

**FAIR DEFENSE ACT**  
**APPOINTMENT PROCEDURES**  
**183<sup>nd</sup> 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 183<sup>nd</sup> District Court will use a **combination method** of appointing attorneys that combines *individual case, limited term, 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 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.

Appointments shall be made consistent with the attorney's qualifications and the needs of the Court. The Court shall appoint no more than five (5) new defendants a day to weekly and 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:

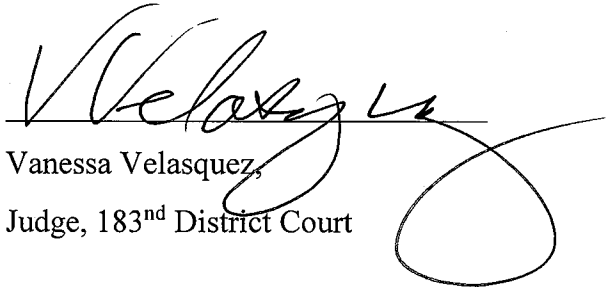
1. Have practiced criminal law in Texas for at least ten (10) years;
2. Have written at least ten (10) appellate briefs in criminal cases; and
3. Demonstrate a commitment to completing appellate work in a timely manner and in accordance with the Texas Rules of appellate Procedure.
4. See *Standards and 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 12:00 p.m. on Friday, December 16, 2016, for consideration for assignment for the term beginning January, 2017 See *Interim Standards and Procedures*.

Date Signed:

11/8/16

  
Vanessa Velasquez,  
Judge, 183<sup>rd</sup> District Court