

EXHIBIT "A"

**STANDING ORDER FOR COMPENSATION OF ATTORNEYS
APPOINTED TO REPRESENT INDIGENT DEFENDANTS**

On the 16th day of October 2015, the Presiding Judges of the Fifth District Court and the Cass County Court at Law, No. 1 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 Code of Criminal 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 Presiding Judge:

Total compensation for appointed counsel services in the below listed misdemeanor, felony, and juvenile cases shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists:

Guilty Plea – Misdemeanor	\$400.00
Guilty Plea – Multiple Misdemeanors (including dismissal w/plea)	\$600.00
Guilty Plea – 3 rd Degree Felonies State Jail Felony	\$500.00
Guilty Plea – 1 st , 2 nd Degree Felonies	\$550.00
Guilty Plea – Multiple Felonies (including Misds. or dismissals w/plea)	\$800.00
Dismissal of a Filed Case, No Guilty Plea	\$500.00
Pre-trial representation where case never filed	\$350.00

EXHIBIT "B"

I. NON-FELONY CASES ("Not guilty" or "Not true" pleas) (Including Juvenile Cases Based on Charges of Misdemeanor Based Laws and Misdemeanor Appellate Work)

1. Compensation for time spent by counsel out of court shall not be less than EIGHTY DOLLARS AND NO CENTS (\$80.00) per hour nor more than EIGHTY DOLLARS AND NO CENTS (\$80.00) per hour.

2. Compensation for time spent in court shall not be less than ONE HUNDRED TEN DOLLARS AND NO CENTS (\$110.00) per hour nor more than ONE HUNDRED TEN DOLLARS AND NO CENTS (\$110.00) per hour.

II. FELONY CASES ("Not guilty" or "Not true" pleas) (Including Juvenile Cases Based on Charges of Felony Grade Laws And Felony Appellate Work)

1. Compensation for time spent by counsel out of court shall not be less than ONE HUNDRED TEN DOLLARS AND NO CENTS (\$100.00) per hour nor more than ONE HUNDRED TEN DOLLARS AND NO CENTS (\$100.00) per hour.

2. Compensation for time spent in court shall not be less than ONE HUNDRED TWENTY-FIVE DOLLARS AND NO CENTS (\$125.00) per hour nor more than ONE HUNDRED TWENTY-FIVE DOLLARS AND NO CENTS (\$125.00) per hour.

III CAPITAL CASE COMPENSATION

In a capital case, in which the state seeks the death penalty, the rates for the lead attorney's services (first chair) shall be double the hourly rate provided above for non-capital felony attorney's fees. Total compensation for pre-trial, trial, and post-trial services in a capital (death sought) jury trial shall not exceed FORTY THOUSAND DOLLARS (\$40,000.00).

2. Any co-counsel (second or third chair) appointed by the Court shall be paid at the same rate as for non-capital felony cases under this order. Total compensation to co-counsel for pre-trial, trial, and post-trial services in a capital (death sought) jury trial shall not exceed TWENTY THOUSAND DOLLARS (\$20,000.00).

3. In capital cases, in which the jury imposed the death penalty, the rates for appellate attorney services shall be double the hourly-rate provided for non-capital felony attorney's fees and shall not exceed TEN THOUSAND DOLLARS (\$10,000.00).

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

1. In misdemeanor and felony criminal cases appointed counsel will be reimbursed for reasonable expenses that are incurred with or without prior court approval. 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. Said reimbursement to attorneys shall not exceed FIVE HUNDRED DOLLARS (\$500.00) in total investigator fees and FIVE HUNDRED DOLLARS (\$500.00) in total expert fees.

2. In capital felony criminal cases, appointed counsel will be reimbursed for reasonable expense that are incurred with or without prior court approval. Reasonable expenses may include expenses reasonably incurred or expected to be incurred for investigative and expert testimony, and will be in addition to the total compensation referred to in Section II of this Order. Said reimbursement to attorneys shall not exceed TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) in total investigator fees and TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) in total expert fees.

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, and shall submit said statement with a verified affidavit to the trial judge within a reasonable time of the disposition of the case, whether by plea, bench trial, verdict, or upon the mandate being returned in an appeal.

If the trial judge disapproves the requested amount, the judge shall make written findings stating the amount of payment approved and the reasons 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 THIS THE 16th DAY OF OCTOBER 2015, AND SAID ORDER SUPERSEDES ANY AND ALL PRIOR COURT STANDING ORDERS FOR ATTORNEY'S FEES AND OTHER EXPENSE COMPENSATION.



HONORABLE WILLIAM W. MILLER, JR.
Fifth Judicial District Court



HONORABLE DONALD W. DOWD
County Court at Law for Cass County