was sorted in this manner, we were able to identify all cases for which Mr. McDaniel submitted a claim for services performed on any given date. With the sorted information, we were able to identify days for which an excessive number of hours were charged. SPD officials were unable to readily identify dates for which Mr. McDaniel reported an excessive number of hours because the claims and billing statements submitted by Mr. McDaniel were not inclusive of all cases which Mr. McDaniel claimed he worked on for any specific day.

Using the spreadsheets we prepared from Mr. McDaniel's billing statements, we determined the total number of hours he reported for individual days and then built a calendar. **Exhibit C** summarizes the daily hours by week for the claims Mr. McDaniel submitted between August 31, 2007 and March 31, 2011. Because additional claims submitted prior to August 31, 2007 were not available, some of the dates included in **Exhibit C** do not include the hours Mr. McDaniel reported prior to August 31, 2007. As a result, the hours shown for some dates in **Exhibit C** are less than the total Mr. McDaniel was paid for when the claims he submitted prior to August 31, 2007 are considered.

As illustrated by **Exhibit C**, Mr. McDaniel reported he worked 131.2 hours during the week of November 3, 2008. He also reported over 100 hours worked for 9 additional weeks. **Table 4** summarizes the average hours per week reported by Mr. McDaniel for various time periods. Because services may not be billed until several months after the service was performed, the letter SPD sent to Mr. McDaniel on February 17, 2011 which informed him a review had been conducted on the claims he submitted may explain the decreased number of hours he reported on claims he submitted for services performed in late 2010 and early 2011.

Table 4	
Time period	Average Hours Reported per Week
01/01/07 – 01/06/08	35.57
01/07/08 – 01/04/09	67.82
01/05/09 – 01/03/10	70.83
01/04/10 – 01/02/11	59.95
01/03/11 – 03/27/11	25.95

According to the Clay County Attorney and Assistant County Attorney, adult cases are addressed in court each Monday and typically take less than 1 or 2 hours each. Juvenile cases are addressed in court on the 1st and 3rd Friday of each month and typically take less than 15 minutes each. Court hours are typically from 9:30 a.m. to 5:00 p.m. with a 1.5 hour lunch. As a result, court is typically in session no more than 5 hours per day.

During our review of the hours summarized in **Exhibit C**, we identified the following:

- 178 instances for which Mr. McDaniel charged more than 5 hours on adult court dates.
- 76 instances for which Mr. McDaniel charged more than 5 hours on juvenile court dates.
- 20 instances for which more than 6 hours were charged on holidays or weekends. For example, on November 27, 2008, Thanksgiving, Mr. McDaniel charged 12.1 hours. As illustrated by **Exhibit C**, he charged 93.2 hours the week before Thanksgiving, 90.2 hours the week of Thanksgiving and 71.9 hours the following week. Also, on Saturday November 7, 2010, Mr. McDaniel charged 11.9 hours.
- 22 weeks for which an usually large number of hours were reported. For example, from October 9, 2009 to November 21, 2009, Mr. McDaniel charged 575.8 hours, or an average of 95 hours per week for 6 straight weeks.
- There is a correlation between the days he charged the most hours and the dates of juvenile and adult courts. As previously stated, adult and juvenile court hearings are held on Mondays and the 1st and 3rd Fridays of each month, respectively. We identified a greater number of hours charged on these days than other days of the week.

Using the spreadsheets which summarized Mr. McDaniel's hours by date, we sorted the spreadsheet based on the total number of hours reported for individual dates. **Table 5** illustrates Mr. McDaniel claimed 24 hours or more in a single day for 80 days. The **Table** also shows he claimed at least 20 but less than 24 hours in a single day for an additional 55 days, more than 15 hours but less than 20 hours in a single day for 152 days and more than 12 hours but not more than 15 hours for 113 days.

Table 5	
Number of Hours Charged	Number of Days
24 or more	80
20.0 – 23.9	55
15.1 – 19.9	152
12.1 – 15.0	113
10.0 – 12.0	87
5.0 – 9.9	364
0.0 – 4.9	668
Total	1,519

Exhibit D lists the 400 days for which Mr. McDaniel reported he worked more than 12 hours in a single day with subtotals for the 80 days Mr. McDaniel reported 24 or more hours, the 55 days he reported at least 20 but less than 24 hours, the 152 days he reported more than 15 hours but less than 20 hours and the 113 days he reported more than 12 hours but not more than 15 hours. Of the 1,519 days Mr. McDaniel included in claims submitted between August 1, 2007 and March 31, 2011, the 400 days with more than 12 hours reported represent 26%.

Exhibit D also includes the number of hours Mr. McDaniel reported in excess of 12 hours for each date identified. Based on the description of services included in Mr. McDaniel's billing statements, we determined several services provided involved court dates and meetings with other officials, such as the County Attorney, representatives from the Department of Human Services and guardians ad litem. Individuals we spoke with who participate in similar meetings told us meetings of this nature are typically held during normal office hours.

Mr. McDaniel also reported he met with or had phone conversations with clients, performed research and prepared for pre-trial conferences and hearings. While some of these functions can be performed outside normal office hours, it is unlikely Mr. McDaniel consistently performed these services during the evening or for extended periods.

We also reviewed the type of cases assigned to Mr. McDaniel and how the cases were resolved. We determined a significant number of the cases assigned to Mr. McDaniel did not involve a trial and plea arrangements were often entered into by the clients he served. In addition, employees of the Clay County Attorney's Office told us it was not unusual for them to prepare documents related to certain cases for Mr. McDaniel. He was only required to sign the documents which should have reduced the amount of time he reported.

Obviously, it was not possible Mr. McDaniel worked more than 24 hours within a day. Also, based on the types of functions reported by Mr. McDaniel, the assistance provided to him by the County Attorney's Office, the types of cases he was assigned and how they were resolved, it is unlikely Mr. McDaniel worked more than 12 hours per day. Because it is not likely he would work more than 12 hours per day for more than 26% of the days he billed for services, we calculated the amount paid to Mr. McDaniel for more than 12 hours per day for the 400 days identified and considered the total to be improper. Our calculation, which is summarized in **Table 6**, is conservative.

Table 6

Days Totaling	Number of Hours Reported	Maximum Daily Hours	Excess Hours	Hourly Rate	Excess Amount Paid
24 hours or more	2,311.0	960.0	1,351.0	\$ 60.00	\$ 81,060.00
20.0 to 23.9 hours	1,188.1	660.0	528.1	60.00	31,686.00
15.1 to 19.9 hours	2,635.6	1,824.0	811.6	60.00	48,696.00
12.1 to 15.0 hours	1,525.6	1,356.0	169.6	60.00	10,176.00
Total	7,660.3	4,800.00	2,860.3		\$ 171,618.00

Because sufficient independent documentation was not available, we were unable to determine which specific services Mr. McDaniel reported but did not actually perform. However, with the exception of 1 case, he received \$60.00 per hour from SPD for all services he was paid for on claims submitted from August 31, 2007 through March 31, 2011.

As stated previously, Mr. McDaniel's claims included billing statements which described his activities for each case he was assigned. To determine the propriety of the actions he reported and the related amount of time, we attempted to obtain corroborating support, such as court calendars, documents in case files, calendars maintained by the County Attorney's staff and records maintained by the Clerks of Court.

We selected 10 of the 80 days for which Mr. McDaniel reported over 24 hours in a single day and reviewed the related case files for any activity recorded for the corresponding day. We also reviewed court calendars for each of the cases reported by Mr. McDaniel for the 10 days to determine attendance at meetings, hearings and other court-related proceedings. When we compared the information available for review from court calendars and other available supporting documentation to the time Mr. McDaniel recorded, we determined the following:

- We were not able to verify the time recorded for phone calls because phone records were not available. By reviewing the billing statements Mr. McDaniel submitted, we identified phone calls were frequently recorded and the length of the phone calls did not appear excessive. However, we were not able to determine the reasonableness of the total amount of time recorded for the phone calls.

The length of phone calls ranged from 0.1 – 0.2 of an hour, or 6 to 12 minutes.

- We were not able to determine whether the number of hours claimed for research and preparing or reviewing documents was reasonable.

Although we did not obtain the specific documents prepared or reviewed, no unusual amounts of time were noted. The length of time for researching or preparing and reviewing documents ranged from 0.1 to 0.4 of an hour, or 6 to 24 minutes.

However, individuals we spoke with at the Clay County Attorney's Office stated it was not unusual for them to prepare documents for Mr. McDaniel, who came to the Office and signed all the documents they prepared. They also stated they do not do this for any other contract attorneys. Mr. McDaniel's time reported should have been reduced as a result of the assistance provided by the County Attorney's Office.

- Hearings, such as pre-trial conferences and continuances, are scheduled for specific dates and times. The Clay County Court allows 15 minutes per case on these days. We determined the length of time recorded by Mr. McDaniel for these types of meetings and conferences was unreasonable. The length of time for meetings and conferences ranged from 0.3 hours to 1.6 hours, or 18 to 96

minutes. According to information obtained from the court calendar and Courthouse staff, the average time between cases is 15 minutes, which includes all meetings and the time spent in court. As a result, we considered any time exceeding 15 minutes to not be reasonable.

In addition, documentation provided by the Clay County Attorney supports the amount of time between cases was approximately 15 minutes, which includes time actually in court. As a result, the opportunity to meet with the County Attorney, client or other individuals for more than 15 minutes would be highly unlikely.

- Hearings other than those scheduled in 15 minute increments are assigned a date on the court calendar by the Clerk of Court. These hearings are not restricted to a specified time frame. While we were able to confirm Mr. McDaniel was present for these types of hearings, we were unable to determine whether the length of time he reported was reasonable for each case. The length of time for attending hearings ranged from 0.6 hours to 1.0 hour, or 36 to 60 minutes. The length of time reported does not appear unreasonable. However, as previously stated, when the amount of time reported by Mr. McDaniel is analyzed in total by day, the amount of time reported is often excessive.

We also identified other days for which the amount of time recorded for a specific type of activity is not reasonable. The following instances were identified.

- Mr. McDaniel reported he was in hearings for 14.5 hours on March 31, 2008. As previously stated, court is typically in session no more than 5 hours per day.
- According to court records, the court room was open from 9:00 a.m. to 12:00 p.m., or 3 hours, on February 1, 2008. However, Mr. McDaniel claimed 8.5 hours for this date. As a result, the amount reported by Mr. McDaniel was overstated.
- Mr. McDaniel reported conferences or meetings totaling 16.8 hours for September 3, 2008. Spending this amount of time in conferences during a single day with various individuals is unlikely.
- Mr. McDaniel reported working 13.1 hours on April 7, 2008 reviewing and preparing documentation. As previously stated, spending this amount of time reviewing and preparing documents is unlikely.
- Mr. McDaniel reported more than 5 hours of phone calls on October 19, 2009 while also spending 11 hours attending hearings and 13 hours reviewing and preparing documents. He reported working 40.1 hours on October 19, 2009. While it is impossible to work more than 24 hours in a day, it is also not possible to have performed the tasks identified simultaneously.

Mileage - Mileage claimed by contract attorneys between September 2, 2005 and January 31, 2008 was reimbursed at the rate of \$.30 per mile. Mileage claimed on or after February 1, 2008 was reimbursed at the rate of \$.35 per mile. In order for mileage to be reimbursed, the number of miles driven must be itemized on the claim form.

Mr. McDaniel reported he traveled within Clay County, to surrounding counties and other locations. We reviewed all claims he submitted to determine the propriety of the number of miles reported. During our review, we identified 122 instances in which Mr. McDaniel charged 2 cases or more for travel to the same location on the same date. **Exhibit E** summarizes the claim number and the date the claim was submitted for each instance identified. The **Exhibit** also includes information from the billing statements, such as the case number, date of travel, destination, a description of the travel and the related cost.

As illustrated by the **Exhibit**, Mr. McDaniel did not report the trips to the same destinations on the same date on a single claim. The trips were reported on different claims. For some of the duplicate trips identified, the claims were submitted within the same month. For other trips, the claims were submitted more than a year apart.

Exhibit E illustrates Mr. McDaniel claimed the miles on a “round trip” basis for each trip reported. He did not report traveling from Spencer to a destination and then to a second destination before returning to Spencer. Instead, he reported multiple round trips on a single day. For example, Mr. McDaniel reported 4 round trips from Clay County to Buena Vista County on September 21, 2009 on 4 separate claims. We classified 3 of the round trips as improper. However, he also reported a round trip from Clay County to O’Brien County and a round trip from Clay County to Dickinson County on September 21, 2009. While it would be unusual for someone to return to Clay County between each destination, we did not classify the trips to O’Brien and Dickinson Counties as improper.

For the instances in which Mr. McDaniel traveled to the same destination on the same day for multiple cases, the related cost should have been allocated to applicable cases. To determine which amount claimed was a duplicate of a prior payment, we considered the date the related claim was submitted to SPD. The first time the trip was included in a claim was accepted. However, we classified subsequent duplicate mileage claims submitted by Mr. McDaniel for the same trip as improper.

As illustrated by **Exhibit E**, the excess mileage paid to Mr. McDaniel based on the amounts he improperly reported total \$6,137.35. The duplicate mileage claims are included in **Exhibit A** as improper disbursements.

At the time of our fieldwork, claims Mr. McDaniel submitted during fiscal year 2011 were not readily available for detailed testing and analysis of non-hourly costs, such as mileage, photocopying and postage, was not possible. As a result, duplicate trips, if any, for fiscal year 2011 were not subject to testing. In addition, Mr. McDaniel may have submitted claims which included additional duplicate trips during prior fiscal years during fiscal year 2011.

RECOMMENDED CONTROL PROCEDURES

As part of our investigation, we reviewed the procedures used by the State Public Defender’s Office to review claims, respond to inquiries and issue payments. An important aspect of internal controls is to establish procedures that provide a level of assurance errors or irregularities will be noted within a reasonable amount of time during the course of normal operations and lawyers will be accountable for claims submitted.

- A. Reviewing Claims –Claims should typically be submitted by contract attorneys at the conclusion of each case, but may be paid at interim points for juvenile, appellate and Class A felony cases. Because some cases extended over lengthy periods, claims may include time spent by the attorney and/or a paralegal over months, or even longer. It is not unusual for a particular day to be reported on a number of claims.

SPD does not have a process in place to determine the total number of hours reported by contract attorneys for any given day. As a result, SPD was not able to monitor total hours reported per day or determine the propriety of the number of hours reported. Because each claim is reviewed separately, SPD staff are unable to identify when an excessive number of hours are reported for a particular day.

Recommendation – SPD should continue to review individual claims to ensure the propriety of the number of hours reported by contract attorneys. In addition to reviewing individual claims, SPD should implement procedures ensure the cumulative amount reported for individual days on various claims is reasonable.

SPD should also implement procedures to periodically analyze the total hours claimed by all contract attorneys to determine if any unusual activity is identified and perform appropriate follow up.

- B. Mileage - Contract attorneys are required to submit a claim for time spent on a case and related expenses at completion of the case. Because some cases extended over numerous months, claims may include costs, such as mileage, incurred over months, or even longer. In addition, it is not unusual for a particular day to be reported on a number of claims.

SPD does not have a process in place to determine if the trips to the same destination on the same day were reported multiple times. As a result, it was not able to monitor total hours reported per day or determine the propriety of the number of hours reported. Because each claim is reviewed separately, SPD staff are unable to identify when mileage reimbursement requests are duplicated.

Recommendation – SPD should implement procedures which ensure the trips reported by contract attorneys are monitored and reviewed for propriety and ensure they are not duplicated.

In addition, SPD should implement procedures to analyze the costs claimed by contract attorneys to determine if any unusual costs are identified and appropriately follow up on the unusual costs identified.

Exhibits

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Summary of Findings
For the period August 1, 2007 through March 31, 2011

Description	Exhibit	Amount
Improper Disbursements:		
Hours Billed:		
Days totaling 24 hours or more*	Exhibit D	\$ 81,060.00
Days totaling 20.0 to 23.9 hours*	Exhibit D	31,686.00
Days totaling 15.1 to 19.9 hours*	Exhibit D	48,696.00
Days totaling 12.1 to 15.0 hours*	Exhibit D	10,176.00
		<hr/>
Mileage	Exhibit E	6,137.35
		<hr/>
Total		<hr/> \$ 177,755.35 <hr/>

* - Hours billed in excess of 12 hours per day are classified as improper.

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Hours Reported by Ney McDaniel for September 3, 2008
For the period August 31, 2007 through March 31, 2011

Per Claim			
Claim #	Document Date	Date	Case #
428B284090785	10/10/08	09/03/08	JVJV002732
		09/03/08	JVJV002732
		09/03/08	JVJV002732
		09/03/08	JVJV002732
		09/03/08	JVJV002732
		09/03/08	JVJV002732
		09/03/08	JVJV002732
428B290090909	10/16/08	09/03/08	JV002365
		09/03/08	JV002365
428B290090909	10/16/08	09/03/08	JVJV002586
		09/03/08	JVJV002586
		09/03/08	JVJV002586
		09/03/08	JVJV002586
		09/03/08	JVJV002586
		09/03/08	JVJV002586
428e296090687	10/22/08	09/03/08	FECR013824
428B305090735	10/31/08	09/03/08	JVJV002837
		09/03/08	JVJV002837
		09/03/08	JVJV002837
		09/03/08	JVJV002837
		09/03/08	JVJV002837
428B319090935	11/14/08	09/03/08	AGCR013964
		09/03/08	AGCR013964
		09/03/08	AGCR013964
428B319090981	11/14/08	09/03/08	FECR039030
		09/03/08	FECR039030
428B319090981	11/14/08	09/03/08	FECR039156
		09/03/08	FECR039156

Per Billing Statement		
Description	Time (in hours)	Subtotal
Review Report to court	0.6	
Attend Review Hearing	1.0	
Conference with Client	0.8	
Conference with Co. Atty	0.1	
Conference with GAL	0.2	
Conference with DHS	0.2	
Conference with Atty for Father of child	0.1	3.0
P/C from Client	0.1	
P/C to Co. Atty	0.1	0.2
Attend Review Hrg	1.0	
Conference with Client, father of Liberty	1.0	
Conference with Co. Atty	0.4	
Conference with DHS	0.5	
Conference with Atty for mother of child	0.2	
Conference with GAL	0.2	3.3
P/C to Clerk of Court	0.1	0.1
Attend Dispositional hearing	1.0	
Conference with Co. Atty	0.3	
Conference with GAL	0.5	
Conference with DHS	0.5	
Conference with Client	1.0	3.3
Attend Conference (PTC & bond Hrg)	1.0	
Conference with Client	0.7	
Conference with Co. Atty	0.5	2.2
Prepare for PTC, review research and discovery	0.5	
P/C to Client's interpreter	0.1	0.6
Prepare for PTC, Review file, research 715A.8 Aggravated misdeameanor & 715A.8(2) & 715A.8(3) identity theft (T.I)	0.7	
P/C from Client's interpreter	0.1	0.8

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Hours Reported by Ney McDaniel for September 3, 2008
For the period August 31, 2007 through March 31, 2011

Per Claim			
Claim #	Document Date	Date	Case #
428E322090963	11/17/08	09/03/08	SCSR038812
		09/03/08	SCSR038812
428E322090963	11/17/08	09/03/08	FECR127715
		09/03/08	FECR127715
428e326090745	11/21/08	09/03/08	AGCR013894
		09/03/08	AGCR013894
428e329090693	11/24/08	09/03/08	OWCR013872
		09/03/08	OWCR013872
428e330090741	11/25/08	09/03/08	OWCR013914
		09/03/08	OWCR013914
		09/03/08	OWCR013914
		09/03/08	OWCR013914
428E331090881	11/26/08	09/03/08	FECR127734
428B337090913	12/02/08	09/03/08	AGCR017335
428E339090855	12/04/08	09/03/08	AGCR038405
		09/03/08	AGCR038405
428E340090706	12/05/08	09/03/08	FECR039185
428e346090832	12/11/08	09/03/08	FECR017097
		09/03/08	FECR017097
428e347090884	12/12/08	09/03/08	OWCR013891
		09/03/08	OWCR013891
428E358090731	12/23/08	09/03/08	AGCR038580 & FECR038585
		09/03/08	AGCR038580 & FECR038585

