

**STANDING ORDER FOR COMPENSATION OF ATTORNEYS
APPOINTED TO REPRESENT INDIGENT DEFENDANTS
MADISON COUNTY, TEXAS**

I.

A. Compensation for time spent by counsel out of court shall be not less than fifty dollars (\$50) per hour nor more than seventy-five dollars (\$75) per hour.

B. Compensation for time spent in court shall be not less than sixty dollars (\$60) per hour nor more than ninety dollars (\$90) per hour.

C. Total compensation for all pre-trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists:

Guilty Plea - Misdemeanor	\$ 300
Guilty Plea - State Jail Felony, 3rd Degree	\$ 400
Felony, 2nd Degree Felony, 1st Degree	
Felony, Multiple Case	
Non-jury Trial - Not guilty plea:	
Misdemeanor	\$ 300
State Jail Felony, 3rd Degree Felony	\$ 400
2nd Degree, 1st Degree Felony	\$ 500
Jury Trial:	
Misdemeanor	\$ 400 per day
State Jail Felony, 3rd Degree Felony	\$ 500 per day
2nd Degree, 1st Degree Felony	\$ 600 per day
Appeal of Non Jury Trial:	
Misdemeanor	\$ 250
State Jail Felony	\$ 500
2nd Degree, 1st Degree Felony	\$ 750

EXHIBIT 'E'

Appeal of Jury Trial:
 Misdemeanor \$ 1000
 State Jail Felony, 3rd Degree
 2nd Degree, 1st Degree Felony \$ 3500

II. 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 noncapital felony attorney's fees. Total compensation for pretrial, trial, and post trial services in a capital (death sought) jury trial shall not exceed forty thousand dollars (\$40,000).

Any co-counsel (second chair) appointed by the Court shall be paid at the same rate as for non-capital felony cases under this order. Total compensation for pre-trial, and post trial services in a capital (death sought) jury trial shall not exceed twenty thousand dollars (\$20,000).

In capital cases, in which the state seeks the death penalty, the rates for appeal attorney services shall be double the hourly rate provided above for non-capital felony attorney's fees and shall not exceed ten thousand dollars (\$10,000).

III. REIMBURSEMENT FOR REASONABLE EXPENSES FOR PURPOSES OF INVESTIGATION AND EXPERT TESTIMONY

A. In misdemeanor criminal cases appointed counsel will be reimbursed for reasonable expenses incurred, with or without prior court approval. Reasonable expenses upon prior court approval after motion and application 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 fees shall not exceed two hundred and fifty dollars (\$250) in total investigator fees and five hundred dollars (\$500) in total expert fees.

B. In capital and non-capital felony criminal cases appointed counsel will be reimbursed for reasonable expenses incurred, with or without prior court approval. 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 Section I of this order. Said fees shall not exceed \$50 per hour and two thousand dollars (\$2000) in total investigator fees and twenty-five hundred dollars (\$2500) in total expert fees.

C. In capital felony criminal cases appointed counsel will be reimbursed for reasonable expenses incurred, with or without prior court approval. 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 Section II of this Order. Said fees shall not exceed \$50 per hour and twenty-five hundred dollars (\$2500) in total expert fees unless the Court finds exceptional circumstances or that good cause exists for exceeding said total amount.

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 of service, and shall submit said statement on a form provided by the Court with a verified affidavit to the trial judge. The attorney shall indicate on the form the total amount of payment requested by the attorney. The statement will be submitted to the trial judge upon disposition, by plea or otherwise, of the case.

The statement will be considered submitted by the date mailed or personally presented to the court.

Bills for indigent attorneys fees not timely filed will be considered waived, the services performed PRO BONO, and said request for attorney's fees shall not be paid.

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 second administrative region.