

**From:** [Communications, VCF \(CIV\)](#)  
**To:** [Communications, VCF \(CIV\)](#)  
**Subject:** Reminder Regarding Compensable VCF Attorney's Fees Above the Statutory Cap  
**Date:** Tuesday, February 3, 2026 8:44:04 AM

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**\*This email is sent from an unattended mailbox.\***

Good morning,

The VCF would like to take this opportunity to remind all law firms of the current and long-standing policy regarding what is considered compensable beyond the 10% statutory cap.

Since July 2018, the VCF Policies and Procedures Section 7: Information for Individuals with Attorneys, subsection [7.1 a "Non-routine" expenses](#) has specified the following:

Under the VCF's regulations, attorneys may charge a claimant for expenses that are routinely incurred in the course of providing legal services, as long as those expenses and attorney fees do not exceed the 10% cap. **This includes any fees related to proceedings in Surrogate's Court or probate court, including but not limited to the appointment of a Personal Representative or petitions to remove limitations in Letters of Administration.**

...

The Special Master will allow an attorney to charge for non-routine expenses in excess of the 10% limitation if the expense is considered to be outside of the normal expenses incurred in the course of submitting a claim to the VCF.

...

The **Special Master believes that other eligible non-routine expenses will be rare** and requires that the reimbursement of all other expenses be **specifically authorized by the Special Master.**

We are also providing an updated version of the "[Did You Know?](#)" which addressed this issue in May 2019 (updated January 2026). We encourage you all to review the full policy and ensure your billing practices are in full compliance.

All expenses and fees not expressly allowed by this policy must be approved by the Special Master. This includes, but is not limited to, surrogates court fees in a jurisdiction to which counsel and their agents are not admitted and seeking any relief directly from the Surrogates Court.

If you have any questions, please contact our law firm liaisons at [VCF.AttorneyInfo@usdoj.gov](mailto:VCF.AttorneyInfo@usdoj.gov).

September 11th Victim Compensation Fund

U.S. Department of Justice

VCF Helpline: 1-855-885-1555

Website: [www.vcf.gov](http://www.vcf.gov)

Information for Law Firms: [www.vcf.gov/lawfirms](http://www.vcf.gov/lawfirms)

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