

**FAIR DEFENSE ACT**  
**APPOINTMENT PROCEDURES**  
**208<sup>th</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 208<sup>th</sup> District Court will use a **combination method** of appointing attorneys that combines *individual case and term appointment* methods.

**INDIVIDUAL CASE APPOINTMENTS** (See *Standards and Procedures*): As needed, attorneys will be appointed to represent indigent defendants by the *individual case* appointment method established by the procedures adopted by the judges trying criminal cases in Harris County. Attorneys will be paid in accordance with the established fee schedule.

**TERM APPOINTMENTS** (See *Standards and Procedures*): The Court will employ five (5) attorneys for a one-year *term* appointment. The five (5) *term* attorneys will be appointed to handle indigent defendants as needed. 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.

The Court will not appoint *term* attorneys to represent more than five (5) new defendants a day to *term* attorneys. *Term* attorneys will carry a caseload of approximately forty (40) indigent defendants' cases at any given time.

**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*.

**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:

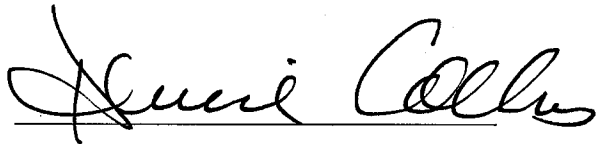
1. Retain pending assigned cases at the end of the term;
2. Have practiced criminal law for a minimum of ten (10) years;
3. Have served as lead counsel on at least forty (40) felony jury trials;
4. Have handled five hundred (500) felony cases as defense counsel and/or prosecutor;
5. Have no public disciplinary action by the Texas State Bar that has resulted in a finding of a substantive violation of the canons of ethics;
6. Upon request the Court shall provide access to a certified interpreter.

*See Standards and Procedures.*

**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 16, 2016 for consideration for assignment for the term beginning January, 2017. See *Interim Standards and Procedures*. The court, in its discretion, may conduct interviews of qualified applicants.

Date Signed: \_\_\_\_\_

11/4/16



Denise Collins

Judge, 208th District Court