

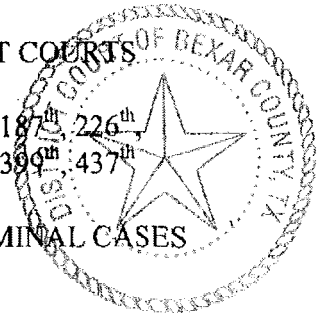
69725

SPECIAL ORDER NO.

STATE OF TEXAS
AND
COUNTY OF BEXAR

§
§
§
§
§
§

IN THE DISTRICT COURTS
144th, 175th, 186th, 187th, 226th,
227th, 290th, 379th, 399th, 437th
HANDLING CRIMINAL CASES

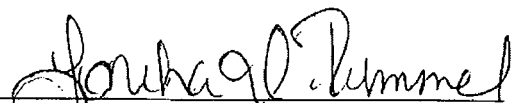



JOINT ORDER ADOPTING FEE SCHEDULE

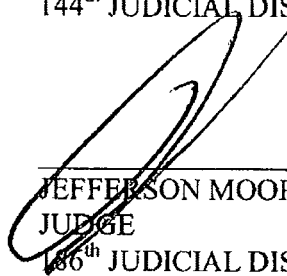
In accordance with Article 26.05, Sections (b), (c), and (d) of the Code of Criminal Procedure of the State of Texas, the undersigned, being the district court judges designated by the legislature to give priority to criminal cases in Bexar County, Texas, now adopt the attached Fee Schedule, effective for all vouchers submitted after September 1, 2017.

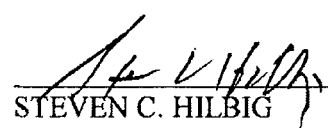
It is ORDERED that this Joint Order be spread upon the minutes of the respective courts, filed for a record in the offices of the District Clerk of Bexar County, and a copy sent to the Commissioners Court of Bexar County.

SIGNED, ORDERED and ENTERED the 28th day of August, 2017.


LORINA RUMMEL
JUDGE
144th JUDICIAL DISTRICT COURT


CATHERINE TORRES-STAHL
JUDGE
175TH JUDICIAL DISTRICT COURT


JEFFERSON MOORE
JUDGE
186th JUDICIAL DISTRICT COURT


STEVEN C. HILBIG
JUDGE
187th JUDICIAL DISTRICT COURT

2017XX69725

69725

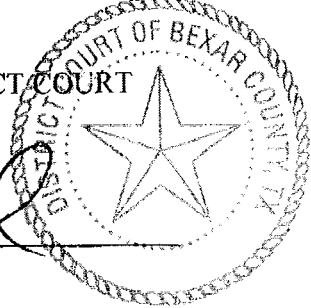
69725

Sid Harle

SID L. HARLE
JUDGE
226th JUDICIAL DISTRICT COURT

Kevin O'Connell

KEVIN O'CONNELL
JUDGE
227th JUDICIAL DISTRICT COURT



Melisa Skinner

MELISA SKINNER
JUDGE
290th JUDICIAL DISTRICT COURT

Ron Rangel

RON RANGEL
JUDGE
379th JUDICIAL DISTRICT COURT

Frank J. Castro

FRANK J. CASTRO
JUDGE
399th JUDICIAL DISTRICT COURT

Lori I. Valenzuela

LORI I. VALENZUELA
JUDGE
437th JUDICIAL DISTRICT COURT

DO NOT WRITE IN THESE SPACES

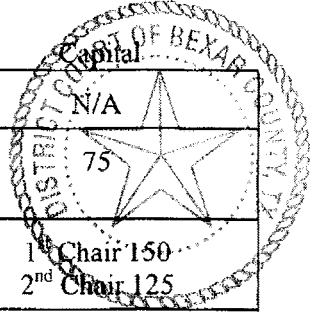
69725

69725

Fee Schedule

* Vouchers should be itemized on 1/4 of an hour basis for in-court time only. Out-of-court time should be itemized in real time.

