

3. If an attorney is appointed at the initial detention hearing and the child is detained, the attorney shall continue to represent the child until the case is terminated, the family retains an attorney, or a new attorney is appointed by the juvenile court. Release of the child from detention does not terminate the attorney's representation.
4. If there is an initial detention hearing without an attorney and the child is detained, the attorney appointed under Section 51.10(c), shall continue to represent the child until the case is terminate, the family retains an attorney, or a new attorney is appointed by the juvenile court. Release of the child from detention does not terminate the attorney's representation.
5. Court appointed counsel on the approved list must maintain an office with a phone which is answered by a receptionist or answering service from 8:00a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. Monday through Friday (except for Comal County holidays approved by the Comal County Commissioners) and which receptionist or answering service can promptly locate the attorney and notify said attorney of appointment or hearing setting.

## VI

### **Removal of Attorneys from List**

1. An attorney may be removed by the juvenile board from the list for failing to vigorously and competently represent a client or for violation of ethical rules.
2. A judge sitting as a juvenile court, who has good cause to believe that an attorney should be removed may remove an attorney from the appointment and not make further appointments of the attorney pending full board action within a reasonable time.
3. Any attorney who has been removed from the appointment list shall have the right to appear before the juvenile board within a reasonable time to seek reinstatement on the appointment list. The decision of whether or not an attorney may be reinstated on the appointment list lies within the sole discretion of the juvenile board.
4. Any attorney may request that his name be removed from the list at any time.

## VII

### **Compensation for Court Appointed Counsel**

1. An attorney appointed to represent the interest of a child shall be paid from the general funds of Comal County.

2. The juvenile board shall establish a system of compensation of attorneys appointed in juvenile cases commensurate with compensation of attorneys appointed in criminal court.
3. Compensation of appointed attorneys shall be based on the performance of the necessary services, reasonable time and labor required, complexity of the case, experience and ability of the appointed counsel as well as the following:
  - a. Time spent in court making an appearance on behalf of the juvenile as evidenced by a docket entry, time spent in trial, and time spent in proceedings in which sworn oral testimony is elicited.
  - b. Reasonable and necessary time spent out of court on the case, including travel, supported by any documentation the court requires.
  - c. Preparation of an appellate brief and presentation of oral argument to a court of appeals; and
  - d. Preparation of motion for rehearing.
4. The fee schedule shall state reasonable fixed rates or minimum and maximum hourly rates taking into consideration reasonable and necessary overhead costs and the availability of qualified attorneys willing to accept the stated rates. As a general rule, attorneys shall be compensated at the rate of \$100.00 per detention hearing and \$250.00 at adjudication upon a plea of true with an agreed disposition. Otherwise attorneys shall be compensated at the rate of \$50 - \$75 per hour for out of court time and \$70 - \$90 per hour for in court time.
5. If an attorney submits a payment voucher that is reduced by the juvenile judge, the attorney can appeal the court's decision to the presiding judge of the administrative judicial region, whose decision on the matter is final.