Per Billing Statement

Description	Time (in hours)	Subtotal
P/C from Client	0.1	
Return call to client	0.1	0.2
P/C from Client	0.1	
Review of 4th notice of additional witness in support of TI	0.1	0.2
Review correspondence from Co. Atty office	0.1	
P/C to Co. Atty	0.1	0.2
P/C from Client - return call to client	0.1	
Review voice message from client	0.1	0.2
Review Additional discovery	0.7	
Review DVD arrest copy - Spence PD	1.0	
Research Westlaw Child endangerment & OWI (726.6(1)(a), 726.2(7) and 321J.2	0.6	
P/C to Client	0.1	2.4
Review letter from Co. Atty	0.1	0.1
Prepare continuance & proposed Order	0.1	0.1
Review Order - PTC continued to 9/10/08	0.1	
P/C to client & prepare letter RE: PTC 9/10/08	0.1	0.2
Research going armed with intent	0.2	0.2
Phone conference with client	0.2	
Prepare for PTC	0.8	1.0
Mail return to sender - incorrect address - P/C to Client	0.1	
P/C from Client - new address & phone number	0.1	0.2
Review Order Setting initial appearance - Probation Hrg	0.1	
P/C from Client in Jail - prepare Letter Hrg set for 9/22/08	0.1	0.2

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Hours Reported by Ney McDaniel for September 3, 2008
For the period August 31, 2007 through March 31, 2011

Per Claim			
Claim #	Document Date	Date	Case #
428e366090576	12/31/08	09/03/08	OWCR011136
		09/03/08	OWCR011136
		09/03/08	OWCR011136
428e008090843	01/08/09	09/03/08	OWCR009277
		09/03/08	OWCR009277
428e008090843	01/08/09	09/03/08	FECR013865
		09/03/08	FECR013865
		09/03/08	FECR013865
		09/03/08	FECR013865
		09/03/08	FECR013865
428e015090609	01/15/09	09/03/08	FECR004363
		09/03/08	FECR004363
		09/03/08	FECR004363
428e015090609	01/15/09	09/03/08	FECR039022
		09/03/08	FECR039022
		09/03/08	FECR039022
428e022090735	01/22/09	09/03/08	AGCR039232
		09/03/08	AGCR039232
428E028090882	01/28/09	09/03/08	FECR039038
		09/03/08	FECR039038
		09/03/08	FECR039038
428E028090882	01/28/09	09/03/08	FECR039059
428E033090652	02/02/09	09/03/08	AGCR017406
428E036090614	02/05/09	09/03/08	FECR013899
		09/03/08	FECR013899

Per Billing Statement

Description	Time (in hours)	Subtotal
Review Judgment(emailled from Co. Atty office - for signature)	0.1	
Review Guilty Plea OWI, 2nd	0.1	
P/C to Client & prepare letter Ref: Guilty Plea/Judgment	0.2	0.4
P/C to Co. Atty - return call to Co. Atty	0.2	
Telephone call to Client's mother	0.1	0.3
Review Order Continuing Bond Review Hrg	0.1	
P/C to Client & prepare Client letter: Hrg continued	0.1	
Telephone call to Client's husband	0.1	
Prepare for PTC - review discovery	0.8	
Research 124.401(1)(b)(7) as Class "C" felony < 5 grams	0.7	1.8
Telephone call from Client's mother	0.2	
P/C from Probations Officer	0.1	
Telephone call to Co. Atty	0.1	0.4
P/C from Interpreter	0.1	
P/C to client's girlfriend	0.1	
Prepare for PTC - review discovery, DVD & research	0.7	0.9
Review Order fixing dates after Arraignment (2 faxed copies)	0.1	
P/C to Client & prepare letter PTC 9/10/08	0.1	0.2
Prepare for PTC and Bond Review Hearing	0.7	
Research 1st degree theft, a Class "C" felony	0.5	
P/C from Client	0.1	1.3
P/C to Client	0.1	0.1
Conference with Client	0.3	0.3
Review Order Arraign continued 9/15/08	0.1	
P/C to Client and Prepare letter Contine arraign 9/15/08	0.1	0.2

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Hours Reported by Ney McDaniel for September 3, 2008
For the period August 31, 2007 through March 31, 2011

Per Claim			
Claim #	Document Date	Date	Case #
428B040090740	02/09/09	09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
		09/03/08	JVJV002853
428B047090781	02/16/09	09/03/08	JVJV002848
		09/03/08	JVJV002848
		09/03/08	JVJV002848
		09/03/08	JVJV002848
		09/03/08	JVJV002848
		09/03/08	JVJV002848
428E051090798	02/20/09	09/03/08	FECR013808
		09/03/08	FECR013808
		09/03/08	FECR013808
428E065090809	03/06/09	09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955
		09/03/08	AGCR013955

Per Billing Statement

Description	Time (in hours)	Subtotal
Review Application for Appointment	0.1	
Prepare Appearance	0.1	
Research Clients Criminal History	0.2	
Prepare Client letter Re: Appearance & Introduction	0.1	
Prepare Request for child Abuse Information	0.1	
Review Report to Court	1.0	
Review Order, Notice and Summons	0.1	
Prepare for Adjudicatory Hearing - review file	0.5	
Attend Adjudicatory Hearing	1.0	
Conference with Client and Client Interpreter	1.0	
Conference with Co. Atty	0.3	
Conference with DHS	0.5	
Conference with GAL	0.5	
Conference with Atty for Mother of children	0.2	5.7
Attend Adjudicatory Hearing	1.0	
Conference with Client	1.5	
Conference with Co. Atty	0.3	
Conference with DHS	0.5	
Conference with GAL	0.5	
Conference with Atty for Father of child	0.2	4.0
Telephone call to client	0.1	
P/C from Client	0.1	
Prepare for PTC	0.8	1.0
Review Application for Appointment of Counsel/Order	0.1	
Review Record of Initial Appearance/Calendar Prelim Hrg	0.1	
Research local news "Spencer daily reporter arrest"	0.1	
Review compliant and affidavit	0.1	
Research clients online criminal history	0.1	
P/C from Client's girlfriend, interpreter	0.5	
P/C to Clerk of Court - P/C from Clerk of Court	0.1	
P/C to Judge	0.1	
P/C to Co. Atty - Return call from Co. Atty staff	0.2	
Prepare Appearance	0.1	
Prepare Clerk & Co. Atty letter ref	0.1	1.6

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Hours Reported by Ney McDaniel for September 3, 2008
For the period August 31, 2007 through March 31, 2011

Per Claim			
Claim #	Document Date	Date	Case #
428E173090658	06/22/09	09/03/08	FECR039119
		09/03/08	FECR039119
428B180090915	06/29/09	09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
		09/03/08	JVJV002849
428B203091010	07/22/09	09/03/08	JVJV002850 - 2851
		09/03/08	JVJV002850 - 2851
		09/03/08	JVJV002850 - 2851
		09/03/08	JVJV002850 - 2851
		09/03/08	JVJV002850 - 2851
		09/03/08	JVJV002850 - 2851
428E211090823	07/30/09	09/03/08	FECR013839
		09/03/08	FECR013839
		09/03/08	FECR013839
Total			

Per Billing Statement		
Description	Time (in hours)	Subtotal
Prepare for PTC - review discovery, Review Research	0.7	
P/C from Client	0.1	0.8
Review Application for Appointment	0.1	
Conference with Appointing Judge	0.1	
Prepare for Adjudicatory Hearing - Review FTM notes 8/27/08	0.7	
Review Preliminary Report to Court	0.1	
Review Order, Notice and Summons	0.1	
Prepare request for child abuse information	0.1	
Review Petition	0.1	
Attend Adjudicatory Hearing	1.0	
Conference with Client	1.5	
Conference with Co. Atty	0.3	
Conference with DHS	0.5	
Conference with GAL	0.5	
Conference with Atty for father of child	0.3	
Prepare Client letter RE: Appearance & Introduction	0.1	5.5
Review Application for Appointment	0.1	
Conference with Judge & Co. Atty	0.1	
Conference with Client	0.5	
Prepare Appearance	0.1	
Review Preliminary Report to Court	0.1	
Review Order, Notice and Summons	0.1	1.0
Prepare for PTC - review discovery, Review Research	0.8	
P/C from Client	0.1	
Telephone Call to Client - Left message	0.1	1.0
		<u>45.2</u>

Exhibit C

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Calendar of Hours Reported by Ney McDaniel
For the period August 31, 2007 through March 31, 2011

Week beginning:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly Total	Yearly Subtotal	Average Hours per Week
01/01/07	0.2	0.2	1.2	0.0	0.0	0.0	2.9	4.5		
01/08/07	1.2	0.1	0.7	0.6	0.1	0.2	0.0	2.9		
01/15/07	0.7	0.1	0.0	0.0	0.2	0.0	0.0	1.0		
01/22/07	1.2	0.1	0.7	2.1	0.8	0.0	0.0	4.9		
01/29/07	0.2	3.1	2.0	0.0	2.8	2.1	0.0	10.2		
02/05/07	0.1	1.0	0.2	1.2	2.5	0.5	0.0	5.5		
02/12/07	0.4	2.3	3.0	1.7	0.2	0.3	0.0	7.9		
02/19/07	2.3	0.0	4.3	6.8	0.9	0.2	0.0	14.5		
02/26/07	0.6	4.0	0.9	0.2	0.3	0.0	0.0	6.0		
03/05/07	2.6	2.9	0.7	2.5	0.6	0.5	0.1	9.9		
03/12/07	2.4	5.3	1.2	2.2	2.2	0.0	0.4	13.7		
03/19/07	1.2	4.3	1.2	1.0	2.4	0.0	0.0	10.1		
03/26/07	1.1	2.3	5.6	6.2	1.5	0.0	0.0	16.7		
04/02/07	2.3	1.6	2.8	5.8	1.8	0.0	0.0	14.3		
04/09/07	5.6	2.9	1.1	1.3	1.1	1.2	0.0	13.2		
04/16/07	1.3	1.9	5.5	3.1	2.2	0.6	0.4	15.0		
04/23/07	7.2	5.9	3.3	3.6	3.7	0.3	0.0	24.0		
04/30/07	3.6	4.9	4.5	6.3	2.1	0.3	0.0	21.7		
05/07/07	7.9	5.6	6.4	3.0	5.9	2.6	1.4	32.8		
05/14/07	13.7	3.9	6.3	6.0	14.0	0.3	0.8	45.0		
05/21/07	9.7	4.1	5.3	8.4	3.3	0.6	0.5	31.9		
05/28/07	4.3	7.3	6.4	9.1	12.2	0.7	0.1	40.1		
06/04/07	12.3	8.2	5.3	9.7	2.9	0.6	0.7	39.7		
06/11/07	14.6	6.4	2.9	4.0	19.8	0.3	1.4	49.4		
06/18/07	23.6	2.8	3.8	2.7	6.1	1.8	0.8	41.6		
06/25/07	17.2	7.4	5.3	9.4	7.3	0.8	0.6	48.0		
07/02/07	10.1	9.4	0.0	18.7	19.1	3.0	2.8	63.1		
07/09/07	23.2	9.3	16.3	5.0	2.7	0.2	2.8	59.5		
07/16/07	18.4	24.6	4.0	7.3	19.0	0.0	2.1	75.4		
07/23/07	13.1	2.3	1.2	6.8	8.1	0.3	0.1	31.9		
07/30/07	16.5	2.9	12.9	4.8	16.6	1.6	0.8	56.1		
08/06/07	5.8	6.7	3.7	9.3	5.9	0.9	1.8	34.1		
08/13/07	8.8	5.1	7.5	3.7	19.0	0.8	2.5	47.4		
08/20/07	17.8	8.7	16.0	3.3	6.8	3.5	1.6	57.7		
08/27/07	14.1	8.0	6.0	5.5	3.2	1.5	0.4	38.7		
09/03/07	8.5	21.2	15.0	20.5	6.0	3.1	0.6	74.9		

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Calendar of Hours Reported by Ney McDaniel
For the period August 31, 2007 through March 31, 2011

Week beginning:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly Total	Yearly Subtotal	Average Hours per Week
09/10/07	15.2	11.3	22.3	2.8	4.4	3.3	0.1	59.4		
09/17/07	18.7	16.4	5.4	3.0	18.4	0.4	0.7	63.0		
09/24/07	16.5	5.7	3.4	3.1	9.2	1.8	1.3	41.0		
10/01/07	19.0	4.5	6.4	4.9	9.1	0.7	1.0	45.6		
10/08/07	14.9	4.5	6.1	2.8	4.6	0.2	0.2	33.3		
10/15/07	15.4	0.7	5.8	7.9	7.3	1.1	1.8	40.0		
10/22/07	6.5	6.7	7.5	6.6	3.3	1.7	0.7	33.0		
10/29/07	14.4	9.7	19.0	22.7	18.0	1.4	0.8	86.0		
11/05/07	15.1	14.1	8.1	5.5	7.6	1.7	0.3	52.4		
11/12/07	2.9	17.8	8.3	8.0	2.8	2.7	0.6	43.1		
11/19/07	13.7	17.5	1.5	2.0	0.8	0.6	2.8	38.9		
11/26/07	15.2	10.3	5.6	4.7	9.5	2.5	0.7	48.5		
12/03/07	8.1	8.2	12.9	2.1	7.1	1.5	0.5	40.4		
12/10/07	17.6	13.8	0.9	0.9	10.5	1.7	0.0	45.4		
12/17/07	20.5	3.7	13.2	3.7	22.1	2.2	1.3	66.7		
12/24/07	2.5	0.0	0.9	4.4	10.0	5.4	0.6	23.8		
12/31/07	2.2	0.3	9.6	28.5	16.3	2.3	2.2	61.4	1,885.2	35.57
01/07/08	14.0	14.6	10.8	4.6	10.5	2.6	0.7	57.8		
01/14/08	18.5	7.3	13.0	10.9	13.0	0.6	1.1	64.4		
01/21/08	2.5	6.3	4.3	5.2	17.3	0.9	1.0	37.5		
01/28/08	11.8	5.7	11.1	6.5	43.2	0.5	0.6	79.4		
02/04/08	16.4	12.6	3.8	4.6	5.6	0.5	1.3	44.8		
02/11/08	9.2	7.6	3.9	11.0	21.4	5.6	0.0	58.7		
02/18/08	19.6	9.0	2.8	12.9	7.1	1.8	0.4	53.6		
02/25/08	16.4	5.3	8.8	7.6	4.7	0.0	0.1	42.9		
03/03/08	19.4	16.0	20.2	15.2	16.6	2.1	0.0	89.5		
03/10/08	22.8	11.1	14.4	4.1	13.6	4.3	0.7	71.0		
03/17/08	14.3	16.8	12.3	11.3	19.3	0.5	0.2	74.7		
03/24/08	20.2	12.4	6.5	2.2	5.7	0.6	1.2	48.8		
03/31/08	34.4	4.9	3.4	16.0	17.0	0.6	0.9	77.2		
04/07/08	28.4	10.2	8.5	7.3	6.2	4.5	2.4	67.5		
04/14/08	15.7	10.0	7.3	11.3	11.8	2.2	1.0	59.3		
04/21/08	22.2	8.5	6.7	4.2	10.4	0.7	0.1	52.8		
04/28/08	17.7	10.6	12.5	18.5	5.1	1.5	0.2	66.1		
05/05/08	4.4	2.7	13.0	5.0	5.9	4.7	0.2	35.9		
05/12/08	21.0	15.8	33.5	11.5	12.3	0.2	1.7	96.0		
05/19/08	23.7	18.8	11.2	6.4	7.8	0.0	2.1	70.0		

Exhibit C

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Calendar of Hours Reported by Ney McDaniel
For the period August 31, 2007 through March 31, 2011

Week beginning:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly Total	Yearly Subtotal	Average Hours per Week
05/26/08	4.9	21.4	7.9	5.6	7.7	0.0	1.1	48.6		
06/02/08	13.5	4.6	9.4	12.1	17.6	2.0	1.9	61.1		
06/09/08	13.1	8.7	7.7	2.0	3.3	0.4	2.6	37.8		
06/16/08	12.3	9.9	4.4	4.1	5.6	0.6	0.5	37.4		
06/23/08	25.7	7.2	8.1	9.8	8.6	1.9	0.4	61.7		
06/30/08	26.9	19.8	9.8	15.3	0.0	5.8	3.5	81.1		
07/07/08	26.7	10.8	28.1	8.9	8.4	6.6	0.9	90.4		
07/14/08	24.2	28.3	6.4	12.7	20.1	3.2	2.0	96.9		
07/21/08	17.3	9.8	3.1	2.4	9.0	4.6	1.3	47.5		
07/28/08	27.2	17.0	5.2	6.7	4.2	3.0	0.9	64.2		
08/04/08	21.9	8.1	6.1	8.9	9.8	3.2	4.2	62.2		
08/11/08	17.7	4.1	5.5	6.9	19.4	0.5	1.5	55.6		
08/18/08	27.0	11.0	6.4	9.7	12.9	1.7	0.3	69.0		
08/25/08	30.9	13.8	3.7	10.1	6.5	1.1	0.0	66.1		
09/01/08	7.4	25.1	45.2	32.6	11.8	1.7	2.7	126.5		
09/08/08	26.7	10.7	26.9	9.2	11.1	1.8	1.7	88.1		
09/15/08	22.1	27.7	8.6	12.0	21.8	0.8	5.0	98.0		
09/22/08	13.9	8.3	8.1	12.1	17.8	1.1	1.8	63.1		
09/29/08	35.6	17.5	13.6	13.3	21.4	1.4	1.4	104.2		
10/06/08	25.5	4.7	8.9	6.0	11.3	2.3	1.6	60.3		
10/13/08	29.6	5.5	20.4	9.4	20.9	2.5	0.9	89.2		
10/20/08	17.2	3.4	5.6	8.2	6.8	2.8	0.4	44.4		
10/27/08	25.7	14.8	5.4	19.8	12.2	5.1	2.1	85.1		
11/03/08	24.3	30.3	13.8	28.4	31.1	1.4	1.9	131.2		
11/10/08	21.2	7.8	7.4	8.3	9.6	7.3	0.0	61.6		
11/17/08	19.2	13.5	8.2	21.0	24.6	4.9	1.8	93.2		
11/24/08	32.7	16.0	16.6	12.1	8.4	1.0	3.4	90.2		
12/01/08	22.7	4.2	6.9	10.1	25.7	2.2	0.1	71.9		
12/08/08	27.1	4.2	9.6	3.1	7.8	0.4	0.0	52.2		
12/15/08	12.5	2.1	5.2	15.2	28.7	7.0	0.8	71.5		
12/22/08	21.3	4.5	0.6	0.0	1.2	3.2	7.0	37.8		
12/29/08	15.0	4.3	3.1	0.0	5.9	2.1	0.3	30.7	3,526.7	67.82
01/05/09	20.4	20.2	9.3	30.9	7.1	1.7	0.5	90.1		
01/12/09	24.7	9.6	31.3	10.2	27.8	0.4	0.6	104.6		
01/19/09	6.7	26.8	11.0	5.7	14.5	0.6	4.1	69.4		
01/26/09	32.2	6.9	8.9	3.5	7.1	2.3	0.5	61.4		
02/02/09	14.9	7.7	7.5	13.8	17.5	2.4	2.4	66.2		

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Calendar of Hours Reported by Ney McDaniel
For the period August 31, 2007 through March 31, 2011

