

2023 SO 11

FILED IN MY OFFICE
LUCY ADAME-CLARK
COUNTY CLERK BEXAR CO.
2023 OCT 13 P 3:54

STATE OF TEXAS

§ IN THE COUNTY COURTS
§ AT LAW GIVING PREFERENCE
§ TO CRIMINAL MATTERS

COUNTY OF BEXAR

§ 1,2,4,5,6,7,8,9,11,12,13,14, & 15

THIRD AMENDED JOINT ORDER REVISING FEE SCHEDULE

This fee schedule applies to MISDEMEANOR CASES WITH AN OFFENSE DATE ON OR AFTER May 1, 2023 and replaces Joint Order No.2023 SO 07 filed June 13, 2023.

I.

The goal of these payment guidelines is to assure effective representation for indigent persons charged with misdemeanor crimes in Bexar County. The fees set forth by this order take into consideration the time and labor required, the complexity of the cases, and the experience and ability of assigned counsel.¹ This fee schedule makes accommodations for reasonable and necessary overhead costs and the availability of qualified attorneys willing to accept the stated rates.²

II.

No payment shall be made under this article until the vouchers with flat fees are submitted to the respective Judge of the County Court where the case was heard through disposition. Itemized vouchers may also be submitted to the respective Judge of the County Court where the case was heard through disposition. No voucher will be accepted or processed until the case is disposed or counsel is relieved of representation by order of the court. Counsel may select only one flat fee case disposition per voucher.

Flat fees listed as "Add-ons" may be claimed in addition to the case disposition. Add-ons, other than those for additional cases disposed in conjunction with the claimed case, may be claimed only once for each type.

¹ TEX. CODE CRIM. PROC. Art. 26.05(a)

² TEX. CODE CRIM. PROC. Art. 26.05(c)

III.

For misdemeanor cases held before the Bexar County Courts at Law, assigned counsel fees shall be paid according to the following fee schedule:

A. General Fee Schedule

For all cases not otherwise noted below, vouchers shall be paid according to this schedule:

Case disposition type	Amount
Plea and sentence	\$300
Dismissal ³	\$300
Dismissal on day of trial (jury not empaneled)	\$500
Jury Trial or Trial before the court	\$750
Appeal to the 4th Court of Appeals	\$750
Attorney replaced for good cause shown prior to disposition	\$50
Motion to revoke probation/adjudicate guilt	\$150
Contested Motion to revoke/adjudicate guilt	\$250 (with sworn testimony)
Case disposed by finding of incompetency	\$350
Auxiliary Court "Attorney for the day"	\$300
Add-on Type	Amount
Additional cases disposed in conjunction with claimed case. (includes MTR/MTAG) ⁴	\$50
Initial jail visit	\$100
Auxiliary Court bond hearing (single defendant)	\$100
Auxiliary Court bond hearing (Attorney of the Day)	\$300
Motion/Habeas for bond matters (ruling required)	\$100 or \$150 (with sworn testimony)
Motion to Suppress hearing (held outside trial) ⁵	\$250
Expunction after acquittal ⁶	\$150

B. Hourly Fee Option for DWI and FV Cases

In cases where the defendant is charged with Driving While Intoxicated (including enhanced DWI) or assaults where a finding of family violence is alleged, counsel may choose hourly payment for work performed instead of the general flat fee schedule. If this option is chosen counsel shall be paid an hourly fee of \$75 (rounded to the next .25 hour) for all work performed other than time spent in trial. The hourly fee may not exceed a total of 8 hours. Should the case proceed to trial before a jury or the court, counsel will add the flat trial fee of \$750 in addition to the hourly amount.

Hourly fee for time spent prior to trial (May not exceed 8 hours)	\$75 (rounded to the next quarter hour)
Jury Trial or Trial before the court	\$750

³ Includes cases accepted in the pretrial diversion program and specialty court admission.

⁴ A case is considered "disposed in conjunction" when it is resolved in the same hearing as the case for which a voucher is submitted.

⁵ The fee will not apply if the MTS is run with trial.

⁶ See TEX. CODE CRIM. PROC. Art. 55.02 § 2

C. Board Certified Incentive

If an attorney is board certified in criminal law or criminal appellate law, the attorney may select a \$100 bonus per voucher. This is to incentivize highly trained and experienced attorneys to represent people who could otherwise not afford them on the private market. This incentive is also provided to encourage other attorneys to seek board certification.

Board Certified Attorney Bonus	\$100
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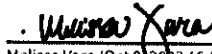
IV.


An attorney is to elect the appropriate payment for the given disposition of the case and all add-ons performed. All claims for misdemeanor payment must be verified, in writing, and must be submitted to the respective Judge of the County Court where the case was heard through disposition upon disposition of the case and/or completion of the representation. No vouchers will be accepted after 180 days absent good cause shown.

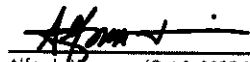
V.


It is ORDERED that this Joint Order Revising Fee Schedule be filed for record in the offices of the County Clerk of Bexar County and a certified file-stamped copy be sent to the Commissioners Court in accordance with Article 26.05(b) of the Texas Code of Criminal Procedure.

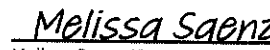
SIGNED, ORDERED, AND ENTERED ON THIS 9th day of October, 2023 by:



Melissa Vara (Oct 9, 2023 16:58 CDT)
Judge Melissa Vara
Administrative Judge
County Court at Law No. 15



Helen Stowe (Oct 10, 2023 12:22 CDT)
Judge Helen Petry Stowe
County Court at Law No. 1


Alfredo Ximenez (Oct 9, 2023 14:27 CDT)
Judge Alfredo M. Ximenez
County Court at Law No. 4


Erica Dominguez (Oct 10, 2023 11:00 CDT)
Judge Erica Dominguez
County Court at Law No. 6


Melissa Saenz (Oct 9, 2023 14:17 CDT)
Judge Melissa Saenz
County Court at Law No. 2


Andrea Arevalos (Oct 10, 2023 10:34 CDT)
Judge Andrea Arevalos
County Court at Law No. 5


Melanie Lira (Oct 9, 2023 14:17 CDT)
Judge Melanie M. Lira
County Court at Law No. 7

Mary Román

Judge Mary Román
County Court at Law No. 8

Gloria Saldaña

Judge Gloria Saldaña
County Court at Law No. 9

Erica Peña

Erica Peña (Oct 13, 2023 13:41 CDT)

Judge Erica Peña
County Court at Law No. 11

Yolanda Huff

Yolanda Huff (Oct 9, 2023 16:41 CDT)

Judge Yolanda T. Huff
County Court at Law No. 12

Hon. Rosie Speedlin Gonzalez

Judge Rosie Speedlin Gonzalez
County Court at Law No. 13

Carlo Key

Carlo Key (Oct 9, 2023 14:46 CDT)

Judge Carlo Rodriguez Key
County Court at Law No. 14