

"EXHIBIT #1"

GUIDELINES FOR AWARD OF COURT APPOINTED ATTORNEY'S FEES, INVESTIGATION AND EXPERT WITNESS FEES.

1. Representation of defendant during trial before a jury on issue of guilt/innocence or punishment is paid at the rate of \$65.00 per hour, except for capital murder cases where the hourly rate paid is at the discretion of the trial court, but not less than \$65.00 per hour.
2. Representation of defendant during a trial before the Court on the issue of guilt/innocence or punishment is paid at the rate of \$65.00 per hour.
3. Hearing before the Court concerning contested motions to revoke community supervision or contested motions to adjudicate guilt and revoke community supervision are paid at the rate of \$65.00 per hour.
4. Cases where a plea bargain agreement has been reached, involving pleas of guilty or no contest, pleas of true to motions to revoke community supervision or to adjudicate guilt; and agreed modifications of community supervision are paid at a rate of \$65.00 per hour. The Courts expects no more than three (3) hours for appointed counsel to visit with defendant, secure offer from District Attorney's Office, convey offer to defendant and appear in Court for the plea or modification. If the court appointed attorney has spent more than three (3) hours on the representation of the defendant, then the attorney shall then prepare an itemized bill for those hours in excess of three (3) hours and present a voucher to the Court at a rate of \$65.00 per hour.
5. Appearance by the court appointed attorney before the Court for a contested hearing on matters (i.e., motion to suppress evidence or statement, writ of habeas corpus/bond reduction, criminal contempt proceeding, extradition proceeding, etc.) where evidence or arguments are formally presented to the Court are paid at the rate of \$65.00 per hour.
6. Appearances in Court by the court appointed attorney for matters not involving a formal hearing (i.e., status conferences, disposition conferences, pre-trial conferences, docket calls, etc.) are paid at a rate of the \$65.00 per hour and **not** \$195.00 per day.
7. All other time expended in representation of indigent defendants and not specifically addressed herein will be paid at the rate of \$65.00 per hour.
8. Travel time from the attorney's law office to the Courthouse will not be paid by the Court as part of the Fee for representation of indigent defendants.
9. An attorney appointed by any Court for a Limited Term Assignment as set out in Section XII of the Galveston County Plan adopted pursuant to the Texas Fair Defense Act will be paid at the rate of \$950 per week, except that the appointed attorney shall be entitled to receive compensation under these guidelines for the continued representation of indigent defendants that extends beyond the Limited Term Assignment period.

10. Vouchers for payment of investigation and/or Expert Witness expenses will be approved **only** if prior Court approval was secured for incurring these expenses, **and** a proper invoice is attached to the Investigators and/or Expert Witness voucher.
11. Representation of a defendant on appeal is paid at the rate of \$65.00 per hour.
12. The Judge of any Court may adjust or disapprove the monetary award requested by a court appointed attorney. If the Judge disapproves the requested amount of payment, the Judge shall make a written finding stating the amount of payment approved and the reasons for approving an amount different from the requested amount. The attorney whose request for payment has been disapproved or reduced may, by written motion, file an appeal with the Presiding Judge of the 2nd Administrative Region pursuant to the provisions of the Texas Fair Defense Act.
13. Vouchers or claims for payment of attorney's fees within these guidelines must be timely submitted to the Judge of the proper Court according to the time frames set out in Section XVI of the Galveston County Plan under the Texas Fair Defense Act. Vouchers for attorney's fees not timely submitted will be considered waived, the services performed Pro Bono, and the request for payment of attorney's fees shall not be paid.
14. These guidelines to become effective November 26, 2007.

These guidelines are accepted and approved by the undersigned Judges of Galveston County, Texas.

ORDERED this the 20th day of November, 2007.

Judge David E. Garner
10th District Court

Judge Lonnie Cox
56th District Court

Judge John Ellisor
122nd District Court

Judge Susan Criss
212th District Court

Judge Jan Yarbrough
306th District Court

Judge Wayne J. Mallia
405th District Court

Judge Mary Nell Crapitto
County Court at Law #1

Judge C. G. Dibrell III
County Court at Law #2

Judge Roy Quintanilla
County Court at Law #3