

**STANDING ORDER IN THE COUNTIES OF THE 198TH & 216TH JUDICIAL DISTRICTS
FOR COMPENSATION OF ATTORNEYS
APPOINTED TO REPRESENT INDIGENT DEFENDANTS
(Bandera, Gillespie, Kendall & Kerr)**

On the 1st day of November, 2013, the 198th & 216th District Court Judges did unanimously adopt this schedule of fees concerning compensation of court appointed counsel for indigent defendants and related expenses made pursuant to Article 26.05, Texas Rules of Civil Procedure. Therefore, it is ORDERED that compensation of court appointed counsel and related expenses, made pursuant to a motion in the format prescribed by the appointing court, shall be as follows on a case-by-case basis as determined by the Judge:

I. NON-FELONY AND FELONY CASES

Compensation for time spent by counsel for in court and out of court shall be as follows:

State Jail and Third Degree Felonies	-	not less than \$75.00 per hour.
Second and First Degree Felonies	-	not less than \$80.00 per hour.
Appellate Representation	-	not less than \$80.00 per hour.
Non-Felony Cases	-	Up to a maximum of \$70.00 per hour.

II. MOTIONS TO PROCEED AND REVOKE PROBATION

Motions to Proceed and Revoke will be a flat fee of \$325.00.

III. CAPITAL CASE COMPENSATION

In all capital cases the rates for attorney's services shall be in compliance with the attached "Capital Case Compensation" standing order.

**IV. REIMBURSEMENT FOR REASONABLE EXPENSES FOR PURPOSES
OF INVESTIGATION AND EXPERT TESTIMONY**

In all criminal cases appointed counsel will be reimbursed for reasonable expenses that are incurred and which have been previously approved by the District Judge. Reasonable expenses may include expenses incurred for investigation and expert testimony, and will be in addition to the total compensation referred to in Section I of this Order.

V. 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 such performance, and the actual time spent on each such date and service (to the tenth of an hour), and shall submit said statement with a verified affidavit to the trial Judge:

- a. On the date of disposition of a case by a plea or bench trial; or
- b. Within 15 days of the date of verdict in a jury trial; or
- c. Within 15 days of the date the mandate being returned in an appeal; or
- d. At such other intervals as ordered by the Court.

If the trial Judge disapproves the requested amount, the Judge shall make written findings stating the amount of payment approved and the reason for approving an amount different from the requested amount. The 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 AND EFFECTIVE ON THE 1ST DAY OF NOVEMBER 2013 AND SAID ORDER SUPERCEDES ANY AND ALL PRIOR COURT STANDING ORDERS FOR ATTORNEY'S FEES AND OTHER EXPENSE COMPENSATION.



HONORABLE M. REX EMERSON
198th District Judge



HONORABLE N. KEITH WILLIAMS
216th District Judge