

COPY

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JANE HAM

**FIRST AMENDED ARCHER COUNTY & DISTRICT CLERK  
STANDING ORDER FOR COMPENSATION OF ATTORNEYS  
APPOINTED TO REPRESENT INDIGENT DEFENDANTS**

On the 22<sup>nd</sup> day of March, 2002, the below named County and District judges with criminal jurisdiction, after a duly called and conducted meeting and discussion, did unanimously adopt this schedule of fees concerning compensation of court-appointed counsel for indigent defendants and related expenses made pursuant to Article 26.05, Texas Rules of Criminal Procedure; therefore, it is ORDERED that compensation of court-appointed counsel and related expenses, made pursuant to a motion in the format prescribed by the appointing court, shall be as follows on a case-by-case basis as determined by the judge:

**1. MISDEMEANOR & NON-CAPITAL FELONY CASES - HOURLY RATE**

1.1 Compensation for time spent by counsel out of court or waiting in Court shall be not less than FIFTY DOLLARS AND NO CENTS (\$50.00) per hour nor more than SEVENTY DOLLARS AND NO CENTS (\$70.00) per hour.

1.2 Compensation for time spent in court in a hearing shall not be less than SEVENTY DOLLARS AND NO CENTS (\$70.00) per hour nor more than ONE HUNDRED DOLLARS AND NO CENTS (\$100.00) per hour.

1.3 Total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists:

**1.3.1 Non-Jury Trial/Hearings:**

Guilty Plea - Misdemeanor	\$	150.00
Guilty Plea - Multiple Case	\$	220.00
Guilty Plea - Felony	\$	220.00
Dismissal of Filed Case	\$	220.00
Indictment Quashed	\$	150.00
Pre-trial representation where case never filed	\$	100.00

**1.3.2 Non-Jury Trial - Not Guilty Plea:**

Misdemeanor	\$	500.00
State Jail Felony, 3 <sup>rd</sup> Degree Felony	\$	1,000.00
2 <sup>nd</sup> Degree, 1 <sup>st</sup> Degree Felony	\$	1,500.00

**1.3.3 Jury Trial**

Misdemeanor	\$	750.00
State Jail Felony, 3 <sup>rd</sup> Degree Felony	\$	1,500.00
2 <sup>nd</sup> Degree, 1 <sup>st</sup> Degree Felony	\$	2,000.00

<b>1.3.4 Appeal of Non Jury Trial</b>		
Misdemeanor	\$	1,000.00
State Jail Felony, 3 <sup>rd</sup> Degree Felony	\$	1,200.00
2 <sup>nd</sup> Degree, 1 <sup>st</sup> Degree Felony	\$	1,500.00

<b>1.3.5 Appeal of Jury Trial</b>		
Misdemeanor	\$	1,000.00
State Jail Felony, 3 <sup>rd</sup> Degree Felony	\$	1,500.00
2 <sup>nd</sup> Degree and 1 <sup>st</sup> Degree Felony	\$	2,000.00

**2. MISDEMEANOR & NON-CAPITAL FELONY CASES - FIXED RATE**

<b>2.1 Pretrial Matters or Hearings:</b>		
Misdemeanor	\$	150.00
Dismissal of Filed Misdemeanor	\$	150.00
Felony	\$	220.00
Dismissal of Filed Felony	\$	220.00
Indictment Quashed	\$	150.00
Pre-trial representation where case never filed	\$	100.00
<b>2.2 Trials - Jury or Non-Jury:</b>		
Misdemeanor - per ½ day	\$	200.00
State Jail Felony, 3 <sup>rd</sup> Degree Felony - per ½ day	\$	300.00
2 <sup>nd</sup> Degree, 1 <sup>st</sup> Degree Felony - per ½ day	\$	300.00

**3. CAPITAL CASE COMPENSATION**

3.1 In a capital case in which the state seeks the death penalty, the rates for the lead attorney's services (first chair) shall be one and one-half (1-1/2) the hourly rate provided above for non-capital felony attorney's fees. Total compensation for pre-trial, trial, and post trial services in a capital felony (death sought) jury trial shall not exceed FIFTY THOUSAND DOLLARS (\$50,000.00).

3.2 Any co-counsel (second or third chair) appointed by the Court shall be paid at the same rate

3.3 As for capital felony (death not sought) cases under this order, total compensation for pre-trial, trial, and post trial services in a capital felony (death not sought) jury trial shall not exceed TWENTY THOUSAND DOLLARS (\$20,000.00).

3.4 In capital cases, in which the state seeks the death penalty, the rates for appellate attorney services shall be one and one-half (1-1/2) the hourly rate provided above for non-capital