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SPECIAL ORDER NO.

STATE OF TEXAS

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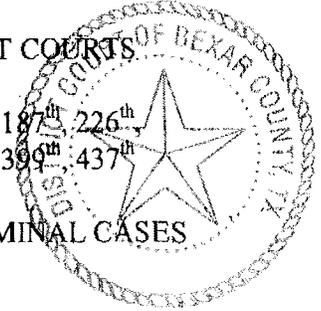
IN THE DISTRICT COURTS

AND

144<sup>th</sup>, 175<sup>th</sup>, 186<sup>th</sup>, 187<sup>th</sup>, 226<sup>th</sup>,  
227<sup>th</sup>, 290<sup>th</sup>, 379<sup>th</sup>, 399<sup>th</sup>, 437<sup>th</sup>

COUNTY OF BEXAR

HANDLING CRIMINAL CASES

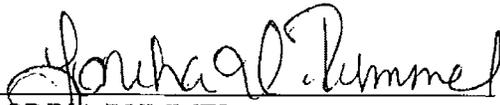


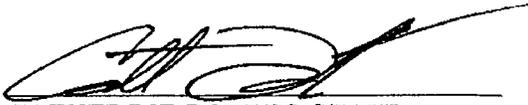
**JOINT ORDER ADOPTING FEE SCHEDULE**

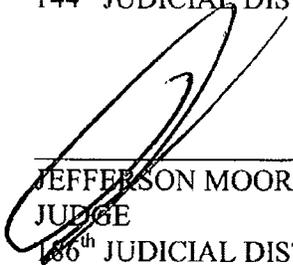
In accordance with Article 26.05, Sections (b), (c), and (d) of the Code of Criminal Procedure of the State of Texas, the undersigned, being the district court judges designated by the legislature to give priority to criminal cases in Bexar County, Texas, now adopt the attached Fee Schedule, effective for all vouchers submitted after September 1, 2017.

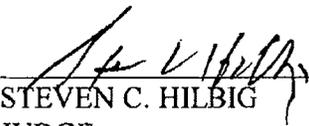
It is ORDERED that this Joint Order be spread upon the minutes of the respective courts, filed for a record in the offices of the District Clerk of Bexar County, and a copy sent to the Commissioners Court of Bexar County.

SIGNED, ORDERED and ENTERED the 28<sup>th</sup> day of August, 2017.

  
LORINA RUMMEL  
JUDGE  
144<sup>th</sup> JUDICIAL DISTRICT COURT

  
CATHERINE TORRES-STAHL  
JUDGE  
175<sup>TH</sup> JUDICIAL DISTRICT COURT

  
JEFFERSON MOORE  
JUDGE  
186<sup>th</sup> JUDICIAL DISTRICT COURT

  
STEVEN C. HILBIG  
JUDGE  
187<sup>th</sup> JUDICIAL DISTRICT COURT

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*Sid L. Harle*

SID L. HARLE  
JUDGE  
226<sup>th</sup> JUDICIAL DISTRICT COURT

*Kevin O'Connell*

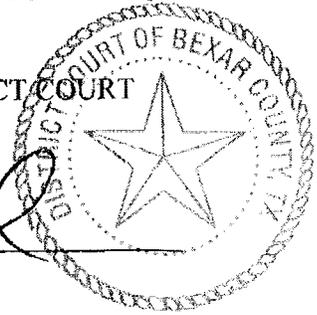
KEVIN O'CONNELL  
JUDGE  
227<sup>th</sup> JUDICIAL DISTRICT COURT

*Melisa Skinner*

MELISA SKINNER  
JUDGE  
290<sup>th</sup> JUDICIAL DISTRICT COURT

*Ron Rangel*

RON RANGEL  
JUDGE  
379<sup>th</sup> JUDICIAL DISTRICT COURT



*Frank J. Castro*

FRANK J. CASTRO  
JUDGE  
399<sup>th</sup> JUDICIAL DISTRICT COURT

*Lori I. Valenzuela*

LORI I. VALENZUELA  
JUDGE  
437<sup>th</sup> JUDICIAL DISTRICT COURT

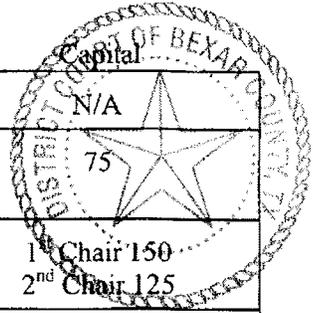
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Fee Schedule

