

"EXHIBIT #1"

GUIDELINES FOR AWARD OF COURT APPOINTED ATTORNEY'S FEES, INVESTIGATION AND EXPERT WITNESS FEES.

CAPITAL MURDER

- Representation of defendant during trial before a jury on issue of guilt/innocence or punishment is paid at the rate set at the discretion of the trial court, but **not less than \$150.00 per hour**. The court may set different rates for attorneys serving as 1st Chair and 2nd Chair. The court may allow intermittent billing in capital cases.

1st DEGREE FELONY and FELONY MENTAL HEALTH WHEEL

- In cases charged or indicted as a 1st degree level offense, or Felony Mental Health Wheel cases representation of defendant will be paid at the rate of **\$150.00 per hour**.
- A plea bargain to a lesser charge which includes reducing the offense level to something below a 1st degree felony offense level is paid at a rate of **\$100.00 per hour**.
- Presumptive Max **\$1250.00** (for all dispositions by plea or dismissal; subject to exception at the discretion of the trial court on a case-by-case basis)
- In cases where misdemeanor cases are disposed of with a felony plea, and no additional work was performed in the misdemeanor cases, the attorney is paid a **flat fee of \$50.00 per misdemeanor case disposed**.
- Court appearances for non-dispositive court appearances where no contested matters are heard by the Court will be paid at a flat rate of **\$50.00** per appearance.

2nd DEGREE & 3RD DEGREE FELONY

- In cases charged or indicted as a 2nd degree or 3rd degree level offense, representation of defendant will be paid at the rate of **\$100.00 per hour**.
- Presumptive Max **\$750.00** (for all dispositions by plea or dismissal; subject to exception at the discretion of the trial court on a case-by-case basis)
- Court appearances for non-dispositive court appearances where no contested matters are heard by the Court will be paid at a flat rate of **\$50.00** per appearance.
- In cases where misdemeanor cases are disposed of with a felony plea, and no additional work was performed in the misdemeanor case, the attorney is paid a **flat fee of \$50.00** per misdemeanor case disposed.

STATE JAIL FELONY, MISDEMEANOR & LESSER OFFENSES

- Cases charged, filed or indicted as a State Jail Felony or Misdemeanor degree level offense, representation of defendant will be paid at the rate of **\$90.00 per hour**.
- Presumptive Max **\$450.00** (for all dispositions by plea or dismissal; subject to exception at the discretion of the trial court on a case-by-case basis)
- Cases filed as Motions to Revoke Community Supervision or Motions to Adjudicate Guilt will be paid at the rate of **\$90.00 per hour** regardless of the level of offense of the original offense;
- In Motions to Revoke Community Supervision or Motions to Adjudicate Guilt cases where a new law violation is alleged and filed in Galveston County, the rate for the representation will be paid at the level of the offense for the new law violation if applicable.

- Appointments for Extradition cases will be paid at the rate of \$90.00 per hour.
- In cases where misdemeanor cases are disposed of with a felony plea, and no additional work was performed in the misdemeanor case, the attorney is paid a **flat fee of \$50.00 per misdemeanor case disposed.**
- Court appearances for non-dispositive court appearances where no contested matters are heard by the Court will be paid at a flat rate of **\$50.00** per appearance.

APPEALS

- Appeals are paid at a rate of **\$85.00 per hour.**
- Presumptive Max **\$4000.00** for Felony Appeals.
- Presumptive Max **\$2500.00** for Misdemeanor Appeals.
- Attorneys may submit a vouchers or claims for payment of attorney's fees and expenses after the brief has been filed in the court of appeals, but, shall in no event submit a claim form later than ten (10) days after the appellate court issues the mandate.

FAMILY (FD) CASES

- Representation of parties in family cases is paid at a rate of **\$100.00 per hour.**
- No fee voucher should include the full name of minor child. If necessary, the minor child's first name and last initial is permitted. Fee vouchers identifying a minor child will be returned unpaid.

