

# Supreme Court of Virginia- Office of the Executive Secretary

## Judicial System Travel and Meals Policy

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- I. PURPOSE: The following lodging and meal guidelines have been adopted for individuals traveling on behalf of the Judicial System.
- II. APPLICABILITY This policy applies to Judicial System personnel or entities for which the Office of the Executive Secretary has direct control or administrative responsibility.
- III. DEFINITIONS:
- Base Point Primary location, office or building where the traveler performs duties on a routine basis. Multiple base points are not allowed.
- Commuting Mileage Round-trip mileage traveled routinely by the employee between his/her residence and base point.
- Traveler Anyone incurring expenses while traveling for the Judicial System that may qualify for reimbursement by the Office of the Executive Secretary. Travelers may include, but are not limited to: Justices, Judges, employees, vendors, contractors, clerks, magistrates, court-appointed counsel, guardians ad litem, and hearing officers.

#### IV. RELATED DOCUMENTS AND LINKS

- Chart of Allowances
- Delegation of Authority
- Extradition Cost Reimbursement
- Form DA-02-041 Travel Expense Reimbursement Voucher
- [GSA Per Diem Rates](#)
- Travel Authorization Request Form

#### V. GUIDELINES:

##### A. General Provisions

1. The Office of the Executive Secretary will reimburse travelers for reasonable and necessary expenses while traveling on official business. It is the responsibility of the traveler to reduce cost and find the most cost-beneficial means of travel. Travel costs are limited to only those expenses that are necessary for providing essential services to the Commonwealth's citizens. These policies must be followed by all travelers except where otherwise addressed by the Code of Virginia or Chart of Allowances.
2. All requests for payment of fees or for travel or other expenses should be submitted to Fiscal Services no later than thirty (30) days after the service or travel is completed. For court-appointed counsel, each time limit is measured from the completion of all proceedings in the court for which the request is being submitted and is governed by Code of Virginia § 19.2-163.

##### B. Exceptions

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1. Extradition- Travel expenses for extraditions are governed by the Extradition Cost Reimbursement guidelines pursuant to Code of Virginia § 19.2-112 and the Chart of Allowances.
2. Vendors and Contractors- Vendors and contractors will not be reimbursed for travel expenses unless included as part of the contract. Receipts will be required for reimbursement and are subject to U.S. General Services Administration (GSA) guidelines.
3. Chart of Allowances- Travel expenses for official business such as witnesses of the Commonwealth, out-of-state witnesses, jurors, extraditions, and compensation of experts are subject to the Chart of Allowances.
4. Involuntary Mental Commitment (IMC) hearings- Travel expenses for commitment hearings for involuntary admissions are reimbursed pursuant to Code of Virginia § 37.2-804.
5. Any other exceptions to this policy must be approved by the Chief Justice, Executive Secretary, or Fiscal Director.

### C. Allowed Expenses

- Lodging, Meals, and Transportation in accordance with guidelines listed below
- Taxes, fees, and surcharges
- Business Telephone Calls
- Internet Access, Hotel Business Center Charges, and Facsimiles
- Tolls and Parking
  - If the reimbursement claim exceeds \$20.00 a receipt is required.

### D. Disallowed Expenses

- Tips in excess of the \$5 daily per diem (See Section H.1-Meals and Incidentals) allowance for valets, porters, baggage carriers, and hotel staff
  - Gratuities for meals are included in the Meals and Incidental Expenses per diems
- Lost or stolen articles
- Alcoholic beverages
- Damage to personal vehicles, clothing, or other items
- Services to gain entry to a locked vehicle
- Movies charged to hotel bills
- All expenses related to the personal negligence of the traveler, such as fines
- Entertainment expenses
- Travel Insurance (Personal injury or loss, trip interruption / cancellation, etc.)
- Towing charges
- Expenses for children, spouses, and companions while on travel status

### E. Travel Planning and Authorization

1. Travelers must receive prior authorization in accordance with the Delegation of Authority Policy for any proposed overnight travel that will exceed \$1000 in reimbursement expenses. Travelers attending conferences and training sessions that are sponsored or presented by SCV or OES are not required to have pre-approval before attendance, regardless of estimated travel expenses. Examples of these sessions include magistrate certification schools, judicial management programs for new

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clerks, judicial conferences, pre-bench advisory committees, drug treatment court advisory committee meetings, forms committee meetings, mentor judge programs, etc.

2. Approval requests may be submitted via e-mail or on the Travel Authorization Request Form and must include information about the proposed trip such as employee name, department, destination, trip start and return date, purpose of trip, hotel name and location, mode of travel, and estimated cost. The estimated cost of the trip should include mileage, lodging, meals and incidentals, plane or rail tickets, and registration fees. Documentation of pre-authorization must be included with the Travel Expense Reimbursement Voucher. Any overnight travel outside the Commonwealth must be pre-approved by the Executive Secretary and Department Director prior to travel regardless of amount.