\* Vouchers should be itemized on 1/4 of an hour basis for in-court time only. Out-of-court time should be itemized in real time.

	SJF, 3°	2°	1°	Capital
Initial Jail Visit	100	100	100	N/A
Court Appearance (Hourly Rate)	75	75	75	75
Evid. Hearing & MTR's (Hourly Rate)	75	85	100	1 <sup>st</sup> Chair 150 2 <sup>nd</sup> Chair 125
Trial (Hourly Rate)	75	100	125	1 <sup>st</sup> Chair Voir Dire 150 2 <sup>nd</sup> Chair 125 1 <sup>st</sup> Chair Trial 150 2 <sup>nd</sup> Chair 140
Out-of-Court-time (Hourly Rate)  *Need prior approval to exceed 30 hours on regular felonies	50	60	75	150  *See Guideline #13
Flat Fee for Pleas Flat Fee for Post-Indictment Dismissals	400	500	750	1 <sup>st</sup> Chair 3500 2 <sup>nd</sup> Chair 2500
Flat Fee for MTR's Flat Fee for Pre-Indictment Dismissals	200	250	350	1 <sup>st</sup> Chair 1750 2 <sup>nd</sup> Chair 1250



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For rules regarding multiple cases and multiple counts, see the attached Guideline #s 15, 16, and 17.

Appeals and P.D.R.s:

Regular Felonies: out of court: SJF, 3° \$50/hour  
2° \$60/hour  
1° \$75/hour  
in court: \$150/hour  
\*cap of: \$6500

Investigator Fees:

SJF, 3° Up to \$300  
2° Up to \$500  
1° Up to \$750  
Capital Up to \$1500

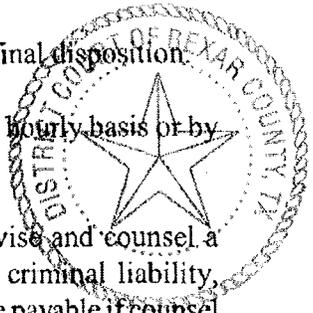
Death Penalty Capitals: out of court \$150/hour  
in court \$200/hour  
\*cap of \$15,000

See the attached Guidelines for the Fee Schedule for more information, including Guideline #12 regarding expert and investigative expenses.

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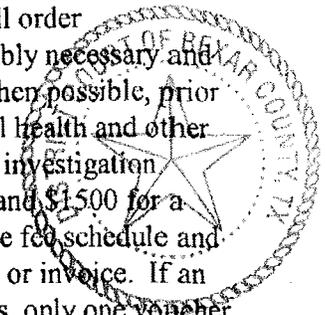
GUIDELINES FOR THE FEE SCHEDULE

