

# Attorney Fee Schedule

## Harris County District Courts Trying Criminal Cases

Effective July 1, 2010

<u>INDIVIDUAL CASE APPOINTMENT</u>		RATE	TOTAL (presumptive maximum)
NON-TRIAL	First Degree	\$225/day	*\$1,125
	Second Degree	\$175/day	*\$875
	Third Degree, SJF, MRP/MAJ	\$125/day	*\$625
TRIAL	First Degree	\$500/day	None
	Second Degree	\$400/day	None
	Third Degree, SJF, MRP/MAJ	\$300/day	None
PRE-TRIAL HEARING WITH TESTIMONY & PSI HEARING		\$350/day	None
OUT OF COURT HOURS (Must detail on Out-Of-Court Hours Log.)	First Degree	\$85/hour	\$1,700
	Second Degree	\$60/hour	\$600
	Third Degree, SJF, MRP/MAJ	\$40/hour	\$400
INVESTIGATION	Bills submitted by investigators and experts must document the dates and hours spent on the case and must be sworn to or affirmed to as accurate. Expert expenses paid per County policy.	\$40/hour	\$600/Case
EXPERT TESTIMONY		None	\$650/Case
MENTAL HEALTH SUPPLEMENT (Must detail on Out-Of-Court Hours Log.)		\$50/hour	\$250
BILINGUAL SUPPLEMENT		\$50/day	\$250
AFTER HOURS SUPP. (Trial/Hearing after 6:00 pm)		\$50/hour	None
OTHER		None	None
*The presumptive maximum number of non-trial settings beyond the term assignment is four.			
A maximum of four individual cases paid per day.			

TERM ASSIGNMENTS			
	LEVEL OF ATTORNEY QUALIFICATION	RATE	TOTAL (5-day week)
DAILY ASSIGNMENT	First Degree	\$395/day	
	Second Degree	\$350/day	
	Third Degree, SJF, MRP/MAJ	\$315/day	
WEEKLY ASSIGNMENT	First Degree	\$395/day	\$1,975/wk
	Second Degree	\$350/day	\$1,750/wk
	Third Degree, SJF, MRP/MAJ	\$315/day	\$1,575/wk
TERM ASSIGNMENT	First Degree	\$395/day	\$1,975/wk
	Second Degree	\$350/day	\$1,750/wk
	Third Degree, SJF, MRP/MAJ	\$315/day	\$1,575/wk
INVESTIGATION	Bills submitted by investigators and experts must document the dates and hours spent on the case and must be sworn to or affirmed to as accurate. Expert expenses paid per county policy. Investigation Fees (even routine) and/or expert witnesses fees shall not be included in term assignment compensation.	\$40/hour	\$600/case
EXPERT		None	\$650/case
AFTER HOURS SUPP.(Trial/Hearing after 6:00 p.m.)		\$50/hour	None

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<u>CAPITAL CASE</u>		RATE	TOTAL (presumptive maximum)
DEATH CAPITAL 1ST CHAIR	Non-Trial Appearance	\$400/day	None
	Voir Dire	\$600/day	None
	Trial/Hearing with Testimony	\$800/day	None
	Out-of-Court Hours*	\$100/hour	\$12,000
DEATH CAPITAL 2ND CHAIR	Non-Trial Appearance	\$400/day	None
	Voir Dire	\$500/day	None
	Trial/Hearing with Testimony	\$700/day	None
	Out-of-Court Hours*	\$80/hour	\$9,600
DEATH CAPITAL FLAT RATE	Includes all fees except investigation costs, expert witness fees, and witness travel costs. Flat rate applies only if testimony begins in the guilt/innocence phase of trial. Otherwise, the daily and hourly rates apply.	1ST CHAIR	\$35,000
		2ND CHAIR	\$30,000
NON-DEATH CAPITAL	Non-Trial Appearance	\$400/day	\$3,200
	Trial/Hearing with Testimony	\$800/day	None
	Out-of-Court Hours*	\$100/hour	\$5,000
INVESTIGATION	Bills submitted by investigators and experts must document the dates and hours spent on the case and must be sworn to or affirmed to as accurate. Expert expenses paid per county policy.	\$50/hour	None
EXPERT TESTIMONY		None	None
MENTAL HEALTH SUPPLEMENT*		\$50/hour	\$250
BILINGUAL SUPPLEMENT		\$50/day	\$250
AFTER HOURS SUPP. (Trial/Hearing after 6:00 p.m.)		\$50/hour	None
OTHER		None	None
*Must detail on Out-Of-Court Hours Log.			

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<b><u>POST CONVICTION PROCEEDINGS</u></b>	HOURLY RATE	TOTAL (presumptive max.)
<b>NON-CAPITAL APPEAL</b>		
Appeal, Preparation of Motion for New Trial	\$75	\$2,250
Appeal-Trial > 5 days or Transcript > 800 Pages, Prep. Of Motion for New Trial	\$75	\$4,500
New brief after PDR granted	\$75	\$1,500
<b>CAPITAL APPEAL</b>		
Appeal-Death Penalty Not Sought, Preparation of Motion for New Trial	\$100	\$4,500
Appeal-Death Penalty Sought, Preparation of Motion for New Trial	\$100	\$18,000
New brief after PDR granted	\$100	\$2,000
<b>PETITION FOR DISCRETIONARY REVIEW</b>		
Non-Capital	\$75	\$750
Capital	\$100	\$1,000
<b>ORAL ARGUMENT</b>		
<b>Court of Appeals</b>		
Non-Capital	\$75	\$450
Capital	\$100	\$600
<b>Court of Criminal Appeals</b>		
Non-Capital	\$100	\$600
Capital Appeal, Death Penalty Given	\$100	\$1,500
Capital Appeal, Death Penalty Sought, Not Given	\$100	\$600
Capital Appeal, Death Penalty Not Sought	\$100	\$600
<b>Travel Expenses</b>		
In Austin (no receipts required)		\$200
In Courts of Appeals other than Houston: Prior Approval of Judge required (receipts required)		
<b>DNA MOTION</b>	\$75	\$750
<b>11.07 WRIT OF HABEAS CORPUS</b>	\$75	\$2,250
<b>HEARING WITH TESTIMONY</b>	\$350/Day	None
<b>OTHER</b>	None	None

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<u><b>11.071 DEATH PENALTY WRITS</b></u>		RATE
WRIT (See attached worksheet)		\$100/hour
HEARING WITH TESTIMONY		\$350/day
EXPENSES		
Investigation	Bills submitted by investigators and experts must document the dates and hours spent on the case and must be sworn to or affirmed to as accurate. Expert expenses paid per county policy.  Paid expense receipts must be attached.	\$50/hour
Expert Witness		None
Travel		None
Miscellaneous		None
\$25,000 is the presumptive maximum for all fees incurred in an 11.071 writ.		