

ATTORNEY FEES EXPENSE CLAIM FORM (CRIMINAL CASES ONLY)



PURSUANT TO ARTICLE 26.05 CODE OF CRIMINAL PROCEDURE AS AMENDED

SECTION A CASE INFORMATION				FEE SCHEDULE			
DEFENDANT NAME (SHOW ONLY ONE DEFENDANT PER CLAIM)				DESCRIPTION	IN COURT	OUT OF COURT	AMOUNT
MALIKA LOPER				NON-TRIAL FEES			\$200.00
PID	1292825	APPOINTMENT DATE	1/21/2014	TRIAL FEES	\$0.00	\$0.00	\$0.00
DEGREE	MB	DISPOSITION DATE	2/5/2014	OTHER LEGAL SERVICE AMOUNT		\$0.00	\$0.00
<input type="checkbox"/> CASE IS ON-GOING	<input type="checkbox"/> APPEAL	<input type="checkbox"/> DEATH PENALTY CASE	<input type="checkbox"/> DEATH PENALTY RATE	<input type="checkbox"/> INVESTIGATOR	<input type="checkbox"/> EXPERT	<input type="checkbox"/> OTHER	
				<small>(REIMBURSEMENTS FOR OTHER LEGAL SERVICES REQUIRE SUPPORTING DOCUMENTATION)</small>			
				FEES SET BY COURT \$		TOTAL	\$200.00
COURT NUMBER	COUNTY COURT 2			JUSTIFICATION FOR ADJUSTMENT PURSUANT TO ARTICLE 26.05(4)(C):			
CASE NUMBER	CR-14-0756-B			<input type="checkbox"/> COMPLEXITY OF THE CASE AND/OR COUNSEL'S EXPERIENCE	<input type="checkbox"/> OTHER:		

SECTION B (MISDEMEANOR CASES ONLY) SERVICES PROVIDED BY ATTORNEY			
DATE	TYPE OF WORK	SERVICES PROVIDED	AMOUNT
	INITIAL JAIL VISIT	<input type="checkbox"/>	
	WRIT SECURING BOND REDUCTION	<input type="checkbox"/>	
	SECURE JAIL RELEASE	<input type="checkbox"/>	
2/5/2014	PLEA	<input checked="" type="checkbox"/>	\$200.00
	MOTION TO REVOKE / MOTION TO ADJUDICATE GUILT	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
TOTAL			\$200.00

SECTION C LIST RELATED CASE NO. S	SECTION D FELONY CASES / MISDEMEANOR TRIAL WORK AND DISMISSALS			
	DATE	TYPE OF WORK	IN COURT HOURS	OUT OF COURT HOURS
	TOTAL HOURS		0	0

SECTION E ATTORNEY INFORMATION		
VENDOR NUMBER	TELEPHONE NUMBER	BAR CARD NUMBER
114383	(956) 269-9538	12543700
MAILING ADDRESS		
4610 S. Closner, Edinburg, Texas 78539		

SECTION F CERTIFICATION	
I, <u>DANIEL QUIRINO LONGORIA</u>	
ATTORNEY AT LAW, SWEAR OR AFFIRM TO THE COURT AND TO THE COUNTY AUDITOR THAT THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT, AND PAYMENT WOULD NOT BE CONTRARY TO THE FEE SCHEDULE ADOPTED BY THE BOARD OF JUDGES PURSUANT TO ARTICLE 26.05 CODE OF CRIMINAL PROCEDURE. I FURTHER SWEAR OR AFFIRM THAT I HAVE NOT RECEIVED NOR WILL RECEIVE ANY MONEY OR ANYTHING ELSE OF VALUE FOR REPRESENTING THE ACCUSED, AND I FURTHER AFFIRM OR SWEAR THAT I HAVE NOT SUBMITTED DUPLICATE TIME CHARGES FOR THE SAME HOURS CHARGED IN ANY OTHER	
APPROVED:	THE <u>7</u> DAY OF <u>Dec</u> 10
PRESIDING JUDGE (SIGNATURE)	ATTORNEY AT LAW (SIGNATURE)

ATTORNEY FEES EXPENSE CLAIM FORM (CRIMINAL CASES ONLY)



