

HONORABLE RALPH H. WALTON, JR.
- District Judge -
355th Judicial District



HONORABLE VINCENT J. MESSINA
- County Court at Law Judge -

HONORABLE DARRELL COCKERHAM
- County Judge -
Hood County, Texas

BETH PATE
- Chief Juvenile Probation Officer -
P.O. Box 2081 • Granbury, TX 76048
(817) 579-3273

**HOOD COUNTY YOUTH SERVICES
355TH JUDICIAL DISTRICT**

Notice of a special called meeting of the **Hood County Juvenile Board** on **Thursday, October 24, 2013** at **8:00 AM** in the **Central Jury Room** located in the **Hood County Justice Center** at **1200 W. Pearl St., Granbury, TX.** At which meeting, the following subjects will be discussed, and the following matters acted upon:

- I. Call to order
- II. Consider & approve the revised Indigent Defense Juvenile Plan for Hood County and take appropriate action.

ADJOURN

A handwritten signature in black ink, appearing to read "Darrell Cockerham", written over a horizontal line.

DARRELL COCKERHAM, COUNTY JUDGE

Notice of meeting/agenda posted at Hood County Courthouse, 100 E. Pearl St., Granbury, Texas on October 17, 2013 by M. Sutton.

Notice

Policy of Non-Discrimination on the Basis of Disability

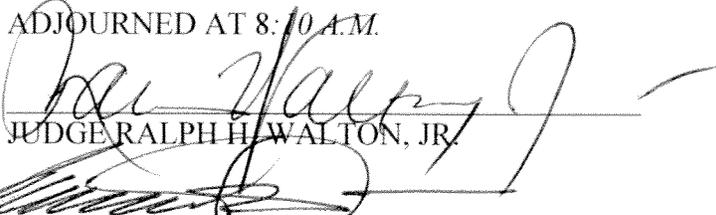
County of Hood does not discriminate on the basis of disability in the admission of access to, or treatment or employment in, its programs or activities. Personnel Director, Personnel and Governmental Affairs Dept. 1410 W. Pearl St., Granbury, Texas 76048, phone 817-408-3450 has been designated to coordinate compliance with the non-discrimination requirements in Section 35.107 of the Department of Justice regulations. *Information concerning the provisions of the Americans with Disabilities Act, and the rights provided there under, is available from the Personnel Director.

THE FOLLOWING MEMBERS WERE PRESENT:
RALPH H. WALTON, JR., DISTRICT JUDGE
VINCENT MESSINA, COUNTY COURT AT LAW JUDGE
DARRELL COCKERHAM, COUNTY JUDGE

REGARDING ITEM 1: JUDGE WALTON CALLED THE MEETING TO ORDER
AT 8:00 A.M. ON THE AFORSAID DATE OF OCTOBER 24, 2013.

REGARDING ITEM 2: MOTION MADE BY JUDGE WALTON TO APPROVE
THE REVISED INDIGENT DEFENSE JUVENILE PLAN FOR HOOD COUNTY.
SECONDED BY JUDGE COCKERHAM. MOTION CARRIED. SEE
ATTACHED.

ADJOURNED AT 8:10 A.M.



JUDGE RALPH H. WALTON, JR.



JUDGE VINCENT MESSINA

JUDGE DARRELL COCKERHAM

LOCAL INDIGENT JUVENILE DEFENSE RULES & PLAN
PROMULGATED BY THE JUVENILE BOARD OF HOOD COUNTY, TEXAS,
IN ACCORDANCE WITH THE PROVISIONS OF
THE TEXAS FAIR DEFENSE ACT (S.B. 7) & THE TEXAS FAMILY CODE, SEC. 51.101 EFFECTIVE
NOVEMBER 1, 2013

The Juvenile Board of Hood County, Texas, hereby adopts the following plan and local rules for determination of indigency in juvenile cases; establishing procedures for timely appointment of attorneys to represent indigent juveniles; establishing qualifications for appointment; and setting out uniform schedules of fees for compensation of appointed attorneys.

I. Prompt Detention Hearing

In accordance with Section 51.10 (d) of the Texas Family Code, a juvenile and his/her parent/guardian shall be informed by the Juvenile Court or its designee of their responsibility to obtain counsel. They shall be informed that a determination of indigence is based on the income and assets of the parent or other person responsible for the Juvenile. They will be given instructions for formally requesting appointment of counsel along with the form(s) necessary to make such request at each of the following stages of the juvenile's case.

