

FAIR DEFENSE ACT
APPOINTMENT PROCEDURES
339th 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 339th 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 in as deemed necessary by the court.

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

Weekly Appointments. The Court will appoint *limited term* attorneys each week to handle cases as needed.

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 (See *Standards and Procedures*): The Court will employ three (3) attorneys for a one-year *term* appointment. The three (3) *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.

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*.

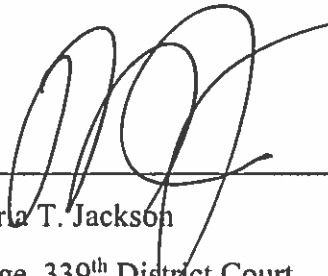
Limited Term Appointments: Attorneys selected for *limited term* appointments must meet the qualifications established by the Board of Judges to represent individuals charged with second-degree felonies. See *Standards and Procedures*.

Term Appointment 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 Term Appointments. Attorneys shall submit their request for appointment to the Central Appointment Coordinator no later than 12:00 p.m. on Friday, May 18, 2018, for consideration for assignment for the term beginning June, 2018. See *Interim Standards and Procedures*. The court, in its discretion, may conduct interviews of qualified applicants.

Date Signed: _____



Marla T. Jackson
Judge, 339th District Court