

ATTORNEY FEE SCHEDULE
Brazoria County Courts Trying Criminal Cases
(excludes Death Capital Cases)
Effective January 1, 2017

Individual Case Appointments

-Attorney must receive prior court approval to be considered for appointment on criminal cases by making application through the Brazoria County Indigent Defense Plan.

-The level of offense charged controls the level of appointment and payment.

** The "Presumptive Maximum" applies to all cases unless indicated otherwise. "Presumptive Maximum" includes all non-trial hours on plea cases. In the event an attorney presents a voucher for more than the presumptive maximum, said attorney will be responsible for providing an explanation to the Court to which the voucher is presented before same will be approved.

	<u>Rate</u>	<u>Total</u> (Presumptive Maximum**)
<u>Non-Trial Plea Agreement cases –</u>		
First Degree	\$50-150/hr	\$900/plea
Second Degree	\$50-150/hr	\$900/plea
Third Degree/SJF/MRP/MTAG	\$50-150/hr	\$900/plea
Misdemeanor Class A or B	\$50-150/hr	\$450/plea
Juvenile	*same fees as corresponding misdemeanor or felony case level*	
 <u>Trial –</u>		
First Degree	\$600/day	None
Second Degree	\$500/day	None
Third Degree/SJF/MRP/MTAG	\$450/day	None
Misdemeanor Class A or B	\$450/day	None
Juvenile	*same fees as corresponding misdemeanor or felony case level*	
 <u>Non-Trial hours -</u> (Pretrial Hearings, Motions to Suppress, PSI Hearings, Bond/Writ Hearings, Discovery Motions, Witness interviews, Research/Investigation, Trial Preparation, etc.)		
First Degree	\$50-150/hr	\$600/day
Second Degree	\$50-100/hr	\$500/day
Third Degree/SJF/MRP/MTAG	\$50-100/hr	\$400/day
Misdemeanor	\$50-100/hr	\$375/day
Juvenile	*same fees as corresponding misdemeanor or felony case level*	
Juvenile Detention Hearing		\$150/case (Maximum \$450/day/court)
Juvenile Certification/Transfer Hearing	*same fee as corresponding felony case level, if transferred*	

Attorney-for-the-Day -

In those courts where an attorney has been designated as the “attorney-for-the-day,” said attorney shall be compensated at the rate of:

\$150/hour

Investigation/Expert Fees –

(Must request court approval prior to hiring expert or investigator; Must detail expenses and hours on voucher submitted to Court)

Investigator	\$40/hr	\$500/case*
Expert	None	\$650/case*

* Each Court may consider approving additional fees on a case-by-case basis depending on the nature of the case and expertise involved.

Costs –

- **Copies** – must utilize electronic copy policy through Brazoria County District or County Clerk’s Offices (e.g. email, zip-drive, CD) for all pleadings, documents filed with Court/Clerk, etc.
- **Service Fees** – must utilize Sheriff’s Office service, Constable service or local law enforcement service. Private Process Service available only with prior Court approval and after unsuccessful attempts through local law enforcement.
- **Travel** – NO TRAVEL WILL BE PAID UNLESS PRIOR COURT APPROVAL RECEIVED. Travel hours, idle hours and waiting time will not be compensated unless prior approval received from Court. Only time actively engaged in case will be compensated.

- Travel time outside Brazoria and contiguous counties if approved by Court- standard hourly rate

(THIS DOES NOT INCLUDE TRAVEL FROM YOUR OFFICE TO THE COURTHOUSE and MILEAGE IS NOT REIMBURSED IF TIME IS SUBMITTED)

-Airline - actual cost (14-day advance ticket rate) *receipt required

Post-Conviction Proceedings –

Non-Capital Appeal		
- Appeal, Preparation of Motion for New Trial	\$75-100/hr	\$3250/case
- New Brief after PDR	\$75-100/hr	\$1900/case
DNA Motion	\$75-100/hr	\$600/case
11.07 Writ of Habeas Corpus	\$75-100/hr	\$1950/case