

FAIR DEFENSE ACT
APPOINTMENT PROCEDURES
177TH 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 177th District Court will use a **combination method** of appointing attorneys that combines ***individual case and limited 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 as deemed necessary by the Court.

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

Daily Appointments. The Court will also appoint ***limited term*** attorneys for one-day assignments as needed. The Court shall appoint no more than five (5) new defendants a day to ***limited term*** attorneys.

TERM APPOINTMENTS (See *Standards and Procedures*): The Court will employ two attorneys for a one-year ***term*** appointment for Thursdays only. The two ***term*** attorneys will be appointed to handle motions to revoke probation or adjudicated guilt and a limited number of state jail and third degree felonies. The attorneys will receive appointments to represent no more than five (5) defendants each day and will carry a caseload of approximately thirty-five indigent defendant's cases. The ***term*** attorney will be paid in accordance with the fee schedule adopted by the Harris County judges and approved by Commissioners Court.

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

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

If a ***term*** attorney is terminated during the term, the Court will state its reasons for such action and will immediately begin accepting applications for a replacement attorney.

Appointments shall be made consistent with the attorney's qualifications and the needs of the Court.

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*.

Term Appointments: In addition to the qualifications established by the board of judges, an attorney selected for *term* appointment must meet the qualifications established by the Board of Judges applicable to third-degree appointment, must also:

1. Retain pending assigned cases at the end of the term;
2. Have extensive experience in dealing with defendants on probation or deferred adjudication;
3. Have no past public disciplinary action and no pending disciplinary action by the state bar;
4. Have the means of producing typewritten motions, briefs and orders;
5. Have resources for legal research; and
6. Participate in professional legal organizations.

Applications for Term Appointments. Attorneys shall submit their request for appointment to the Central Appointment Coordinator no later than 12:00 p.m. on Friday, December 19, 2014, for consideration for assignment for the term beginning January, 2015. See *Interim Standards and Procedures*. The court, in its discretion, may conduct interviews of qualified applicants.

Date Signed: 11/25/14


Ryan Patrick
Judge, 177th District Court

