

FAIR DEFENSE ACT
APPOINTMENT PROCEDURES
338th 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 338th 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 may 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.

Weekly Appointments. The Court will also appoint ***limited term*** attorneys each week to handle cases 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 ***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: 5/6/20



Michele S. Oncken
Judge, 338th District Court