

**FAIR DEFENSE ACT
APPOINTMENT PROCEDURES
183RD 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 183rd District Court will use the combination method of appointing attorneys that combines *individual case and term* appointment methods. Attorneys will be paid in accordance with the established fee schedule.

INDIVIDUAL CASE APPOINTMENTS (See *Standards and Procedures*): The Court will use the *individual case* method to appoint attorneys to represent indigent defendants at trial and as deemed necessary by the Court.

LIMITED TERM APPOINTMENTS (See *Standards and Procedures*):

Daily Appointments. The Court will appoint *limited term* attorneys for one-day assignments to handle motions to revoke probation or adjudicate guilt.

Appointments shall be made 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 daily *limited term* attorneys.

TERM APPOINTMENTS FOR APPEALS AND POST CONVICTION WRITS The Court will appoint three attorneys for one-year terms to handle all non-death, post-conviction proceedings, including direct appeals and post conviction writs.

TERM APPOINTMENTS FOR POST CONVICTION DNA PROCEEDINGS (See *Standards and Procedures*): The Court will employ one attorney for a one-year *term* appointment. The *term* attorney will be appointed to handle all post-conviction DNA proceedings, including motions filed under Chapter 64 of the Texas Code of Criminal Procedure, and any resultant appeals.

If a *term* attorney is terminated during the term, the Court will state its reasons for such action.

No *term* attorney will be allowed to contribute funds to the judge's re-election campaign.

Establishment of a one-year term and the conditions of appointment specified by the court are intended to ensure the independence of any attorney selected for a *term* appointment.

QUALIFICATIONS:

Individual Case Appointments: 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*.

Limited Term Appointments: Attorneys selected for *limited term* 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*.

Post-Conviction Term Appointments: Attorneys selected for *term* appointments must meet the qualifications established by the board of judges and:

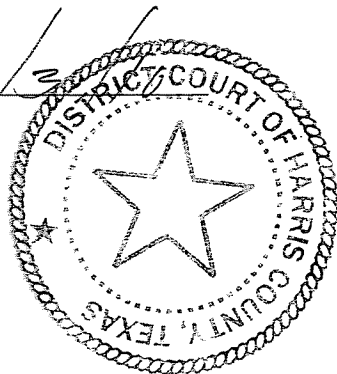
1. have practiced criminal law in Texas for at least 10 years;
2. have written at least 10 appellate briefs in criminal cases; and
3. demonstrate a commitment to completing appellate work in a timely manner and in accordance with the Texas Rules of Appellate Procedure.

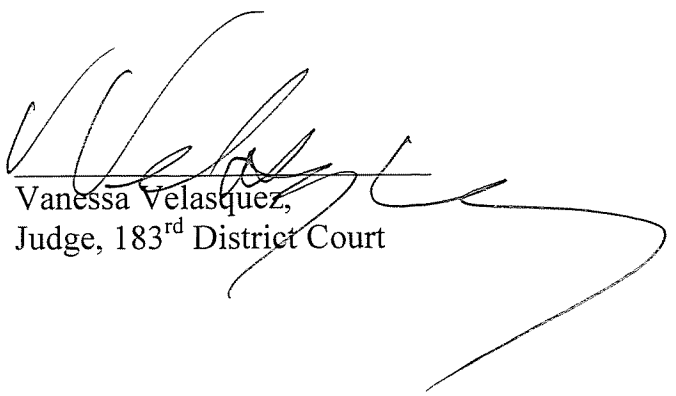
See *Standards and Procedures*.

Term Appointments For Post Conviction DNA Proceedings: Attorneys selected for *term* appointments must meet the qualifications established by the board of judges. See *Standards and Procedures*.

Applications for Post-Conviction Term Appointments: Attorneys shall submit their request for appointment to the Central Appointment Coordinator no later than 3:00 p.m. on Thursday, December 2, 2010, for consideration of the assignment for the term beginning January of the following year for Term Appointments for Post Conviction DNA Proceedings. Attorneys shall submit their request for appointment to the Central Appointment Coordinator no later than 3:00 p.m. on Monday, January 4, 2011, for consideration of the assignment for the term beginning on February 3, 2011 for Term Appointments for Post Conviction proceedings for appeals and writs.

Date signed: 12/2




Vanessa Velasquez,
Judge, 183rd District Court