

JANA FURLOW, COURT ADMINISTRATOR  
ROSA OLVERA, COURT COORDINATOR  
ROBYN SHOFNER, COURT SECRETARY  
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## 106<sup>th</sup> Judicial District

CARTER T. SCHILDKNECHT  
DISTRICT JUDGE

July 1, 20xx

**FIELD**(First Name) **FIELD**(Last Name)

Attorney at Law

**FIELD**(Address)

**FIELD**(City, State, Zip)

Re: Annual Update of Appointment List

Dear **FIELD**(Title) **FIELD**(Last Name):

Pursuant to the Indigent Defense Plan in the 106th Judicial District, please find enclosed an **Application/Affidavit** which we ask that you complete with updated information and return to us at the above address if you want to remain on the appointment list for the year 20xx. We update attorney information annually in order to maintain current records on attorneys desiring appointments in the 106th Judicial District.

(Note: If you have proof of your having completed required continuing education, and no other information has changed, you may submit your continuing education verification with a cover letter *stating no other information has changed and that you wish to remain on the appointment list in this court* in lieu of completing the application in its entirety.)

Also enclosed is a **Request to Pay Counsel** which you should utilize when submitting a request for payment for services as an appointed attorney. The fee schedule as set out by Commissioners Courts in the 106th district follows.

### Flat Rates:

1. Felony cases resulting in a plea of guilt . . . . . \$300.00
2. Cases in which a dismissal of the charges is granted are paid at the same rate as a guilty plea, not including cases which were dismissed pursuant to a plea bargain in a separate case. For example, a dismissal pursuant to §12.45 of the Texas Penal Code would not be eligible for payment; but a dismissal due to the appointed attorney pointing out a lack of probable cause for arrest would be eligible for payment at the same rate as a guilty plea.

**Hourly rates (except capital cases):**

Pleas that involve more time than covered by the flat \$300 fee, contested cases, appeals and all other matters will be compensated at a minimum hourly rate of \$50.00 per hour and a maximum hourly rate of \$100.00 per hour. The presiding judge shall, within these limits, determine what hourly rate will be paid for any particular case. The presiding judge may approve different hourly rates during the same case depending upon the services being performed.

Generally, out of court time will be paid at \$50.00 per hour and time spent in court will be compensated at a rate of \$100.00 per hour for services performed.

**Payment:**

Payment for cases compensated on an hourly basis will be ordered upon approval by the presiding judge of a request for payment submitted with a Request to Pay Counsel form. The minimum billing increment shall be no greater than six (6) minutes (.1 hour).

**Expenses:**

Expenses are to be reimbursed pursuant to the procedures set forth in Texas Code of Criminal Procedure Art. 26.05. It is highly recommended that attorneys receive advance approval of the presiding judge for expenses of more than \$100.00.

**Contract Defender Program:**

If you are interested in submitting a proposal for the contract to handle indigent criminal defense for district court cases in the 106th District, which include Dawson, Gaines, Garza, and Lynn counties, please notify me as soon as possible, but no later than July 15, 20xx. To those attorneys who indicate an interest, I will provide terms of a sample contract for consideration in submitting a proposal. *The proposal must be accompanied by the updated information required for the Application/Affidavit.* Deadline for submission of a proposal is August 1, 20xx.

If you have questions, please do not hesitate to contact us.

Sincerely,

Carter T. Schildknecht  
District Judge

CTS/jf

Enclosures