

**MONTGOMERY COUNTY DISTRICT COURTS  
SCHEDULE OF FEES FOR COURT APPOINTED COUNSEL**

**I. Contract Defender Amount**

Appointed Counsel shall be paid as follows:

- |    |  |                           |
|----|--|---------------------------|
| a. | Attorney Fee Expense   | \$2692.31 (every 2 weeks) |
| b. | Spanish Language Attorney Expense  | \$2884.62 (every 2 weeks) |
| c. | Continuous Sexual Abuse of a Child Trial Fee per Day   | \$750                     |
| d. | Aggravated Sexual Assault of a Child under the age of 6 Trial Fee per Day (Effective May 30, 2018) | \$750                     |
| e. | Attorney will be appointed up to 119 defendants per term   |                           |

**II. Flat Fee Schedule for Capital Cases**

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

- |    |                        |          |
|----|------------------------|----------|
| a. | Capital (First Chair)  | \$35,000 |
| b. | Capital (Second Chair) | \$30,000 |

**III. Hourly Rate for Capital and Appeal Cases**

In the event that payment pursuant to the Flat Fee Schedule 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. | Capital (First Chair)  | \$150/hour |
| b. | Capital (Second Chair) | \$100/hour |
| c. | Appeals                | \$90/hour  |

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

Request for payment on Capital and Appeal Cases: Fee voucher should be submitted to the court via the Fair Indigent Defense Online System.

Payment requests on Capital and Appeal cases must be submitted to the Judge presiding over the proceedings. The Judge shall either approve or disapprove the amount requested or shall enter written findings stating the amount approved and the reason(s) for approving an amount different from the requested amount.

Exhibit G

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

Appeal of disapproved fee payment requests will be made by appointed counsel to the Presiding Judge of the Second Administrative Judicial Region, as provided by the Fair Defense Act.

**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 Approval: Expenses incurred without prior approval of the court will not automatically be reimbursed. On presentation of a claim for reimbursement, the court shall order reimbursement of the expenses upon determination that they are reasonably necessary and reasonably incurred. Unreasonable or unnecessary expenses will not be approved.

All payment of Court Appointed Attorneys for work performed in Capital cases shall be ordered via Ex Parte order. The attorney so appointed shall not be required to submit time detail as a condition of payment.


**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 Phil Grant  
9<sup>th</sup> District Court

  
/s/ \_\_\_\_\_  
Judge Lisa Michalk  
221<sup>st</sup> District Court

  
/s/ \_\_\_\_\_  
Judge Kathleen Hamilton  
359<sup>th</sup> District Court

  
/s/ \_\_\_\_\_  
Judge Patty Maginnis  
435<sup>th</sup> District Court