

**AMENDED
SCHEDULE OF FEES FOR
COURT APPOINTED ATTORNEYS
IN CRIMINAL CASES IN THE
266TH DISTRICT COURT OF ERATH COUNTY, TEXAS**

The following schedule of fees for court appointed counsel representing indigent defendants in criminal cases in this Court is adopted effective October 1, 2014, in accordance with the provisions of Art. 26.05, Code of Criminal Procedure:

A. FIXED RATE:

<u>SERVICE</u>	<u>FEE</u>
1) Plea of guilty or nolo contendere to the Court. (multiple cases/single defendant/plea/dispose of all cases)	\$600.00 \$900.00
2) Representation in a Motion to Revoke Probation or Motion to Adjudicate (if contested) (if based on a plea) (multiple cases)	\$550.00 \$450.00 \$650.00
3) Representation resulting in an Order of Dismissal of indictment prior to plea, if based on activities of Defense Counsel. (multiple cases)	\$350.00 \$450.00
4) Trials (Jury and Non-Jury)	\$400.00 per ½ day PLUS \$100.00 per hour for trial preparation (12 hour maximum with supporting documents)
5) Filing Motion for New Trial (without hearing) (with hearing)	\$150.00 \$250.00
6) Appeal to the Court of Appeals (brief and oral argument)	\$1000.00 \$1250.00
7) Appeal to the Court of Criminal Appeals (if PDR granted)	\$1000.00
8) Post-conviction writ of habeas corpus proceeding	\$400.00

B. HOURLY RATE:

In cases involving rendition of legal services other than those listed above under “fixed rate” services, or in extraordinary or complex cases making the fixed rate schedule grossly inadequate, fees may be computed on an hourly basis for reasonable and necessary time spent by the attorney at an hourly rate of not less than \$75.00 nor more than \$100.00. The attorney requesting payment under this provision shall keep an accurate account of time expended, services rendered, and dates involved, and shall furnish documentation thereof to substantiate the reasonableness and necessity of the services rendered and time spent on the case. Approval or disapproval of the reasonableness and necessity of time expended and/or services performed and the determination of the hourly rate to be applied shall be within the exclusive discretion of the Court.

The Court reserves the right in all cases to modify this fee schedule based on the nature or complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered. Attorneys shall also be reimbursed for reasonable and necessary expenses incurred with prior court approval, and the payment of all fees and expenses requires the approval of the Court in writing. The attached form marked “Exhibit A” shall be used to report or itemize services rendered and to request payment, and shall be approved by the Court prior to payment being made.

**SCHEDULE OF FEES FOR
COURT APPOINTED ATTORNEYS
IN CRIMINAL CASES IN THE
COUNTY COURT AT LAW OF ERATH COUNTY, TEXAS**

<u>SERVICE</u>	<u>FEE</u>
1) Plea in misdemeanor cases	\$425.00
2) Plea in more than one misdemeanor case (same respondent, same day) - each additional	\$100.00
3) Plea in misdemeanor case with complex issues, lengthy pretrial, volumous. Records review or extensive investigation of facts	\$525.00
4) Trial in misdemeanor cases (first day)	\$750.00
(each additional day or part day thereafter)	\$400.00
5) Hearing on misdemeanor revocation, habeas corpus, or MNT	\$300.00
6) Appellate brief	\$750.00
7) Brief and oral argument	\$900.00
8) Juvenile Proceedings (contested)	\$750.00
(plea)	\$425.00
(modification- contested)	\$500.00
(modification- uncontested)	\$425.00

**SCHEDULE OF FEES FOR
COURT APPOINTED ATTORNEYS
IN CPS CASES IN THE
266TH DISTRICT COURT OF ERATH COUNTY, TEXAS**

The following schedule of fees for court appointed counsel in CPS cases in this Court is adopted effective October 1, 2014.

A. FIXED RATE:

<u>SERVICE</u>	<u>FEE</u>
1) Adversary Hearing	\$400.00 (contested) \$300.00 (uncontested)
2) Each Review Hearing	\$150.00
3) Final Hearing	a) \$500.00 (contested) Plus \$100.00 per hour for preparation time for contested final hearing (12 hour maximum with supporting documentation)
	b) \$350.00 (uncontested)