

7. If the defendant is eligible for appointed counsel, the Colorado County Public Defender shall be appointed to represent the defendant within three working days after the date the judge receives the request for appointed counsel. If the defendant is released from custody prior to the appointment of counsel, and charges have not been filed, counsel will not be appointed.
8. When an eligible defendant submits the required documents for the appointment of counsel, the request and documents required will be transmitted to the appointing authority (the court or the court's designee) within 24 hours of request.
9. If the Colorado County Public Defender is unable to represent a defendant due to a conflict of interest, insufficient resources, or other good cause, the judge of the district or county court or one of the above-listed magistrates shall appoint an attorney from the approved list who is licensed and in good standing with the State Bar of Texas and has practiced in the area of criminal law for at least one year.
10. By majority vote, the judges of the district court shall approve a list of attorneys available for appointment in the event the public defender is unable to represent the defendant. The judges and magistrates shall appoint an attorney from among the next five names on the appointment list in the order in which the attorneys' names appear on the list. An attorney who is not appointed in the order in which the attorney's name appears on the list shall remain next in order on the list.
11. The judge of the county court shall approve a list of attorneys available for appointment in the event the public defender is unable to represent the defendant. The judge shall appoint an attorney from among the next five names on the appointment list in the order in which the attorneys' names appear on the list. An attorney who is not appointed in the order in which the attorney's name appears on the list shall remain next in order on the list.
12. An attorney appointed shall make every reasonable effort to contact the defendant, in person or by phone, not later than the end of the first working day after the date on which the attorney is appointed and to interview the defendant, in person or by phone, as soon as practicable after the attorney is appointed.
13. Appointed counsel other than the public defender shall be paid a minimum of \$250 and a maximum of \$1,500 for every case handled without a trial and a minimum of \$300 and a maximum of \$1,500 per day for cases that go to trial. The judge shall take into consideration reasonable and necessary overhead costs, the availability of qualified attorneys, time and labor expended, complexity of the case, and the experience and ability of counsel. Counsel shall submit a complete

itemized form detailing the services performed and expenses incurred on each case.

14. A person arrested shall be taken before a magistrate within 48 hours of the arrest; the magistrate will comply with the provisions of Art. 15.17.
15. Counsel in death penalty cases will be appointed pursuant to the terms and provisions of Code of Criminal Procedure Art. 26.052 unless the state gives notice in writing pursuant to Art. 26.052 (e) that the state will not seek the death penalty.
16. An attorney may be removed from the list of approved attorneys for failure to comply with any of these rules, failure to render effective assistance of counsel, or disciplinary action by the State Bar of Texas.
17. The Judges shall designate a Coordinator who is responsible for notifying attorneys of their appointment, keeping a record of such appointment, and performing all other duties designated by the Judges of the District and County Court.
18. Payment of expenses for experts and investigator fees shall only be authorized through prior court approval. The court appointed attorney shall submit such request in writing and shall obtain the approval of the Judge and the Judge shall limit the amount to be awarded in the order approving the expenses.
19. Payment of expenses to the attorney, excluding expert and investigator fees, shall be paid by the county without prior court approval upon court appointed counsel presenting an itemized list of expenses incurred.
20. Payment for expenses for expert and investigator fees will not be paid without prior court approval unless the Judge is satisfied that such expenses were reasonable, were likely to be incurred through presenting a defense and the Court had been advised of the likelihood that such expenses would be incurred by the defense.
21. No payment shall be made until the form itemizing the services performed is submitted to the Judge presiding over the proceeding and the Judge approves the payment.