- initial detention hearing
- after adjudication or certification/discretionary transfer petition is SERVED on juvenile when juvenile is NOT in custody, if an attorney has not already been appointed.
- after modification motion or petition is filed under Section 54.05, Texas Family Code seeking commitment to the Texas Youth Commission (TYC) or confinement in a secure correctional facility.
- at any time the Juvenile Court deems appropriate.

1. When a Juvenile Court determines a juvenile will require an attorney, the parents will be notified and advised that their child will require an attorney and that if they are unable to employ an attorney, they will be required to apply for an appointed attorney by completing under oath a questionnaire concerning their financial resources and by signing an application for the appointment of counsel (Exhibit "A-1"). The Juvenile Court or the Courts designee will review the request and appoint an attorney from the list of eligible attorneys if the court or its designee determines the parent is indigent and financially unable to retain an attorney.

2. A child taken into custody must either be brought to a juvenile processing office without unnecessary delay where they may not be detained for longer than six hours pursuant to §52.025, Family Code, or another disposition authorized by §52.02, Family Code, including referral to the office designated by the juvenile board as intake for the juvenile court. The intake officer shall process the child according the requirement of §53.01, Family Code, and shall also inform the child and the child's parents of the right to appointed counsel if they are indigent and provide a form for the purpose of determining eligibility for appointment of counsel. If the child is not released by intake, then a Detention Hearing shall be held not later than the second working day after the child is taken into custody unless the child is detained on a Friday, Saturday or listed holiday in which case the detention hearing shall be held on the first working day after the child is taken into custody.

3. Prior to the detention hearing the court shall inform the parties of the child's right to counsel and to appointed counsel if they are indigent, and of the child's right to remain silent as to the alleged conduct.

4. The detention hearing may be conducted without the presence of the child's parent(s) or other responsible adult(s), however, in these cases the court must immediately appoint counsel or a guardian ad litem to represent the child.

5. The court shall provide the attorney for the child access to all written matter to be considered by the Court in making the detention decision.

If indigency is not established by the juvenile's parents, the parents shall retain an attorney immediately. The parents shall notify the probation officer by noon the next working day of the name of the juvenile's attorney.

II. Procedures and Financial Standards for Determining Indigency

1. An indigent juvenile is entitled to have an attorney appointed to represent him if a Juvenile Court determines that the juvenile will require an attorney.
2. "Indigent" means a juvenile whose parents are not financially able to employ counsel. Parents who request a determination of indigency and appointment of counsel shall:
 - (a) complete under oath a questionnaire concerning their financial resources; (Exhibit "A")
 - (b) respond under oath to an examination regarding their financial resources by the judge or magistrate responsible for determining whether the juvenile is indigent; or
 - (c) both.
3. The financial standards set forth below shall be used to determine whether a juvenile's parents are indigent.
 - (a) A juvenile's parents are considered indigent if:
 - (1) the juvenile's parents net household income does not exceed 100% of the Poverty Guidelines as established and revised annually by the United States Department of Health and Human Services and published in the Federal Register; and
 - (2) the value of the non-exempt assets and property owned by the juvenile's parents:
 - (i) does not exceed \$2,500;
 - (ii) does not exceed \$5,000 in the case of a juvenile's parents whose household includes a person who is age 60 or over, disabled, or institutionalized; or
 - (iii) does not exceed double the estimated cost of obtaining competent private legal representation on the offense(s) with which the juvenile is charged.
 - (b) A juvenile's parents are considered indigent if, at the time of requesting appointed counsel, the juvenile's parents have been determined to be eligible to receive food stamps, Medicaid, Temporary Assistance for Needy Families, Supplemental Security Income, public housing, or similar assistance.
 - (c) A juvenile's parents who do not meet any of the financial standards above shall nevertheless be determined indigent if the juvenile's parents are otherwise unable to retain private counsel without substantial hardship, taking into account the nature of the charge(s), the anticipated complexity of the defense, the estimated cost of obtaining competent private legal representation for the matter charged, and the amount needed for the support of the juvenile's parents and their dependents.

III. Qualifications for Appointment

All attorneys residing or practicing in Hood County, Texas, who are licensed to practice law by the Supreme Court of Texas and who handle juvenile cases in this county for a fee are eligible for appointment to represent indigent juveniles. Appointees must further meet the following minimum qualification standards for appointment.