PURSUANT TO ARTICLE 26.05 CODE OF CRIMINAL PROCEDURE AS AMENDED

SECTION A CASE INFORMATION				FEE SCHEDULE			
DEFENDANT NAME (SHOW ONLY ONE DEFENDANT PER CLAIM)				DESCRIPTION	IN COURT	OUT OF COURT	AMOUNT
MARTIN HINOJOSA MARTINEZ				NON-TRIAL FEES			\$200.00
PID	1192046	APPOINTMENT DATE	2/12/2014	TRIAL FEES	\$0.00	\$0.00	\$0.00
DEGREE	MA	DISPOSITION DATE	2/12/2014	OTHER LEGAL SERVICE			\$0.00
<input type="checkbox"/> CASE IS ON-GOING	<input type="checkbox"/> APPEAL	<input type="checkbox"/> DEATH PENALTY CASE	<input type="checkbox"/> DEATH PENALTY RATE	<input type="checkbox"/> INVESTIGATOR	<input type="checkbox"/> EXPERT	<input type="checkbox"/> OTHER	
				<small>(REIMBURSEMENTS FOR OTHER LEGAL SERVICES REQUIRE SUPPORTING DOCUMENTATION)</small>			
COURT NUMBER COUNTY COURT 5				FEES SET BY COURT		TOTAL	\$200.00
CASE NUMBER CR-14-1337-E				JUSTIFICATION FOR ADJUSTMENT PURSUANT TO ARTICLE 26.05(4)(C)			
				<input checked="" type="checkbox"/> COMPLEXITY OF THE CASE AND/OR COUNSEL'S EXPERIENCE	<input type="checkbox"/> OTHER		

SECTION B (MISDEMEANOR CASES ONLY) SERVICES PROVIDED BY ATTORNEY			
DATE	TYPE OF WORK	SERVICES PROVIDED	AMOUNT
	INITIAL JAIL VISIT	<input type="checkbox"/>	
	WRIT SECURING BOND REDUCTION	<input type="checkbox"/>	
	SECURE JAIL RELEASE	<input type="checkbox"/>	
2/12/2014	PLEA	<input checked="" type="checkbox"/>	\$200.00
	MOTION TO REVOKE / MOTION TO ADJUDICATE GUILT	<input type="checkbox"/>	
	SUPPRESSION	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE Case # _____	<input type="checkbox"/>	
TOTAL			\$200.00

SECTION C LIST RELATED CASE NO S	SECTION D FELONY CASES / MISDEMEANOR TRIAL WORK			
	DATE	TYPE OF WORK	IN COURT HOURS	OUT OF COURT HOURS
TOTAL HOURS			0	0

SECTION E ATTORNEY INFORMATION		
VENDOR NUMBER	TELEPHONE NUMBER	BAR CARD NUMBER
114383	(956) 316-1088	12543700
MAILING ADDRESS		
4610 S. Clossner, Edinburg, 78539		

SECTION F CERTIFICATION	
I, <u>DANIEL QUIRINO LONGORIA</u>	
ATTORNEY AT LAW, SWEAR OR AFFIRM TO THE COURT AND TO THE COUNTY AUDITOR THAT THE INFORMATION CONTAINED ABOVE IS TRUE AND CORRECT, AND PAYMENT WOULD NOT BE CONTRARY TO THE FEE SCHEDULE ADOPTED BY THE BOARD OF JUDGES PURSUANT TO ARTICLE 26.05 CODE OF CRIMINAL PROCEDURE. I FURTHER SWEAR OR AFFIRM THAT I HAVE NOT RECEIVED NOR WILL RECEIVE ANY MONEY OR ANYTHING ELSE OF VALUE FOR REPRESENTING THE ACCUSED, AND I FURTHER AFFIRM OR SWEAR THAT I HAVE NOT SUBMITTED DUPLICATE TIME CHARGES FOR THE SAME HOURS CHARGED IN ANY OTHER	
APPROVED:	THE <u>10th</u> DAY OF <u>Dec.</u> <u>14</u>
<small>PRESIDING JUDGE (SIGNATURE)</small>	<small>ATTORNEY AT LAW (SIGNATURE)</small>

REVIEWED BY INDIGENT DEFENSE OFFICE #1100-412-30-115-016-0-333

ATTORNEY FEES EXPENSE CLAIM FORM (CRIMINAL CASES ONLY)