Week beginning:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly Total	Yearly Subtotal	Average Hours per Week
02/09/09	34.9	20.0	4.3	3.0	1.1	0.1	0.4	63.8		
02/16/09	5.4	5.1	16.2	9.9	35.8	0.1	0.1	72.6		
02/23/09	20.1	7.5	10.9	15.2	17.9	2.7	0.1	74.4		
03/02/09	29.1	20.8	13.6	24.0	17.9	1.8	0.0	107.2		
03/09/09	25.0	26.7	10.2	15.3	12.4	0.0	1.0	90.6		
03/16/09	28.1	9.4	14.5	5.8	8.2	0.8	2.2	69.0		
03/23/09	18.7	31.0	16.0	6.6	7.5	2.5	0.0	82.3		
03/30/09	12.2	6.9	5.6	7.4	25.4	1.0	0.8	59.3		
04/06/09	27.1	13.9	11.9	4.1	7.6	2.1	1.5	68.2		
04/13/09	19.8	8.2	13.2	16.6	23.2	6.4	0.6	88.0		
04/20/09	17.6	2.5	2.9	5.9	4.1	1.6	0.4	35.0		
04/27/09	14.9	9.6	5.2	16.9	3.8	0.8	0.3	51.5		
05/04/09	25.5	33.5	14.6	16.2	6.4	2.1	1.6	99.9		
05/11/09	10.0	6.2	7.2	5.2	8.9	1.0	0.0	38.5		
05/18/09	16.7	7.9	10.6	9.0	7.6	1.7	1.2	54.7		
05/25/09	4.1	21.4	11.9	8.5	8.3	2.1	0.1	56.4		
06/01/09	20.4	12.3	16.7	13.7	10.1	6.7	0.5	80.4		
06/08/09	16.7	25.1	11.3	3.5	8.4	0.7	0.8	66.5		
06/15/09	11.3	7.2	4.4	6.2	5.3	4.9	0.1	39.4		
06/22/09	14.9	15.7	5.0	7.1	8.6	1.1	1.5	53.9		
06/29/09	30.5	12.1	5.5	5.7	0.8	0.0	7.1	61.7		
07/06/09	18.7	12.3	12.8	13.3	12.4	3.3	2.6	75.4		
07/13/09	23.9	26.8	18.9	11.3	20.5	2.4	1.4	105.2		
07/20/09	18.7	19.4	10.9	8.9	4.5	3.2	1.4	67.0		
07/27/09	31.0	7.0	15.0	15.3	18.1	3.3	0.1	89.8		
08/03/09	26.4	20.6	8.0	6.8	26.0	3.1	0.7	91.6		
08/10/09	22.6	5.9	9.6	2.1	6.0	0.8	1.5	48.5		
08/17/09	18.7	16.2	19.3	9.1	17.7	3.7	2.1	86.8		
08/24/09	15.5	8.6	6.5	4.9	8.1	1.3	3.9	48.8		
08/31/09	7.7	17.2	18.1	16.2	7.9	0.8	1.9	69.8		
09/07/09	5.4	24.9	18.3	6.9	7.6	9.6	5.3	78.0		
09/14/09	13.0	16.3	11.1	5.5	17.3	2.3	1.6	67.1		
09/21/09	32.9	17.2	8.6	7.3	11.6	7.2	0.3	85.1		
09/28/09	17.3	8.5	4.8	7.0	7.3	2.1	0.7	47.7		
10/05/09	3.4	2.6	5.4	7.8	13.7	4.6	1.9	39.4		
10/12/09	10.6	3.8	7.6	19.9	20.2	8.9	4.8	75.8		
10/19/09	40.1	23.3	19.5	10.5	9.4	0.3	0.8	103.9		

Exhibit C

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Calendar of Hours Reported by Ney McDaniel
For the period August 31, 2007 through March 31, 2011

Week beginning:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly Total	Yearly Subtotal	Average Hours per Week
10/26/09	17.4	22.7	14.8	10.2	10.0	2.8	0.2	78.1		
11/02/09	32.4	33.2	17.2	13.3	19.3	4.8	2.9	123.1		
11/09/09	13.5	24.2	7.6	14.7	15.7	4.2	3.0	82.9		
11/16/09	36.5	9.9	23.4	13.7	24.7	1.9	0.8	110.9		
11/23/09	19.3	10.7	4.4	0.9	3.1	9.7	4.9	53.0		
11/30/09	22.4	16.2	6.6	14.6	6.2	3.0	0.1	69.1		
12/07/09	14.8	7.6	4.3	11.2	5.7	8.5	2.2	54.3		
12/14/09	19.9	10.2	5.7	6.7	12.8	1.1	3.6	60.0		
12/21/09	8.1	6.1	4.0	0.3	0.0	1.2	0.5	20.2		
12/28/09	21.9	12.7	6.8	2.9	0.3	0.8	1.4	46.8	3,683.3	70.83
01/04/10	11.8	15.9	5.2	12.1	2.7	2.2	1.2	51.1		
01/11/10	16.2	33.1	31.8	4.6	3.0	0.3	0.0	89.0		
01/18/10	10.7	22.1	9.3	14.5	8.3	9.0	0.6	74.5		
01/25/10	8.0	9.7	7.5	11.2	3.6	2.9	0.2	43.1		
02/01/10	14.1	13.2	14.8	16.7	27.8	0.3	1.0	87.9		
02/08/10	9.7	2.4	6.6	7.4	7.6	7.5	0.9	42.1		
02/15/10	8.2	9.3	10.5	9.8	24.2	3.7	4.4	70.1		
02/22/10	27.9	8.8	3.4	2.7	9.9	1.9	4.0	58.6		
03/01/10	18.7	21.5	14.8	9.7	25.6	11.5	9.1	110.9		
03/08/10	15.1	15.2	20.9	12.6	5.9	5.8	0.3	75.8		
03/15/10	26.5	13.0	15.4	6.0	19.3	3.2	0.0	83.4		
03/22/10	9.4	12.4	12.5	15.7	3.5	6.2	11.0	70.7		
03/29/10	25.1	18.1	14.5	5.0	13.1	3.4	2.8	82.0		
04/05/10	14.0	7.3	4.8	16.7	10.2	9.2	4.6	66.8		
04/12/10	19.7	11.6	1.9	8.9	3.6	3.5	0.6	49.8		
04/19/10	12.4	5.2	5.7	5.9	15.1	3.6	0.6	48.5		
04/26/10	26.4	18.0	11.5	7.5	3.1	2.2	1.0	69.7		
05/03/10	19.2	17.5	13.8	18.0	9.7	6.1	0.9	85.2		
05/10/10	25.2	16.0	19.4	16.2	13.9	3.1	0.2	94.0		
05/17/10	20.4	9.7	19.2	18.3	15.9	7.4	0.0	90.9		
05/24/10	20.2	10.8	16.6	2.3	6.1	4.4	0.1	60.5		
05/31/10	1.1	28.7	11.7	7.5	4.2	9.5	2.0	64.7		
06/07/10	17.0	13.8	6.3	13.6	10.2	3.2	0.3	64.4		
06/14/10	28.7	10.5	8.5	6.5	3.5	2.4	2.4	62.5		
06/21/10	21.0	5.3	3.7	5.2	4.7	0.5	2.9	43.3		
06/28/10	21.1	12.3	8.5	8.6	11.1	3.5	0.0	65.1		
07/05/10	3.2	15.9	23.9	19.3	3.4	1.0	1.5	68.2		

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Calendar of Hours Reported by Ney McDaniel
For the period August 31, 2007 through March 31, 2011

Week beginning:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly Total	Yearly Subtotal	Average Hours per Week
07/12/10	19.7	14.7	4.4	18.4	11.2	1.4	0.0	69.8		
07/19/10	15.1	2.0	9.6	5.7	9.4	4.4	3.0	49.2		
07/26/10	15.6	13.4	10.2	4.3	7.5	0.6	0.0	51.6		
08/02/10	14.4	13.8	9.5	3.6	4.3	8.6	0.3	54.5		
08/09/10	10.8	2.4	6.5	4.5	10.4	0.6	1.2	36.4		
08/16/10	19.2	10.3	11.0	6.9	17.8	9.0	0.2	74.4		
08/23/10	15.1	20.0	3.5	4.9	4.2	0.7	0.0	48.4		
08/30/10	7.2	8.8	3.0	2.6	0.6	2.6	0.7	25.5		
09/06/10	6.2	22.6	23.6	7.9	4.4	7.3	2.2	74.2		
09/13/10	11.7	19.8	8.0	1.3	8.5	3.3	1.0	53.6		
09/20/10	17.7	18.1	4.6	3.0	6.2	3.8	0.4	53.8		
09/27/10	13.7	18.8	14.1	9.8	16.9	5.2	0.5	79.0		
10/04/10	28.0	6.2	9.3	6.6	4.1	9.4	2.2	65.8		
10/11/10	4.0	5.8	3.5	4.8	13.3	3.5	2.1	37.0		
10/18/10	13.6	5.1	5.6	5.2	8.0	5.9	1.8	45.2		
10/25/10	24.4	5.9	2.2	10.5	5.2	5.1	0.1	53.4		
11/01/10	14.9	1.0	3.4	8.7	11.7	1.4	0.0	41.1		
11/08/10	7.1	11.3	3.8	0.3	4.8	2.7	1.1	31.1		
11/15/10	17.5	16.6	15.4	10.3	13.2	6.5	1.0	80.5		
11/22/10	13.5	6.2	4.3	0.3	1.3	11.9	2.1	39.6		
11/29/10	5.5	3.1	5.6	4.9	16.6	4.1	1.0	40.8		
12/06/10	15.4	8.0	4.1	3.6	8.3	1.0	0.7	41.1		
12/13/10	15.3	6.6	8.3	4.8	10.0	1.4	1.7	48.1		
12/20/10	7.4	7.4	4.5	1.1	1.3	0.0	0.0	21.7		
12/27/10	7.0	9.1	1.2	4.0	4.0	2.0	1.3	28.6	3,117.2	59.95
01/03/11	16.4	9.5	5.9	4.4	14.0	3.4	4.9	58.5		
01/10/11	0.9	6.3	6.2	5.5	7.8	3.8	1.8	32.3		
01/17/11	1.3	9.0	5.4	4.2	9.1	4.7	0.6	34.3		

Exhibit C

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Calendar of Hours Reported by Ney McDaniel
For the period August 31, 2007 through March 31, 2011

Week beginning:	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Weekly Total	Yearly Subtotal	Average Hours per Week
01/24/11	13.6	12.4	11.7	2.0	1.3	6.5	2.5	50.0		
01/31/11	10.6	4.3	2.0	5.9	15.6	2.6	0.3	41.3		
02/07/11	4.6	5.4	0.9	1.4	0.3	2.6	1.0	16.2		
02/14/11	1.4	1.7	1.7	1.4	6.0	1.5	3.0	16.7		
02/21/11	2.8	5.3	2.1	2.4	0.0	3.8	0.0	16.4		
02/28/11	0.5	3.0	4.3	3.3	5.5	3.3	1.6	21.5		
03/07/11	4.4	2.0	0.7	2.3	0.4	1.0	1.5	12.3		
03/14/11	5.5	4.5	0.6	0.5	0.2	0.4	0.0	11.7		
03/21/11	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.2	311.4	25.95
Total									<u>12,523.8</u>	

^ - Total for January 1, 2011 through March 21, 2011. Mr. McDaniel's contract was terminated effective March 21, 2011.

NOTE: Because additional claims were submitted prior to August 31, 2007 which were not available, some of the dates listed in this **Exhibit** do not include the hours Mr. McDaniel reported prior to August 31, 2007. As a result, the hours shown for some dates are less than the total Mr. McDaniel was paid for when the claims he submitted prior to August 31, 2007 are considered.

Also, because the claims submitted between August 31, 2007 and March 31, 2011 include services performed prior to these dates, this Exhibit includes hours reported by Mr. McDaniel beginning on January 1, 2007.

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
Days totaling 24 hours or more:				
09/03/08	45.2	12.0	33.2	\$ 1,992.00
02/01/08	43.2	12.0	31.2	1,872.00
10/19/09	40.1	12.0	28.1	1,686.00
11/16/09	36.6	12.0	24.6	1,476.00
02/20/09	35.8	12.0	23.8	1,428.00
09/29/08	35.6	12.0	23.6	1,416.00
02/09/09	34.9	12.0	22.9	1,374.00
03/31/08	36.3	12.0	24.3	1,458.00
05/14/08	33.5	12.0	21.5	1,290.00
05/05/09	33.5	12.0	21.5	1,290.00
11/03/09	33.2	12.0	21.2	1,272.00
01/12/10	33.1	12.0	21.1	1,266.00
09/21/09	32.9	12.0	20.9	1,254.00
11/24/08	32.7	12.0	20.7	1,242.00
09/04/08	32.6	12.0	20.6	1,236.00
11/02/09	32.4	12.0	20.4	1,224.00
01/26/09	32.2	12.0	20.2	1,212.00
01/13/10	31.8	12.0	19.8	1,188.00
01/14/09	31.3	12.0	19.3	1,158.00
11/07/08	31.1	12.0	19.1	1,146.00
03/24/09	31.0	12.0	19.0	1,140.00
07/27/09	31.0	12.0	19.0	1,140.00
08/25/08	30.9	12.0	18.9	1,134.00
01/08/09	30.9	12.0	18.9	1,134.00
06/29/09	30.5	12.0	18.5	1,110.00
11/04/08	30.3	12.0	18.3	1,098.00
10/13/08	29.6	12.0	17.6	1,056.00
03/02/09	29.1	12.0	17.1	1,026.00
12/19/08	28.7	12.0	16.7	1,002.00
06/01/10	28.7	12.0	16.7	1,002.00
06/14/10	28.7	12.0	16.7	1,002.00
01/03/08	28.5	12.0	16.5	990.00
04/07/08	28.4	12.0	16.4	984.00
11/06/08	28.4	12.0	16.4	984.00
07/15/08	28.3	12.0	16.3	978.00
07/09/08	28.1	12.0	16.1	966.00

Exhibit D

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
03/16/09	28.1	12.0	16.1	966.00
10/04/10	28.0	12.0	16.0	960.00
02/22/10	27.9	12.0	15.9	954.00
01/16/09	27.8	12.0	15.8	948.00
02/05/10	27.8	12.0	15.8	948.00
09/16/08	27.7	12.0	15.7	942.00
07/28/08	27.2	12.0	15.2	912.00
12/08/08	27.1	12.0	15.1	906.00
04/06/09	27.1	12.0	15.1	906.00
08/18/08	27.0	12.0	15.0	900.00
06/30/08	26.9	12.0	14.9	894.00
09/10/08	26.9	12.0	14.9	894.00
01/20/09	26.8	12.0	14.8	888.00
07/14/09	26.8	12.0	14.8	888.00
07/07/08	26.7	12.0	14.7	882.00
09/08/08	26.7	12.0	14.7	882.00
03/10/09	26.7	12.0	14.7	882.00
03/15/10	26.5	12.0	14.5	870.00
08/03/09	26.4	12.0	14.4	864.00
04/26/10	26.4	12.0	14.4	864.00
08/07/09	26.0	12.0	14.0	840.00
06/23/08	25.7	12.0	13.7	822.00
10/27/08	25.7	12.0	13.7	822.00
12/05/08	25.7	12.0	13.7	822.00
03/05/10	25.6	12.0	13.6	816.00
10/06/08	25.5	12.0	13.5	810.00
05/04/09	25.5	12.0	13.5	810.00
04/03/09	25.4	12.0	13.4	804.00
05/10/10	25.2	12.0	13.2	792.00
09/02/08	25.1	12.0	13.1	786.00
06/09/09	25.1	12.0	13.1	786.00
03/29/10	25.1	12.0	13.1	786.00
03/09/09	25.0	12.0	13.0	780.00
09/08/09	24.9	12.0	12.9	774.00
01/12/09	24.7	12.0	12.7	762.00
11/20/09	24.7	12.0	12.7	762.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
07/17/07	24.6	12.0	12.6	756.00
11/21/08	24.6	12.0	12.6	756.00
10/25/10	24.4	12.0	12.4	744.00
11/03/08	24.3	12.0	12.3	738.00
07/14/08	24.2	12.0	12.2	732.00
11/10/09	24.2	12.0	12.2	732.00
02/19/10	24.2	12.0	12.2	732.00
03/05/09	24.0	12.0	12.0	720.00
Subtotal	2,311.0	960.0	1,351.0	81,060.00

Days totaling from 20.0 to 23.9 hours:

07/13/09	23.9	12.0	11.9	714.00
07/07/10	23.9	12.0	11.9	714.00
05/19/08	23.7	12.0	11.7	702.00
06/18/07	23.6	12.0	11.6	696.00
09/08/10	23.6	12.0	11.6	696.00
11/18/09	23.4	12.0	11.4	684.00
10/20/09	23.3	12.0	11.3	678.00
07/09/07	23.2	12.0	11.2	672.00
04/17/09	23.2	12.0	11.2	672.00
03/10/08	22.8	12.0	10.8	648.00
11/01/07	22.7	12.0	10.7	642.00
12/01/08	22.7	12.0	10.7	642.00
10/27/09	22.7	12.0	10.7	642.00
08/10/09	22.6	12.0	10.6	636.00
09/07/10	22.6	12.0	10.6	636.00
11/30/09	22.4	12.0	10.4	624.00
09/12/07	22.3	12.0	10.3	618.00
04/21/08	22.2	12.0	10.2	612.00
12/21/07	22.1	12.0	10.1	606.00
09/15/08	22.1	12.0	10.1	606.00
01/19/10	22.1	12.0	10.1	606.00
08/04/08	21.9	12.0	9.9	594.00
12/28/09	21.9	12.0	9.9	594.00
09/19/08	21.8	12.0	9.8	588.00
03/02/10	21.5	12.0	9.5	570.00

