

FAIR DEFENSE ACT
APPOINTMENT PROCEDURES
351st DISTRICT COURT

In furtherance of the Fair Defense Act's primary goal of providing qualified counsel to indigent defendants, and in accordance with the procedures of the alternative plan adopted by the judges trying criminal cases in Harris County, the 351st District Court will use a combination method of appointing attorneys that combines *individual case* and *limited term* appointment methods.

INDIVIDUAL CASE APPOINTMENTS (See *Standards and Procedures* 7.1, 8.0 & 9.1):

The Court will use the *individual case* method to appoint attorneys to represent indigent defendants in 1) capital cases, 2) appeals, and 3) when deemed necessary by the Court.

LIMITED TERM APPOINTMENTS (See *Standards and Procedures* 7.3, 8.0 & 9.3)

Weekly Appointments: The Court will appoint one *limited term* attorney each week to handle felony cases. Appointments will be made consistent with the attorney's qualifications and the needs of the Court.

Daily Appointments: The Court will also appoint *limited term* attorneys for one-day assignments consistent with the attorney's qualifications and the needs of the Court.

The Court shall appoint no more than 5 new defendants a day to weekly and daily *limited term* attorneys. Attorneys will be paid in accordance with the fee schedule adopted by the Harris County judges and approved by Commissioners Court.

QUALIFICATIONS:

Individual Case Appointments Criteria: Attorneys selected for *individual case* appointments must meet the qualifications established by the board of judges and appropriate to the offense with which defendant is charged. See *Standards and Procedures* 7.1 & 9.1.

Limited Term Appointments Criteria: Attorneys selected for *limited term* appointments must meet the qualifications established by the judges and appropriate to the offense with which defendant is charged. See *Standards and Procedures* 7.3 & 9.3.

Date signed: 9/29/2006



Mark Kent Ellis,
Judge, 351st District Court