

VI.  
COMPENSATION OF COURT APPOINTED COUNSEL

Court appointed counsel shall receive reasonable compensation, which shall in no event be less than \$275 for any of the following types of cases:

1. Cases in which the defendant appears to lack capacity or have diminished capacity as a result of mental retardation or mental illness;
2. Driving While Intoxicated first or second offenses;
3. Assault Causing Bodily Injury;
4. Possession of Marijuana;
5. Deadly Conduct;
6. Harassment;
7. Resisting Arrest;
8. Unlawful Carrying of a Weapon;
9. Possession of Prohibited Weapon;
10. Public Lewdness;
11. Indecent Exposure.

In all other types of cases, Defense counsel shall be paid not less than \$225.00. For any case not resolved by plea within a reasonable amount of time or for which such a fee would be unreasonably low, the attorney shall submit a detailed billing to the court within 14 days of disposition, and a reasonable fee shall be set by the Judge presiding over the disposition. In such event compensation for reasonable time spent shall not be less than FIFTY DOLLARS AND NO CENTS (\$50.00) per hour nor more than NINETY DOLLARS AND NO CENTS (\$90.00) per hour.

Notwithstanding the foregoing, from time to time, the Court may schedule dockets comprised solely of inmates from the county jail who have not made bond. At said docket the Court shall make court appointed counsel available to said defendants at their election. Counsel shall be assigned multiple cases out of rotation and shall be paid \$150.00 for each defendant whose case is disposed at the docket. Counsel shall be paid \$50.00 for each additional case for each defendant. If cases are not disposed at the jail call docket, counsel shall continue the representation at the rates as outlined above.

In all criminal cases, appointed counsel will be reimbursed for reasonable expenses incurred provided prior court approval has been granted upon motion, application and a hearing held on such motion. Reasonable expenses upon prior court approval after motion and application may include expenses incurred for investigation and expert testimony, and will be in addition to total compensation.

In all criminal cases where prior approval of expenses has not been obtained, the Court upon motion and hearing shall nonetheless order reimbursement of such expenses if the Court finds that the services were necessary to the defense and that the charges therefore are reasonable. Such expenses shall include charges for investigation and expert testimony.

Any alternative fee schedule adopted by formal action of the CCAL Judge shall comply with the Texas Code of Criminal Procedure Article 26.05, and all applicable law and shall be submitted to and approved by the Comal County Commissioner's Court.

VII.  
APPOINTMENT OF INVESTIGATORS AND EXPERTS  
FOR INDIGENT DEFENDANTS

Appointment and reimbursements for reasonable and necessary investigation, mental health and other experts shall be as provided by law and only upon written motion and prior approval of the Judge presiding for such appointment and anticipated reimbursement.

VIII.  
RESPONSIBILITY OF COURT APPOINTED COUNSEL

Court appointed counsel shall make every reasonable effort to contact the defendant not later than the end of the first working day after appointment and to interview the defendant as soon as practicable.

Court appointed counsel shall comply with all laws, rules, procedures, and ethical provisions for providing reasonable assistance of counsel to their client.

Court appointed counsel shall maintain a high standard of ethical conduct and always be completely candid with the trial court.

Court appointed counsel shall timely inform their client of matters relating to the preparation, trial, and disposition of the case, appellate and writ rights, deadlines, and procedures for proper processing, and such other matters as necessary to provide reasonable assistance of counsel.

Court appointed counsel shall represent a defendant until the defendant is acquitted, appeals are exhausted, or the court, after entering a finding of good cause of the record, relieves the attorney and/or replaces the attorney with other counsel.

Court appointed counsel shall meet the following standards. Said attorney shall:

1. Be a member in good standing with the State Bar of Texas.
2. Professionally perform duties and responsibilities of a licensed attorney for the State of Texas;
3. Complete annually such Continuing Legal Education programs as required by the State Bar of Texas;
4. Complete at least 8 hours of Continuing Legal Education programs in criminal law every two years.