3. Travel Involving Multiple Employees

Blanket pre-authorizations may be approved for multiple employees traveling to the same event if reimbursed expenses are expected to be greater than \$1000 for each traveler. A list of attendees must be included with the pre-approval and submitted with the individual Travel Expense Reimbursement Voucher to substantiate supervisor approval. Travel Expense Reimbursement Vouchers must still be completed to be reimbursed for expenses incurred during travel.

In planning for a conference, the guidelines in these regulations should be used as a measure of reasonableness and organizers should be prudent in selecting the most cost-effective option available.

### F. Travel Reimbursement Requirements

1. All travel expense reimbursement requests must be submitted by completing a Travel Expense Reimbursement Voucher (Form DA-02-041). By signing the Travel Expense Reimbursement Voucher, the traveler is certifying the accuracy of all information, the legitimacy of the travel, and the appropriateness of the expenses. The signature of the traveler's supervisor certifies that he/she agrees that the travel was necessary, and the requested reimbursements are appropriate.
2. Travelers may submit a reimbursement voucher when the total amount requested is greater than \$5.00. If the traveler has a reimbursement request that is less than \$5.00, they should wait to submit their reimbursement until they have other expenses to exceed the \$5.00 threshold. Travelers may submit reimbursement requests for expenses under \$5.00 if they are included with other payments, i.e., retired, recalled, and substitute judge per diems on a Form DC-1101.
3. Documentation such as overnight travel pre-approvals, receipts (where applicable), and exception approvals must be included in the request for reimbursement. Original itemized lodging receipts that reflect the traveler's name, hotel address, date(s) of stay, and a zero balance are required.
4. Due to the nature of their positions, the following are not required to have supervisor approval on their travel vouchers or pre-approval of overnight travel:

- Chief Justice
- Justices
- Executive Secretary
- Judges
- Circuit Court Clerks

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### G. Lodging

1. Employees may obtain lodging when official business will necessitate travel greater than 50 miles from their base point. All lodging rates are governed by current U.S. General Services Administration (GSA) rates. The traveler must search for the travel destination using the search criteria on the website: <https://www.gsa.gov/travel/plan-book/per-diem-rates>. If a location is not listed in the GSA table, the standard rate applies. Home-sharing networks such as Airbnb, HomeAway, and VRBO are not acceptable for business travel.

Lodging guidelines for all travel destinations (in-state and out-of-state) are provided in the Lodging Rates section of the GSA website. The appropriate rate is determined by the physical location (county or city) of the hotel and not the mailing address. When overnight stays are required while on travel status, first preference shall be given to selecting lodging in the economy class. Check, request, and confirm government rates both at the time reservations are made and during check-in.

Reimbursement for lodging is limited to actual expenses incurred up to the guideline amount, plus hotel taxes, fees, and surcharges. Travelers who do not plan with careful consideration to these guidelines will bear the additional expense personally. In such cases, taxes and surcharges will be prorated and reimbursed only for the appropriate rate.

2. Lodging Exceptions- Requires Chief Justice, Executive Secretary, or Fiscal Director approval to exceed GSA rate, up to 50% over GSA guidelines.
3. Advance Payments- Direct billing of lodging expenses (rates, taxes, and surcharges only) incurred during overnight travel is permitted. Direct bill charges, however, are still considered travel expenditures and are governed by these travel policies.

### H. Meals and Incidental Expenses

1. Meals are reimbursed for travelers who stay overnight while on official SCV or OES business. Meals are reimbursed on a per diem basis according to the following rates (incidental per diems are for fees and tips given to valets, porters, baggage carriers, and hotel staff):

	<b>Breakfast</b>	<b>Lunch</b>	<b>Dinner</b>	<b>Incidentals</b>
<b>In-State Travel</b>	\$14.00	\$16.00	\$29.00	\$5.00
<b>Out-of-State Travel</b>	GSA Rates <a href="http://www.gsa.gov/perdiem">www.gsa.gov/perdiem</a>			

To be reimbursed for breakfast expenses, the traveler must, out of business necessity, leave home before 6:30 a.m. To be reimbursed for lunch expenses, the traveler must, out of business necessity, leave their official station before 11:00 a.m. or return to their official station after 2:00 p.m. To be reimbursed for dinner expenses, the traveler must, out of business necessity, be unable to return home before 7:30 p.m. By claiming a meal on the Travel Expense Reimbursement Voucher you are attesting that your arrival/departure times are in accordance with the above policy and the time does not need to be noted on the Travel Expense Reimbursement Voucher.

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If a traveler is authorized to stay overnight but chooses not to do so, they may be reimbursed for the full per diem amount for each meal claimed. Any meals provided by hotels, meetings, conferences, or any other source must be listed on the voucher and deducted from the traveler's per diem. If a meal is offered but does not meet the traveler's medical or dietary restrictions, they may notate "dietary or medical restrictions" on their reimbursement request and claim the per diem for that meal. Dietary or medical restrictions should be communicated in advance for conferences and training, if possible, to help ensure accommodations are met as part of the travel.