Exhibit D

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
02/15/08	21.4	12.0	9.4	564.00
05/27/08	21.4	12.0	9.4	564.00
10/03/08	21.4	12.0	9.4	564.00
05/26/09	21.4	12.0	9.4	564.00
12/22/08	21.3	12.0	9.3	558.00
09/04/07	21.2	12.0	9.2	552.00
11/10/08	21.2	12.0	9.2	552.00
06/28/10	21.1	12.0	9.1	546.00
05/12/08	21.0	12.0	9.0	540.00
06/21/10	21.0	12.0	9.0	540.00
10/17/08	20.9	12.0	8.9	534.00
03/10/10	20.9	12.0	8.9	534.00
03/03/09	20.8	12.0	8.8	528.00
08/04/09	20.6	12.0	8.6	516.00
09/06/07	20.5	12.0	8.5	510.00
12/17/07	20.5	12.0	8.5	510.00
07/17/09	20.5	12.0	8.5	510.00
10/15/08	20.4	12.0	8.4	504.00
01/05/09	20.4	12.0	8.4	504.00
06/01/09	20.4	12.0	8.4	504.00
05/17/10	20.4	12.0	8.4	504.00
03/05/08	20.2	12.0	8.2	492.00
03/24/08	20.2	12.0	8.2	492.00
01/06/09	20.2	12.0	8.2	492.00
10/16/09	20.2	12.0	8.2	492.00
05/24/10	20.2	12.0	8.2	492.00
07/18/08	20.1	12.0	8.1	486.00
02/23/09	20.1	12.0	8.1	486.00
02/10/09	20.0	12.0	8.0	480.00
08/24/10	20.0	12.0	8.0	480.00
Subtotal	1,188.1	660.0	528.1	31,686.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
Days totaling from 15.1 to 19.9 hours:				
10/15/09	19.9	12.0	7.9	474.00
12/14/09	19.9	12.0	7.9	474.00
06/15/07	19.8	12.0	7.8	468.00
07/01/08	19.8	12.0	7.8	468.00
10/30/08	19.8	12.0	7.8	468.00
04/13/09	19.8	12.0	7.8	468.00
09/14/10	19.8	12.0	7.8	468.00
04/12/10	19.7	12.0	7.7	462.00
07/12/10	19.7	12.0	7.7	462.00
02/18/08	19.6	12.0	7.6	456.00
10/21/09	19.5	12.0	7.5	450.00
03/03/08	19.4	12.0	7.4	444.00
08/15/08	19.4	12.0	7.4	444.00
07/21/09	19.4	12.0	7.4	444.00
05/12/10	19.4	12.0	7.4	444.00
03/21/08	19.3	12.0	7.3	438.00
08/19/09	19.3	12.0	7.3	438.00
11/06/09	19.3	12.0	7.3	438.00
11/23/09	19.3	12.0	7.3	438.00
03/19/10	19.3	12.0	7.3	438.00
07/08/10	19.3	12.0	7.3	438.00
11/17/08	19.2	12.0	7.2	432.00
05/03/10	19.2	12.0	7.2	432.00
05/19/10	19.2	12.0	7.2	432.00
08/16/10	19.2	12.0	7.2	432.00
07/06/07	19.1	12.0	7.1	426.00
07/20/07	19.0	12.0	7.0	420.00
08/17/07	19.0	12.0	7.0	420.00
10/01/07	19.0	12.0	7.0	420.00
10/31/07	19.0	12.0	7.0	420.00
07/15/09	18.9	12.0	6.9	414.00
05/20/08	18.8	12.0	6.8	408.00
09/28/10	18.8	12.0	6.8	408.00
07/05/07	18.7	12.0	6.7	402.00
09/17/07	18.7	12.0	6.7	402.00
03/23/09	18.7	12.0	6.7	402.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
07/06/09	18.7	12.0	6.7	402.00
07/20/09	18.7	12.0	6.7	402.00
08/17/09	18.7	12.0	6.7	402.00
03/01/10	18.7	12.0	6.7	402.00
01/14/08	18.5	12.0	6.5	390.00
05/01/08	18.5	12.0	6.5	390.00
07/16/07	18.4	12.0	6.4	384.00
09/21/07	18.4	12.0	6.4	384.00
07/15/10	18.4	12.0	6.4	384.00
09/09/09	18.3	12.0	6.3	378.00
05/20/10	18.3	12.0	6.3	378.00
07/31/09	18.1	12.0	6.1	366.00
09/02/09	18.1	12.0	6.1	366.00
03/30/10	18.1	12.0	6.1	366.00
09/21/10	18.1	12.0	6.1	366.00
11/02/07	18.0	12.0	6.0	360.00
04/27/10	18.0	12.0	6.0	360.00
05/06/10	18.0	12.0	6.0	360.00
02/27/09	17.9	12.0	5.9	354.00
03/06/09	17.9	12.0	5.9	354.00
08/20/07	17.8	12.0	5.8	348.00
11/13/07	17.8	12.0	5.8	348.00
09/26/08	17.8	12.0	5.8	348.00
08/20/10	17.8	12.0	5.8	348.00
04/28/08	17.7	12.0	5.7	342.00
08/11/08	17.7	12.0	5.7	342.00
08/21/09	17.7	12.0	5.7	342.00
12/10/07	17.6	12.0	5.6	336.00
06/06/08	17.6	12.0	5.6	336.00
04/20/09	17.6	12.0	5.6	336.00
11/20/07	17.5	12.0	5.5	330.00
09/30/08	17.5	12.0	5.5	330.00
02/06/09	17.5	12.0	5.5	330.00
05/04/10	17.5	12.0	5.5	330.00
11/15/10	17.5	12.0	5.5	330.00
10/26/09	17.4	12.0	5.4	324.00
01/25/08	17.3	12.0	5.3	318.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
07/21/08	17.3	12.0	5.3	318.00
09/18/09	17.3	12.0	5.3	318.00
09/28/09	17.3	12.0	5.3	318.00
06/25/07	17.2	12.0	5.2	312.00
10/20/08	17.2	12.0	5.2	312.00
09/01/09	17.2	12.0	5.2	312.00
09/22/09	17.2	12.0	5.2	312.00
11/04/09	17.2	12.0	5.2	312.00
07/29/08	17.0	12.0	5.0	300.00
06/07/10	17.0	12.0	5.0	300.00
04/04/08	17.0	12.0	5.0	300.00
04/30/09	16.9	12.0	4.9	294.00
10/01/10	16.9	12.0	4.9	294.00
03/18/08	16.8	12.0	4.8	288.00
02/04/10	16.7	12.0	4.7	282.00
11/20/08	16.7	12.0	4.7	282.00
05/18/09	16.7	12.0	4.7	282.00
06/03/09	16.7	12.0	4.7	282.00
06/08/09	16.7	12.0	4.7	282.00
04/08/10	16.7	12.0	4.7	282.00
12/03/10	16.6	12.0	4.6	276.00
03/07/08	16.6	12.0	4.6	276.00
05/26/10	16.6	12.0	4.6	276.00
11/16/10	16.6	12.0	4.6	276.00
08/03/07	16.6	12.0	4.6	276.00
11/26/08	16.6	12.0	4.6	276.00
04/16/09	16.6	12.0	4.6	276.00
07/30/07	16.5	12.0	4.5	270.00
09/24/07	16.5	12.0	4.5	270.00
01/03/11	16.4	12.0	4.4	264.00
09/18/07	16.4	12.0	4.4	264.00
02/25/08	16.4	12.0	4.4	264.00
02/04/08	16.4	12.0	4.4	264.00
09/15/09	16.3	12.0	4.3	258.00
07/11/07	16.3	12.0	4.3	258.00
01/04/08	16.3	12.0	4.3	258.00
08/18/09	16.2	12.0	4.2	252.00

Exhibit D

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
09/03/09	16.2	12.0	4.2	252.00
12/01/09	16.2	12.0	4.2	252.00
05/13/10	16.2	12.0	4.2	252.00
02/18/09	16.2	12.0	4.2	252.00
05/07/09	16.2	12.0	4.2	252.00
01/11/10	16.2	12.0	4.2	252.00
05/11/10	16.0	12.0	4.0	240.00
03/04/08	16.0	12.0	4.0	240.00
04/03/08	16.0	12.0	4.0	240.00
11/25/08	16.0	12.0	4.0	240.00
03/25/09	16.0	12.0	4.0	240.00
08/22/07	16.0	12.0	4.0	240.00
05/21/10	15.9	12.0	3.9	234.00
07/06/10	15.9	12.0	3.9	234.00
01/05/10	15.9	12.0	3.9	234.00
05/13/08	15.8	12.0	3.8	228.00
04/14/08	15.7	12.0	3.7	222.00
06/23/09	15.7	12.0	3.7	222.00
03/25/10	15.7	12.0	3.7	222.00
11/13/09	15.7	12.0	3.7	222.00
02/04/11	15.6	12.0	3.6	216.00
07/26/10	15.6	12.0	3.6	216.00
08/24/09	15.5	12.0	3.5	210.00
11/17/10	15.4	12.0	3.4	204.00
12/06/10	15.4	12.0	3.4	204.00
03/17/10	15.4	12.0	3.4	204.00
10/15/07	15.4	12.0	3.4	204.00
12/13/10	15.3	12.0	3.3	198.00
07/30/09	15.3	12.0	3.3	198.00
03/12/09	15.3	12.0	3.3	198.00
07/03/08	15.3	12.0	3.3	198.00
12/18/08	15.2	12.0	3.2	192.00
03/09/10	15.2	12.0	3.2	192.00
02/26/09	15.2	12.0	3.2	192.00
11/26/07	15.2	12.0	3.2	192.00
09/10/07	15.2	12.0	3.2	192.00
03/06/08	15.2	12.0	3.2	192.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
04/23/10	15.1	12.0	3.1	186.00
03/08/10	15.1	12.0	3.1	186.00
07/19/10	15.1	12.0	3.1	186.00
08/23/10	15.1	12.0	3.1	186.00
11/05/07	15.1	12.0	3.1	186.00
Subtotal	2,635.6	1,824.0	811.6	48,696.00

Days totaling from 12.1 to 15.0 hours:

09/05/07	15.0	12.0	3.0	180.00
12/29/08	15.0	12.0	3.0	180.00
07/29/09	15.0	12.0	3.0	180.00
10/08/07	14.9	12.0	2.9	174.00
02/02/09	14.9	12.0	2.9	174.00
04/27/09	14.9	12.0	2.9	174.00
06/22/09	14.9	12.0	2.9	174.00
11/01/10	14.9	12.0	2.9	174.00
10/28/08	14.8	12.0	2.8	168.00
10/28/09	14.8	12.0	2.8	168.00
12/07/09	14.8	12.0	2.8	168.00
03/03/10	14.8	12.0	2.8	168.00
02/03/10	14.8	12.0	2.8	168.00
11/12/09	14.7	12.0	2.7	162.00
07/13/10	14.7	12.0	2.7	162.00
09/20/10	14.7	12.0	2.7	162.00
06/11/07	14.6	12.0	2.6	156.00
01/08/08	14.6	12.0	2.6	156.00
05/06/09	14.6	12.0	2.6	156.00
12/03/09	14.6	12.0	2.6	156.00
01/23/09	14.5	12.0	2.5	150.00
03/18/09	14.5	12.0	2.5	150.00
01/21/10	14.5	12.0	2.5	150.00
03/31/10	14.5	12.0	2.5	150.00
10/29/07	14.4	12.0	2.4	144.00
03/12/08	14.4	12.0	2.4	144.00
08/02/10	14.4	12.0	2.4	144.00
03/17/08	14.3	12.0	2.3	138.00
08/27/07	14.1	12.0	2.1	126.00

Exhibit D

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
11/06/07	14.1	12.0	2.1	126.00
02/01/10	14.1	12.0	2.1	126.00
09/29/10	14.1	12.0	2.1	126.00
05/18/07	14.0	12.0	2.0	120.00
01/07/08	14.0	12.0	2.0	120.00
04/05/10	14.0	12.0	2.0	120.00
01/07/11	14.0	12.0	2.0	120.00
09/22/08	13.9	12.0	1.9	114.00
04/07/09	13.9	12.0	1.9	114.00
05/14/10	13.9	12.0	1.9	114.00
05/05/10	13.8	12.0	1.8	108.00
08/03/10	13.8	12.0	1.8	108.00
05/14/07	13.7	12.0	1.7	102.00
11/19/07	13.7	12.0	1.7	102.00
06/04/09	13.7	12.0	1.7	102.00
10/09/09	13.7	12.0	1.7	102.00
11/19/09	13.7	12.0	1.7	102.00
09/27/10	13.7	12.0	1.7	102.00
12/11/07	13.6	12.0	1.6	96.00
03/14/08	13.6	12.0	1.6	96.00
08/26/08	13.6	12.0	1.6	96.00
10/01/08	13.6	12.0	1.6	96.00
11/05/08	13.6	12.0	1.6	96.00
02/05/09	13.6	12.0	1.6	96.00
03/04/09	13.6	12.0	1.6	96.00
06/08/10	13.6	12.0	1.6	96.00
06/10/10	13.6	12.0	1.6	96.00
10/18/10	13.6	12.0	1.6	96.00
01/24/11	13.6	12.0	1.6	96.00
06/02/08	13.5	12.0	1.5	90.00
11/18/08	13.5	12.0	1.5	90.00
11/09/09	13.5	12.0	1.5	90.00
11/22/10	13.5	12.0	1.5	90.00
07/27/10	13.4	12.0	1.4	84.00
10/02/08	13.3	12.0	1.3	78.00
07/09/09	13.3	12.0	1.3	78.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
11/05/09	13.3	12.0	1.3	78.00
10/15/10	13.3	12.0	1.3	78.00
12/19/07	13.2	12.0	1.2	72.00
04/15/09	13.2	12.0	1.2	72.00
02/02/10	13.2	12.0	1.2	72.00
11/19/10	13.2	12.0	1.2	72.00
07/23/07	13.1	12.0	1.1	66.00
06/09/08	13.1	12.0	1.1	66.00
04/02/10	13.1	12.0	1.1	66.00
01/16/08	13.0	12.0	1.0	60.00
01/18/08	13.0	12.0	1.0	60.00
05/07/08	13.0	12.0	1.0	60.00
09/14/09	13.0	12.0	1.0	60.00
03/16/10	13.0	12.0	1.0	60.00
08/01/07	12.9	12.0	0.9	54.00
12/05/07	12.9	12.0	0.9	54.00
02/21/08	12.9	12.0	0.9	54.00
08/22/08	12.9	12.0	0.9	54.00
07/08/09	12.8	12.0	0.8	48.00
12/18/09	12.8	12.0	0.8	48.00
07/17/08	12.7	12.0	0.7	42.00
12/29/09	12.7	12.0	0.7	42.00
02/05/08	12.6	12.0	0.6	36.00
03/11/10	12.6	12.0	0.6	36.00
04/30/08	12.5	12.0	0.5	30.00
12/15/08	12.5	12.0	0.5	30.00
03/24/10	12.5	12.0	0.5	30.00
03/25/08	12.4	12.0	0.4	24.00
03/13/09	12.4	12.0	0.4	24.00
07/10/09	12.4	12.0	0.4	24.00
03/23/10	12.4	12.0	0.4	24.00
04/19/10	12.4	12.0	0.4	24.00
01/25/11	12.4	12.0	0.4	24.00
06/04/07	12.3	12.0	0.3	18.00
03/19/08	12.3	12.0	0.3	18.00
05/16/08	12.3	12.0	0.3	18.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Excess Pay for Days Ney McDaniel Reported More Than 12 Hours per Day
For the period August 31, 2007 through March 31, 2011

Date	Number of Hours Reported	Reasonable Daily Hours	Excess Hours	Excess Amount Paid
06/16/08	12.3	12.0	0.3	18.00
06/02/09	12.3	12.0	0.3	18.00
07/07/09	12.3	12.0	0.3	18.00
06/29/10	12.3	12.0	0.3	18.00
06/01/07	12.2	12.0	0.2	12.00
10/31/08	12.2	12.0	0.2	12.00
03/30/09	12.2	12.0	0.2	12.00
06/05/08	12.1	12.0	0.1	6.00
09/25/08	12.1	12.0	0.1	6.00
11/27/08	12.1	12.0	0.1	6.00
06/30/09	12.1	12.0	0.1	6.00
01/07/10	12.1	12.0	0.1	6.00
Subtotal	1,525.60	1,356.00	169.60	10,176.00
Total	7,660.30	4,800.00	2,860.30	\$ 171,618.00

Note: The average hourly rate used to calculate the excess amount paid was determined by the average hourly rate Ney McDaniel received from the Office of the State Public Defender for all services he was paid for on claims submitted from August 31, 2007 through March 31, 2011.

**Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender**

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date		
Submitted	Claim #	Case #
11/21/07	428e325080719	FECR004167
04/15/08	428e106080803	FECR004171
11/07/07	428e311080754	FECR038584; FECR038585
03/26/08	428e086080977	FECR038538
08/23/07	428E235080798	FECR010832
10/03/07	428e276080568	FECR038472
11/21/07	428e325080719	FECR008819
11/21/07	428e325080719	FECR008792
01/09/08	428e009080772	AGCR038580
10/05/07	428B278080768	JVJV001753
11/14/07	428B318080898	JVJV001763
09/11/07	428E254080745	SRCR038350
09/11/07	428E254080745	OWCR038241
09/26/07	428e269080734	SRCR038023
10/29/07	428e302080653	AGCR038618
09/20/07	428E263080759	SRCR038014
02/12/08	428e043080678	OWCR038289
09/18/07	428B261080936	JVJV002588
12/19/07	428B353080867	JVJV002683
01/14/08	428e014080849	OWCR016726
04/21/10	428E111100713	SRCR016795
09/26/07	428e269080734	SRCR038023
10/10/07	428e283080629	AGCR037701
12/03/07	428e337080657	OWCR038641

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
04/05/07	Mileage Clay/Palo Alto & return (52 @ .30 = 15.60)	\$ 15.60	
04/05/07	Mileage Clay/Palo Alto & return (54 @ .30 = 16.20)	16.20	\$ 16.20
06/04/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
06/04/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
06/18/07	Clay Co/Sac Co & return mileage 122.0 @ .30 = 36.60	36.60	
06/18/07	Mileage Spencer/Storm Lake & return (90 @ .30 = 27.00)	27.00	
06/18/07	Mileage Clay/O'Brien & return 70 miles @ .30 = 21.00	21.00	
06/18/07	Mileage Clay/O'Brien & return 70 miles @ .30 = 21.00	21.00	21.00
06/18/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
07/03/07	Mileage Spencer to Emmetsburg & return (80 @ .30 = 24)	24.00	
07/03/07	Mileage Clay/Palo Alto & return (52 @ .30 = 15.60)	15.60	15.60
07/09/07	Mileage Spencer/Storm Lake & return (90 @ .30 = 27.00)	27.00	
07/09/07	Mileage Spencer/Storm Lake & return (90 @ .30 = 27.00)	27.00	27.00
07/09/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
07/09/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
07/11/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
07/11/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
07/17/07	Mileage Dickinson/Clay & return 52 @ .30	15.60	
07/17/07	Mileage Dickinson/Clay & return 52 @ .30	15.60	15.60
07/19/07	Mileage Spencer to Spirit Lake & return (52 @ .30 = 15.60)	15.60	
07/19/07	Dickinson/Clay & return 52 @ .30	15.60	15.60
07/23/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
07/23/07	Mileage Spencer/Storm Lake & return (90 @ .30 = 27.00)	27.00	27.00
07/23/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date		
Submitted	Claim #	Case #
09/28/07	428B271080806	JVJV002551-2553
10/05/07	428B278080768	JVJV001754
10/08/07	428B281080709	JVJV002474
10/03/07	428e276080568	FECR038472
12/14/07	428e348080726	SRCR038598
01/03/08	428e003080743	AGCR010897
02/11/08	428e042080621	FECR010896
12/05/07	428e339080751	AGCR038687
12/14/07	428e348080726	SRCR038598
01/04/08	428e004080774	AGCR038355
01/28/08	428e028080655	AGCR038668
02/19/08	428e050080692	AGCR038669
08/14/08	428e227080875	SRCR038749
11/14/07	428B318080898	JVJV001763
01/14/08	428e014080849	SRCR038655
01/16/08	428e016080674	AGCR038709
01/28/08	428e028080655	SRCR038693
02/19/08	428e050080692	AGCR038669
11/09/07	428e313080766	FECR038443
11/21/07	428e325080719	FECR004167
11/28/07	428e332080827	FECR038423
12/03/07	428e337080657	OWCR038619
01/09/08	428e009080772	AGCR038580
02/11/08	428e042080621	SMSM039198; SMSM039180
08/14/08	428e227080875	SRCR038749

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
08/01/07	Mileage Dickinson/Clay & return 52 @ .30	15.60	
08/01/07	Mileage Spencer to Emmetsburg & return (80 @ .30 = 24)	24.00	
08/01/07	Mileage Dickinson/Clay & return 52 @ .30	15.60	15.60
08/06/07	Mileage Spencer/Storm Lake & return (90 @ .30 = 27.00)	27.00	
08/06/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
08/13/07	Clay Co/Sac Co & return mileage 122.0 @ .30 = 36.60	36.60	
08/13/07	Clay Co/Sac Co & return mileage 122.0 @ .30 = 36.60	36.60	36.60
08/20/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
08/20/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
08/20/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
08/20/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
08/20/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
08/20/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/04/07	Mileage Clay/Palo Alto & return (52 @ .30 = 15.60)	15.60	
09/04/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
09/04/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/04/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/04/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/06/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.06	33.00	
09/06/07	Mileage Clay/Palo Alto & return (52 @ .30 = 15.60)	15.60	
09/06/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/12/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
09/12/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/12/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/12/07	Mileage Clay Co to Buena Vista and return 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
12/14/07	428e348080726	SRCR004219
01/03/08	428e003080743	SRCR004215
11/06/07	428e310080542	SMSM039237
01/03/08	428e003080743	SRCR010930
02/13/08	428e044080753	FECR038716
05/28/08	428e149080738	FECR038715
02/21/08	428e052080922	OWCR038738
03/14/08	428e074080739	AGCR038723
04/20/09	428E110090861	OWCR038705
02/08/08	428e039080787	OWCR038686
02/13/08	428e044080753	FECR038716
01/04/08	428e004080774	OWCR038663
01/14/08	428e014080849	SRCR038681
02/21/08	428e052080922	OWCR038738
03/14/08	428e074080739	AGCR038723
03/26/08	428e086080977	FECR038538
05/23/08	428e144080823	FECR038497
01/20/09	428e020090858	SRCR004322
09/14/09	428E257100767	FECR004309
03/25/08	428e085080657	FECR038708
05/20/08	428e141080610	FECR004312
05/23/08	428e144080823	FECR038497
11/26/08	428e331090881	SRCR017030

