

For each additional person, add \$3,180.00

I. A juvenile who is determined by the court to be indigent is presumed to remain indigent for the remainder of the proceedings unless a material change in financial circumstances occurs. The juvenile, juvenile's attorney or state may move for reconsideration of an Indigency determination.

3.02 Form Required for Indigency

A. A juvenile, parent or person responsible for the support of the child who requests a determination of Indigency and appointment of counsel shall:

1. complete under oath a questionnaire concerning financial resources, or
2. respond under oath regarding financial resources, or
3. Complete questionnaire and respond to examination.

SECTION FOUR FEE SCHEDULE FOR JUVENILE CASES

4.01 The juvenile board adopts the following fee schedule for appointed attorneys:

A minimum of \$75 an hour and a maximum of \$125 an hour, or a total fixed fee as set forth below:

- 1. Detention Hearings: \$100.00**
- 2. Motion hearings (e.g., Chapter 55): \$200.00**
- 3. CINS or uncontested dispositions: \$400.00**
- 4. Contested dispositions: \$750.00**
- 5. Case which results in a trial: \$500 a day, plus up to \$1,000 pretrial**
- 6. Appeals: \$3,500, except for Anders briefs and complicated Appeals, as determined by the judge.**

Judges can vary from these guidelines in unusual circumstances or where the fee would be manifestly inappropriate because of circumstances beyond the control of the appointed counsel.

Procedure With Prior Court Approval:

Appointed counsel may file with the trial court a pretrial *ex parte* confidential request for advance payment of investigative and expert expenses. The request for expenses must state, as applicable:

- (1) the type of investigation to be conducted or the type of expert to be retained;
- (2) specific facts that suggest the investigation will result in admissible evidence or that the services of an expert are reasonably necessary to assist in the preparation of a potential defense; and
- (3) an itemized list of anticipated expenses for each investigation or each expert.

The court shall grant the request for advance payment of expenses in whole or in part if the request is reasonable. If the court denies in whole or in part the request for expenses, the court shall:

- (1) state the reasons for the denial in writing;
- (2) attach the denial to the confidential request; and

(3) submit the request and denial as a sealed exhibit to the record.

Procedure Without Prior Court Approval:

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 or unnecessary expenses will not be approved.

Articles 26.05(d), 26.052(f), (g) & (h), Code of Criminal Procedure

4.02 Payment Request Form Counsel shall submit their requests for payment on the approved Payment Request Form, a copy of which is attached hereto as Exhibit "B".

**SECTION FOUR
CONCLUSION**

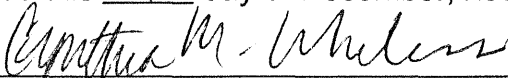
5.01 Amendments

This plan is subject to amendments.

5.02 Effective Date

This plan is effective January 1, 2005 and shall remain in effect until further order of the juvenile board.

Signed this 17th day of December, 2004.



Judge Cynthia Wheless
Juvenile Judge