C.P.S. (CP) CASES

- Representation of parties in C.P.S. cases are paid at the rate of **\$100.00 per hour.**
- The court may, at its discretion, approve reasonable and actual travel expenses, including travel time, from home visit/visits with minor children.
- Travel time must be itemized to include the following: date of travel, distance traveled, destination (city) and, time spent traveling (not including time billed for work performed at destination) reason for travel (general).
- Except for travel time and mileage, travel expenses must be itemized and a receipt is required. Approval travel expenses are paid at the same rate established for travel by county employees.
- Reimbursement for rental vehicles is not permitted.
- No fee voucher should include the full name of minor child. If necessary, the minor child's first name and last initial is permitted. Fee vouchers identifying a minor child will be returned unpaid.

GUIDELINES

- Fee Vouchers shall specify and/or itemize the time spent on the representation with a detailed description of each item performed in representation of the indigent defendant.
- Time shall be detailed in increments of tenths (6 minute increments) for any entry that is less than 1 hour and for any entry that does not equal exactly 1 hour.
- Except as otherwise provided herein, travel time by the attorney will not be authorized without court approval;
- Misdemeanor case(s) are generally removed from the active docket while the same defendant's felony case(s) is pending. Attorneys appointed to both the felony and misdemeanor cases will not be paid for unnecessary time spent handling the misdemeanor case while the defendant's felony case remains pending;
- Payment for investigation and/or expert witnesses will be paid directly to the investigator/expert by the County subject to prior court approval on a case by case basis;

- Appointments are attorney specific and not an appointment to a firm or office. An associated attorney may not act as a substitute for an attorney appointed by the court unless the attorney is qualified at the same level under the Galveston County Plan and prior approval is given by the court. Fees for services performed without prior approval shall not be paid.
- The court may adjust or disapprove the voucher or claim for attorney fees and expenses requested. If the judge disapproves the requested amount of payment, the judge shall make a written finding stating the amount of payment approved and the reason(s) for approving an amount different than the requested amount. The attorney who requests for payment has been disapproved or reduced may, by written motion, file an appeal with the presiding judge of the 11th Administrative Region pursuant to the provisions of the Texas Fair defense Act.
- Vouchers or claims for payment of attorney's fees and expenses within these guidelines must be timely submitted to the judge of the proper court according to time frames set out in Section XVI of the Galveston County Plan under the Texas Fair Defense Act. Vouchers for attorney's fees not timely submitted shall be considered waived, the services performed Pro Bono, and the request for payment of attorney's fees shall not be paid.
- Except as provided herein, intermittent billing is not permitted. Fee vouchers are submitted after disposition.
- No fee voucher should include the full name of a minor child. If necessary, the minor child's first name and last initial is permitted. Fee vouchers identifying a minor child will be returned unpaid.
- Vouchers or claims for payment of attorney's fees and expenses for "legal research" are not generally allowed; Claims for legal research may be approved by the court on a case-by-case basis when performed specifically as "case related legal research" at the discretion of the trial court.
- Court appearances for non-dispositive court appearances wherein no contested matters are heard by the Court will be paid at a flat rate of **\$50.00** per appearance.

These guidelines to become effective October 1, 2024.

These guidelines are accepted and approved by the undersigned Judges of Galveston County, Texas.

ORDERED this the 22nd day of August, 2024.

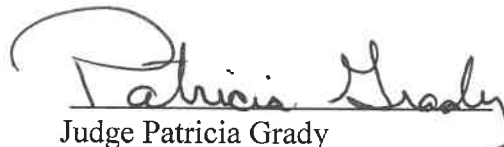


Judge Kerry Neves
10th District Court

Judge Lonnie Cox
56th District Court



Judge Jeth Jones
122nd District Court



Judge Patricia Grady
212th District Court



Judge Anne Darring
306th District Court

Judge Jared Robinson
405th District Court



Judge John Grady
County Court at Law #1

Judge Kerri Foley
County Court at Law #2

Judge Jack Ewing
County Court at Law #3