1. No claim will be paid unless properly submitted within one year of the final disposition.
2. Dismissals (either pre-indictment or post-indictment) may be paid on an hourly basis or by flat fee. For multiple cases that include a dismissal, see Guideline #16.
3. When it becomes necessary for the Court to appoint an attorney to advise and counsel a witness whose own testimony might subject that witness to potential criminal liability, counsel will be entitled to compensation at the hourly rate which would be payable if counsel had been appointed to represent the defendant in the case on trial.
4. Attorneys handling waiver pleas will be paid as if the case had been indicted.
5. According to Article 26.05(c) of the Code of Criminal Procedure, this fee schedule takes into consideration reasonable and necessary overhead costs. Overhead costs that are included in the fee schedule and may not be additionally claimed on a voucher include but are not limited to: printing/reproduction expenses, postage, facsimile expenses, computer research, parking, supplies, equipment, rent, repairs, utilities, insurance, advertising, taxes, or CLE. Fees for certified copies and/or subpoena processing fees for records may be claimed. Also, for appellate vouchers only, printing/reproduction expenses, binding, and the cost of electronic filing may be claimed.
6. Requests for prior approval to exceed the maximum stated out-of-court hours and/or the maximum stated investigator fees must be filed in the appropriate court and set out the need to exceed the maximum and a justification of the cost. Extraordinary circumstances must be presented in order to obtain Court approval.
7. Only if an attorney chooses to be paid a flat fee for a plea, an additional \$100 may be paid for the initial jail visit, if in person or if done remotely through the Remote Attorney Visitation System.
8. An itemization sheet must be attached showing detailed hours worked if the attorney is being paid on an hourly basis.
9. If the County Auditor's Office detects simple mathematical errors in a pay voucher, it will compute the voucher and pay it out based on the auditor's office calculations.
10. A copy of your brief must be attached to your voucher for payment on an appeal.
11. After January 1, 2002, there will be no more automated payments. A voucher must be submitted for payment on any case.



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12. 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 expenses will not be approved. When possible, prior court approval should be obtained before incurring expenses for mental health and other experts. Prior court approval is required before incurring expenses for investigation services that exceed \$300 for a SJF or 3<sup>o</sup>, \$500 for a 2<sup>o</sup>, \$750 for a 1<sup>o</sup>, and \$1,500 for a Capital. Overhead costs of investigators and experts are included in the fee schedule and may not be additionally claimed on an investigator or expert's voucher or invoice. If an investigator or expert is appointed to one defendant with multiple cases, only one voucher or invoice should be submitted that includes the totality of work performed on all cases.
  13. On a capital murder case, if an attorney anticipates exceeding 100 hours of out-of-court time, he/she must notify the court when they have reached 100 hours and provide the court with an up-to-date itemization form for the time already spent. On presentation of a claim for payment, the court shall order payment of counsel for all out-of-court time, if the time spent was reasonably necessary and reasonably incurred. Unreasonable claims will not be approved.
  14. When an appointment is made on an appeal, it is expected that the attorney receiving the appointment and signing the voucher actually did the research and wrote the brief. If another person assisted the attorney of record, the voucher must reflect that person's name, the work performed by that person, and the amount, if any, that person was paid or promised for their services.
  15. A voucher combining hourly itemizations and flat fees on multiple cases/multiple counts will not be approved. An attorney must submit a voucher based on flat fees alone, or hourly itemizations alone, and no combination of the two is acceptable.
  16. For multiple pending cases with the same defendant, including indictments, MTRs, informations on waiver pleas, and/or any combination of these, you may either choose to submit one itemized voucher or be paid a flat fee for the highest degree case, whatever the disposition of that case. If you choose to itemize, use the rate applicable to the highest degree case.
  17. For one indictment with multiple counts, you may either itemize or choose to be paid one flat fee.
  18. Defense attorneys must submit pay vouchers to the court for experts and court appointed investigators. Investigators and experts may not approach a judge directly for payment. The defense attorney must submit the investigator's pay voucher to the court at the same time as their own pay voucher.





CERTIFIED COPY CERTIFICATE STATE OF TEXAS  
I, DONNA KAY MCKINNEY, BEXAR COUNTY DISTRICT  
CLERK, CERTIFY THAT THE FOREGOING IS A TRUE  
AND CORRECT COPY OF THE ORIGINAL RECORD AS  
INDICATED BY THE VOLUME, PAGE AND COURT ON  
SAID DOCUMENT. WITNESSED MY OFFICIAL HAND  
AND SEAL OF OFFICE ON THIS:



*August 28, 2017*

**DONNA KAY MCKINNEY  
BEXAR COUNTY, TEXAS**

By: *Leticia Leija*  
LETICIA LEIJA, Deputy District Clerk  
*(NOT VALID WITHOUT THE CLERKS'S ORIGINAL SIGNATURE.)*