

**50TH JUDICIAL DISTRICT COURT
INDIGENT CRIMINAL DEFENSE ATTORNEY'S FEE SCHEDULE**

COMPENSATION FOR COURT APPOINTED COUNSEL

Court appointed counsel shall receive fair and reasonable compensation as required by Article 26.05 C.C.P. Said compensation will be according to the following fee schedule:

Fee Schedule:

\$75.00 per hour for reasonable and necessary time spent on case, outside of court and \$95.00 per hour for time actually spent in trial.

No fees based upon these hourly rates shall be paid until the attorney submits a detailed itemized statement of his or her time spent on the case (including a brief description of the services performed) and such is approved by the judge presiding.

Alternatively the Court may pay \$350.00 - \$450.00 for guilty pleas depending on the amount of time the attorney has waited in the courthouse for the case to be called and the distance that the attorney has traveled to attend court.

Each attorney on this Court's list of approved attorneys for indigent criminal defendants must be in agreement with this fee schedule.

REQUEST FOR PAYMENT OF ATTORNEY'S FEES AND EXPENSES

Each appointed attorney shall prepare an affidavit itemizing the time and services performed and any expenses claimed on a verified form along with an order for the judge to sign for the approved total amount and submit these to the Judge of this Court within thirty (30) days of the conclusion of said attorney's representation.

The trial Judge will review said statement and either approve the same or make written findings stating the amount of payment approved and the reasons for approving an amount different from that requested.

APPOINTMENT FOR APPEAL AND WRITS

The appointment of counsel for indigent defendants on appeal and/or writ matters will be negotiated by the Judge on a case by case basis. No attorney shall be appointed in these matters unless they are known to the Judge to have had experience handling appellate matters.

APPOINTMENT OF INVESTIGATORS AND EXPERTS

Appointment and reimbursement for reasonable and necessary investigation, mental health and other experts, shall be as provided by law and only upon written motion and prior approval of the trial Judge.

Procedure With Prior Court Approval:

Appointed counsel may file with the trial court a pretrial *ex parte* confidential request for advance payment of investigative and expert expenses. The request for expenses must state, as applicable:

- 1) the type of investigation to be conducted or the type of expert to be retained;
- 2) specific facts that suggest the investigation will result in admissible evidence or that the services of an expert are reasonably necessary to assist in the preparation of potential defense; and
- 3) an itemized list of anticipated expenses for each investigation or each expert.

The Court shall grant the request for advance payment of expenses in whole or in part if the request is reasonable. If the court denies in whole or in part the request for expenses, the court shall:

- 1) state the reasons for the denial in writing;
- 2) attach the denial to the confidential request; and
- 3) submit the request and denial as a sealed exhibit to the record.

Revised and Adopted on October 24, 2017.



BOBBY D. BURNETT
50TH JUDICIAL DISTRICT JUDGE