

**Schedule of Fees
(Beginning on October 1, 2024)**

**Compensation of Appointed Counsel for Indigent Defendants- 90th Judicial
District Court and Young County, Texas**

Pursuant to the provisions of the *Texas Code of Criminal Procedure*, the following schedule of fees is hereby adopted by the County and District Court Judges for Young County, Texas, for use in criminal cases where required by law.

I. Guilty Plea Agreement.....Flat Fee Amount

Misdemeanor.....\$400.00

Each additional misdemeanor case disposed of under same plea

Each additional case added at.....\$100.00

State Jail Felony.....\$500.00

Third-Degree Felony.....\$500.00

Second-Degree Felony.....\$600.00

First-Degree Felony.....\$700.00

Each additional felony dismissed pursuant to a plea.....\$100.00

I. Trials

Jury Trial:

One-Half day for actual trial in court.....\$500.00

Full day for actual trial in court.....\$1,250.00

Non-Jury Trial:

Misdemeanor.....\$500.00

State Jail Felony and Third-Degree Felony.....\$500.00

Second-Degree Felony and First-Degree Felony.....\$900.00

II. **Appeal**

1. Jury Trial

Misdemeanor.....\$1,000.00
Felony.....\$2,000.00

Non-Jury Trial

Misdemeanor.....\$600.00
Felony.....\$1,500.00

III. **Hourly Rates (Includes Criminal, CPS and AG)**

Minimum Hourly Rate.....\$100.00
Maximum Hourly Rate.....\$150.00

IV. **Case by Case Basis**

- Fee rates will be approved on a case-by-case basis, depending on the time and labor required, the complexity of the case, the experience and ability of the appointed counsel;
- The following services shall be included in calculating the attorney fees paid on a case-by-case scenario:
 - In court time making appearances;
 - In court time in which sworn oral testimony is elicited;
 - Reasonable and necessary time spent out of court on the case, supported by documentation required by the Court;
 - Time spent in preparation of an appellate brief to a Court of Appeals, the Court of Criminal Appeals, or The Supreme Court of Texas.
- In circumstances where multiple cases are filed against the same defendant and resolved as a part of one bargained for plea, the fee scheduled rate set forth above may not be applied upon good showing of the necessity to vary from the above plea rate structure. Such cases shall be handled by the presiding judge of the court on a case-by-case basis;
- In circumstances where an individual makes application for court appointed attorney when magistrated and subsequently appointed counsel but no case

is ever formally brought, i.e. no Cause Number generated, the attorney accepting the appointment shall be compensated by a fee of no less than \$25.00.

V. **Case Dismissals**

Cases dismissed shall be compensated on a case-by-case basis. However, such fee shall not be less than \$100.00.

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

Counsel appointed in a non-capital case 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.

- Procedure with prior court approval

Appointed counsel may file with the trial court an *ex parte* 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.

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.

- 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 fee voucher form has been adopted by the County and 90th Judicial District Court Judges. The fee voucher so adopted must be **PROPERLY** completed by the attorney, submitted and approved by the presiding judge before a payment is made to the attorney.