

G. GRIMES COUNTY FEE GUIDELINES

FOR APPOINTED COUNSEL IN FELONY CRIMINAL CASES

EFFECTIVE April 1, 2014 FOR SERVICES RENDERED ON OR AFTER THAT DATE

Pursuant to C.C.P. Art. 26.05, the following guidelines shall be used to claim attorney's fees for appointed counsel in felony criminal cases. The goal of these payment guidelines is to assure quality representation for indigent persons charged with felony crimes in Grimes County. Those cases appropriate for trial should be tried and those appropriate for plea should be pled. Each judge reserves the right to deviate from these guidelines in particular cases where the amount or quality or work performed is substantially above or below the norm. Court appointed attorneys remain attorneys of record until final disposition of their cases unless a motion to withdraw or substitute counsel is granted.

PAYMENT GUIDELINES

Plea & Sentence on the date the case is assigned	\$400.00	Add \$100.00 for each additional case or count
Plea & Sentence on any date after arraignment but prior to announcement for trial	\$550.00	Add \$100.00 for each additional case or count
Trial Preparation if case does NOT go to trial, but has been placed on the pending trial list	\$400.00	No additional payment for additional cases or counts
Trial Preparation if case actually goes to trial	\$750.00	Add \$100.00 for each additional case or count
Motions to Suppress or other contested hearings including Revocation/Adjudication	\$150.00 per hour up to a maximum of \$450.00	No additional amount for additional cases or counts
Preparation if MTR/MTA actually goes to hearing	\$300.00	Add \$100.00 for each additional case or count
Bench or Jury Trial	\$800.00 per day	No additional amount for additional cases or counts
Appeal after trial (bench or jury)	Not less than \$1,750.00	
Appeal after plea bargain	Not less than \$1,250.00	

HOURLY RATES (\$150.00 per hour).

When a fixed rate is provided in the chart above, an hourly rate claim will not be approved without prior court approval. In the event the attorney anticipates significant expenditures of time, the attorney shall notify the Court as soon as possible that billing at the hourly rate is requested. On approval by the Court, claims for payment should reflect time expended to the nearest 1/10th of an hour. If an hourly rate is approved, an itemized statement reflecting the date, service performed, and time expended, must be submitted with the request for payment form. Approval by the Court shall be in accordance with the Indigent Defense Plan.

EXTRAORDINARY CASES

It is recognized that there are those cases which require an extra measure of work, such as those involving scientific investigations, complex forensics, significant documentation and other measures. Attorneys should submit those cases for approval on an hourly basis as described above only after prior court approval.

EXPENSES

Court appointed counsel will be compensated for necessary expenses as provided in the Plan.

REQUESTS FOR PAYMENT:

Request for payment forms shall be submitted within 30-days after the time the case is disposed of except for trials. Failure to submit vouchers in a timely manner may result in non-payment.

Payment for all of a single defendant(s) cases should be requested on one form.

Payment for expenses such as investigators and expert witnesses should be requested on a separate form

EXAMPLES:

1. Attorney is assigned a defendant, completes arraignment, two motions hearings, a pretrial hearing and is placed on the trial list by the Court. Defendant enters a plea bargain prior to announcements to the jury. Attorney will receive \$500 for the case and \$400 for the preparation, for a total of \$900 in fees. Any authorized expenses will be paid per the plan.
2. Attorney is assigned a defendant for a Motion to Revoke Probation, completes initial appointment status, two motions hearings. Defendant takes a plea on the second motions hearing date. Attorney will receive \$500 for the case.
3. Attorney is assigned a defendant, completes arraignment, a motions hearing, conducts a two-hour suppression hearing, a pretrial hearing and is placed on the trial list by the Court. Defendant then enters a plea bargain prior to announcements to the jury. Attorney will receive \$500 for the case, \$300 for the suppression hearing, \$400 for the preparation for a total of \$1,200 for the case.
4. Attorney is assigned a defendant, completes arraignment, a motions hearing, conducts a two-hour suppression hearing, a pretrial hearing and enters a plea bargain prior to being placed on the trial list by the Court. Attorney will receive \$500 for the case and \$300 for the suppression hearing for a total of \$800 for the case.
5. Attorney is assigned a defendant, completes arraignment, and finds it to be a complicated sexual assault of a child case. Attorney files a notice with the Court for compensation as an extraordinary case. Attorney must keep accurate time slips and will be paid at the rate of \$150 per hour, plus expenses.