1. Be a member in good standing of the State Bar of Texas;
2. CHILD IN NEED OF SUPERVISION (CINS) CASES:
Minimum of six months experience as counsel/co-counsel.
3. DELINQUENCY CHARGES WITH NO TYC COMMITMENT:
Minimum one year experience as counsel/co-counsel on three Juvenile cases.
4. DELINQUENCY CHARGES WITH TYC COMMITMENT:
Minimum of two years experience or participation as counsel/co-counsel on five juvenile cases.
5. DETERMINATE SENTENCE CHARGES:
A minimum of three years experience or participation as counsel/co-counsel on eight juvenile cases.
6. CERTIFICATION CHARGES:
A minimum of four years experience or participation as counsel/co-counsel on ten juvenile cases.
7. (a) Complete a minimum of six hours of continuing legal education pertaining to juvenile law during each 12-month reporting period. Continuing legal education may include activities accredited under Section 4, Article XII, State Bar Rules, self-study, teaching at an accredited continuing legal education activity, attendance at a law school class or legal research-based writing; or (b) be currently certified in juvenile law by the Texas Board of Legal Specialization. A sworn affidavit by the attorney verifying that he/she has completed such annual educational requirement must be filed with the Court on or before December 31 of each year.
8. An attorney shall submit by October 15th each year to the Court a statement that describes the percentage of the attorney's practice time that was dedicated to work based on appointments accepted in this county for adult criminal cases and juvenile delinquency cases for the prior 12 months that begins October 1 and ends on September 30 (Exhibit "B").
9. Must be knowledgeable in juvenile law and be aware of collateral consequences of a juvenile adjudication and disposition;
10. May not have been the recipient of any public disciplinary action by the State Bar of Texas or any other attorney licensing authority of any state or the United States with the last 5 years;
11. An attorney must maintain an office capable of receiving email, fax, and telephone calls;
12. An attorney must have the ability to produce typed motions and orders;
13. An attorney shall notify the Juvenile Board promptly, in writing, of any matter that would disqualify the attorney by law, regulation, rule, or under these guidelines from receiving appointments to represent indigent defendants.

14. Meet any applicable qualifications specified by the Task Force on Indigent Defense, as required in Art. 26.04(d)(3), Texas Code of Criminal Procedure.
15. Each attorney will apply to be placed on the list by completing an attorney profile to be submitted to the Juvenile Board for its consideration (Exhibit “C”).
16. After an attorney is approved and placed on the list, the Juvenile Court will appoint an attorney from the next five names that appear on the list on a rotational basis.

IV. Prompt Appointment of Counsel

- A. Appointment of Counsel for Children in Detention
 - i. Prior to the detention hearing the court shall inform the parties of the child’s right to counsel and to appointed counsel if they are indigent, and of the child’s right to remain silent as to the alleged conduct.
 - ii. Unless the court finds that the appointment of counsel is not feasible due to exigent circumstances, the court shall appoint counsel within a reasonable time before the first detention hearing is held to represent the child at that hearing.
 - iii. Prior to the initial detention hearing, the court shall provide the attorney for the child with access to all written matter to be considered by the court in making the detention decision.
 - iv. If there is no parent or other responsible adult present, the court must appoint counsel or a guardian ad litem for the child.
 - v. If the juvenile is detained, the child has an immediate right to counsel. If counsel has not already been appointed, the court must either appoint counsel or direct the juvenile’s parent or other responsible adult to retain an attorney promptly. The court may enforce an order to retain counsel by appointing an attorney to represent the child and requiring that the child’s parent or other responsible adult reimburse the court for attorneys’ fees.
 - vi. Upon appointment, the court administrator shall notify the appointed attorney by fax, e-mail, or personal contact of the appointment and the scheduled hearing time and date.
 - vii. The appointed attorney shall make every reasonable effort to contact a child in detention by the end of the first working day after receiving the notice of appointment or to inform the court that the appointment cannot be accepted. Contacting the child in detention may be by personal visit (including contact during a detention hearing), by phone, or by video teleconference. Contacting the court may be by fax, email, phone or personal visit. A court-appointed attorney shall contact the child, in one of the ways mentioned above, no less than once every ten working days while the child remains in detention.
 - viii. An attorney appointed for a detention hearing 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.
 - ix. Court-appointed attorneys shall make every effort to comply with the Texas State Bar Code of Ethics for communication with a client.
- B. Appointment of Counsel for Children not Detained at Intake
 - i. If the child is released from detention and if a petition to adjudicate or a motion to modify is filed, the juvenile court will use the financial forms gathered at intake to make a determination of indigence. If no financial information is available, the juvenile court shall promptly summon the child’s parent/guardian/custodian to the court so that financial information may be gathered for a determination of indigence.
 - ii. If the court makes a finding of indigence, the court shall appoint an attorney on or before the fifth working day after:

- a. The date a petition for adjudication or discretionary transfer hearing has been served on the child; or
 - b. A motion to modify disposition seeking commitment to TYC or placing in secure correctional facility has been filed.
- iii. If the family does not qualify for appointed counsel or if the parent or guardian is not available, and the family fails to provide an attorney, the juvenile court may appoint an attorney in any case in which it deems representation necessary to protect the interests of the child.
 - iv. The prosecuting attorney/court clerk shall notify the juvenile court upon the filing of and return of service of a motion to modify or the return of service of a petition for adjudication or discretionary transfer.

V. Attorney Selection Process

Appointments shall be made from the public appointment list or lists adopted by the majority of the Juvenile Board of Hood County, Texas, which contain the names of qualified attorneys to represent indigent juveniles. Appointments from the list shall be made in a fair, neutral, and nondiscriminatory manner using a system of rotation. Attorneys shall be appointed in the order in which the names appear on the list, unless the court makes a finding of good cause for appointing an attorney out of order. "Good cause" includes, but is not limited to, experience of the attorney; complexity of the case; severity of the charges; and conflicts in representation. An attorney who is not appointed in the order in which the attorney's name appears on the list shall remain next in the order on the list.

Once an appointment is made, juveniles in detention and their attorneys shall be provided with unlimited access to the video conferencing unit located at the Juvenile Probation Department. By utilizing the unit, the juvenile and his/her attorney are able to more adequately prepare for Court Proceedings.

Grounds for Removal

An attorney may be removed from the appointment list if the attorney:

1. has twice or more failed to contact or interview clients in a timely manner as required by Article 26.04(j)(1), Code of Criminal Procedure;
2. has submitted a claim for legal services not performed as specified in Article 26.05(e), Code of Criminal Procedure;
3. fails to maintain compliance with each of the appointment list guidelines;
4. has been found by a court to have provided ineffective assistance of counsel
5. has violated a rule of professional responsibility;
6. has been convicted of or received a deferred adjudication for any an offense, other than an offense punishable by a fine only;
7. is under indictment or being formally charged with an offense, other than an offense punishable by a fine only; or
8. has intentionally misrepresented statements on the application for the appointment list.

An attorney may also be removed from the appointment list for another stated good cause.

Referral

If a juvenile board member believes that an attorney has violated any of the provisions listed in the paragraph

above, the juvenile board member may refer an attorney to the juvenile board for removal from the appointment list. The referral must be in writing and shall clearly state the grounds that form the basis of the referral. No disciplinary action with respect to the attorney being retained or removed from the appointment list may be made without such a referral.

Notification/Hearing

Upon receiving an attorney referral, the juvenile board shall notify the attorney in writing of the referral and inform the attorney of the grounds that form the basis of the referral. The notice shall also inform the attorney of the time and place the juvenile board will meet to discuss the referral and give the attorney an opportunity to respond to the referral in writing or in person or both.

Action

After the juvenile board meets and gives the attorney an opportunity to be heard, the juvenile board shall determine whether the attorney should:

1. remain on the appointment list at the same level;
2. moved to an appointment list for indigent defendants charges with less serious offenses; or
3. be removed from appointment list altogether.

The attorney may be removed from the appointment list or moved to an appointment list for indigent defendants charged with less serious offenses by a majority vote of the juvenile board members present. In addition, the majority of the juvenile board members may also vote to require the attorney to take other rehabilitative measures. Removals from any list may be probated. For removal or probated removals, the juvenile board members ordering the removal may require the completing of rehabilitative measures as a condition of probation or reapplication. An order of removal should state in the order the earliest date at which the attorney may apply for reinstatement. An attorney who was removed from an appointment list under "e;Grounds for Removal"e; number 7 or 8 shall be immediately reinstated upon providing proof that the charges were dismissed or that the attorney was acquitted, unless other grounds for removal exist against the attorney that would prohibit reinstatement.

The decision of the board of judges or juvenile board is final and may not be appealed.