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
09/21/07	Mileage Clay/Palo Alto & return (52 @ .30 = 15.60)	15.60	
09/21/07	Mileage Clay/Palo Alto & return (70 @ .30 = 21)	21.00	21.00
09/24/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.02	29.00	
09/24/07	Clay Co/Sac Co & return mileage 122.0 @ .30 = 36.60	36.60	
09/24/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
09/24/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
		31.50	
10/01/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
10/01/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
10/01/07	Clay Co/Buena Vista Co & return mileage 90 @ .30 = 27.00	27.00	27.00
10/15/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
10/15/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
10/31/07	Mileage Dickinson/Clay & return 90 @ .30	27.00	
10/31/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
10/31/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
10/31/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
12/17/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
12/17/07	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
12/28/07	52 miles @ .30 = 15.60 Spencer/Emmetsburg & return	15.60	
12/28/07	Clay/Palo Alto & return 54 @ .30 = 16.20	16.20	16.20
01/03/08	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
01/03/08	Mileage Clay/Palo Alto & return (54 @ .30 = 16.20)	16.20	
01/03/08	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
01/03/08	Spencer to Spirit Lake & return mileage 52.0 @ .30 = 15.60	15.60	

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
03/14/08	428e074080739	FECR004081
05/14/08	428e135080706	SRCR023358
07/14/08	428e196080599	FECR004363
06/02/08	428e154080549	OWCR038850
07/09/08	428e191080857	OWCR038728
07/21/08	428e203080790	AGCR127637
04/01/08	428e092080781	SRCR011039
11/17/08	428e322090963	SRCR038812
11/21/08	428e326090745	FECR011007;SRCR011009;S MCR011008
05/20/08	428e143080910	AGCR038855
06/02/08	428e154080549	OWCR038850
07/24/08	428e206080771	AGCR038910
08/14/08	428e227080875	SRCR017040
11/17/08	428e322090963	SRCR038812
06/05/08	428B157080940	JVJV002551-2553
05/20/09	428E140090715	OWCR004372
09/14/09	428E257100767	FECR004309
06/09/08	428e161080689	SMSM39520
11/26/08	428e331090881	SRCR017030
12/31/08	428e366090576	OWCR017091
06/19/08	428e171080869	OWCR038793
07/09/08	428e191080857	OWCR038728
08/14/08	428e227080875	OWCR038959
09/23/08	428e267090656	OWCR038916
12/31/08	428e366090576	SRCR038965
04/14/09	428E104090670	SRCR038942

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
01/25/08	Mileage Clay/Palo Alto & return (54 @ .30 = 16.20)	16.20	
01/25/08	Clay Co/Cherokee & return mileage 104 @ .30 = 31.20	31.20	
01/25/08	Mileage Spencer to Emmetsburg & return (52 @ .30 = 15.60)	15.60	15.60
02/04/08	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	
02/04/08	Mileage Clay Co to Buena Vista and return 90 @ .30 = 27.00	27.00	27.00
02/04/08	Mileage Clay/Pocahontas & return (115 @ .34 = 40.25	40.25	
02/18/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	
02/18/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
02/18/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	42.70
03/12/08	Mileage Clay Co to Buena Vista and return 90 @ .35 = 31.50	31.50	
03/12/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
03/12/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
03/12/08	Mileage Dickinson/Clay & return 52 @ .35	18.20	
03/12/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
03/18/08	Mileage Dickinson / Clay & return 52 @ .35	18.20	
03/18/08	Clay/Palo Alto & return 54 @ .35 = 18.90	18.90	
03/18/08	Clay/Palo Alto & return 54 @ .35 = 18.90	18.90	18.90
03/25/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
03/25/08	Spencer to Spirit Lake & return mileage 52.0 @ .30 = 15.60	15.60	
03/25/08	Mileage (52 @ .35 Spencer to Spirit Lake & return)	18.20	18.20
03/31/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
03/31/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
03/31/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
03/31/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
03/31/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
03/31/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date		
Submitted	Claim #	Case #
07/08/08	428e190080628	FECR031329
07/09/08	428e191080857	OWCR038728
07/24/08	428e206080771	SRCR039008
08/07/08	428e220080748	OWCR127688
09/29/08	428e273090589	AGCR038986
02/10/09	428E041090716	AGCR038998
07/14/08	428e196080599	FECR004363
11/13/08	428e318090757	FECR038928
09/28/09	428E271100816	AGCR004391
09/23/08	428e267090656	OWCR039031
12/04/08	428E339090855	AGCR038405
07/24/08	428e206080771	AGCR038910
08/12/08	428e225080747	SRCR039007
08/14/08	428e227080875	SRCR038749
08/14/08	428e227080875	OWCR038959
09/29/08	428e273090589	AGCR038986
02/10/09	428E041090716	AGCR038998
04/14/09	428E104090670	SRCR038942
08/12/08	428e225080747	SRCR039007
04/14/09	428E104090670	SRCR038942
08/14/08	428B227080896	JVJV002594
10/13/08	428B287090799	JVJV002759
08/07/08	428e220080748	OWCR127688
08/14/08	428e227080875	OWCR038959
10/14/08	428e288090794	FECR011100
11/17/08	428e322090963	OWCR039105

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
04/28/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
04/28/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
04/28/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
04/28/08	Mileage Clay/Pocahontas & return (115 @ .34 = 40.25	40.25	
04/28/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
04/28/08	Spencer to Storm Lake & return mileage 90 @ .35 = 31.50	31.50	31.50
05/01/08	Mileage Spencer to Emmetsburg & return (52 @ .35 = 18.20)	18.20	
05/01/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
05/01/08	Clay/ Palo Alto & return 52 @ .35 = 18.20	18.20	18.20
05/12/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
05/12/08	Clay Co/Buena Vist & return 90 @ .35 = 31.50	31.50	31.50
05/14/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
05/14/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
05/14/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
05/14/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
05/14/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
05/14/08	Spencer to Storm Lake & return mileage 90 @ .35 = 31.50	31.50	31.50
05/14/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
06/09/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
06/09/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
06/17/08	Mileage Dickinson/Clay & return 52 @ .35	18.20	
06/17/08	Mileage Spencer to Spirit Lake & return (52 @ .35 = 18.20)	18.20	18.20
06/23/08	Mileage Clay/Pocahontas & return (115 @ .34 = 40.25	40.25	
06/23/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
06/23/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	
06/23/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
11/26/08	428e331090881	FECR127734
12/04/08	428E339090855	SRCR039058
08/20/08	428e233080842	FECR038423
12/02/08	428B337090913	AGCR017335
02/02/09	428E033090652	FECR039103
09/23/08	428e267090656	OWCR038916
09/29/08	428e273090589	SRCR039097
11/21/08	428e326090745	FECR011007; SRCR011009; SMCR011008
09/25/08	428e269090863	SRCR039024
12/04/08	428E339090855	AGCR038405
12/12/08	428e347090884	OWCR039109
10/06/08	428e280090706	FECR038455
01/15/09	428e015090609	FECR039022
09/08/08	428B252090756	JVJV002474
09/10/08	428B254090792	JVJV002587
09/29/08	428e273090589	AGCR038877
10/14/08	428e288090794	FECR011100
01/08/09	428e008090843	OWCR009277
05/18/09	428E138090735	AGCR039036
07/08/09	428E189091002	OWCR039172
12/15/08	428e350090703	OWCR039173
01/28/09	428E028090882	FECR039038
10/14/08	428e288090794	FECR011100
11/17/08	428e322090963	OWCR039105

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
06/23/08	Clay/Pocahontas & return 122 @ .35 = 42.7	42.70	42.70
06/23/08	Clay Co/Buena Vista & return 90 @ .35 = 31.50	31.50	31.50
06/30/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
06/30/08	Spencer to Spirit Lake & return mileage 52.0 @ .35 = 15.60	18.20	
06/30/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
07/07/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
07/07/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	31.50
07/07/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	
07/09/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
07/09/08	Clay Co/Buena Vist & return 90 @ .35 = 31.50	31.50	31.50
07/09/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
07/14/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
07/14/08	Spencer/Storm Lake & return mileage 90 @ .35 = 31.50	31.50	31.50
07/15/08	Mileage Dickinson/Clay & return 52 @ .35	18.20	
07/15/08	Mileage Dickinson/Clay & return 52 @ .35	18.20	18.20
08/04/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	
08/04/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	
08/04/08	Spencer to Estherville and return (70 miles @ .35 = 24.50	24.50	
08/04/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
08/04/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
08/11/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
08/11/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
08/18/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	
08/18/08	Mileage Clay Co to Buena Vista and return 90 @ .35 =31.50	31.50	

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
12/31/08	428e366090576	OWCR011136
04/22/09	428E112090700	AGCR039209
11/21/08	428e326090745	FECR011007;SRCR011009; SMCR011008
09/12/08	428B256090957	JVJV002675
10/13/08	428B287090799	JVJV002759
11/13/08	428e318090757	FECR038928
04/06/09	428E096090873	FECR039222
09/21/09	428E264100736	FECR017469
11/17/08	428e322090963	FECR127715
12/04/08	428E339090855	AGCR038405
01/22/09	428e022090735	AGCR039232
01/15/09	428e015090609	FECR039022
01/28/09	428E028090882	FECR039038
01/28/09	428E028090882	FECR039059
06/22/09	428E173090658	FECR039119
12/05/08	428E340090706	FECR039185
05/14/09	428E134090688	FECR039229
11/14/08	428B319090981	SRCR016018, SM064065, SM063563
11/17/08	428e322090963	SRCR039085
12/04/08	428E339090855	AGCR038405
12/15/08	428e350090703	OWCR039173
12/23/08	428e358090731	AGCR038580, FECR038575
02/25/09	428E056090740	SRCR039189
04/22/09	428E112090700	AGCR039209
07/08/09	428E189091002	OWCR039172

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
08/18/08	Clay Co/Sac Co & return mileage 122 @ .35 = 42.70	42.70	42.70
08/18/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
08/18/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	42.70
08/19/08	Mileage Dickinson/Clay & return 52 @ .35	18.20	
08/19/08	Mileage Spencer to Spirit Lake & return (52 @ .35 = 18.20)	18.20	18.20
08/25/08	Mileage Clay Co to Buena Vista and return 90 @ .35 = 31.50	31.50	
08/25/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
08/25/08	52 @ .35 Spencer to Spirit Lake & return)	18.20	
09/02/08	Mileage Clay/Pocahontas & return (116 @ .35 = 40.60)	40.60	
09/02/08	Clay Co/Buena Vist & return 90 @ .35 = 31.50	31.50	
09/02/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/04/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
09/04/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/04/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/04/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/08/08	Clay Co/Buena Vist & return 90 @ .35 = 31.50	31.50	
09/08/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/10/08	Mileage Dickinson / Clay & return 52 @ .35	18.20	
09/10/08	Mileage Clay Co to Buena Vista and return 90 @ .35 = 31.50	31.50	
09/10/08	Clay Co/Buena Vist & return 90 @ .35 = 31.50	31.50	31.50
09/10/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/10/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/10/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/10/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/10/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
11/21/08	428e326090745	FECR011007;SRCR011009;S MCR011008
01/26/09	428e026090778	AGCR039183
03/09/09	428E068090860	SRCR039246
11/12/08	428e317090945	OWCR038738
12/12/08	428e347090884	OWCR039109
12/22/08	428e357090606	AGCR010946
01/28/09	428E028090882	OWCR039294
03/11/09	428E070090710	OWCR039296
03/16/09	428E075090945	AGCR039297
04/28/09	428E118090710	AGCR039278, SM39326, SM39581
06/22/09	428E173090658	FECR039119
07/08/09	428E189091002	OWCR039172
11/21/08	428e326090745	FECR011007; SRCR011009; SMCR011008
12/12/08	428e347090884	OWCR039109
12/22/08	428e357090606	AGCR010946
01/26/09	428e026090778	SRCR039321
04/20/09	428E110090861	OWCR038705
12/31/08	428e366090576	OWCR039187
01/08/09	428e008090843	OWCR009277
01/22/09	428e022090735	AGCR039232
03/11/09	428E070090710	SRCR039364
01/15/09	428e015090609	FECR039022
03/06/09	428E065090809	FECR039336
01/28/09	428E028090882	FECR039059
03/24/09	428E083090763	FECR039312

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
09/15/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	
09/15/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
09/15/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/29/08	Mileage Clay Co to Buena Vista and return 90 @ .35 = 31.50	31.50	
09/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/29/08	Clay Co/Sac Co & return mileage 122 @ .30 = 42.70	42.70	
09/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/29/08	Spencer to Storm Lake & return mileage 90 @ .35 = 31.50	31.50	31.50
09/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/13/08	Clay Co/Sac Co & return mileage 122.0 @ .35 = 42.70	42.70	
10/13/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
10/13/08	Clay Co/Sac Co & return mileage 122 @ .30 = 42.70	42.70	42.70
10/13/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/13/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/27/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
10/27/08	Spencer to Estherville and return (70 miles @ .35 = 24.50	24.50	
10/27/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/27/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/03/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/03/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/06/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/06/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
04/06/09	428E096090873	FECR039222
02/09/09	428B040090740	JVJV002215
05/01/09	428B121090937	JVJV002063, 2064, 2065, 2066, 2067
12/23/08	428e358090731	SRCR011230
01/22/09	428e022090735	AGCR039232
03/11/09	428E070090710	OWCR039296
03/16/09	428E075090945	AGCR039297
06/03/09	428E154090623	AGCR039393
01/26/09	428e026090778	SRCR039321
01/28/09	428E028090882	OWCR039294
02/25/09	428E056090740	SRCR039189
04/20/09	428E110090861	OWCR038705
04/22/09	428E112090700	AGCR039209
01/28/09	428E028090882	FECR039423
02/02/09	428E033090652	AGR017406
02/25/09	428E056090783	FECR039413
02/02/09	428E033090652	OWCR038850
02/02/09	428E033090652	FECR127791
03/09/09	428E068090860	SRCR039246
04/28/09	428E118090710	AGCR039278, SM39326, SM39581
05/26/09	428E146090819	FECR127864
03/11/09	428E070090710	SRCR039387, SMSM040559
07/08/09	428E189091002	OWCR039439
03/24/09	428E083090763	FECR039312
04/06/09	428E096090873	FECR039222

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
11/06/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/20/08	Spencer to Estherville and return (70 miles @ .35 = 24.50)	24.50	
11/20/08	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	28.00
11/24/08	Clay Co/Sac Co & return mileage 122 @ .35 = 42.70	42.70	
11/24/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/24/08	Spencer to Storm Lake & return mileage 90 @ .35 = 31.50	31.50	31.50
11/24/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/24/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/26/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/26/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/26/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/26/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/26/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/01/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
12/01/08	52 @ .33 Spencer to Spirit Lake & return	18.20	
12/01/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/08/08	2 trips from Clay to Buena Vista & return (90 miles @ .35)	31.50	
12/08/08	Clay/Pocahontas & return (115 @ .35 = 40.25)	40.25	
12/08/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/08/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/08/08	Clay/Pocahontas & return (115 @ .35 = 40.25)	40.25	40.25
12/22/08	Spencer to Storm Lake & return mileage 90 @ .35 = 31.50	31.50	
12/22/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
12/29/08	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
02/10/09	428E041090716	FECR0127607
05/14/09	428E134090688	OWCR039445
05/26/09	428E146090819	FECR127864
03/16/09	428E075090945	SRCR039298
04/22/09	428E112090700	AGCR039209
04/28/09	428E118090710	SRCR039480
06/15/09	428E166090997	FECR039367
07/08/09	428E189091002	OWCR039439
09/14/09	428E257100767	FECR004309
02/18/09	428B049090640	JVJV001726
03/20/09	428E079091079	AGCR004368
07/22/09	428E203090920	OWCR004235
04/06/09	428E096090823	AGCR017462
09/02/09	428E245100704	SRCR017708, SM066772
04/20/09	428E110090861	AGCR039522
08/24/09	428E236090790	OWCR039469
04/06/09	428E096090873	FECR039222
05/26/09	428E146090819	FECR127864
11/09/09	428E313100914	FECR039471
04/20/09	428E110090861	AGCR039522
12/18/09	428E352100815	FECR039530
05/14/09	428E134090688	AGCR039329
05/14/09	428E134090688	FECR039229

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
01/05/09	Clay/Pocahontas & return (115 @ .35 = 40.25	40.25	
01/05/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
01/05/09	Clay/Pocahontas & return (115 @ .35 = 40.25	40.25	40.25
01/14/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
01/14/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/14/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/14/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/14/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/14/09	Waiver of speedy trial Clay/clients home/Palo Alto (120 @ .35 = 42.00)	42.00	
01/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
01/21/09	Clay/Palo Alto & return 54 @ .30 = 18.90	18.90	
01/21/09	Clay/Palo Alto & return 54 @ .35 = 18.90	18.90	18.90
01/27/09	Mileage (52 @ .35 Spencer to Spirit Lake & return)	18.20	
01/27/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	18.20
02/02/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
02/02/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
02/09/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
02/09/09	Clay/Pocahontas & return (115 @ .35 = 40.25	40.25	
02/09/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
02/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
02/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
03/02/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
03/02/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
05/01/09	428B121090937	JVJV03063, 2064. 2065, 2066, 2067
06/09/09	428E160090843	FECR039433
06/22/09	428E173090658	FECR039119
08/06/09	428E218090881	OWCR017542
05/19/09	428E139090722	SRCR004569
08/13/09	428E224090902	OWCR039566
09/02/09	428E245100704	OWCR039573
05/13/10	428E133100860	OWCR039567
06/03/09	428E154090623	SMSM040970
04/13/10	428B103100993	JVJV001841 - 1842
06/15/09	428E166090997	FECR039367
08/24/09	428E236090790	OWCR039469
09/02/09	428E245100704	OWCR039573
10/30/09	428E303100872	AGCR005414
12/15/09	428E349100626	AGCR039609
01/13/10	428B013100943	FECR039967
06/12/09	428B163090938	JVJV001815
04/13/10	428B103100993	JVJV001841 - 1842
07/08/09	428E189091002	OWCR039172
08/13/09	428E224090902	OWCR039566
09/02/09	428E245100704	OWCR039573
10/26/09	428E299100856	AGCR005429, SMSM012014
12/02/09	428B336100864	SRCR039661
12/14/09	428E348100968	FECR039653
12/18/09	428E352100815	FECR039530
01/13/10	428B013100943	FECR039967