	SJF, 3°	2°	1°	Capital
Initial Jail Visit	100	100	100	N/A
Court Appearance (Hourly Rate)	75	75	75	75
Evid. Hearing & MTR's (Hourly Rate)	75	85	100	1 st Chair 150 2 nd Chair 125
Trial (Hourly Rate)	75	100	125	1 st Chair Voir Dire 150 2 nd Chair 125 1 st Chair Trial 150 2 nd Chair 140
Out-of-Court-time (Hourly Rate) *Need prior approval to exceed 30 hours on regular felonies	50	60	75	150 *See Guideline #13
Flat Fee for Pleas Flat Fee for Post-Indictment Dismissals	400	500	750	1 st Chair 3500 2 nd Chair 2500
Flat Fee for MTR's Flat Fee for Pre-Indictment Dismissals	200	250	350	1 st Chair 1750 2 nd Chair 1250



2017XX69725 JOINT ORDER ADOPTING FEE SCHEDULE

For rules regarding multiple cases and multiple counts, see the attached Guideline #s 15, 16, and 17.

Appeals and P.D.R.s:

Regular Felonies: out of court: SJF, 3° \$50/hour
2° \$60/hour
1° \$75/hour
in court: \$150/hour
*cap of: \$6500

Investigator Fees:

SJF, 3° Up to \$300
2° Up to \$500
1° Up to \$750
Capital Up to \$1500

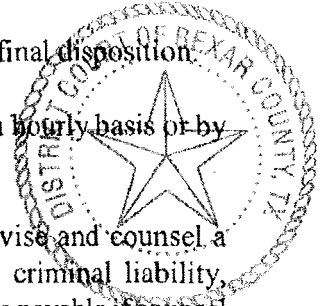
Death Penalty Capitals: out of court \$150/hour
in court \$200/hour
*cap of \$15,000

See the attached Guidelines for the Fee Schedule for more information, including Guideline #12 regarding expert and investigative expenses.

69725

GUIDELINES FOR THE FEE SCHEDULE

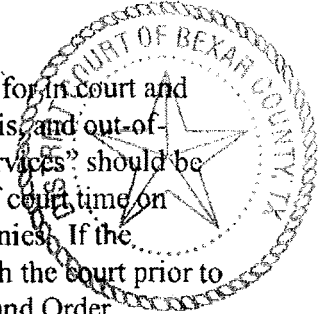
1. No claim will be paid unless properly submitted within one year of the final disposition.
2. Dismissals (either pre-indictment or post-indictment) may be paid on an hourly basis or by flat fee. For multiple cases that include a dismissal, see Guideline #16.
3. When it becomes necessary for the Court to appoint an attorney to advise and counsel a witness whose own testimony might subject that witness to potential criminal liability, counsel will be entitled to compensation at the hourly rate which would be payable if counsel had been appointed to represent the defendant in the case on trial.
4. Attorneys handling waiver pleas will be paid as if the case had been indicted.
5. According to Article 26.05(c) of the Code of Criminal Procedure, this fee schedule takes into consideration reasonable and necessary overhead costs. Overhead costs that are included in the fee schedule and may not be additionally claimed on a voucher include but are not limited to: printing/reproduction expenses, postage, facsimile expenses, computer research, parking, supplies, equipment, rent, repairs, utilities, insurance, advertising, taxes, or CLE. Fees for certified copies and/or subpoena processing fees for records may be claimed. Also, for appellate vouchers only, printing/reproduction expenses, binding, and the cost of electronic filing may be claimed.
6. Requests for prior approval to exceed the maximum stated out-of-court hours and/or the maximum stated investigator fees must be filed in the appropriate court and set out the need to exceed the maximum and a justification of the cost. Extraordinary circumstances must be presented in order to obtain Court approval.
7. Only if an attorney chooses to be paid a flat fee for a plea, an additional \$100 may be paid for the initial jail visit, if in person or if done remotely through the Remote Attorney Visitation System.
8. An itemization sheet must be attached showing detailed hours worked if the attorney is being paid on an hourly basis.
9. If the County Auditor's Office detects simple mathematical errors in a pay voucher, it will compute the voucher and pay it out based on the auditor's office calculations.
10. A copy of your brief must be attached to your voucher for payment on an appeal.
11. After January 1, 2002, there will be no more automated payments. A voucher must be submitted for payment on any case.



