

**MONTGOMERY COUNTY MISDEMEANOR
SCHEDULE OF FEES FOR COURT APPOINTED COUNSEL**

I. Flat Fee Schedule

Unless paid in accordance with the Hourly Fee Schedule described below, appointed counsel shall be paid a Flat Fee Rate as follows:

a.	Obtaining jail release	\$ 50
b.	Plea/Dismissal	\$350
c.	Plea/Dismissal for additional cases (each additional case)	\$ 50
d.	Evidentiary hearing	\$100
e.	Trial preparation (paid only if case is disposed by trial, or upon showing of good cause)	\$500
f.	Bench trial	\$275 per. day
g.	Jury Trial	\$325 per. day
h.	Appeal	\$1500

II. Hourly Rate

In the event that payment pursuant to the Flat Fee Schedule or the Daily Appointment rate will not fairly compensate Appointed Counsel, due to unusual legal or factual complexities involved in the representation of Appointed Counsel's client, then in said event, Appointed Counsel shall be compensated in accordance with the following Hourly Rate Fee Schedule:

a.	Out-of-Court	\$90/hour
b.	Non-trial Court appearance	\$90/hour
c.	Trial	\$90/hour

Hourly rates shall be paid for performing the appropriate statutory service according to the criteria defined in TEX CODE CRIM PROC. ART. 26.05(a).

In order to receive payment pursuant to the Hourly Rate Schedule, Appointed Counsel must certify in writing that the case was either factually or legally, unusually complex. Appointed counsel must further specify in writing the specific and principled reasons that the case was unusually complex and submit a detailed time sheet.

III. Daily Appointment Rate

An attorney receiving a Daily Appointment shall be paid a day rate of \$1,000.00 for the first five defendants appointed at the Daily Appointment docket. (The Court shall not assign to the same attorney more than five defendants at the same Daily Appointment docket). Immediately upon conclusion of the Daily Appointment docket, the attorney shall submit the *Request for Payment for Services Rendered as Court Appointed Counsel (Set*

Exhibit G

Montgomery County District Courts Fee Schedule
Amended and Adopted on October 02, 2020

Rates) and shall further attach to the payment request a **Daily Appointment Log (Exhibit “M”)** and the **Orders Appointing Attorney**. In the event final disposition of the case does not occur at the Daily Appointment docket, then in addition to the \$200.00 for representing the defendant, counsel shall be entitled to additional payment as follows:

- | | | |
|----|--|-----------------|
| a. | Trial preparation
(paid only if the case is disposed by bench or jury trial, or approved by Judge upon a showing of good cause) | \$500 |
| b. | Bench trial | \$275 per ½ day |
| c. | Jury Trial | \$325 per ½ day |
| d. | Appeal | \$1500 |

In the event Appointed Counsel requests payment in addition to the Daily Rate as provided above, then Appointed Counsel shall submit a **Request for Payment for Services Rendered as Court Appointed Counsel (Set Rates)** and shall indicate on said Request for Payment that the appointment originated as a Daily Appointment.

In the event that payment provided above will not fairly compensate counsel receiving a Daily Appointment case, due to unusual legal or factual complexities involved in the representation of Appointed Counsel’s client, then in said event, Appointed Counsel shall be entitled to additional compensation in accordance with the Hourly Rate Fee Schedule. In order to receive additional payment pursuant to the Hourly Rate Schedule, Appointed Counsel must certify in writing that the case was either factually or legally, unusually complex. Appointed counsel must further specify in writing the specific and principled reasons that the case was unusually complex and submit a detailed time sheet and also state that the original appointment was pursuant to a Daily Appointment.

IV. Investigators and Expert Expenses With Prior Court Approval

Appointed counsel may file with the trial court a pretrial ex parte confidential request for payment of investigative and expert witness 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 is reasonably necessary to assist in the preparation of a potential defense; and
3. an estimate of the cost of said investigation/expert.

Expenses incurred without prior court approval will not automatically be reimbursed. Such expenses shall be reimbursed if the Court determines that they are reasonably necessary and reasonably incurred upon presentation of a claim for reimbursement.

V. **Magistration and Bail Review Block Fee**

Counsel for Magistration and Bail Review shall be paid a Flat Fee Rate for the assigned block as follows:

- | | |
|--------------------|---------|
| a. Saturday-Monday | \$1,000 |
| b. Tuesday-Friday | \$1,000 |

/s/ 

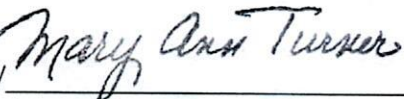
Judge Dennis Watson
County Court at Law Number One

/s/ 


Judge Claudia Laird
County Court at Law Number Two
Local Administrative Statutory County

/s/ 

Judge Patrice McDonald
County Court at Law Number Three

/s/ 

Judge MaryAnn Turner
County Court at Law Number Four

/s/ 

Judge Keith Stewart
County Court at Law Number Five