

**COURT APPOINTED ATTORNEY FEE SCHEDULE
FOR DISTRICT AND COUNTY COURTS
LOVING, REEVES & WARD COUNTIES, TEXAS**

EFFECTIVE JANUARY 1, 2018

Attorneys appointed pursuant to Article 26.04 of the Texas Code of Criminal Procedure and the Texas Family Code shall be paid according to the following schedule and procedure:

I. District Court

- A. Plea agreement before the Court or a dismissal which disposes of the case (not including non-dispositive dismissals, such as because of re-indictment or enhancement, etc.) \$600.00 minimum

- B. Multiple cases, same defendant; or multiple defendants, same case; disposed of before the Court by plea agreement at the same time or pursuant to the same agreement, including dismissal which dispose of the case (not including, for example, dismissals because of re-indictment)
 - First case or defendant \$600.00 minimum
 - Second case or defendant \$240.00 minimum
 - Third and all additional cases or defendants, each \$120.00 minimum

- C. Motions to revoke or adjudicate resolved by agreement resulting in a modification of community supervision and a dismissal of the motion to revoke or adjudicate \$400.00 minimum

- D. Cases tried to the Court or a jury, without a plea agreement; and unusual cases where, even though disposed by a plea agreement, the above fees would be manifestly unjust \$600.00 minimum
Plus:
For all reasonable and necessary hours in excess of the first above hours, actually expended in the preparation, in hearings, and in the trial of a case, after submission of documentation satisfactory to the Court, for such hours, as approved by the Court... \$120.00 minimum

II. County Court

A. Misdemeanor Cases:

1. Plea agreement before the Court or a dismissal which disposes of the case (not including non-dispositive dismissals, such as because of resulting from a new information arising our of the same transaction) \$360.00 minimum

2. Multiple cases, same defendant; or multiple defendants, same case; disposed of before the Court by plea agreement at the same time or pursuant to the same agreement, including dismissal which dispose of the case (not including, for example, dismissals because of information)

- First case or defendant \$360.00 minimum
- Second case or defendant \$180.00 minimum
- Third and all additional cases or defendants, each \$120.00 minimum

3. Motions to revoke or adjudicate resolved by agreement resulting in a modification of community supervision and a dismissal of the motion to revoke or adjudicate. \$240.00 minimum

4. Cases tried to the Court or a jury, without a plea agreement; and unusual cases where, even though disposed by a plea agreement, the above fees would be manifestly unjust \$360.00 minimum

Plus:
For all reasonable and necessary hours in excess of the first above hours, actually expended in the preparation, in hearings, and in the trial of a case, after submission of documentation satisfactory to the Court, for such hours, as approved by the Court... \$120.00 minimum

B. Juvenile Cases:

1. Plea agreement before the Court or a dismissal which disposes of the case (not including non-dispositive dismissals, such as those resulting from a new petition arising out of the same transaction). \$240.00 minimum

2. Multiple cases, same defendant; or multiple defendants, same case; disposed of before the Court by plea agreement at the same time or pursuant to the same agreement, including dismissal which dispose of the case (not including, for example, dismissals because of new petitions)

 First case or defendant \$240.00 minimum
 Second case or defendant \$120.00 minimum
 Third and all additional cases or defendants, each \$ 60.00 minimum

3. Cases tried to the Court or a jury, without a plea agreement; and unusual cases where, even though disposed by a plea agreement, the above fees would be manifestly unjust \$240.00 minimum

Plus:

For all reasonable and necessary hours in excess of the first above hours, actually expended in the preparation, in hearings, and in the trial of a case, after submission of documentation satisfactory to the court, for such hours, as approved by the Court. \$120.00 minimum

III. District, County & Juvenile Court Cases:

A. As an alternative to the minimum rates and hourly rates provided above, the Court in its discretion may approve a daily rate for each day of actual trial \$1,200.00 minimum

B. As an alternative to the minimum rates and hourly rates provided above, the Court in its discretion may approve a daily rate for each half day of actual trial of \$ 600.00 minimum

- C. For appeals to the Court of Appeals or the Court of Criminal Appeals, including preparation of all preliminary motions, and all briefs and reply briefs, and where reasonable and necessary, the actual time of travel for arguments to the nearest place where such agreements can be presented without prejudice to the defendant, and the actual time in attendance at Court for argument \$ 120.00 hour (usual)

When practical, without prejudice to the client, attorneys are directed to request that any arguments before the Court of Appeals, Eighth District, be scheduled in Odessa, Texas, or other nearby venue.

- D. Reasonable and necessary travel to and from the lawyer's office and the courthouse or the place of incarceration of the defendant, for each mile of actual travel by private vehicle State approved rate at the time of travel

- E. First class postage, telephone, and minor office supplies Actual cost

- F. Reasonable and necessary xerox copies, either actual cost or if made on the lawyer's copier his actual charge to clients, not to exceed \$0.15 copy

- G. A counsel in a noncapital case, other than an attorney with a public defender, appointed to represent a defendant under this code shall be reimbursed for reasonable and necessary expenses, including expenses for investigation and for mental health and other experts. Expenses incurred with prior Court approval shall be reimbursed in the same manner provided for capital cases by Articles 26.052(f) and (g), and expenses incurred without prior Court approval shall be reimbursed in the manner provided for capital cases by Article 26.052(h).

- H. In each case where compensation is sought in excess of the minimum amounts provided above, and in all cases of appeal, and in connection with each request for the approval of expenses for investigation and expert

testimony, the Court shall take into account the time and labor required, the complexity of the case, and the experience and ability of the appointed attorney. The Court shall determine in its discretion the reasonableness and necessity of the time claimed in each request for payment. In considering the above factors and the time claimed in each case, the Court shall pay for each hour determined reasonable an necessary, a rate between \$120.00 and \$175.00

- I. A claim for payment for services as an attorney shall be submitted on such form as the Court may from time to time require, and no payments shall be made until the completed form is submitted to, and approved by, the appropriate Court. In its discretion, the Court may require additional information, or waive information if that information is unnecessary for decision in the subject case. The current form is attached as Exhibit A.

- J. If the Judge disapproves the requested amount of payment for attorney fees or expenses for investigation and expert testimony, the procedure set out in Article 26.05(c) of the Code of Criminal Procedure shall be followed.

Adopted by the undersigned judges, being all of the District and County Court Judges having criminal jurisdiction in the 143rd Judicial District of Texas, and by the Loving-Reeves County Juvenile Board and the Ward County Juvenile Board , this the 6th day of October, 2017, effective January 1, 2018.

Mike Swanson, Judge
143rd Judicial District Court

Scott W. Johnson
County Court at Law
Reeves County, Texas

Skeet Jones, County Judge
Loving County, Texas

Greg M. Holly, County Judge
Ward County, Texas

Loving-Reeves County Juvenile Board

Ward County Juvenile Board

By: _____
Skeet Jones, Chairman

By: _____
Greg M. Holly, Chairman