PURSUANT TO ARTICLE 26.05 CODE OF CRIMINAL PROCEDURE AS AMENDED

SECTION A CASE INFORMATION				FEE SCHEDULE			
DEFENDANT NAME (SHOW ONLY ONE DEFENDANT PER CLAIM)				DESCRIPTION	IN COURT	OUT OF COURT	AMOUNT
BERNABE TREJO HERNANDEZ				NON-TRIAL FEES			\$200.00
PID	1238059	APPOINTMENT DATE	2/10/2014	TRIAL FEES	\$0.00	\$0.00	\$0.00
DEGREE	MB	DISPOSITION DATE	3/27/2014	OTHER LEGAL SERVICE			\$0.00
<input type="checkbox"/> CASE IS ON-GOING <input type="checkbox"/> APPEAL <input type="checkbox"/> DEATH PENALTY CASE		DEATH PENALTY RATE		<input type="checkbox"/> INVESTIGATOR <input type="checkbox"/> EXPERT <input type="checkbox"/> OTHER			
				<small>(REIMBURSEMENTS FOR OTHER LEGAL SERVICES REQUIRE SUPPORTING DOCUMENTATION)</small>			
				FEES SET BY COURT		TOTAL	\$200.00
COURT NUMBER	COUNTY COURT 6			JUSTIFICATION FOR ADJUSTMENT PURSUANT TO ARTICLE 26 05(4)(C)			
CASE NUMBER	CR-14-2542-F			<input checked="" type="checkbox"/> COMPLEXITY OF THE CASE AND/OR COUNSEL'S EXPERIENCE <input type="checkbox"/> OTHER			

SECTION B (MISDEMEANOR CASES ONLY) SERVICES PROVIDED BY ATTORNEY			
DATE	TYPE OF WORK	SERVICES PROVIDED	AMOUNT
	INITIAL JAIL VISIT	<input type="checkbox"/>	
	WRIT SECURING BOND REDUCTION	<input type="checkbox"/>	
	SECURE JAIL RELEASE	<input type="checkbox"/>	
3/27/2014	PLEA	<input checked="" type="checkbox"/>	\$200.00
	MOTION TO REVOKE / MOTION TO ADJUDICATE GUILT	<input type="checkbox"/>	
	SUPPRESSION	<input type="checkbox"/>	
	OTHER MISDEMEANOR CASE	Case # _____	
	OTHER MISDEMEANOR CASE	Case # _____	
	OTHER MISDEMEANOR CASE	Case # _____	
	OTHER MISDEMEANOR CASE	Case # _____	
TOTAL			\$200.00

SECTION C LIST RELATED CASE NO S	SECTION D FELONY CASES / MISDEMEANOR TRIAL WORK			
	DATE	TYPE OF WORK	IN COURT HOURS	OUT OF COURT HOURS
TOTAL HOURS			0	0

SECTION E ATTORNEY INFORMATION		
VENDOR NUMBER	TELEPHONE NUMBER	BAR CARD NUMBER
114383	(956) 316-1088	12543700
MAILING ADDRESS		
4610 S. Closner, Edinburg, 78539		

SECTION F CERTIFICATION	
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APPROVED:  PRESIDING JUDGE (SIGNATURE)	THE <u>8</u> DAY OF <u>Dec</u> , 20 <u>14</u>  ATTORNEY AT LAW (SIGNATURE)

**HIDALGO COUNTY LOCAL RULES
TO IMPLEMENT THE TEXAS FAIR DEFENSE ACT**

**STANDARDS AND PROCEDURES RELATED TO
APPOINTMENT OF COUNSEL FOR INDIGENT DEFENDANTS
IN HIDALGO COUNTY**

To implement the Texas Fair Defense Act (FDA, Acts 2001, 77th Leg.), the following Local Rules of Administration are adopted under Texas Local Government Code § 74.093, effective January 1, 2002:

INDIGENT DEFENSE

Rule 1. Applicability

1.01 The rules in this Part will govern criminal procedures in all municipal, justice of the peace, county, and district courts in this County, notwithstanding any other local rule to the contrary.

Rule 2. Procedures for Timely Appointment of Counsel

2.01 *Prompt Appearance Before a Magistrate.*

(a) The magistrates of this county will inform supervisory personnel of all law enforcement agencies operating within the county that each time a person is arrested, Texas law requires the officer making the arrest and any officer who later has custody to ensure that the person is taken before a magistrate without unnecessary delay, and never more than 48 hours after arrest.

(b) The judges of this county will work with the magistrates, prosecutors, and law enforcement agencies in the county to devise appropriate procedures for meeting the time standards set forth in Rule 2.01(a).

(c) Whenever an arrested person is first brought before a magistrate, the magistrate shall record the date and time that the person was first arrested and when the person was taken into custody.

