

**THE STATE OF TEXAS**

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§                   **IN THE DISTRICT COURTS OF**  
**MATAGORDA COUNTY, TEXAS**  
**23<sup>RD</sup> AND 130TH JUDICIAL DISTRICTS**

**ORDER SETTING FEES FOR APPOINTED COUNSEL IN FELONY AND JUVENILE  
CASES IN MATAGORDA COUNTY, TEXAS**

Pursuant to the Texas Fair Defense Act, the undersigned judges of the district courts in Matagorda County, Texas, do hereby establish the following fees for representation by appointed counsel of indigent defendants in those courts.

The maximum rate is the most that may be paid without prior approval by the judge presiding.

The presumed reasonable fee is the rate the court will pay for the case if no time sheet is presented. The attorney may apply for the presumed reasonable fee on the voucher submitted with the final papers in the cause. Fees must be submitted with final judgment in plea bargain cases and must be submitted within ten (10) days after final trial or are considered waived.

The fees established here shall be effective on the date the Order is signed.

<b>COMPENSATION</b>	<b>PRIMA FACIE AMOUNT</b>	<b>2<sup>ND</sup> CASE</b>
<b>Guilty Plea-Felony</b>		
1st Degree	\$750	\$100
2nd Degree	\$675	\$100
3rd Degree	\$625	\$100
State Jail Felony	\$600	\$100

<b>Court Appearances and Preparation</b>		
Non-Trial Court Appearances (per Δ)	\$100	-
Pre-Trial Motion Hearings and Trials	\$80-\$120/hour	-
Jury/Non-Jury Trial - First Chair (In-Court Maximum)	\$750/half-day	-
	\$1,500/full day	-
Jury/Non-Jury Trial - Second Chair (In Court Maximum)	\$500/half-day	-
	\$1,000/full day	-
Open Plea	PEA+\$250	\$100

**Court Appearances and Preparation Cont'**

MRP/MTA Hearing	\$500	\$100
MRP/MTA Plea	\$300	\$100
Out of court preparation and research time (per Δ)	\$80-\$120/hour	-
Appointed To Case-Case Never Filed	\$250	\$100
Dismissed Misdemeanor as a result of Felony plea	\$100	\$100

**Juvenile**

Initial Detention Hearing (per Δ)	\$250	-
Subsequent Detention Hearings (per Δ)	\$150	-
Adjudication and Disposition	\$400	\$100
Out of Court Preparation and In Court Appearances	See	Above

**Appeals**

Appellate Counsel	\$100-\$200/hourly	-
Anders Brief	\$1,000	-
Appeal Maximum		
State Jail/Third Degree	\$2,000	-
Second Degree/First Degree	\$3,500	-

**Capital Murder - Death Penalty Sought**

Pre-Trial Court Appearances	\$100	-
Preparation/research time (per Δ)	\$100-\$150/hour	-
Jury/Non-Jury Trial - First Chair (In-Court Maximum)	\$1,750/half-day	-
	\$3,500/full day	-
Jury/Non-Jury Trial - Second Chair (In Court Maximum)	\$1,250/half-day	-
	\$2,500/full day	-
Case Maximum (Combined)	\$50,000	-
Appeal	\$150/hour	-
Appeal Maximum	\$12,000	-

Any request for fees greater than those set forth in this order must be approved by the court in advance. Expenses for investigation and expert witnesses are reimbursable only with prior approval of the Court and must be submitted using the voucher or a separate order.

Signed: August 8, 2023

*Ben Hardin*

Hon. Ben Hardin  
23<sup>rd</sup> Judicial District Court

*Denise M. Fortenberry*

Hon. Denise M. Fortenberry  
130<sup>th</sup> Judicial District Court

FILED

at 2:54 o'clock P M.

OCT 23 2023

JANICE L. HAWTHORNE

Clerk of District Court Matagorda Co., Texas

By JA DEPUTY