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
03/05/09	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	
03/05/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
03/05/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
03/05/09	Dickinson/Clay & return 52 @ .35)	18.20	
03/16/09	Clay/Palo Alto & return 54 @ .35 = 18.90	18.90	
03/16/09	Spencer/Storm Lake & return mileage 90 @ .35 = 31.50	31.50	
03/16/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
03/16/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
04/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/13/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
04/13/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/13/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/13/09	Spencer to Sibley & return (124 miles @ .35 = 43.40)	43.40	
04/13/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/13/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/16/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
04/16/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/27/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
04/27/09	Spencer/Storm Lake & return mileage 90 @ .35 = 31.50	31.50	31.50
04/27/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
04/27/09	Spencer to Sibley & return (124 miles @ .35 = 43.40)	43.40	
04/27/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
05/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
05/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
05/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
02/03/10	428E034100728	SRCR016473
09/14/09	428E257100767	AGCR004580
12/02/09	428B336100864	SRCR039661
05/13/10	428E133100860	OWCR039567
11/23/09	428E327100511	FECR039731
01/14/10	428E14100966	FECR039541, AGCR039601, FECR038901
08/07/09	428E219091095	JVJV001726
09/02/09	428E245100755	FECR039739
09/02/09	428E245100755	SRCR017746, SM066841
02/03/10	428E034100728	SRCR016473
09/02/09	428E245100755	FECR039739
11/23/09	428E327100511	FECR039731
09/14/09	428E257100767	FECR038901
09/21/09	428E264100736	FECR017469
11/24/09	428E328100556	FECR039769
09/02/09	428E245100704	SRCR017708, SM066772
09/28/09	428E271100816	AGCR004391
12/14/09	428E348100968	FECR039653
01/13/10	428B013100943	FECR039967
09/14/09	428E257100767	FECR038901
11/09/09	428E313100914	FECR039471
12/14/09	428E348100968	FECR039653

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
05/07/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
05/20/09	Clay/Palo Alto & return 55 @ .35 = 19.25	19.25	
05/20/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
05/20/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
06/01/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
06/01/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
06/03/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
06/03/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
06/25/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
06/25/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	18.20
06/29/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
06/29/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
07/13/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
07/13/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
07/13/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
07/15/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
07/15/09	Clay/ Palo Alto & return 52 @ .35 = 18.20	18.20	18.20
07/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
07/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
07/27/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
07/27/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
07/27/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
11/09/09	428E313100914	AGCR039801
12/15/09	428E349100626	AGCR039609
10/30/09	428E303100779	FECR017467
10/30/09	428E303100848	SRCR039758
11/09/09	428E313100914	FECR039471
06/08/10	428D159100573	AGCR009545
12/28/09	428B362100974	JVJV003393, JVJV002294
06/08/10	428D159100573	AGCR009545
12/14/09	428E348100968	FECR039653
01/06/10	428E006100859	FECR039673
01/13/10	428B013100943	FECR039967
01/22/10	428E022100781	FECR017621
01/29/10	428E029100815	FECR009426
03/17/10	428E076100874	FECR039911
12/15/09	428E349100626	AGCR039609
05/17/10	428E137100900	FECR039918
12/21/09	428E355100842	FECR004081
12/22/09	428E356100779	FECR004568
04/13/10	428B103100993	JVJV001841 - 1842
04/30/10	428E120100782	OWCR004443
12/18/09	428E352100815	FECR039530
04/07/10	428B097100744	JV002295, JV2296
04/13/10	428B103100993	JVJV001841 - 1842
01/07/10	428E007100833	OWCR039943
04/22/10	428B112100791	JVJV001886

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
08/12/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
08/12/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
08/17/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
08/17/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
08/17/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
08/17/09	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	
09/15/09	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	
09/15/09	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	28.00
09/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
09/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/21/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
09/21/09	Clay/O'Brien & return (65 miles @ .35 = 22.75)	22.75	
09/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
09/28/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
09/28/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/16/09	Clay/ Palo Alto & return 55 @ .35 = 19.25	19.25	
10/16/09	Clay/ Palo Alto & return 54 @ .35 = 18.90	18.90	18.90
10/16/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
10/16/09	Clay/ Palo Alto & return 54 @ .35 = 18.90	18.90	18.90
10/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
10/21/09	Dickinson/Clay & return 52 @ .35	18.20	
10/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
10/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
12/04/09	428B338100818	JVJV001815
12/14/09	428E348100968	OWCR037969
04/22/10	428E112100817	SECR039933
08/26/10	428D238100503	OWCR039985
01/13/10	428B013100943	FECR039967
01/14/10	428E14100966	FECR039541, AGCR039601, FECR038901
07/28/10	428D209100538	FECR018110
12/22/09	428E356100779	SRCR004598
12/24/09	428E358100755	SMSM066908
01/08/10	428E008100901	AGCR004560
05/24/10	428E144100860	SM067022
07/28/10	428D209100538	FECR018110
01/06/10	428E006100859	FECR039673
04/13/10	428B103100993	JVJV001841 - 1842
05/13/10	428E133100860	FECR040036
08/03/10	428D215100650	AGCR009617
12/31/09	428B365100671	JVJV001726
04/13/10	428B103100993	JVJV001841 - 1842
04/22/10	428B112100791	JVJV001886
02/01/10	428E032100766	FECR015550, SM065791
02/03/10	428E034100728	SRCR016473
02/17/10	428E048100887	AGCR039226
05/13/10	428E133100860	OWCR039567
08/26/10	428D238100503	OWCR039985

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
10/26/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
10/26/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/26/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
10/26/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/02/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/02/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/02/09	Dickinson/Clay & return 54 @ .35 = 18.90	18.90	
11/12/09	Clay/ Palo Alto & return 55 @ .35 = 19.25	19.25	
11/12/09	52 @ .35 Spencer to Spirit Lake & return	18.20	
11/12/09	Clay/ Palo Alto & return 54 @ .35 = 18.90	18.90	18.90
11/12/09	Spencer to Spirit Lake & return mileage 52.0 @ .35 = 18.20	18.20	18.20
11/12/09	Dickinson/Clay & return 54 @ .35 = 18.90	18.90	18.90
11/16/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/16/09	Maternal grandmother Spencer/Brida = 160 miles @ .35 = 56.00	56.00	
11/16/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/16/09	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	
11/18/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/18/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/18/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/19/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
11/19/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	18.20
11/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
11/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
11/23/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
01/14/10	428E14100966	SRCR039929
01/22/10	428E022100781	FECR017621
03/05/10	428E064100916	SRCR039940
08/26/10	428D238100503	OWCR039985
02/01/10	428E032100766	SMSM041481
02/17/10	428E048100887	SM041498
03/03/10	428E062100731	AGCR040056
05/24/10	428E144101013	AGCR040037
02/24/10	428E055100639	SRCR009431
04/30/10	428E120100761	SRCR040034
05/17/10	428E137100900	FECR040019
03/08/10	428E067100910	FECR038715
03/17/10	428E076100874	FECR039911
03/22/10	428E081100861	FECR040043
05/07/10	428E127100765	FECR039896
05/13/10	428E133100860	FECR040036
03/17/10	428E076100874	FECR039911
04/21/10	428E111100769	AGCR038723
04/22/10	428E112100817	SECR039933
04/21/10	428E111100769	AGCR039932
05/24/10	428E144100931	FECR039119
03/25/10	428B084100963	JVJV001726
04/22/10	428E112100817	SECR039933

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
12/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
12/07/09	52 @ .35 Spencer to Spirit Lake & return)	18.20	
12/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/07/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/08/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
12/08/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
12/21/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
12/28/09	Clay/O'Brien & return (65 miles @ .35 = 22.75)	22.75	
12/28/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
12/28/09	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/11/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
01/11/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/11/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/11/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/11/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/19/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
01/19/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/19/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
01/27/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
01/27/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
02/03/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
02/03/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
04/26/10	428E116100815	SM0418711
04/30/10	428E120100761	SRCR040034
07/07/10	428D188100548	FECR040166
04/22/10	428B112100791	JVJV001886
04/22/10	428E112100817	SECR039933
05/07/10	428E127100765	FECR039896
05/17/10	428E137100900	FECR040019
06/30/10	428D181100513	FECR040138
05/25/10	428D145100562	SRCR023684
07/29/10	428D210100518	SRCR009372
08/03/10	428D215100650	AGCR009617
05/17/10	428E137100900	FECR017917
07/28/10	428D209100538	FECR018110
07/07/10	428D188100548	SRCR040252
07/07/10	428D188100548	OWCR128158
08/25/10	428D237100530	FECR128180
06/30/10	428D181100513	FECR040138
08/26/10	428D238100503	OWCR039985
06/17/10	428D168100532	FECR014817
07/07/10	428D188100548	SRCR040252

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
02/16/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
02/16/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
02/16/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
02/17/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
02/17/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
02/22/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
02/22/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
02/22/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
03/10/10	Clay/Cherokee & return 100 @ .35 = 35.00	35.00	
03/10/10	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	
03/10/10	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	28.00
04/05/10	Dickinson/Clay & return 52 @ .35 = 18.20	18.20	
04/05/10	Dickinson/Clay & return 54 @ .35 = 18.90	18.90	18.20
04/12/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
04/12/10	Clay/Pocahontas & return (115 @ .35 = 40.25)	40.25	
04/12/10	Clay/Pocahontas & return (115 @ .35 = 40.25)	40.25	40.25
04/26/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
04/26/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
05/10/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
05/10/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Duplicate Mileage Claims
For the period August 31, 2007 through March 31, 2011

Per Claim		
Date Submitted	Claim #	Case #
06/17/10	428D168100532	FECR014817
07/06/10	428B187100749	JVJV001726
07/29/10	428D210100518	AGCR023489
07/29/10	428D210100518	SRCR009372
08/24/10	428D236100669	SRCR009431
Total		

NOTE: During our fieldwork, claims submitted during fiscal year 2011 were not readily available for detailed testing and analysis of non-hourly costs, such as mileage, photocopying and postage. As a result, duplicate trips were not identified for fiscal year 2011. In addition, Mr. McDaniel may have submitted claims during fiscal year 2011 which included additional duplicate trips during prior fiscal years.

Per Billing Statement			
Date of Travel	Description of Travel	Cost	Improper
05/19/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	
05/19/10	Clay Co/Buena Vista Co & return mileage 90 @ .35 = 31.50	31.50	31.50
05/19/10	Clay/Cherokee & return 100 @ .35 = 35.00	35.00	
05/20/10	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	
05/20/10	Clay/Emmet & return (80 @ .35 = 28.00)	28.00	28.00
			<u>\$ 6,137.35</u>

Report on Special Investigation of the
Department of Inspections and Appeals
Office of the State Public Defender

Staff

This special investigation was performed by:

Annette K. Campbell, CPA, Director
Lara K. Van Wyk, Staff Auditor
Jamie T. Reuter, Staff Auditor

A handwritten signature in black ink, reading "Tamera S. Kusian". The signature is written in a cursive style with a large, stylized 'T' and 'K'.

Tamera S. Kusian, CPA
Deputy Auditor of State

Appendices

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Copies of Correspondence Between the
State Public Defender and Ney McDaniel



OFFICE OF THE STATE PUBLIC DEFENDER
Samuel P. Langholz, State Public Defender

Governor Terry E. Branstad
Lt. Governor Kim Reynolds

February 17, 2011

Mr. Ney T. McDaniel
1215 West 11th Street
Spencer, Iowa 51301

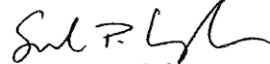
Dear Mr. McDaniel:

A recent review of your claims to the Indigent Defense Fund for fiscal years 2009 and 2010 indicates an unusually high level of billing for your legal services. Specifically, in fiscal year 2010, you claimed at least \$230,545 for your hourly fees. Even assuming that all the claims were Class B felonies paying at the rate of \$65/hour (and most were not), this would amount to billing 3546 hours in the year, or 68 hours per week without taking any week off. Similarly, in fiscal year 2009, you claimed at least \$233,583 for your hourly fees, which amounts to 3593 hours in the year, or 69 hours per week, making the same assumptions as above.

It appears highly unlikely that these claims accurately reflect the actual hours that you worked during these years. Accordingly, I am exercising my discretion under Iowa Administrative Code § 493-11.7(1) to terminate your contract with the State Public Defender for the provision of indigent defense legal services effective Monday, March 21, 2011.

If you wish to continue in your contract beyond that date, please submit to me before March 14, 2011, any explanation or additional information justifying the legal fees that you have billed. I will consider any additional information you provide in deciding whether to reinstate your contract.

Sincerely,


Samuel P. Langholz
State Public Defender

LUCAS STATE OFFICE BUILDING, 321 EAST 12TH STREET, DES MOINES, IOWA 50319-0087
PHONE (515)242-6158 FAX (515) 281-7289

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Copies of Correspondence Between the
State Public Defender and Ney McDaniel

Ney T. McDaniel
Attorney at Law
1215 West 11th Street
Po. Box 1238
Spencer, IA 51301
712-262-2930 (office)
712-262-6989 (fax)
e-mail: neymcdaniel@mchsi.com

March 7, 2011

Office of The State Public Defender
Attn: Mr. Samuel P. Langholz, State Public Defender
Lucas State Office Building, 321 East 12th Street
Des Moines, Iowa 50319-0087

Re: Your February 17, 2011 letter terminating my attorney-contract

Dear Mr. Langholz:

I would appreciate the opportunity to continue providing legal services for the indigent. I have been under contract with SPD since 2005 and have consistently rendered indigent-defense services in an area encompassing eight (8) counties, and sometimes more, throughout northwest Iowa. Indigent-criminal defense and juvenile law has constituted 98-99% of my entire law practice, and has done so since first coming onboard with SPD in 2005.

I understand your concerns are: (1) an unusually high amount of claims for 2009 and 2010 and (2) that it is highly unlikely the claims submitted during those years accurately reflected the actual number of attorney-hours that were performed/expended/and/or worked during 2009 and 2010.

There is a factual-basis for the claim-amount submitted during 2009 and 2010. There is a valid explanation for the claims being higher in amount. That reason being: not all hours of work were performed during and only during the year of submission. There are many instances wherein the actual hourly work performed actually took place in a preceding year, sometimes more than one year. Many cases were continued for a myriad of reasons over extended periods of time. Therefore, the reason for the higher amount in 09 and 10 was merely the result of attorney hours being actually performed prior to the year of claim submission after the case went to judgement or was otherwise concluded. The hours were carried over from year to year, depending upon when the case started and when it was concluded.

Some of the hours billed in 2010 were actually worked in 2009. And, some of the hours billed in 2009 were actually performed in 2008, and so on. I am not claiming to have worked as much as 68 or 69 hours per week during the years 2009 and 2010. But I

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Copies of Correspondence Between the
State Public Defender and Ney McDaniel

am telling you that the monies paid during 2009 and 2010 were **not** earned exclusively or solely from hours worked only during the same year that the claim was submitted for payment. All claims ever submitted during my years as a contract attorney have always included hours which were actually performed in a year other than the year of submission.

For instance, a claim paid in August, 2009 included attorney-hours, the majority of which, were expended in preceding years, with only 2.8 hours being actually performed during the year of claim-submission, 2009. The same applies for 2010 as well as any other year I have been doing court-appointed work for SPD.

I sincerely hope you will reconsider and reinstate my contract. I enjoy the work and want to keep doing it. Thank you for your consideration of my request.

Sincerely,



Ney T. McDaniel

NTM/mmd

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Copies of Correspondence Between the
State Public Defender and Ney McDaniel

Langholz, Samuel [SPD]

From: Langholz, Samuel [SPD]
Sent: Wednesday, April 20, 2011 10:47 AM
To: McDaniel, Ney (neymcdaniel@mchsi.com)
Subject: Indigent Defense Contract

Mr. McDaniel:

I apologize for my delay in responding to your letter of March 7. As stated in my February 17, 2011 correspondence, I exercised my discretion to terminate your contract at will, effective Monday, March 21, 2011. I also invited you to provide additional information for me to consider in determining whether to reinstate your contract.

I understand your explanation for the unusually high amount of fees billed in FY2010 and FY2009 to be that not all hours of work were performed during and only during year of submission. This explanation does not assuage my concerns. I took some time to look further into your claims to our office, and the unusually high amount of claims continues beyond just these two fiscal years. In FY 2008, you claimed \$185,591.50, which again giving you the benefit of assuming that all the claims were Class B felonies (which they were not) is 2855 hours of work. If only one fiscal year showed an unusually high number of hours, your explanation that the hours were from a previous year would hold more weight, but given three fiscal years in a row of such claims, I do not find it to be a reasonable explanation.

Accordingly, I will not be reinstating your contract. The termination of your contract effective March 21, 2011, remains in effect. As provided for in your contract, the Court is responsible for determining whether you shall continue to handle cases to which you are currently appointed.

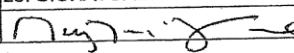
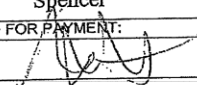
Sincerely,

Sam Langholz
State Public Defender
Lucas State Office Building
321 East 12th Street
Des Moines, IA 50319
(515) 242-6158

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

ADULT CLAIM

1. COUNTY: Buena Vista		2. COURT NUMBER: FECR039336		3. CLAIM TYPE: <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Non-Contract	
4. CLIENT FIRST NAME: [REDACTED]			5. CLIENT LAST NAME [REDACTED]		
6. DATE OF APPOINTMENT: 09 / 26 / 08		7. REPRESENTING: <input checked="" type="checkbox"/> DEFENDANT <input type="checkbox"/> OTHER _____		8. DATE OF SERVICE: 01 / 08 / 09	
9. IOWA CODE SECTION(S): 124.401(1)(d) and 453B.12					
10. CLIENT CHARGED WITH THE OFFENSE(S): manufacture of a controlled substance and tax stamp violation, Class D felony					
11. CLAIM SUMMARY:		Dollar Amount:		22. DISPOSITION:	
12. Attorney Out of Court Hours: 12.9				<input type="checkbox"/> Dismissal	
13. Attorney In Court Hours: 2.0				<input checked="" type="checkbox"/> Plea/Sentencing	
14. Total Attorney Hours: 14.9				<input type="checkbox"/> Verdict/Sentencing	
15. Total Attorney Fee: Rate: \$60.00				<input type="checkbox"/> Withdrawal	
16. Paralegal Hours:				<input type="checkbox"/> Acquittal	
17. Paralegal Fee: Rate:				<input type="checkbox"/> Interim Claim	
18. Hourly Fee Subtotal:		\$894.00		<input type="checkbox"/> Warrant Issued	
19. Expenses:				<input type="checkbox"/> Other (Describe)	
copies \$10.70				23. BILLING STATUS:	
postage \$14.55				Previous Billings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
mileage \$31.50				Amount Billed to Date _____	
20. Expense Total:		\$56.75			
21. Claim Total:		\$950.75			
<p>I, the undersigned attorney, certify that I have completed my services under the appointment; that I have not received nor have I entered into any agreement to receive compensation for these services, direct or indirect, from any source other than the State Public Defender; and that the above information summarizes the services and expenses for which I am entitled to payment. I further state that I have provided an itemized statement of services and expenses, a copy of which is attached, to my client.</p>					
24. DATE: 02 / 18 / 09		25. SIGNATURE: 		26. Make payment to <input type="checkbox"/> Change of Information	
NAME: Ney T. McDaniel		SSN / FEDERAL ID NUMBER: [REDACTED]		FAX NUMBER: (712) 262-6989	
ADDRESS: 1215 West 11th Street		CITY: Spencer		STATE ZIP CODE Iowa 51301	
TELEPHONE NUMBER: (712) 262-0364		27. APPROVED FOR PAYMENT:  State Public Defender		AMOUNT APPROVED (if changed):	

SUBMIT TWO SIGNED COPIES OF THIS FORM WITH ATTACHMENTS TO:

State Public Defender, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0087

Original: Revenue & Finance

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Rule 1.1901 – Form 8: Financial Affidavit/Application for Appointment of Counsel/Order.

