


CLARIFICATION OF COURT APPOINTED ATTORNEY COMPENSATION
Polk County

The District Courts and the County Court at Law in Polk County utilize the same fee schedule for criminal and CPS cases. This schedule is attached.

The attorney has the option to bill by the hour (Plan A) or utilize the flat fee schedule (Plan B), but not a combination of both. The attorney shall exclusively use one plan for all compensation claimed. Attorney compensation forms using a combination of both methods will be returned to the attorney for correction.

If one court resolves both felony and misdemeanor cases which are pending against a defendant, one attorney compensation form should be tendered to the disposing court covering all such cases resolved. This includes all pending cases that are resolved, including dismissals in another court, as a result of one plea bargain.


The above procedure is necessary to assure that sufficient funds are available for the full budget year for the payment of court appointed attorneys.



Presiding Judge
258th District Court



Presiding Judge
411th District Court



Presiding Judge
County Court at Law of
Polk County

ATTORNEY FEE SCHEDULE

The appointed attorney shall be paid for all time reasonably necessary for the adequate representation of the Defendant, as approved by the Presiding Judge, according to the following fee schedule adopted as provided under Article 26.05(b) of the Texas Code of Criminal Procedure. Court Appointed Attorneys may elect to be paid under Plan A or Plan B. Additionally, reasonable and necessary expenses shall be paid in accordance with the County Indigent Defense Plan.

Plan A

Appointed Attorneys shall be paid \$75.00 per hour for all documented in court and out of court 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 Defendant.

Claims for payment based on an hourly rate must include an itemized statement reflecting the date, service performed, and time expended to the nearest 1/10th of an hour.

Plan B

The Court finds the following to be reasonable fixed rates, taking into consideration reasonable and necessary overhead costs:

\$450.00	Plea or dismissal of a single case
\$600.00	Plea or dismissal of multiple cases for the same defendant
\$600.00	per day - trial to the court
\$800.00	per day - jury trial
\$500.00	Suppression hearing
\$150.00	Writ of Habeas Corpus or bond reduction hearing
\$300.00	Motion to revoke or adjudicate - single case
\$400.00	Motion to revoke or adjudicate - multiple cases for same defendant