DO NOT WRITE IN THESE SPACES

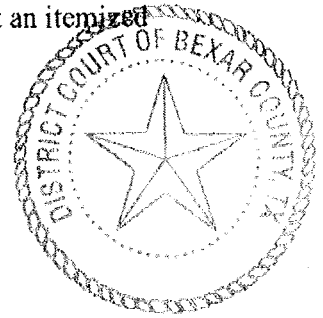
69725

19. Attorneys who volunteer to sit second chair on a felony case in order to gain experience will not be paid.
20. On all itemized vouchers filed you must use the authorized worksheets for in court and out of court hours. In-court time must be itemized on ¼ of an hour basis, and out-of-court time must be itemized in real time. The "Brief Description of Services" should be specific. Prior court approval is required to exceed 100 hours of out-of-court time on capital murder cases and 30 hours of out-of-court time on all other felonies. If the attorney expects to exceed this 100/30 hour cap, he/she should approach the court prior to exceeding the cap with an up-to-date itemization along with a Motion and Order approving hours in excess of the cap.
21. Itemized vouchers should be completely, accurately, and sufficiently filled out when submitted.
- "Offense(s) charged" should accurately reflect the information or indictment
 - "Offense date" should be accurate
 - "Proceeding and Disposition" should be dated and be reasonably specific as to the nature of the disposition. If an attorney withdraws, is substituted out, or an attorney is hired resulting in the removal of the attorney, the date of such action and the name of the new attorney should be listed
 - "Payment Category" should accurately reflect the degree of the offense, or the highest level offense where there are multiple cases.
22. If upon indictment a case becomes a higher degree of offense than pre-indictment, and the attorney initially appointed is no longer qualified to take the higher degree of offense, it is the responsibility of the attorney upon indictment to inform the court that he/she is no longer qualified, so the court may appoint a new attorney who is qualified to be appointed on a case of that degree of offense. Any work claimed by the initial attorney after indictment will not be paid.
23. Other than in a capital murder case, the only time an interim voucher is acceptable from an attorney continuing as the attorney of record is upon a finding of incompetency.
24. An attorney appointed on appeal must seek prior approval from the court to file a Petition for Discretionary Review. If approved, a separate voucher should be filed for the PDR, including a copy of the brief on PDR.
25. The attorney named on the appointment must personally appear for a plea and/or sentencing of that case.
26. An attorney may not submit a voucher for another attorney's work, or claim appearances that were made by another attorney.



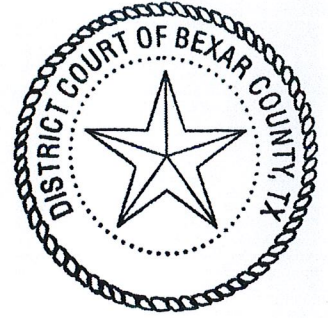
69725

27. If an attorney submits a voucher on a case (other than an MTR) that is not disposed of, because another attorney was hired or appointed, they can either submit an itemized voucher or request a flat fee of \$200.00.



2017XX69725

CERTIFIED COPY CERTIFICATE STATE OF TEXAS
I, DONNA KAY MCKINNEY, BEXAR COUNTY DISTRICT
CLERK, CERTIFY THAT THE FOREGOING IS A TRUE
AND CORRECT COPY OF THE ORIGINAL RECORD AS
INDICATED BY THE VOLUME, PAGE AND COURT ON
SAID DOCUMENT. WITNESSED MY OFFICIAL HAND
AND SEAL OF OFFICE ON THIS:



August 28, 2017

**DONNA KAY MCKINNEY
BEXAR COUNTY, TEXAS**

By: *Leticia Leija*
LETICIA LEIJA, Deputy District Clerk
(NOT VALID WITHOUT THE CLERK'S ORIGINAL SIGNATURE.)