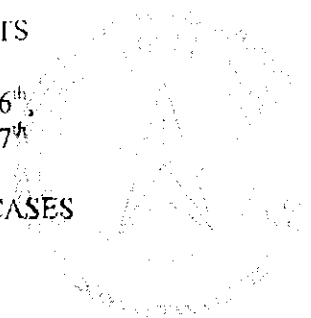


SPECIAL ORDER NO. 72704

STATE OF TEXAS § IN THE DISTRICT COURTS
AND § 144th, 175th, 186th, 187th, 226th,
§ 227th, 290th, 379th, 399th, 437th
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 and Fee Schedule Guidelines effective for all vouchers submitted on or after November 1, 2021.

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 1st day of November, 2021.

Michael Mery
Michael Mery (Nov 1, 2021 14:20 CDT)
MICHAEL MERY,
JUDGE
144th JUDICIAL DISTRICT COURT

Catherine Torres Stahl
CATHERINE TORRES-STAHL
JUDGE
175TH JUDICIAL DISTRICT COURT

Jefferson Moore
Jefferson Moore (Nov 1, 2021 15:47 CDT)
JEFFERSON MOORE
JUDGE
186th JUDICIAL DISTRICT COURT

Stephanie Boyd
Stephanie Boyd (Nov 1, 2021 17:22 CDT)
STEPHANIE BOYD
JUDGE
187th JUDICIAL DISTRICT COURT

Velia Meza
VELIA MEZA
JUDGE
226th JUDICIAL DISTRICT COURT

Kevin O'Connell
Kevin O'Connell (Nov 3, 2021 07:36 CDT)
KEVIN O'CONNELL
JUDGE
227th JUDICIAL DISTRICT COURT

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J Peña

Jennifer Peña (Nov 1, 2021 13:01 CDT)

JENNIFER PEÑA
JUDGE
290th JUDICIAL DISTRICT COURT

Ron Rangel

Ron Rangel (Nov 1, 2021 14:20 CDT)

RON RANGEL
JUDGE
379th JUDICIAL DISTRICT COURT

Frank Castro

Frank Castro (Nov 1, 2021 14:15 CDT)

FRANK J. CASTRO
JUDGE
399th JUDICIAL DISTRICT COURT

Melisa Skinner

Melisa Skinner (Nov 1, 2021 15:28 CDT)

MELISA SKINNER
JUDGE
437th JUDICIAL DISTRICT COURT



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**Bexar County Felony
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	125	125	125	N/A
Court Appearance (Hourly Rate)	90	90	90	90
Evid. Hearing & MTR's (Hourly Rate)	90	100	115	1 st Chair 165 2 nd Chair 140
Trial (Hourly Rate)	85	110	135	1 st Chair Voir Dire 165 2 nd Chair 140 1 st Chair Trial 165 2 nd Chair 155
Out-of-Court-time (Hourly Rate) *Need prior approval to exceed 30 hours on regular felonies	60	70	85	165 *See Guideline #13
Flat Fee for Pleas Flat Fee for Post-Indictment Dismissals	450	550	825	1 st Chair 3850 2 nd Chair 2750
Flat Fee for MTR's Flat Fee for Pre-Indictment Dismissals	225	275	385	1 st Chair 2000 2 nd Chair 1450

For rules regarding multiple cases and multiple counts, see the attached Fee Schedule Guideline 14 and 15.

Appeals and P.D.R.s:

Regular Felonies: out of court: SJF, 3° \$60/hour
 2° \$70/hour
 1° \$85/hour
 in court: \$165/hour
 *cap of: \$7200

Investigator Fees:

SJF, 3° Up to \$350
 2° Up to \$550
 1° Up to \$800
 Capital Up to \$1750

Death Penalty Capitals: out of court \$165/hour
 in court \$225/hour
 *cap of \$1650

See the attached Guidelines for the Fee Schedule for more information, including Guideline #11 regarding expert and investigative expenses.

