

452nd DISTRICT COURT

EDWARDS, KIMBLE, MASON, McCULLOCH, AND MENARD COUNTIES

CAPITAL CASE COMPENSATION

In a capital case, in which the state seeks the death penalty and the County does not participate in the Regional Capital Defense Project, the rates for the lead attorney's services shall be paid at the rate of up to a maximum of ONE HUNDRED DOLLARS (\$100.00) per hour, subject to the limitations set forth in this Standing Order. Any co-counsel appointed by the court shall be paid at the rate of up to a maximum of EIGHTY-FIVE DOLLARS (\$85.00) per hour, subject to the limitations set forth herein. In all capital cases, in which the state seeks the death penalty, the maximum amount of attorney fees to be paid to lead counsel shall not exceed FORTY THOUSAND DOLLARS (\$40,000.00). The maximum compensation paid to any co-counsel shall not exceed TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00).

In capital cases in which the state seeks the death penalty, appointed appellate counsel shall be paid for reasonable services rendered at the rate of up to a maximum of ONE HUNDRED DOLLARS (\$100.00) per hour not to exceed FIVE THOUSAND DOLLARS (\$5,000.00) for the appeal of a single case.

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

In capital felony criminal cases appointed counsel will be reimbursed for reasonable expenses that are incurred provided prior court approval has been granted upon motion and application and a hearing held on said motion. Reasonable expenses upon prior court approval and after motion and application may include expenses incurred or expected to be incurred for investigation and expert testimony, and will be in addition to the total compensation referred to in this order. Said fees shall not exceed TWENTY-FIVE HUNDRED DOLLARS (\$2500.00) in total investigator fees, and FIVE THOUSAND DOLLARS (\$5000.00) in

total expert fees, unless the Court finds exceptional circumstances or that good cause exists for exceeding said total amount.

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 to the trial Judge:

- a. On the date of disposition of a case by a plea or bench trial, or jury trial;
- b. Within 15 days of the date the mandate being returned in an appeal.


Bills for indigent attorney fees not timely filed, and without good cause, will be subject to reduction at the discretion of the Court.

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.

AMENDMENTS

The Judge of the 452nd District Court may approve changes as necessary to this fee schedule.

THIS ORDER IS SIGNED AND EFFECTIVE ON THIS THE 15th DAY OF OCTOBER, 2013, AND SAID ORDER SUPERCEDES ANY AND ALL PRIOR TO COURT STANDING ORDERS FOR ATTORNEY'S FEES AND OTHER EXPENSE COMPENSATION.



Robert R. Hofmann
452nd District Judge