In the Iowa District Court for Buena Vista County

State of Iowa, or _____ No. FECR 039336

Plaintiff /Petitioner _____

vs. _____

Defendant/Respondent _____

Financial Affidavit/Application for Appointment of Counsel/Order

Name: _____ Social Security No. N/A Birth date: _____

Address: _____ Street City State Zip Phone: _____

Charges: Child endangerment, Poss. Cont. Sub. & Traffic drug tax stamp Jail ☒ yes ☐ no

Do you have a job? yes Who do you work for? Bozwell's (Full Time) Part Time

How much money do you make before taxes or deductions? NDN per hr/mo/yr (Circle) Hours/Week _____

Does your spouse live with you? NO Number of children living with you 2

Does anyone who lives with you have a job? yes How much money do they make? ? per hr/mo/yr (Circle) _____

List all other money you have coming in, or anyone living with you has coming in: 34.00 dollars

List what you own including money in banks, cars, trucks, other vehicles, land, houses, buildings, cash, or anything else worth more than \$100: NDN

List what you pay monthly for mortgages, rent, car loans, credit cards, child support, any other debts: NDN

I understand I may be required to repay the State for my attorney fees and costs, I may be required to sign a wage assignment, and I must report any changes in this information. I promise under penalty of perjury the statements I make in this application are true and I am unable to pay an attorney.

Date 9-26-08 Signature: _____

Order

The Court finds as follows: _____ Not eligible for court-appointed counsel.

☒ Income at or below 125% of guidelines, defendant unable to pay an attorney substantial financial hardship.

_____ Income between 125% and 200% of guidelines, not appointing would cause substantial financial hardship.

_____ Income over 200% of guidelines, felony charge, not appointing would cause substantial financial hardship.

In parole violations, additional findings are required for appointment of counsel. Iowa Code sec. 908.2A(c).

Application is denied ☒ approved Neg. McDaniel (te: 712 260 2005 is appointed).

If attorney is not State Public Defender Office or organization designated by State Public Defender, attorney is contract attorney is not contract attorney and qualified contract attorney is not available. "Contract attorney" means attorney on contract list for this county or, in appellate cases, with an appellate contract.

Date 9-26-08 Judge John J. Wells

I certify that a copy of the original of this document was mailed, delivered, faxed to: McDaniel 9-29-08

Clerk of District Court OK
Buena Vista County, Iowa

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # FECR039336 [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
9/26/2008	Review Application for Appointment of Counsel/Order	0.1	
	P/C from jailer/return call from jailer	0.2	
	Review Record of Initial Appearance/Calendar Prelim Hrg	0.1	
	Review KCID online "arrests"	0.1	
	Review complaint and affidavit	0.1	
	Research clients online criminal history (6 pgs @ .10 = .60)	0.3	\$ 0.60
	Review fax from Clerk of court (4 faxed pgs)	0.1	\$ 0.40
	P/C to Co. Atty/return call from Co. Atty	0.2	
	Prepare Appearance (copies 3 @ 10 = .30)	0.1	\$ 0.30
	Prepare Clerk & Co. Atty letter ref: Appearance		
	4 copies @ .10 = .40 postage 4 @ .42 = 1.68		\$ 2.08
	Prepare client letter ref: Appearance, phone numbers, intro	0.1	
	4 copies @ .10 = .40 postage 1 @ .42 = .42		\$ 0.82
9/29/2008	Review correspondence from Co. Atty	0.1	
	P/C to Co. Atty	0.1	
10/3/2008	P/C from client's family in Texas	0.2	
	Conference with Client	0.3	
10/8/2008	Review letter from client to Judge ref: private counsel	0.1	
10/10/2008	Review T.I.	0.5	\$ 1
	Prepare Arraignment/Not Guilty plea(3 copies, 2 pg each)	0.1	\$ 0.60
	Prepare client letter ref: instructions for arraignment	0.1	
	2 copies + 10 T.I. = 1.20 postage 1 @ .83 + 1 @ .42 + 4 @ .17 = 1.93		\$ 3.13
10/18/2008	Review Calendar Entry & Order - OK to hire private counsel	0.1	
	Telephone call to County Atty - return call from Co. Atty staff	0.2	
10/20/2008	Review Order to Continue arraignment, 11/3/8	0.1	
	P/C to client ref: Arraignment continued to 11/3/08	0.1	
	4 copies @ .10 = .40 postage 1 @ .42 = .42		\$ 0.82
10/28/2008	P/C from client's family in Texas	0.2	
10/31/2008	Review voice message from client - return call to jail	0.1	
	P/C from Client in jail	0.1	

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # FECR039336 [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
11/3/2008	Arraignment Hrg	1.0	
	Conference with Client	0.5	
	Conference with Co. Atty	0.3	
	mileage Clay/Buena Vista & return 90 @ .35 = 31.50		\$ 31.50
11/6/2008	Review voice message from client's family	0.1	
	Review Order fixing dates after arraignment	0.1	
	P/C to Client and review Order - PTC set for 1-8-09	0.2	
	4 copies @ .10 = .40 postage 1 @ .42 = .42		\$ 0.82
	Review letter from client to clerk of court (1 faxed Pg)	0.1	\$ 0.10
11/7/2008	P/C to Co. Atty ref: depositions	0.1	
	P/C to jail - message left for client ref: depositions	0.1	
	Prepare pretrial request for disclosure(3 copies, 5 pg each)	0.1	\$ 1.50
	Prepare Co. Atty & Clerk letter: Pretrial request		\$ 2.59
	4 copies @ .10 = .40 postage 4 @ .42 + 3 @ .17 = 2.19		\$ 0.40
	Prepare Application for Depositions & order (4 copies)	0.1	
	Prepare clerk & Co. Atty letter ref: depositions		\$ 2.25
	4 copies @ .10 = .40 postage 4 @ .42 + 1 @ .17 = 1.85		
11/8/2008	Read & respond to client's letter "events of her arrest"	0.2	
	P/C from Client	0.1	
	P/C to Client - Bond Review	0.2	
11/10/2008	Prepare Application for Bond Review (3 copies, 2 pages ea)	0.1	\$ 0.60
	Prepare Co. Atty and Clerk letter ref: Bond Review App		\$ 2.59
	4 copies @ .10 = .40 postage 4 @ .42 + 3 @ .17 = 2.19		
	P/C from Client ref: DCI reports	0.1	
11/11/2008	P/C to jailer ref: message to client ref: bond review	0.1	
	P/C from Client	0.1	
11/12/2008	P/C to Client family	0.2	
	P/C from father	0.1	
	Review resistance to bond review hrg filed by Co. Atty	0.1	
11/13/2008	Review letter from client ref: charges	0.1	
	P/C from Client ref: probation in Texas	0.1	
11/17/2008	Review Order for depositions (1 emailed page)	0.1	\$ 0.10
	Review Order for Bond Review (11/24/08)(1 pg faxed pg)	0.1	\$ 0.10
	P/C to Co. jail & prepare letter to client (Hrg set 11-24-08)	0.1	
	4 copies @ .10 = .40 postage 1 @ .42		\$ 0.82

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # FECR039336 [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
11/3/2008	Arraignment Hrg	1.0	
	Conference with Client	0.5	
	Conference with Co. Atty	0.3	
	mileage Clay/Buena Vista & return 90 @ .35 = 31.50		\$ 31.50
11/6/2008	Review voice message from client's family	0.1	
	Review Order fixing dates after arraignment	0.1	
	P/C to Client and review Order - PTC set for 1-8-09	0.2	
	4 copies @ .10 = .40 postage 1 @ .42 = .42		\$ 0.82
	Review letter from client to clerk of court (1 faxed Pg)	0.1	\$ 0.10
11/7/2008	P/C to Co. Atty ref: depositions	0.1	
	P/C to jail - message left for client ref: depositions	0.1	
	Prepare pretrial request for disclosure(3 copies, 5 pg each)	0.1	\$ 1.50
	Prepare Co. Atty & Clerk letter: Pretrial request		\$ 2.59
	4 copies @ .10 = .40 postage 4 @ .42 + 3 @ .17 = 2.19		\$ 2.19
	Prepare Application for Depositions & order (4 copies)	0.1	\$ 0.40
	Prepare clerk & Co. Atty letter ref: depositions		\$ 2.25
	4 copies @ .10 = .40 postage 4 @ .42 + 1 @ .17 = 1.85		\$ 1.85
11/8/2008	Read & respond to client's letter "events of her arrest"	0.2	
	P/C from Client	0.1	
	P/C to Client - Bond Review	0.2	
11/10/2008	Prepare Application for Bond Review (3 copies, 2 pages ea)	0.1	\$ 0.60
	Prepare Co. Atty and Clerk letter ref: Bond Review App		\$ 2.59
	4 copies @ .10 = .40 postage 4 @ .42 + 3 @ .17 = 2.19		\$ 2.19
	P/C from Client ref: DCI reports	0.1	
11/11/2008	P/C to jailer ref: message to client ref: bond review	0.1	
	P/C from Client	0.1	
11/12/2008	P/C to Client family	0.2	
	P/C from father	0.1	
	Review resistance to bond review hrg filed by Co. Atty	0.1	
11/13/2008	Review letter from client ref: charges	0.1	
	P/C from Client ref: probation in Texas	0.1	
11/17/2008	Review Order for depositions (1 emailed page)	0.1	\$ 0.10
	Review Order for Bond Review (11/24/08)(1 pg faxed pg)	0.1	\$ 0.10
	P/C to Co. jail & prepare letter to client (Hrg set 11-24-08)	0.1	
	4 copies @ .10 = .40 postage 1 @ .42		\$ 0.82

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # FECR039336 [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
11/20/2008	P/c to Client & prepare letter ref: Order for depositions 2 copies @ .10 = .20 postage 1 @ .42	0.1	\$ 0.62
11/24/2008	P/C from client's family - ref: Bond Review Hrg Conference with Co. Atty	0.1 0.3	
	P/C to Client ref: Bond review hrg cancelled due to no judge	0.1	
11/25/2008	P/C from client's family - ref: Bond Review Hrg cancelled	0.1	
11/27/2008	Review & respond to letter from Co. Atty Review Additional discovery Review CD of interview	0.1 0.7 1.0	
12/2/2008	P/C from client ref: new address upon release from jail	0.1	
	P/C from Client - ref: Child visitation rights due to charges	0.1	
12/30/2008	P/C from client's family	0.1	
1/6/2009	Prepare for PTC - Review discovery and DVD Research	0.7 0.5	
	P/C - Co. Atty regarding continue hrg from 9:30 am to 2 pm	0.1	
	Prepare motion- continue hrg from 9:30 a to 2:00 p & Order	0.1	\$ 0.40
	Prepare Co. Atty & Clerk letter Ref: Continue to afternoon		
	4 copies @ .10 = .40 postage 4 @ .42 + 2 @ .17 = 2.02		\$ 2.42
1/8/2009	Attend PTC	1.0	
	Conference with Client	0.7	
	Confine with Co. Atty	0.5	
1/12/2009	Review Judgment and Sentence	0.1	
	Prepare letter ref: Judgment and sentence	0.1	
	6 copies @ .10 = .60 postage 1 @ .42 = 1 @ .17 = .59		\$ 1.19
TOTAL TIME IN HOURS		14.9	
AT \$60.00 PER HOUR		\$ 894.00	
			\$ 56.75
TOTAL STATEMENT			\$ 950.75

Please Remit Payment To: Ney T. McDaniel, Attorney at Law
1215 West 11th Street
Spencer, Iowa 51301

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

ADULT CLAIM

1. COUNTY: Clay		2. COURT NUMBER: AGCR013955		3. CLAIM TYPE: <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Non-Contract	
4. CLIENT FIRST NAME: [REDACTED]		5. CLIENT LAST NAME [REDACTED]			
6. DATE OF APPOINTMENT: 09 / 03 / 08		7. REPRESENTING: <input checked="" type="checkbox"/> DEFENDANT <input type="checkbox"/> OTHER		8. DATE OF SERVICE: 01 / 12 / 09	
9. IOWA CODE SECTION(S): 726.6(7) 708.1 708.2A(2)(b)					
10. CLIENT CHARGED WITH THE OFFENSE(S): child endangerment, an aggravated misdemeanor, and assault, a serious misdemeanor					
11. CLAIM SUMMARY:		Dollar Amount:		22. DISPOSITION:	
12. Attorney Out of Court Hours: 13				<input type="checkbox"/> Dismissal	
13. Attorney In Court Hours: 2.0				<input checked="" type="checkbox"/> Plea/Sentencing	
14. Total Attorney Hours: 15				<input type="checkbox"/> Verdict/Sentencing	
15. Total Attorney Fee: Rate: \$60.00 \$900.00				<input type="checkbox"/> Withdrawal	
16. Paralegal Hours:				<input type="checkbox"/> Acquittal	
17. Paralegal Fee: Rate:				<input type="checkbox"/> Interim Claim	
18. Hourly Fee Subtotal:		\$900.00		<input type="checkbox"/> Warrant Issued	
19. Expenses:				<input type="checkbox"/> Other (Describe)	
copies \$8.40				23. BILLING STATUS:	
postage \$9.16				Previous Billings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				Amount Billed to Date	
20. Expense Total:		\$17.56			
21. Claim Total:		\$917.56			
<p>I, the undersigned attorney, certify that I have completed my services under the appointment; that I have not received nor have I entered into any agreement to receive compensation for these services, direct or indirect, from any source other than the State Public Defender; and that the above information summarizes the services and expenses for which I am entitled to payment. I further state that I have provided an itemized statement of services and expenses, a copy of which is attached, to my client.</p>					
24. DATE: 02 / 17 / 09		25. SIGNATURE: 		FIRST NAME: LAST NAME: Ney T. McDaniel	
<p>26. Make payment to <input type="checkbox"/> Change of Information</p>					
NAME: Ney T. McDaniel		SSN / FEDERAL ID NUMBER: [REDACTED]		FAX NUMBER: (712) 262-6989	
ADDRESS: 1215 West 11th Street		CITY: Spencer		STATE ZIP CODE Iowa 51301	
TELEPHONE NUMBER: (712) 262-0364		27. APPROVED FOR PAYMENT: 		AMOUNT APPROVED (if changed):	

SUBMIT TWO SIGNED COPIES OF THIS FORM WITH ATTACHMENTS TO:

State Public Defender, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0087

Original: Revenue & Finance

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

IN THE IOWA DISTRICT COURT FOR Clay COUNTY

FILED No. AGCR013955

Petitioner/Petitioner
Vs. 2008 AUG 25 AM 9:56
Defendant/Respondent

FILED No. AGCR013955
2008 SEP -3 AM 4:31 Criminal
CLAY COUNTY, IOWA

Financial Affidavit/Application for Appointment of Counsel/Order - Finding of Indigency

Name: [REDACTED] Security No.: N/A D.O.B. [REDACTED]

Address: [REDACTED] Street City State Zip Phone: [REDACTED]

Pending charges Domestic Abuse Assault causing injury Yes NO
Child Endangerment

Do you have a job? NO Who do you work for? N/A

How much do you earn before taxes or deductions? N/A per hour per month (Circle one)

Does your spouse live with you? N/A Number of children living with you? 0

Does anyone who lives with you have a job? YES How much do they earn? \$800 per mo/yr

List all other income you, or anyone living with you has only 1 other person works

List what you own including money in banks, vehicles, real estate, cash, or anything else worth more than \$100:
Desktop computer, television, home theater

List amounts you pay monthly for mortgages, rent, car loans, credit cards, child support, any other debts:
Does not have any debts

I understand that I may be required to repay the State for all or part of my attorney fees and costs. I may be required to sign a wage assignment, and I must report any changes in financial status. I certify under penalty of perjury that the statements I make in this application are true and that I am financially unable to employ an attorney to represent me.

Rule Copy hereof mailed or delivered to: Houchins, Co. Atty.

N. McDaniel Date: 8-19-08

Defendant: [REDACTED]

on 9-3 2008

Clerk of District Court
Clay County, Iowa

Court finds as follows:

☒ Not eligible for court-appointed counsel.

☐ Income at or below 125% of guidelines, defendant unable to pay an attorney.

☐ Income between 125% and 200% of guidelines, not appointing would cause substantial hardship.

☐ Income over 200% of guidelines, felony charge, not appointing would cause substantial hardship.

Application is denied ☒ approved NEY MC DANIEL 217-262-0364 is appointed.

Phone No.

Date: 9-3-08

Judge: [Signature]

ORDER MADE EFFECTIVE FROM DATE
OF CLIENT'S FIRST CONTACT WITH
THE ATTORNEY.

Reggie
Ney T.
McDaniel

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # AGCR013955 [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
9/3/2008	Review Application for Appointment of Counsel/Order	0.1	
	Review Record of Initial Appearance/Calendar Prelim Hrg	0.1	
	Research local news "Spencer daily reporter arrest"	0.1	
	Review complaint and affidavit	0.1	
	Research clients online criminal history (6 pgs @ .10 = .60)	0.1	\$ 0.60
	P/C from Client's girlfriend, interpreter (4 calls)	0.5	
	P/C to Clerk of Court - P/C from Clerk of Court	0.1	
	P/C to Judge	0.1	
	P/C to Co. Atty - Return call from Co. Atty staff	0.2	
	Prepare Appearance (copies 3 @ 10 = .30)	0.1	\$ 0.30
	Prepare Clerk & Co. Atty letter ref: Appearance		
	4 copies @ .10 = .40 postage 4 @ .42 = 1.68		\$ 2.08
	Prepare client letter ref: Appearance, phone numbers, intro	0.1	
	4 copies @ .10 = .40 postage 1 @ .42 = .42		\$ 0.82
9/4/2008	P/C to Clerk of Court	0.1	
	P/C to client - left message	0.1	
	P/C to Client's girlfriend/return call from girlfriend	0.2	
	Review T.I. (10 pgs faxed)	0.7	\$ 1.00
	Prepare Arraignment/Not Guilty plea(3 copies, 2 pg each)	0.1	\$ 0.60
	Prepare client letter ref: instructions for arraignment	0.1	
	2 copies+10 T.I. = 1.20 postage 1 @ .83 + 1 @ .42 + 4 @ .17 = 1.93		\$ 3.13
9/7/2008	P/C from Client's girlfriend, interpreter	0.2	
9/8/2008	Review voice message from client's friend - return call	0.1	
	Arraignment Hrg	1.0	
	Conference with Client and interpreter	0.8	
	Conference with Co. Atty	0.3	
	Review Order fixing dates after arraignment (1 emailed pg)	0.1	\$ 0.10
	P/C to Client/Prepare 2 letters - PTC set for 11-4-08	0.2	
	4 copies @ .10 = .40 postage 2 @ .42 = .84		\$ 1.24
9/10/2008	Read & respond to client's letter "events of her arrest"	0.2	
	2 copies @ .10 = .20 postage 1 @ .42		\$ 0.62
9/11/2008	P/C to Client and girlfriend	0.1	
	Return call from Client's girlfriend and interpreter	0.1	