(d) Each time a magistrate or a judge has reasonable cause to believe that a

(a) current information about the defendant and charges indicates that counsel of different qualifications is appropriate for the defendant under these rules; or

(b) replacement of appointed counsel in a death penalty case is required under Article 26.052(e) of the Code of Criminal Procedure.

7.03 *Defendant Request.* The judge presiding over the trial court proceedings in a criminal case will replace appointed counsel at the defendant's request if:


(a) the defendant requests an attorney other than trial defense counsel for appeal or post-conviction *habeas corpus* proceedings; or

(b) the defendant shows good cause for replacing appointed counsel, including counsel's persistent or prolonged failure to communicate with the defendant.

7.04 *Appointing Replacement Counsel.* Whenever appointed counsel is replaced under this Rule, replacement counsel immediately shall be selected and appointed in accordance with the procedures described in Rules 4, 5, and 6.

Rule 8. Attorney Fee Schedule and Compensation of Appointed Attorneys

8.01 *Fee Schedule.* The county will pay appointed counsel for all time reasonably necessary for adequate representation of the defendant, as approved by a judge, according to the following fee schedule adopted as provided under Article 26.05(b) of the Code of Criminal Procedure:

 (a) Appointed attorneys shall be paid \$70 per hour for all documented out-of-court and \$100 per hour in-court time, for all documented time that is actually spent on the case that reasonable professionals would agree was objectively necessary for a qualified criminal defense attorney in the community to represent the client; and

(b) For good cause or exceptional circumstances, an appointed attorney may request payment at an hourly rate above the rates specified in subsections (a) and (b) of this Rule, subject to review and approval by the judge presiding over the case as specified in Rule 8.02.

(c) Misdemeanor appointed attorneys shall be paid by using the

following fee schedule:

Initial Jail Visit \$50.

Writ Securing Bond Reduction \$75.

Secure Jail Release \$100.

Plea Flat Rate \$200.

Motion to Revoke/Motion to Adjudicate \$175.

Trials \$70. per hour for all documented out-of-court and \$100. per hour for in-court time, for all documented time that is actually spent on the case that reasonable professionals would agree was objectively necessary for a qualified criminal defense attorney in the community to represent the client.

(d) Misdemeanor cases will have the following caps:

Suppressions \$350.

ADR, Pre-trial diversions, Dismissals \$350.

Pleas \$350.

Trials \$1000.

(e) Guidelines for the misdemeanor fee schedule are as follows:

1. No claim will be paid unless properly submitted within 3 months of disposition.

2. All dismissals pre complaint or indictment will be paid on an hourly basis only and voucher will be submitted to the Judge that appointed counsel.

3. When it becomes necessary for the court to appoint an attorney to advise and counsel a witness whose own testimony might subject that witness to potential criminal liability, counsel will be entitled to compensation at the hourly rate which would be payable if counsel had been appointed to represent the defendant in the case on trial.

4. Attorneys handling waiver pleas will be paid as if the case had been indicted.

5. Request for prior approval to exceed the maximum stated in/out-of-court hours must be filed in the appropriate court and set out the need to exceed

the maximum and a justification of the cost. Extraordinary circumstances must be presented in order to obtain Court approval.

6. If the County Auditor's Office detects simple mathematical errors in a pay voucher, it will compute the voucher and pay it out based on the auditor's calculations.

7. When possible, prior court approval should be obtained before incurring expenses for investigation and for mental health and other experts.

8. For multiple cases/counts, including indictments, motions to revoke, complaints, and/or any combination of these you may be approved an additional \$50 per misdemeanor case with a cap of \$400. to be submitted on the same voucher.

9. Writs filed while defendant has a preexisting hold from another agency will not be paid.

10. Court appearances to pass a case will be limited to ¼ hour per pass.

8.02 *Judicial Determination of Attorney Compensation.* The judge presiding over the case for which the appointed attorney seeks compensation will use the following procedures to review and approve the appropriate compensation:

- (a) The appointed counsel must submit to the presiding judge a form approved by the judges for itemizing the services performed.
- (b) The presiding judge hearing a motion under this Rule will either approve the amount requested or enter written findings stating the amount of payment that the judge approves and each reason for approving an amount different from the requested amount.
- (c) An attorney whose request for payment is disapproved may appeal the disapproval by filing a motion with the presiding judge of the administrative judicial region, as provided under Article 26.05(c) of the Code of Criminal Procedure.
- (d) The county will reimburse appointed attorneys for investigation and expert witness expenses incurred on behalf of an indigent client as