**NEW POLICY FOR INVESTIGATORS AND DEFENSE COUNSEL:**

THE COUNTY COURT JUDGES HAVE ADOPTED THE DISTRICT COURT’S LIST OF INVESTIGATORS EFFECTIVE MARCH 20, 2013. THIS LIST IS HIGHLY RECOMMENDED AND THE APPOINTMENT OF INVESTIGATORS NOT ON THE LIST WILL REQUIRE PRIOR APPROVAL BY THE PRESIDING COUNTY COURT JUDGE HEARING THE CASE.

THE FOLLOWING GUIDELINES WILL APPLY TO ANY INVESTIGATOR REQUEST:

* ALL INVESTIGATOR REQUESTS MUST BE **REASONABLE AND NECESSARY** TO PREPARE AN ADEQUATE DEFENSE. IT IS CRUCIAL THAT A DEFENDANT SEEKING APPOINTMENT OF EXPERT ASSISTANCE MAKE A PRELIMINARY SHOWING THAT THE ASSISTANCE IS NECESSARY TO ADDRESS A SIGNIFICANT ISSUE AT TRIAL. SEE [*MOORE V. STATE,* 935 S.W.2D 124, 130 (TEX.CRIM.APP.1996)](http://web2.westlaw.com/find/default.wl?mt=Texas&db=713&rs=WLW13.01&tc=-1&rp=%2ffind%2fdefault.wl&findtype=Y&ordoc=2020306545&serialnum=1996234069&vr=2.0&fn=_top&sv=Split&tf=-1&referencepositiontype=S&pbc=21E55266&referenceposition=130&utid=1) (CITING *AKE V. OKLAHOMA*,  [470 U.S. 68, 74, 105 S.Ct. 1087, 1091–92).](http://www.westlaw.com/Find/Default.wl?rs=dfa1.0&vr=2.0&DB=708&FindType=Y&ReferencePositionType=S&SerialNum=1985110070&ReferencePosition=1091) IN DOING SO, DEFENSE COUNSEL MUST OFFER MORE THAN “UNDEVELOPED ASSERTIONS THAT THE REQUESTED ASSISTANCE WOULD BE BENEFICIAL.” *ID*
* ALL INVESTIGATOR CHARGES, INVOICES, AND **ORDER APPOINTING SAID INVESTIGATOR** MUST BE ATTACHED AND SUBMITTED WITH THE ATTORNEY VOUCHER AT THE CONCLUSION OF THE CASE. THE INVESTIGATORS MUST BE PAID THROUGH THE ATTORNEY OF RECORD. ANY CLAIMS FOR PAYMENT BY AN INVESTIGATOR THAT ARE NOT SUBMITTED THROUGH THE ATTORNEY VOUCHER MAY BE DENIED. THE PRESIDING COUNTY COURT JUDGE WILL ONLY APPROVE NON-CONFORMING SUBMISSIONS IN EXCEPTIONAL CIRCUMSTANCES.
* INVESTIGATORS MUST NOT ITEMIZE FOR PERFORMING DUTIES THAT ARE CONSIDERED THE JOB OF DEFENSE COUNSEL. THESE MAY INCLUDE OBTAINING OR CONVEYING PLEA BARGAINS AND OFFERS, ATTENDING COURT PROCEEDINGS UNLESS INVOLVING TESTIMONY, DISCUSSING DEFENSE DIRECTION OR STRATEGY AND/OR DISCUSSING STATE’S DIRECTION OR POSITION WITH DEFENDANT, AND ANY TRIAL PREPARATION CONSIDERED THE DUTY OF DEFENSE COUNSEL. SUCH ITEMIZATIONS WILL BE DENIED.