### 2. Business Meals

Meals and meal tip expenses not involving an overnight stay are not reimbursable unless documentation supporting the reimbursement clearly establishes that the meal is taken during overtime work periods or for official business reasons. To be eligible for reimbursement, non-travel official business meals must be essential to the Supreme Court's mission, a business necessity, involve substantive and bona fide business discussions, and approved by the Chief Justice, Executive Secretary, or Fiscal Director. Meal reimbursement for holiday parties, retirement parties, and other social gatherings must be approved by the Chief Justice or Executive Secretary and are subject to the meal guidelines set forth above. Chief Justice, Executive Secretary, or Fiscal Director approval is required to exceed GSA rate up to 50% over the applicable per diem guideline with sufficient justification and the original, itemized receipt. An itemized receipt is required for all business meal reimbursements. The absence of such documentary evidence requires the meal reimbursement amount to be reported as gross income to the employee. Reimbursement requests must include the following:

- Receipt
- List of Attendees
  - Estimated lists are acceptable for gatherings over 25 attendees (Example- 25 OES staff, 12 Legislators, and 23 Judges for an Investiture)
- Department Director Approval
- Chief Justice, Executive Secretary, or Fiscal Director approval for meals over the GSA rate not to exceed 150%

### I. Transportation

Current Mileage Rate as of 7/1/2022- 62.5 cents/mile

1. Mileage rates are approved by the Executive Secretary and published by the Fiscal Director at the beginning of each calendar year or when there are changes published by the Internal Revenue Service. Prior to the start of any trip where the expected means of travel is a personal vehicle, the employee should calculate the anticipated round-trip mileage. Roundtrip mileage for business travel is calculated based on the shortest practical route to and from the destination from their base point. The cost for roundtrip mileage traveled by an employee between his/her residence and the office/building/court(s) where the traveler performs his/her duties on a routine basis is considered a personal expense and is not reimbursable. Commuting mileage is reimbursable for Circuit and District Court Judges who travel to a courthouse in a county or city other than the one in which the Judge resides and the distance between the Judge's residence and the courthouse is greater than 25 miles in accordance with Appropriation Act §§ 1-14.41.A.4 and 1-14.42.E.

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### A. OES and SCV Employees

- If the anticipated mileage is less than 500 miles round trip, the employee may drive their personal vehicle and will be reimbursed at the full published rate. The employee may also elect to complete the OFMS (Office of Fleet Management Services) trip calculator at <https://dgs.virginia.gov/fleet/travel-planning/trip-calculator/> to help determine the lowest cost transportation.
- If the anticipated mileage is greater than 500 miles round trip, the employee should complete the OFMS trip calculator to help determine the lowest cost transportation, which may include use of a rental vehicle. Additional factors such as departure time, return time, administrative costs to procure a rental vehicle, and location of Enterprise facilities should also be considered when calculating trip cost.
- Rental vehicles are only available to OES and SCV employees and they are encouraged to utilize a rental vehicle if it is determined to be the most cost-effective means of travel.

### B. Other Judicial System Employees

- Judicial System employees who are not eligible for the rental vehicle program will be reimbursed at the current mileage rate and will not be reimbursed for rental vehicles.

## 2. Vehicle Rentals

The Department of General Services, Office of Fleet Management Services (OFMS) maintains a contract with Enterprise Leasing to provide vehicles for short-term travel by state employees. Luxury vehicle use is strongly discouraged and must be approved by the Executive Secretary (justification required). When rental vehicles are used, travelers will be reimbursed for actual expenses rather than mileage rates; therefore, receipts for the car rental and an accurate accounting of gas purchases must be submitted with the travel voucher in lieu of mileage. The total amount of gas purchases should be entered on the travel voucher under the "Other Expenses" column. Assistance in procuring a rental vehicle may be obtained by contacting the Administrative Assistant in the OES Front Office, who also manages the fuel card program.

Travelers must ensure that the rental vehicle is refueled before returning the vehicle to the rental contractor. The option to purchase insurance offered by rental car contractors should be declined and will not be reimbursed. Employees are responsible for operating the rental cars in a safe and responsible manner. If a traveler on official business is involved in a vehicle accident while operation a rental car, the following procedure should be followed:

- Contact the local police or state police of the jurisdiction where the accident occurred.
- Notify the contractor by calling the telephone number identified in the rental car agreement and complete a contractor-provided Vehicle Accident Report.
- Contact the Office of the Executive Secretary of the Supreme Court and notify them of the accident. They will contract the Department of General Services, Division of Risk Management.

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3. Airfare and Rail- After trip approval, travelers have the option of acquiring airfare tickets on their own or requesting assistance by the Procurement Administrator. Rail tickets must be purchased by the traveler and are reimbursable through the Travel Expense Reimbursement Voucher. Generally, airline and rail travel cannot exceed the rates charged for tourist or coach class accommodations and any add-ons such as seat or class upgrades will not be reimbursed.
4. Permanent Use of State-Owned Vehicles must be requested through the Assistant Executive Secretary of the Supreme Court. Such use is strictly limited to those employees whose job travel requirements make such method of travel the only cost-effective or practical alternative.

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### Policy Change History

Revision Date	Author	Description
7/1/2022	Wenzig/Shaver	Policy revised and published