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # AGCR013955 [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
9/26/2008	P/C to Co. Atty	0.1	
10/12/2008	P/C from Client's interpreter & girlfriend	0.3	
	P/C to Co. Atty	0.1	
10/17/2008	Review Order lift no-contact Order	0.1	
10/20/2008	P/C to client - left message	0.1	
	P/C from Client	0.1	
11/1/2008	Prepare pretrial request for disclosure(3 copies, 5 pg each)	0.1	\$ 1.50
	Prepare Co. Atty & Clerk letter: Pretrial request		
	4 copies @ .10 = .40 postage 4 @ .42 + 3 @ .17 = 2.19		\$ 2.59
11/3/2008	P/C from Client's girlfriend, interpreter	0.1	
11/4/2008	P/C to Co. Atty	0.1	
	Attend PTC - PTC continued, conference with Co. Atty	0.5	
	Conference with Client and girlfriend	0.5	
11/5/2008	Review Order - PTC continued 12/1/08 (1 emailed pg)	0.1	\$ 0.10
	P/C to Client & prepare letter PTC - 12-1-08	0.1	
	2 copies @ .10 = .20 postage 1 @ .42 = .42		\$ 0.62
11/12/2008	Review statement of compliance with discovery request	0.1	
	Review Additional Discovery	0.6	
	Research 708.2A(2)(b) and 726.6(7)	0.5	
	P/C to client's girlfriend ref: set appt to review discovery	0.1	
11/26/2008	P/c to Co. Atty	0.1	
	Review Suspected Child abuse reporting form	0.1	
	Review Domestic violence investigating form	0.1	
12/1/2008	Prepare for PTC	0.5	
	Attend PTC - PTC continued - P/C to Co. Atty	0.1	
	Conference with Client	0.3	
12/2/2008	Review Order - PTC continued to 12/15/08	0.1	
	P/C to Client & prepare letter PTC - 12-15-08	0.1	
	2 copies @ .10 = .20 postage 1 @ .42 = .42		\$ 0.62
12/13/2008	Review voice message from client	0.1	
12/15/2008	P/C to Client	0.1	
	PTC continued, conference with Co. Atty	0.1	
	P/C to Client and girlfriend	0.1	
	Review Order - PTC continued to 1/12/09	0.1	
	P/C to Client & prepare letter PTC - 1-12-09	0.1	
	2 copies @ .10 = .20 postage 1 @ .42 = .42		\$ 0.62

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # AGCR013955

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
12/29/2008	Review voice message from client's interpreter - return call	0.1	
1/11/2009	P/C from Client	0.1	
1/12/2009	P/C to Co. Atty	0.1	
	P/C to Client and interpreter	0.1	
	Prepare for PTC - review discovery	0.5	
	Attend PTC	1.0	
	Conference with Client and interpreter	0.7	
	Conference with Co. Atty	0.5	
1/13/2009	Review Application and Order - dismiss count I	0.1	
	Review Judgment Entry Misdemeanor - Count II	0.1	
1/15/2009	P/C to Client and prepare letter Judgment	0.1	
	6 @ .10 = .60 postage 1 @ .42 = .42		\$ 1.02

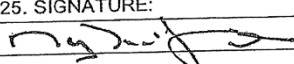
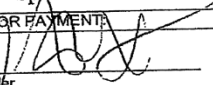
TOTAL TIME IN HOURS	15.0	
AT \$60.00 PER HOUR	\$ 900.00	
		\$ 17.56
TOTAL STATEMENT		\$ 917.56

Please Remit Payment To: Ney T. McDaniel, Attorney at Law
1215 West 11th Street
Spencer, Iowa 51301

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

ADULT CLAIM

1. COUNTY: Clay		2. COURT NUMBER: FECR013934		3. CLAIM TYPE: <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Non-Contract	
4. CLIENT FIRST NAME: [REDACTED]			5. CLIENT LAST NAME [REDACTED]		
6. DATE OF APPOINTMENT: 11 / 06 / 08		7. REPRESENTING: <input checked="" type="checkbox"/> DEFENDANT <input type="checkbox"/> OTHER _____		8. DATE OF SERVICE: 01 / 08 / 09	
9. IOWA CODE SECTION(S): 726.6(1) and 726.6(6)					
10. CLIENT CHARGED WITH THE OFFENSE(S): Child endangerment, a Class D felony					
11. CLAIM SUMMARY:			Dollar Amount:		22. DISPOSITION:
12. Attorney Out of Court Hours: 7.3					<input type="checkbox"/> Dismissal
13. Attorney In Court Hours: 1.0					<input checked="" type="checkbox"/> Plea/Sentencing
14. Total Attorney Hours: 8.3					<input type="checkbox"/> Verdict/Sentencing
15. Total Attorney Fee: Rate: \$60.00 \$498.00					<input type="checkbox"/> Withdrawal
16. Paralegal Hours:					<input type="checkbox"/> Acquittal
17. Paralegal Fee: Rate:					<input type="checkbox"/> Interim Claim
18. Hourly Fee Subtotal: \$498.00					<input type="checkbox"/> Warrant Issued
19. Expenses:					<input type="checkbox"/> Other (Describe)
copies \$4.90					
postage \$5.13					
20. Expense Total: \$10.03					23. BILLING STATUS:
21. Claim Total: \$508.03					Previous Billings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Amount Billed to Date _____					
<p>I, the undersigned attorney, certify that I have completed my services under the appointment; that I have not received nor have I entered into any agreement to receive compensation for these services, direct or indirect, from any source other than the State Public Defender; and that the above information summarizes the services and expenses for which I am entitled to payment. I further state that I have provided an itemized statement of services and expenses, a copy of which is attached, to my client.</p>					
24. DATE: 02 / 17 / 09		25. SIGNATURE: 		FIRST NAME: LAST NAME: Ney T. McDaniel	
<input type="checkbox"/> Change of Information					
26. Make payment to		SSN / FEDERAL ID NUMBER:		FAX NUMBER:	
NAME: Ney T. McDaniel		[REDACTED]		(712) 262-6989	
ADDRESS: 1215 West 11th Street		CITY: Spencer		STATE: Iowa	ZIP CODE: 51301
TELEPHONE NUMBER: (712) 262-0364		27. APPROVED FOR PAYMENT:  State Public Defender		AMOUNT APPROVED (if changed):	

SUBMIT TWO SIGNED COPIES OF THIS FORM WITH ATTACHMENTS TO:

State Public Defender, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0087

Original: Revenue & Finance

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

FILED IN THE IOWA DISTRICT COURT FOR CLAY COUNTY 2008 NOV -7 AM 8:30 CLERK DISTRICT COURT CLAY COUNTY, IOWA	
STATE OF IOWA, Plaintiff, vs. <div style="background-color: black; width: 100px; height: 15px; margin: 5px 0;"></div> Defendant.	Criminal No. FECR013934 CALENDAR ENTRY AND ORDER

Now on this 6th day of November, 2008, this matter comes before the Court for pretrial conference. The Court is advised that the defendant's attorney, James Hastings, has a conflict and that the parties have agreed that Attorney Ney McDaniel will be substituted for Attorney James Hastings to represent the defendant herein.

IT IS THEREFORE ORDERED that Ney McDaniel is hereby appointed to represent the defendant in these proceedings in lieu of James Hastings.

IT IS FURTHER ORDERED that pretrial conference in this matter is continued to **January 8, 2009, at 9:30 a.m.**, in the courtroom of the Clay County Courthouse, Spencer, Iowa, and that trial in this matter is continued to **January 27, 2009, at 9:30 a.m.**

NANCY L. WHITTENBURG
 NANCY L. WHITTENBURG, Judge
 Third Judicial District of Iowa

COPIES TO:

Houchins, County Atty
N McDaniel
J Hastings

Hearing Held ☐ Yes ☒ No
 Contested ☐ Yes ☒ No

11-7-08

Notice: If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call district ADA coordinator at (712) 279-6616. If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942.

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # FECR013934

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
11/6/2008	Review Order for change of Counsel	0.1	
	conference with counsel withdrawing due to conflict	0.5	
	P/C from Judge ref: new case	0.1	
	Prepare Appearance (3 copies @ .10)	0.1	\$ 0.30
	Prepare Clerk & Co. Atty letter ref: Appearance		
	4 copies @ .10 = .40 postage 4 @ .42 = 1.68		\$ 2.08
	Prepare client letter ref: Appearance, phone numbers, intro	0.1	
	4 copies @ .10 = .40 postage 1 @ .42 = .42		\$ 0.82
	P/C to Co. Atty - return call from Co. Atty	0.1	
	Research clients online criminal history (9 pgs @ .10 = .90)	0.2	\$ 0.90
	Prepare pretrial request for disclosure(3 copies, 5 pg each)	0.1	\$ 1.50
	Prepare Co. Atty & Clerk letter: Pretrial request		
	4 copies @ .10 = .40 postage 4 @ .42 + 3 @ .17 = 2.19		\$ 2.59
11/7/2008	Review Order to Continue PTC	0.1	
	P/C to Client and prepare letter - PTC set for 1-8-09	0.2	
	4 copies @ .10 = .40 postage 1 @ .42 = .42		\$ 0.82
11/8/2008	Read & respond to letter from client	0.1	
	P/C to Clerk of Court	0.1	
	Review voice message - return call	0.1	
11/9/2008	Review file/ correspondence from Atty withdrawing from case	0.3	
	P/C to Atty withdrawing from case	0.1	
11/17/2008	Review Statement of compliance with discovery request	0.1	
	Review Discovery	0.7	
	Research 726.6(1) and 726.6(6)	0.5	
11/25/2008	P/C to Co. Atty ref: meet for plea negotiations	0.1	
12/5/2008	Conference with Co. Atty - plea negotiations	0.5	
	P/C to Client - left message	0.1	
12/17/2008	P/C to Client	0.1	
	P/C to Co. Atty - left message	0.1	
	P/c from Co. Atty	0.1	

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of an Adult Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # FECR013934 [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
1/7/2009	Prepare for PTC - Review discovery, research, prior criminal history	0.6	
	P/C to Client	0.1	
1/8/2009	P/C to Co. Atty	0.1	
	Attend PTC	1.0	
	Conference with Co. Atty	0.7	
	Conference with Client	1.0	
1/12/2009	Review Plea of guilt and Judgment	0.1	
	Prepare letter Ref: Judgment	0.1	
	6 copies @ .10 = .60		
	postage 1 @ .42		
			\$ 1.02

TOTAL TIME IN HOURS 8.3 *R*
AT \$60.00 PER HOUR \$ 498.00

\$ 10.03

TOTAL STATEMENT

\$ 508.03

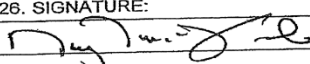
Please Remit Payment To: Ney T. McDaniel, Attorney at Law
1215 West 11th Street
Spencer, Iowa 51301

2

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of a Juvenile Claim

JUVENILE CLAIM

1. COUNTY: Clay		2. COURT NUMBER: JVJV002849		3. CLAIM TYPE: <input checked="" type="checkbox"/> Contract <input type="checkbox"/> Non-Contract	
4. CLIENT FIRST NAME: [REDACTED]		5. CLIENT LAST NAME: [REDACTED]		6. CASE NAME: [REDACTED] in the interest of [REDACTED]	
7. DATE OF APPOINTMENT: 09 / 03 / 08		8. REPRESENTING: <input type="checkbox"/> JUVENILE <input checked="" type="checkbox"/> PARENT <input type="checkbox"/> OTHER		9. DATE OF SERVICE: 04 / 30 / 09	
10. REPRESENTED CLIENT IN JUVENILE COURT FOR: <input checked="" type="checkbox"/> CINA <input type="checkbox"/> Termination <input type="checkbox"/> Commitment <input type="checkbox"/> Judicial Bypass <input type="checkbox"/> Delinquency <input type="checkbox"/> Other					
11. IOWA CODE SECTION(S): 232.2(6)(c) 232.2(6)(n)					
12. CLAIM SUMMARY:			23. MOST RECENT HEARING:		
13. Attorney Out of Court Hours:		16.3		<input checked="" type="checkbox"/> Disposition <input checked="" type="checkbox"/> Review <input type="checkbox"/> Waiver <input type="checkbox"/> Dismissal <input type="checkbox"/> Withdrawal <input type="checkbox"/> Other (Describe) Dispositional 11-7-08 Review 4-30-09	
14. Attorney In Court Hours:		3.0			
15. Total Attorney Hours:		19.3			
16. Total Attorney Fee:		Rate: \$60.00 \$1158.00			
17. Paralegal Hours:					
18. Paralegal Fee:		Rate:			
19. Hourly Fee Subtotal:				\$1158.00	
20. Expenses:					
copies		\$9.20			
postage		\$4.04			
21. Expense Total:				\$13.24	
22. Claim Total:				\$1171.24	
I, the undersigned attorney, certify that I have completed my services under the appointment that I have not received nor have I entered into any agreement to receive compensation for these services, direct or indirect, from any source other than the State Public Defender and that the above information summarizes the services and expenses for which I am entitled to payment. I further state that I have provided an itemized statement of services and expenses, a copy of which is attached, to my client.					
25. DATE: 06 / 08 / 09		26. SIGNATURE: 		FIRST NAME: Ney T. LAST NAME: McDaniel	
<input type="checkbox"/> Change of Information					
27. Make payment to		SSN / FEDERAL ID NUMBER:		FAX NUMBER:	
NAME: Ney T. McDaniel		[REDACTED]		(712) 262-6989	
ADDRESS:		CITY		STATE: ZIP CODE:	
1215 West 11th Street		Spencer		Iowa 51301	
TELEPHONE NUMBER:		28. APPROVED FOR PAYMENT		AMOUNT APPROVED (if changed):	
(712) 262-0364		State Public Defender			

SUBMIT TWO SIGNED COPIES OF THIS FORM WITH ATTACHMENTS TO:
State Public Defender, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0087 Original Revenue & Finance

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of a Juvenile Claim

Rule 2.32 - Form 2: Financial Affidavit of Parent/Application for Appointment of Counsel/Order.

2008 SEP -3 PM 2:42
County, Iowa 2

In the Juvenile Court for _____
In the Interest of _____
Child/children _____

CLERK DISTRICT COURT
Juvenile No. COUNTY, IOWA 6028-49

Financial Affidavit of Parent/Application for
Appointment of Counsel for Child ☒ Parent/Order

Name: _____ Social Security No. _____ Birth date _____
Address: _____ Phone _____
Street _____ City _____

Case: CINA ☒ TPR _____ Del _____ Other _____ Relationship to Child: Parent ☒ Other _____

Do you have a job? yes Who do you work for? OPS ☒ Full Time ☐ Part Time

How much money do you make before taxes or deductions? \$20.00 per hr/mo/yr (Circle) Hours/Week 20

Does your spouse live with you? no Number of children living with you _____

Does anyone who lives with you have a job? no How much money do they make? _____ per hr/mo/yr

List all other money you have coming in, or anyone living with you has coming in: 350 monthly
child support 800 monthly OPS

List what you own including money in banks, cars, trucks, other vehicles, land, houses, buildings, cash, or anything else worth more than \$100: Chevrolet S10 Blazer

List amounts you pay monthly for mortgages, rent, car loans, credit cards, child support, any other debts: no
insurance \$100 phone \$120 loan \$100 hospital \$10

I understand I may be required to repay the State for my attorney fees and costs and those of my child, I may be required to sign a wage assignment, and I must report any changes in this information. I promise under penalty of perjury the statements I make in this application are true and I am unable to pay an attorney.

Date 9/3/08 Signature _____

Order

In ch. 600A TPR, there is a different standard for indigence and additional findings are required for appt. of Respondent's counsel. Iowa Code sec. 600A.2(1), 600A.6A(2), 600A.6B; do not use this order for 600A TPR.

The Court finds as follows: _____ Child/Applicant not eligible for court-appointed counsel.

☒ Child/Applicant income at or below 125% of guidelines, unable to pay an attorney.
☐ Child/Applicant income 125%-200% of guidelines, not appointing will cause substantial financial hardship.
☐ Child/Applicant income over 200% of guidelines, case is felony-level delinquency, not appointing will cause substantial financial hardship.

Application is _____ denied ☒ approved Ney McDaniel (phone) _____ is appointed.
(attorney)

If attorney is not State Public Defender Office or organization designated by State Public Defender, attorney is _____ contract attorney _____ not contract attorney and qualified contract attorney is not available. "Contract attorney" means attorney on contract list for this county or, in appellate cases, with an appellate contract copy hereof mailed or delivered to: Houchins, Co. Att.

Date 9-3-08 Judge _____

Clerk of District Court
Clay County, Iowa

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of a Juvenile Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # JVJV002849 In The Interest of [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
9/3/2008	Review Application for Appointment	0.1	
	Conference with Appointing Judge	0.1	
	Prepare for Adjudicatory Hearing - Review FTM notes 8-27-08	0.7	
	Review Preliminary Report to Court	0.1	
	Review Order, Notice and Summons	0.1	
	Prepare request for child abuse information	0.1	
	Review Petition	0.1	
	Attend Adjudicatory Hearing	1.0	
	Conference with Client	1.5	
	conference with Co. Atty	0.3	
	Conference with DHS	0.5	
	Conference with GAL	0.5	
	Conference with Atty for father of child	0.3	
	Prepare Client letter Re: Appearance & introduction	0.1	
	10 copies @ .10 = 1.00 postage 1 @ .42 + 2 @ .17 = .76		\$ 1.76
9/4/2008	Prepare Appearance (3 copies @ .10)	0.1	\$ 0.30
	Prepare Clerk & Co. Atty letter Re: Appearance		
	6 copies @ .10 = .60 postage 4 @ .42 = 1.68		\$ 2.28
9/5/2008	Prepare Request for child Abuse Information	0.1	
9/6/2008	Review Order for Dispositional Hearing (11-07-08)	0.1	
	P/C to Client/prepare order client Re: Depositional Hrg	0.1	
	7 copies @ .10 = .70 postage 1 @ .42 + 1 @ .17 = .59		\$ 1.29
	Research Clients Criminal History	0.1	
9/16/2008	Review Court file (48 copies @ .10 = .80)	1.0	\$ 4.80
	P/C to Co. Atty/Return call to Co. Atty	0.2	
9/17/2008	Review & Respond to e-mail from DHS (1 pg printed)	0.2	\$ 0.10
	P/C from Client, mother of Children	0.1	
9/25/2008	Review correspondence from client	0.1	
	P/C to Client - leave message	0.1	
10/2/2008	Review voice message from client - return call to client	0.2	
	Review email from DHS	0.1	
10/7/2008	P/C from client	0.2	
	P/C to DHS	0.1	

Report on Special Investigation of
Department of Inspections and Appeals
Office of the State Public Defender

Example of a Juvenile Claim

Ney T. McDaniel, Attorney At Law

State Public Defender
321 East 12th Street
Des Moines, Iowa 50319

Billing Statement

Case # JVVJ002849 In The Interest of [REDACTED]

<u>Date</u>	<u>Services Description</u>	<u>Time</u>	<u>Costs</u>
10/10/2008	Respond to email from DHS (1 emailed pg)	0.1	\$ 0.10
	P/C from DHS	0.1	
10/15/2008	P/C to Client	0.1	
10/30/2008	Review file - prepare for dispositional hearing	0.6	
11/4/2008	Review Report to Court, Prepare for Hrg, Conference/Client	1.2	
11/6/2008	P/C to Client	0.1	
11/7/2008	Attend Dispositional hearing	1.0	
	Conference with Client	1.2	
	Conference with Co. Atty	0.3	
	Conference with GAL	0.4	
	Conference with DHS	0.4	
	Conference with Atty for father of child	0.3	
11/9/2008	Review Order for Review Hrg 4-30-09 (3 emailed pgs @ .10)	0.1	\$ 0.30
	P/C to client & prepare letter Re: Review Hrg	0.1	
	5 copies @ .10 = .50 postage 1 @ .42 + 1 @ .17 = .59		\$ 1.09
1/13/2009	Review voice message from client - return call to client	0.1	
4/23/2009	Prepare for Review Hrg - Review Report to court	1.0	
	P/C to Client	0.2	
4/30/2009	Telephone call to Co. Atty office	0.1	
	Telephone call to client	0.1	
	Attend Review Hearing	1.0	
	Conference with Co. Atty	0.3	
	Conference with client	1.0	
	Conference with DHS	0.5	
	Conference with GAL	0.3	
	Conference with Atty for Father of child	0.2	
5/1/2009	Review Order for Review (4 pgs emailed)	0.1	\$ 0.40
	P/C to client & prepare letter Review Hrg 8-7-09	0.1	
	4 pages @ .10 = .40 postage 1 @ .42		\$ 0.82
TOTAL TIME IN HOURS		19.3	
AT \$60.00 PER HOUR		\$ 1,158.00	
			\$ 13.24
TOTAL STATEMENT			\$ 1,171.24

Please Remit Payment To: Ney T. McDaniel, Attorney at Law
1215 West 11th Street
Spencer, Iowa 51301

2