

**CORYELL COUNTY COURT APPOINTED ATTORNEY FEE SCHEDULE**

**TRIAL SERVICES FEE SCHEDULE**

**JURY**

<b>Type of Service</b>	<b>Flat Fee Presumption</b>	<b>Hourly Rate In Court</b>	<b>Hourly Rate Out of Court</b>
<i>Capital (Death Penalty)-Lead Counsel</i>	-----	100-150	75-100
<i>Capital (Death Penalty)-Second Chair</i>	-----	100-125	50-100
<i>Capital (Non death penalty)-Lead Counsel</i>	-----	75-100	50-100
<i>Capital (Non death penalty)-Second Chair</i>	-----	75-100	50-75
3g Felony	1,000 (per trial day)	70-100	50-70
Other Felony	750 (per trial day)	70	50
Misdemeanor	500 (per trial day)	70	50
Contested Competency	1,000 (per trial day)	70	50

**BENCH**

<b>Type of Service</b>	<b>Flat Fee Presumption</b>	<b>Hourly Rate In Court</b>	<b>Hourly Rate Out of Court</b>
3g Felony Trial	1,000 (per trial day)	70-100	50-70
Other Felony Trial	750 (per trial day)	70	50
Contested Felony MTR/MTAG/SHOCK	500	70	50
3g Felony Plea	500	70-100	50-70
Other Felony Plea	500	70	50
Felony MTR/MTAG Plea	500	70	50
Misdemeanor Trial	500 (per trial day)	70	50
Contested Misdemeanor MTR/MTAG	200	70	50
Misdemeanor Plea	300	70	50
Misdemeanor MTR/MTAG Plea	200	70	50
Contested Competency	500	70	50

**APPELLATE SERVICES FEE SCHEDULE**

<b>Type of case</b>	<b>Motion for New Trial and Brief</b>	<b>with Argument and Rehearing</b>	<b>Hourly Rate</b>
<i>Capital</i>	-----	-----	75-125
3g Felony	2,250	3,500	75-100
Other Felony	1,250	2,500	50-100
Misdemeanor	750	1,500	70

**Counsel Appointed to a Defendant** - Appointed attorneys will, unless authorized by the Court, submit a single fee voucher for all Coryell cases at the time of the defendant's disposition or representation ends. If a defendant has cases resolved by separate plea agreements or trials in both the County Court at Law and the District Court, counsel may submit a fee voucher for the disposition of the plea or trial in each of the respective courts. Defendant's cases not addressed on the fee voucher will result in waiver of further compensation.

**Flat Fee Presumption or Authorized Itemized Hourly Rate** - The flat fee presumption applies to all non-capital defendants. Only with prior Court approval may counsel submit an itemized (hourly rate) fee voucher. A voucher combining hourly itemizations and flat fees will not be approved. The Court may approve payment based on an itemized fee voucher where the flat fee would be inappropriate due to circumstances, complexity, or other issues that are clearly beyond the control of the appointed counsel and the judge finds that the fixed fee is clearly inappropriate for representation of the defendant. A request to itemize shall not be authorized later than the initial request for a plea, trial, or other disposition setting unless approved by the Court based on issues beyond the control of the appointed counsel. The Court will set the hourly rate based on the time and labor required and the complexity of the case, and the experience and ability of the appointed counsel. Unauthorized itemized hourly rate requests will be paid the flat fee.

Counsel shall keep an accurate account of his/her time, subject matter of the time expenditure, dates involved, necessity for expenditure of time, and attach all documentation. All documented time incurred in the representation of the defendant must be such that a qualified professional would agree was objectively reasonable and necessary for the representation of the defendant. When a court approves an attorney's request to submit hourly rates, the attorney must submit time by the hourly rate to the nearest .10/hour for in court time and actual time expended for out of court time. On cases pending over six months where the Court has authorized an itemized fee voucher, the attorney may request monthly or quarterly itemized fee vouchers for partial payments during the pendency of the defendant's cases. Presumptive compensated hours for out of court time apply accordingly; five (5) hours for misdemeanor cases, fifteen (15) hours for other felony cases, and thirty (30) hours for non-capital felony cases. Additional Court approval will be required to submit vouchers exceeding presumptive compensated hours.

**Investigator and Expert Expense** - When expenses for investigation or expert testimony are required, a motion must be filed with the Court requesting the appointment and payment approval in the same manner as Art. 26.052(f) of the TX C.C.P. Reasonable and necessary expenses including expenses for investigation, mental health, and other experts shall be reimbursed pursuant to Art. 26.05(d) of the TX C.C.P. If approval was not received prior to incurring expenses, then counsel may be reimbursed for expenses, if reasonably necessary and reasonably incurred. Investigators or experts must submit an invoice, statement, or other supporting documentation for authorized services provided. Reimbursement of authorized expenses incurred for purposes of investigation, evaluation, or testimony will be paid directly to the provider of services as required by county policy.

**Juvenile Matters** - Attorneys appointed to represent a juvenile in proceedings in which an adjudication of delinquent conduct, determinate sentencing, or transfer to a felony court after approval of petition by the Grand Jury shall be paid in accordance with the provisions herein for the payment of attorneys appointed in non-capital felony cases. Attorneys appointed to represent a juvenile alleged to be a child in need of supervision or in all other juvenile matters not described above shall be paid in accordance with the provisions herein for the payment of attorneys appointed in misdemeanor cases.

**Dismissals and Refusals by Prosecutors, and Motions to Withdraw and Substitutions** - If none of the defendant's cases are disposed by a plea, trial, or pre-trial diversion, the attorney will be compensated by one of the following: (1) Dismissal of filed case(s) - upon the prosecutor filing a motion to dismiss for final disposition with the District Clerk or County Clerk, disposing of all of the defendant's court appointed cases, the attorney will submit a single fee voucher for all cases and will be compensated for the equivalent of a flat fee plea on highest level of offense; or (2) Dismissal of unfiled case(s) - the prosecutor, prior to Indictment being returned or prior to the Information filed, dismisses or refuses all cases against a defendant, the attorney for the defendant is entitled to a flat fee of \$200; or (3) Withdraw/Substitution within 90 days - if the attorney for the defendant withdraws or a substitution of counsel is presented within ninety days from the appointment, the attorney for the defendant is entitled to a flat fee of \$200; or (4) Withdraw/Substitution beyond 90 days - if the attorney for the defendant withdraws or a substitution of counsel is presented beyond ninety days from the appointment, the attorney for the defendant will be compensated for the equivalent of a flat fee plea on highest level of offense.

**Pre-trial Diversions filed by District or County Attorney** - Upon the prosecutor filing a pre-trial diversion contract with the District Clerk or County Clerk disposing of all of the defendant's court appointed cases, the attorney will submit a single fee voucher for all cases and will be compensated a flat fee equivalent to a plea for the highest level of offense. Additional Court approval will be required to submit subsequent additional compensation in the event of further dispositions of the defendant's cases.

**Appeals** - A copy of the brief must be attached to the voucher for payment on appeal.

**Mathematical Errors** - 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 without further approval.