



HARRIS COUNTY DISTRICT COURTS TRYING CRIMINAL CASES ATTORNEY EXPENSE CLAIM PAYMENT GUIDELINES

Appointment

The level of offense charged, exclusive of enhancements, controls the level of appointment and payment.

If a lawyer is appointed to a case that becomes a higher level than the attorney is certified to accept, he will be paid according to his certified level. Alternatively, he can withdraw.

Vouchers

Submit all attorney fee vouchers on one defendant at the same time upon disposition of the case or when the attorney withdraws.

Individual Case Assignments

An attorney can be paid for up to four cases per day for court appearances that occur on or subsequent to July 1, 2010. Attorneys can be paid for up to three cases per day for court appearances that occurred prior to July 1, 2010. An attorney will not be paid for two or three cases tried in a single proceeding; he will be paid for one trial.

“Four cases” means four different defendants or a defendant with four cases arising from different transactions, i.e., different offense reports. “Four cases” means, for example, a motion to adjudicate and three new felonies, even if the motion to adjudicate is based on one or more of the new felonies.

Limited Term Assignments

A limited term attorney who has to reset cases beyond the term of his assignment will thereafter be paid for those cases on an individual case assignment basis. The presumptive maximum number of non-trial settings beyond the term assignment is four.

An attorney should not sign on as a limited term attorney in one court when he has an appointed matter in another court on the same day, except that an appointed trial setting

in one court will not prevent an attorney from accepting a limited term appointment in another court on the same day.

An attorney appointed to be the limited term attorney in one court who is called to trial in another court should immediately notify the first court that he will not be available the rest of the week.

PSI Hearings

\$350/day regardless of whether testimony is taken.

Bilingual Supplement

An attorney who has to communicate with his client or witnesses in a language other than English shall receive a \$50/day supplement for each court appearance where the bilingual skill was used.

Exceeding the Presumptive Maximum

A request to exceed the presumptive maximum will not be considered except upon written motion providing adequate justification.

Appeals

The presumptive maximum paid for appeals includes hours spent preparing a motion for new trial. An appearance to present a motion for new trial to the court is not paid as a court appearance.

A hearing with live testimony on a motion for new trial is paid \$350/day.

Multiple cases tried in one proceeding are paid as one appeal. Issues unique to one case requiring additional hours may justify a request to exceed the presumptive maximum.

Investigators and Experts

Investigators and Mitigation Specialists are paid at a uniform rate of \$40.00/hour. The fees are submitted in the Investigation Field of the Expense Claim Forms.

Investigators and experts must be licensed in accordance with applicable State law.

Bills submitted by investigators and experts must document the dates and hours spent on the case and must be sworn to or affirmed to as accurate. The following oath would suffice: "I swear or affirm that the attached invoice accurately documents the time that I spent on this case."