

**SCHEDULE OF FEES FOR COMPENSATION OF APPOINTED
COUNSEL FOR INDIGENT DEFENDANTS**

FILED

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Revised and Effective 13 February, 2020

DISTRICT CLERK
MONTAGUE COUNTY

Pursuant to the provisions of Art. 26.05, Texas Code of Criminal Procedure, and other applicable statutes, the following Schedule of Fees is hereby adopted by the District and County Judges of Archer, Clay and Montague Counties, Texas, for use in criminal and civil cases, where required by law. This Schedule of Fees is effective 13 February, 2020.

FELONY FIXED FEE

One payment is made for each defendant represented, regardless of the number of counts or cases disposed of. The attorney may use the case which yields the greatest payment. Example: if a defendant has three cases, and one is disposed of by a three-day trial and the other two cases are dismissed, the reimbursement will be for the three days in trial at the rate of \$750.00/day, but no additional payment for the two dismissed cases would be made.

Where a single defendant is charged with multiple cases growing out of one criminal episode, a fixed fee of \$750.00 for two or more cases—whether charged by separate indictment or by separate counts within one indictment-- disposed of by pleas on the same date.

Type of Disposition:	Fixed Fee
Dismissal of a filed case	\$225.00
Plea: 1 st & 2 nd Degree felonies (Original charge)	\$525.00
All other felony pleas	\$525.00
Trial	Number of days in Court x \$750.00/day
Revocation (uncontested)	\$450.00
Revocation (contested)	\$500.00
Appeal of Non-Jury Trial	
1 st & 2 nd Degree felonies	\$2,000.00
All other felonies	\$1,500.00
Appeal of Jury Trial	
1 st & 2 nd Degree felonies	\$3,500.00
All other felonies	\$2,000.00

FELONY FIXED FEE

Payment based on an hourly fee requires a detailed explanation of services, including the date performed, time spent on each activity and designation of in-court or out-of-court time. For appeals, a copy of the brief must be attached.

1st & 2nd Degree felonies (\$125.00/hr)

All other felonies (\$115.00/hr.)

MISDEMEANOR FIXED FEE

Type of Disposition:

Dismissal	\$220.00
Plea	\$400.00
Multiple pleas (same defendant on same day)	\$500.00
Complex plea (involving complex issues, lengthy pretrial, extensive records review or investigation of facts)	\$550.00
Jury or Bench Trial	\$750.00
Revocations (contested)	\$450.00
Revocations (uncontested)	\$350.00

JUVENILE FIXED FEE

Type of Disposition

Detention hearing	\$150.00
Uncontested Adjudication/Disposition	\$350.00
Contested Adjudication/Disposition	\$500.00
Uncontested Modification	\$350.00
Contested Modification	\$500.00

MENTAL HEALTH FIXED FEE

Type of Disposition

OPC Hearing	\$175.00
Mental Temp/Final (Uncontested)	\$275.00
Contested (Jury/Bench)-Number of ½ days in court x \$250.00. Maximum: \$1,000.00	

ATTORNEY GENERAL HEARINGS (TITLE IV-D) FIXED FEE

Hourly rate:	\$175.00
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CPS FIXED RATE

Type of Hearing

CPS Adversary Hearings	\$175.00
Subsequent CPS Hearings	\$120.00

REASONABLE EXPENSES, INCLUDING EXPENSES FOR INVESTIGATION AND FOR MENTAL HEALTH AND OTHER EXPERTS, SHALL BE REIMBURSED PURSUANT TO THE PROVISIONS OF Art. 26.05(d), C.C.P.

Compensation for court-appointed counsel will be approved on a case by case basis, depending upon the time and labor required, the complexity of the case, and the experience and ability of appointed counsel.

The following criteria shall be considered in calculating attorney fees.

1. Time spent in court making an appearance
2. Time spent in trial
3. Reasonable and necessary time spent out of court, supported by documentation as required by the Court
4. Time spent in preparation of an appellate brief.

REQUEST FOR PAYMENT OF ATTORNEY'S FEES AND EXPENSES

Each attorney shall prepare a detailed statement of the nature of the services performed, the date of performance, and the actual time spent on each such date and service, and shall submit said statement with a verified affidavit to the trial judge:

1. Within 15 days of the date of disposition in a case by plea or bench trial; or
2. Within 15 days of the date of verdict in a jury trial; or
3. Within 15 days of the date the mandate is returned in an appeal.

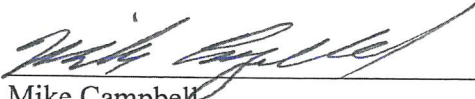
Bills for indigent attorney fees not timely filed will be considered waived, the services performed Pro Bono, and will not be paid.

If the trial judge disapproves the requested amount of the bill, the judge shall make written findings stating the amount of payment approved and the reasons for approving an amount different from the requested amount. An attorney whose request for payment has been disapproved may, by written motion, file an appeal with the presiding judge of the administrative region.

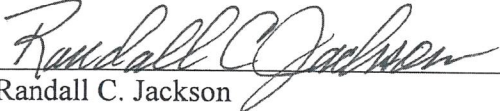
This Order is signed 13 February 2022, and supercedes any and all other standing court orders concerning attorney's fees and other compensation.



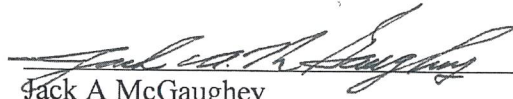
Rick Lewis
County Judge, Montague County



Mike Campbell
County Judge, Clay County



Randall C. Jackson
County Judge, Archer County



Jack A McGaughey
Judge, 97th Judicial District