

financial status of the defendant and make a determination of indigency and appoint counsel where required by law within 3 working days after receiving the Application.

The judge (or his designee) making appointments of counsel for indigent defendants shall consider the following factors for determining indigence and such other reasonable factors as the court finds bearing on the financial ability of a defendant to retain counsel.

1. Defendant's income;
2. Source of income;
3. Assets of the defendant;
4. Property owned by defendant;
5. Outstanding obligations of defendant;
6. Necessary expenses of defendant;
7. Number and ages of defendant's dependents;
8. Spousal income that is available to defendant;
9. Such other reasonable factors as determined by the judge.

The judge (or his designee) shall not consider whether the defendant has posted bail, except to the extent that it reflects on the defendant's financial circumstances as measured above.

V. Fee Schedule

Compensation for court appointed counsel services will be as follows, except upon submission of an itemized voucher and a finding of good cause as hereinafter provided.

A. District Court

Plea bargained cases	\$400
Motions to Revoke or Adjudicate	
If contested	\$300
If uncontested	\$250
Each additional case	\$100
Dismissals	\$200
Jury Selection and 1 day trial	\$900
Each additional day of trial	\$600
Motions for New Trial & hearing	\$200
Motions for Shock/Continuing Jurisdiction	\$200
Appeal to Court of Appeals	\$750
Oral Argument	\$250
Appeal to Court of Criminal Appeals	\$900
Motions for Rehearing	\$200

Compensation for court appointed counsel services upon finding of good cause occasioned by complex nature of the case, unusual or exceptional circumstances, or for services other than those listed above shall be calculated hourly from an itemized voucher submitted by counsel at the following rates:

Reasonable out of court time	\$60/hr.
In court time	\$75/hr.

B. County Court

Plea bargained case/dismissal	\$150
Motions to Revoke, etc.	\$150
Each additional case	\$ 50
Jury trial – each ½ day	\$250

All other matters shall be calculated hourly from an itemized voucher submitted by counsel at the following rates:

Reasonable out of court time	\$60/hr.
In court time	\$75/hr.

C. Other Expenses

Mileage for out of county attorneys or for necessary travel out of county	\$.30/mile
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If appointed counsel needs the assistance of mental health or other expert witness(es), investigator, etc., and if it will not compromise the defense of the case to do so, he shall first file an application for approval to incur expenses for same, together with an estimate of those expenses.

If application for prior approval cannot be filed prior to incurring such expenses, then counsel may incur reasonable expenses without prior court approval.

When the application is approved or if no application is made, counsel shall make the arrangements directly with the expert, investigator, etc.

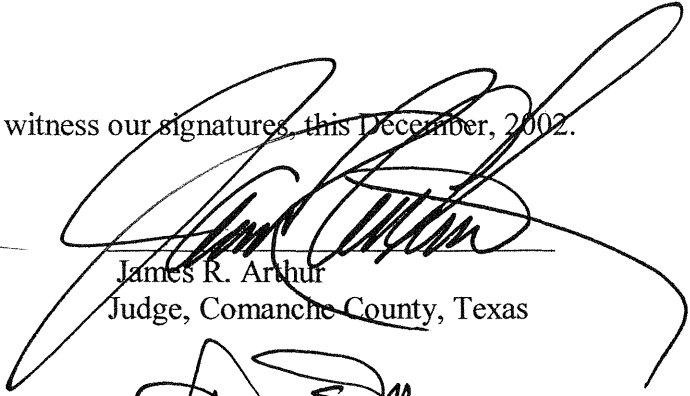
D. Vouchers

No payment shall be made until a voucher is submitted to the judge presiding over the proceedings and the judge approves the payment. If the voucher is for anything other than the flat fee prescribed by this order, an itemized statement must be included. The attached voucher form may be used for that purpose.

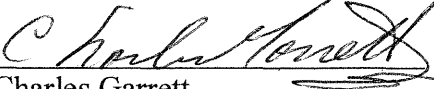
To Certify our adoption of this plan, witness our signatures, this December, 2002.



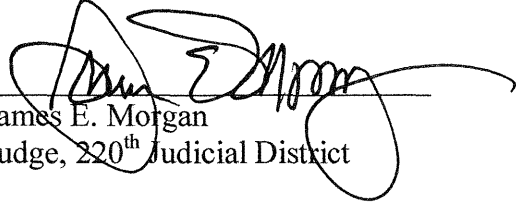
B. J. Conrad
Judge, Bosque County, Texas



James R. Arthur
Judge, Comanche County, Texas



Charles Garrett
Judge, Hamilton County, Texas



James E. Morgan
Judge, 220th Judicial District