VI. Compensation of Counsel Appointed to Represent Indigent Juveniles

Counsel appointed to represent indigent juveniles in Hood County shall be paid in accordance with the schedule of fees adopted by the Juvenile Board, to-wit:

- A. In the 355th District Court:
(see Exhibit "D" attached hereto)**
- B. In the County Court at Law:
(see Exhibit "E" attached hereto)**

The Court reserves the right in all cases to modify this fee schedule based on the nature or complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered. Attorneys shall also be reimbursed for reasonable and necessary expenses incurred with prior court approval, and the payment of all fees and expenses requires the approval of the court in writing. The attached form marked Exhibit "E" shall be used to report or itemize services rendered and to request payment, and shall be approved by the court prior to payment being made.

The attorney requesting payment under this provision shall keep an accurate account of time expended, services rendered, and dates involved, and shall furnish documentation thereof to substantiate the reasonableness and necessity of the services rendered and time spent on the case. Approval or disapproval of the reasonableness and necessity of time expended and / or services performed and the determination of the hourly rate to be applied shall be within the exclusive discretion of the court, subject to appeal to the presiding judge of the Eighth Administrative Judicial Region in accordance with the provision of Art. 26.05(c), C.C.P.

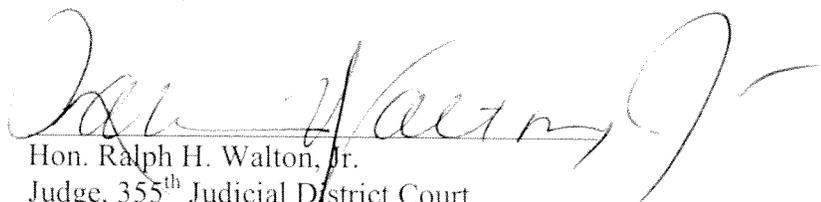
VII. Annual Review

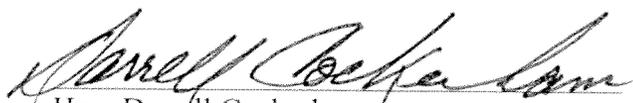
The Juvenile Board of Hood County, Texas, shall annually review and reform the list of eligible court-appointed counsel and cause same to be posted outside the Hood County District Clerk's Office, the Hood County Clerk's Office and made available to the public upon request.

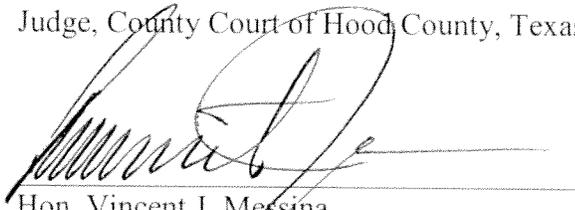
VIII. Adoption of Plan and Rules:

The foregoing plan and local rules for the timely and fair appointment of counsel for indigent juveniles in Hood County, Texas, are hereby adopted by the Juvenile Board of Hood County, Texas, in accordance with the provisions of Texas Fair Defense Act (S.B. 7) and the Texas Family Code, Section 51.101. This plan and local rules are subject to amendment from time to time by the Juvenile Board.

SIGNED AND ORDERED this the 24th day of October, 2013


Hon. Ralph H. Walton, Jr.
Judge, 355th Judicial District Court


Hon. Darrell Cockerham
Judge, County Court of Hood County, Texas


Hon. Vincent J. Messina
Judge, County Court at Law
of Hood County, Texas

CAUSE NO. _____

IN THE MATTER OF

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IN THE 355th DISTRICT COURT

HOOD COUNTY, TEXAS

SITTING AS A JUVENILE COURT

DECLARATION OF FINANCIAL INABILITY TO EMPLOY COUNSEL

I, _____, am the parent/guardian of the juvenile in the above entitled action. The juvenile is not represented by counsel in this proceeding. I have no assets except the following:

1) My earnings are (Name, address of employer, and amount of weekly or monthly earnings):

2) I have other income in the amount of (State source of income and amount per week or month):

3) I am/am not married and support _____ children and/or dependents who are:

| | | |
|-------|---|--------------|
| _____ | , | _____ |
| Name | | Relationship |
| _____ | , | _____ |
| Name | | Relationship |
| _____ | , | _____ |
| Name | | Relationship |

