

**STANDING ORDER FOR COMPENSATION OF ATTORNEYS  
APPOINTED TO REPRESENT INDIGENT DEFENDANTS AND JUVENILES  
IN HEMPHILL, LIPSCOMB, ROBERTS, AND WHEELER COUNTIES, TEXAS**

On the 4<sup>th</sup> day of February, 2010, the below named County and District Court Judges with criminal jurisdiction, also constituting the 31<sup>st</sup> District Juvenile Board, after a duly called and conducted meeting and discussion, did unanimously adopt this schedule of fees concerning compensation of court-appointed counsel for indigent defendants and juveniles and related expenses made pursuant to Article 26.05, Texas Rules of Civil Procedure; therefore, it is ORDERED that compensation of court-appointed counsel and related expenses, made pursuant to a motion in the format prescribed by the appointing court, shall be as follows on a case-by-case basis as determined by the judge:

**I.  
SCHEDULE OF FEES**

A. Non-Jury Trial and Hearings:

\$500.00	Misdemeanor Pleas
\$500.00	Misdemeanor Revocation of Probation
\$500.00	Misdemeanor Dismissals
\$500.00	Juvenile Pleas
\$500.00	Juvenile Non-TYC Modifications
\$500.00	Juvenile TYC Modifications
\$750.00	Felony Pleas
\$500.00	Felony Revocation of Probation
\$250.00	Felony Dismissals

B. Travel Expenses

Each Court will establish a travel compensation policy applicable to counsel appearing in such Court.

C. Jury Trials, Unusual Cases, Appeals:

Maximum hourly rate, except for unusual cases or appeals, with advance approval of estimated fee by the Presiding Judge, \$100.00 per hour with maximum daily rate is \$750.00.

D. Reimbursement for Reasonable Expenses:

Reasonable trial, appeal and other actual expenses supported by documentation may be submitted for approval by the Presiding Judge. However, the above fees should be considered as including routine expenses incurred such as copies, postage, telephone and the like.

Extraordinary expenses (such as investigation, expert testimony, etc.) must be pre-approved by Presiding Judge.

**II.  
REASONABLE EXPENSES FOR PURPOSES  
OF INVESTIGATION AND EXPERT TESTIMONY**

A. In misdemeanor criminal cases, appointed counsel will be reimbursed for reasonable expenses that are incurred provided prior court approval has been granted. Such expenses may include fees incurred for investigation and expert testimony, and will in addition to the total compensation referred to in Section I of this Order. Said fees shall not exceed TWO HUNDRED FIFTY DOLLARS (\$250.00) in total investigator fees and THREE HUNDRED DOLLARS (\$300.00) in total expert fees.

B. In non-capital felony criminal cases, appointed counsel will be reimbursed for reasonable expenses that are incurred provided prior court approval has been granted. Such expenses may include fees 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 ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) in total investigator fees and ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) in total expert fees.

**III.  
REQUEST FOR PAYMENT OF ATTORNEYS 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 and service, and shall submit said statement:

- A. on the date of disposition of a case by a plea or bench trial; or
- B. within 15 days of the date of verdict in a jury trial; or
- C. within 15 days of the date the mandate being returned in an appeal.

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

If the Presiding 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 Ninth Administrative Region.

THIS ORDER IS SIGNED AND EFFECTIVE ON THIS THE 4<sup>TH</sup> DAY OF FEBRUARY, 2010, AND SAID ORDER SUPERCEDES ANY AND ALL PRIOR COURT STANDING ORDERS FOR ATTORNEYS FEES AND OTHER EXPENSE COMPENSATION.



HONORABLE STEVEN R. EMMERT  
31<sup>st</sup> Judicial District Court