

FAIR DEFENSE ACT
APPOINTMENT PROCEDURES
176TH 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 176th 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.

TERM APPOINTMENTS (See *Standards and Procedures*): The Court will employ two (2) attorneys for a one-year *term* appointment. The two (2) *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.

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

Daily Appointments. The Court will also appoint *limited term* attorneys for one-day assignments as needed.

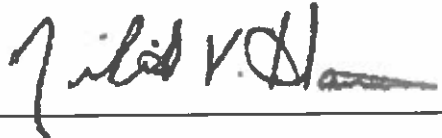
Appointments shall be made consistent with the attorney's qualifications and the needs of the Court. The Court shall appoint no more than five (5) new defendants a day to weekly and daily *limited term* attorneys.

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*.

Date Signed: 12-19-18



A handwritten signature in black ink, appearing to read "Nikita Harmon", written over a horizontal line.

Nikita Harmon

Judge, 176th District Court