4) Earnings of my spouse and/or children are (Name of employer and amount of weekly or monthly earnings):

5) I own the following property: (Address where located) (Payments) (Balance owed) (Value)

- a) Home _____
- b) Automobile _____
- c) Furniture _____
- d) Other (Land/Buildings) _____
- e) Notes, mortgages, trust deeds _____
- f) Motorcycles _____
- g) Other vehicles _____
- h) War bonds _____
- i) Stocks and bonds _____
- j) Animals _____
- k) Jewelry _____
- l) Other personal property _____

6) I have the following money:

- a) In jail..... _____
- b) At home... _____
- c) Checking accounts _____
- d) Savings accounts... _____
- e) In safety deposit box..... _____
- f) Being held or owed to me.. _____
- g) Other.... _____

7) I have the following debts and/or expenses in addition to those listed above:

8) I am/am not free on bail. Amount of bail \$ _____ . Name of person who paid for bail bond: _____

I have no ability to obtain credit to raise funds with which to employ an attorney to defend the subject juvenile. I declare under penalty of perjury that the foregoing is true and correct.

Dated this _____ day of _____, 20____, at _____, Texas.

Signature of Declarant

IN THE MATTER OF

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IN THE 355th DISTRICT COURT

HOOD COUNTY, TEXAS

SITTING AS A JUVENILE COURT

APPLICATION FOR APPOINTMENT OF COUNSEL

On this _____ day of _____, 20____, I have been advised of the juvenile's right to representation by counsel in the trial of the charge pending against the juvenile. I certify that I am without means to employ counsel of my own choosing and I hereby request the court to appoint counsel for the juvenile. I further certify that all statements in the attached Declaration of Financial Inability to Employ Counsel are true and correct.

Parent/Guardian

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the _____ day of _____, 20_____.

Notary Public in and for the State of Texas
My commission expires: _____

ORDER APPOINTING/DENYING COUNSEL

On this the _____ day of _____, 20____, came on to be heard in the above numbered and entitled cause, the sworn affidavit of the parent/guardian of the juvenile requesting appointment of counsel to represent said juvenile in said cause, and it appears to the Court that the parent/guardian is/is not an indigent person, too poor to employ counsel to represent the juvenile, and that the juvenile is entitled to have an attorney appointed to represent him/her.

It is therefore ORDERED, ADJUDGED and DECREED that _____ a licensed practicing attorney in the State of Texas, be, and is hereby appointed counsel for the juvenile; or

It is therefore ORDERED, ADJUDGED and DECREED that the Application for Appointment of Counsel is DENIED.

Presiding Judge

TEXAS INDIGENT DEFENSE COMMISSION
ATTORNEY REPORTING FORM

Hood County, Texas

Under Article 26.04(j)(4), Code of Criminal Procedure, attorneys are required to report the percentage of their practice time devoted to appointed criminal and juvenile offender cases under Article 26.04, Code of Criminal Procedure, and Title 3, Family Code, in each county.

1. Approximately _____% of my total practice time for the preceding fiscal year (October 1st – September 30th) was devoted to work on adult criminal cases in which I was appointed to represent indigent defendants in Hood County, Texas.
2. Approximately _____% of my total practice time for the preceding fiscal year (October 1st – September 30th) was devoted to work on juvenile delinquency cases (cases alleging delinquent conduct or conduct indicating a need for supervision) in which I was appointed to represent the juvenile in Hood County, Texas.

Attorney Name

State Bar of Texas No.

State Bar of Texas Number

Date

Application For Juvenile Indigent Defense Appointments

1. I _____, am applying to be considered for indigent juvenile defense appointments.
2. Are you board certified by the Texas Board of Legal Specialization? Yes No
3. If yes, in what area(s)? _____
4. Are you a member of the State Bar College? Yes No
5. How many hours of continuing legal education did you average the last three years? _____
6. Have you ever been sanctioned for failure to appear before a court? Yes No
If so, attach a written explanation.
7. How many years have you been in practice? _____
8. What percentage of your practice is in juvenile law? _____
9. Indicate the approximate percentage of your trial experience that has involved:
 - a) Child in Need of Supervision _____
 - b) Delinquency Charges with no TYC Commitment _____
 - c) Delinquency Charges with TYC Commitment _____
 - d) Determinate Sentence Charges _____
 - e) Certification Charges _____
10. What percentage of your practice consists of indigent juvenile appointments? _____
11. How many juvenile cases have you participated in as counsel/co-counsel? _____
12. How many years of experience do you have in handling juvenile cases? _____

Applicant's signature

SWORN TO and SUBSCRIBED before me on _____

Notary Public in and for Hood County,
The State of Texas
My commission expires: _____

Please attach any other information that would qualify you for appointments.

