

# Schedule of Fees

## Compensation of Appointed Counsel for Indigent Juveniles – Young County, Texas

The following schedule of fees is hereby adopted by the County and District Court Judges of Young County, Texas, for use in Juvenile cases where required by law.

### **I. Adjudication / Disposition**

Offense Level of the Offense Alleged

Misdemeanor .....	\$ 400.00
State Jail Felony.....	400.00
3 <sup>rd</sup> Degree Felony.....	400.00
2 <sup>nd</sup> Degree Felony.....	450.00
1 <sup>st</sup> Degree Felony.....	500.00

### **II. Trial**

1. Jury Trial:

One-half day for actual trial in court. ....	500.00
Full day for actual trial in court. ....	1,000.00

2. Non-Jury Trial:

Misdemeanor. ....	500.00
State Jail Felony, 3 <sup>rd</sup> Degree Felony..	750.00
2 <sup>nd</sup> Degree and 1 <sup>st</sup> Degree felony. ....	800.00

### **III. Appeal**

1. For Jury Trial

Misdemeanor. ....	750.00
State Jail Felony and 3 <sup>rd</sup> Degree Felony..	750.00
2 <sup>nd</sup> Degree and 1 <sup>st</sup> Degree Felony.....	1,250.00

2. For Non-Jury Trial

Misdemeanor. ....	500.00
State Jail Felony and 3 <sup>rd</sup> Degree Felony..	750.00
2 <sup>nd</sup> Degree and 1 <sup>st</sup> Degree Felony.....	1,000.00

**IV. Hourly Rates**

Minimum hourly rates. . . . .	60.00
Maximum hourly rate.. . . . .	100.00

**V. Case by Case Basis**

1. Fee rates will be approved on a case by case basis, depending upon the time and labor required, the complexity of the case, and the experience and ability of the appointed counsel.
2. The following services shall be included in calculating the attorney fees:
  - (a) Time spent in court making an appearance.
  - (b) Time spent in a proceeding in which sworn oral testimony is elicited.
  - (c) Reasonable and necessary time spent out of court on the case, supported by documentation as required by the Court.
  - (d) Time spent in preparation of an appellate brief to a Court of Appeals or the Texas Supreme Court.
3. In cases where multiple cases are filed against the same Juvenile and resolved as part of one bargained plea, the full scheduled rate set forth above may not be paid. Such cases shall be handled by the presiding judge of the court on a case by case basis.

**VI. Reimbursement for Investigative and Expert Expenses**

Appointed counsel shall be reimbursed for reasonable and necessary expenses, including expenses for investigation and for mental health and other experts. Expenses incurred with and without prior court approval shall be reimbursed, according to the procedures set forth below. When possible, prior court approval should be obtained before incurring expenses for investigation and for mental health and other experts.

**1. 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:

- (a) the type of investigation to be conducted or the type of expert to be retained;
- (b) 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 a potential defense; and
- (c) an itemized list of anticipated expenses for each investigation or each expert.

3. 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:
  - (a) state the reasons for the denial in writing;
  - (b) attach the denial to the confidential request; and
  - (c) submit the request and denial as a sealed exhibit to the record.
2. **Procedure without Prior Court Approval**

Appointed counsel may incur investigative or expert expenses without prior approval of the court. On presentation of a claim for reimbursement, the court shall order reimbursement of counsel for the expenses, if the expenses are reasonably necessary and reasonably incurred. Unreasonable or unnecessary expenses will not be approved.

**VII. Itemized Attorney Fee Voucher**

An itemized attorney voucher form has been adopted by the County and District Court Judges of Young County. The fee voucher must be completed by the attorney, submitted and approved by the presiding judge before a payment is made to the attorney.