COURT REPORTERS ASSOCIATION OF KANSAS

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FEE SCHEDULE GUIDELINES

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. 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^o, \$500 for a 2^o, \$750 for a 1^o, and \$1500 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.
12. On a capital murder case, if an attorney anticipates exceeding 100 hours of out-of-court time, he/she

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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.

13. 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.
14. 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.
15. For one indictment with multiple counts, you may either itemize or choose to be paid one flat fee. A combination of hourly and flat fees will not be accepted.
16. 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.
17. If the Court approves a request in advance, a second chair may be appointed to the trial on a case and, if the attorney provides reasonable assistance during the course of the trial, the second chair attorney may be paid a flat fee for the case. Otherwise, attorneys who volunteer to sit second chair on a felony case in order to gain experience will not be paid.
18. On all itemized vouchers filed you must use the authorized worksheets for in court and out of court hours. In-court time must be itemized on $\frac{1}{4}$ of an hour basis, and out-of-court time must be itemized in real time. The "Brief Description of Services" should be specific. Prior court approval is required to exceed 100 hours of out-of-court time on capital murder cases and 30 hours of out-of-court time on all other felonies. If the attorney expects to exceed this 100/30 hour cap, he/she should approach the court prior to exceeding the cap with an up-to-date itemization along with a Motion and Order approving hours in excess of the cap.
19. Itemized vouchers should be completely, accurately, and sufficiently filled out when submitted.
 - "Offense(s) charged" should accurately reflect the information or indictment
 - "Offense date" should be accurate
 - "Proceeding and Disposition" should be dated and be reasonably specific as to the nature of the disposition. If an attorney withdraws, is substituted out, or an attorney is hired resulting in the removal of the attorney, the date of such action and the name of the new attorney should be listed
 - "Payment Category" should accurately reflect the degree of the offense, or the highest level offense where there are multiple cases.
20. If upon indictment a case becomes a higher degree of offense than pre-indictment, and the attorney initially appointed is no longer qualified to take the higher degree of offense, it is the responsibility of the attorney upon indictment to inform the court that he/she is no longer qualified, so the court may appoint a new attorney who is qualified to be appointed on a case of that degree of offense. In the Court's discretion, if it determines the attorney can handle the case, and with the consent of the

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defendant, the Court may allow the original attorney to remain on the case. Without prior approval, any work claimed by the initial attorney after indictment will not be paid.

- 21. Interim vouchers are only permitted in a capital murder case, an attorney continuing on a case after a finding of incompetency, and a case where the Court has pre-approved an interim voucher submission. The following rules apply to interim voucher submission
 - A voucher must be clearly marked "interim" in the top right corner
 - Only one interim voucher is allowed per case, except in extraordinary circumstances
 - All time up to the date of the interim voucher submission must be accounted for on the interim voucher. Any time not submitted up to the date of the interim voucher will not be approved on a subsequent voucher.
 - The final voucher after submission of an interim voucher must include a copy of the interim voucher and amount paid.
- 22. An attorney appointed on appeal must seek prior approval from the court to file a Petition for Discretionary Review. If approved, a separate voucher should be filed for the PDR, including a copy of the brief on PDR.
- 23. The attorney named on the appointment must personally appear for a plea and/or sentencing of that case.
- 24. An attorney may not submit a voucher for another attorney's work, or claim appearances that were made by another attorney.
- 25. If an attorney submits a voucher on a case (other than an MTR) that is not disposed of, because another attorney was hired or appointed, they can either submit an itemized voucher or request a flat fee of \$200.00.
- 26. An attorney appointed on a case that results in the admission of a defendant into a pretrial diversion program can claim a flat fee equal to a plea for that offense at the time of the admission of the defendant to pretrial diversion. If the defendant is later terminated from pretrial diversion, an attorney can claim an amount equal to an MTR for a sentencing hearing.

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CERTIFIED COPY CERTIFICATE STATE OF TEXAS
I, MARY ANGIE GARCIA, 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:



November 04, 2021

**MARY ANGIE GARCIA,
BEXAR COUNTY, TEXAS**

By: 
CRYSTAL M GARCIA, Deputy District Clerk
(NOT VALID WITHOUT THE CLERKS'S ORIGINAL SIGNATURE.)