**SCHEDULE OF FEES IN INDIGENT CASES
355TH JUDICIAL DISTRICT**

The following schedule of fees shall determine the compensation to be paid to counsel appointed to defend indigent persons in the 355th Judicial District Court, effective 10-01-13:

| <u>SERVICE</u> | <u>FEE</u> |
|--|--|
| 1. Plea of guilty or nolo contendere to the court | \$550.00 |
| 2. Representation in a Motion to Revoke Probation or A Motion to Proceed with Adjudication of Guilt a) If involving multiple cases | \$450.00 if contested \$400.00, if based on plea \$550.00 if contested \$450.00 if based on plea |
| 3. Representation resulting in an Order of Dismissal of indictment prior to plea, if based on work of defense counsel a) Multiple cases dismissed prior to indictment based on defense counsel work | \$300.00 \$450.00 |
| 4. Representation in a Motion for Shock Probation | \$250.00 |
| 5. Representation of multiple cases involving a single Defendant resulting in a Plea of Guilty or Nolo Contendere to the Court and disposition of all cases | \$700.00 |
| 6. Trials (Jury and Non-Jury) | a) \$375.00 per half day PLUS b) \$100.00 per hour for trial preparation (12 hr. maximum w/supporting documentation) |
| 7. Filing Motion for New Trial | \$100.00, without hearing \$200.00, with hearing |
| 8. Appeal to the Court of Appeals | \$1,150.00 (brief plus oral argument) \$900.00 (brief only) |
| 9. Representation in Petition for Discretionary Review | \$300.00 |
| 10. Appeal to the Court of Criminal Appeals | \$850.00 |
| 11. Post-Conviction writ of habeas corpus proceeding | \$400.00 |
| 12. Juvenile detention, adjudication & disposition Juvenile Modifications | \$750.00, if contested \$600.00, if based on plea \$350.00, if contested \$250.00, if uncontested |
| 13. C.P.S. Cases | a) Adversary Hearing \$375.00, if contested \$275.00, if uncontested b) Each Review Hearing \$150.00 c) Final Hearing 1) \$475.00, if contested 2) \$325.00, if uncontested 3) \$100.00 per hour for preparation time for contested final hearing (12 hr. maximum with supporting documentation) |
| 14. Hourly rate, for services other than those stated above and as approved by the Court at \$100.00 per hour | |

MISDEMEANOR CRIMINAL COURT APPOINTMENT
HOOD COUNTY COURT AT LAW FEE SCHEDULE
Effective 10/1/09

| <u>Service</u> | <u>Fee</u> |
|---|---|
| Dismissal in misdemeanor case (including 1245's) | \$175.00 |
| Plea in misdemeanor case | \$275.00 |
| Multiple misdemeanor pleas (same defendant, same day) | \$300.00 |
| Complex misdemeanor plea [Involving complex issues, lengthy pre-trial, extensive records review/investigation of facts] | \$350.00 |
| Multiple cases on one defendant (maximum fee) | \$400.00 |
| Trial to the Court | \$300.00 (1/2 day) \$500.00 (full day) |
| Jury Trial (each additional day or partial day thereafter) | \$275.00 (1/2 day) \$350.00 |
| Misdemeanor revocations (contested) | \$275.00 |
| Misdemeanor revocations (uncontested) | \$250.00 |
| Habeas Corpus, Motion for New Trial | \$250.00 |
| Appellate Brief | \$625.00 |
| Appellate Brief w/Oral Argument | \$750.00 |

JUVENILE CRIMINAL COURT APPOINTMENT
HOOD COUNTY COURT AT LAW FEE SCHEDULE

| <u>Service</u> | <u>Fee</u> |
|---|---|
| Detention Hearings | \$150.00 |
| Uncontested Adjudication/Disposition Hearings | \$350.00 |
| Contested Adjudication/Disposition Hearings | \$500.00 |
| Uncontested Juvenile Modifications | \$200.00 |
| Contested Juvenile Modifications | \$300.00 |
| Appeals to the Court of Appeals | \$1000.00 (brief plus oral argument) \$750.00 (brief only) |

