

Hunt District Court and County Court Plan

Preamble

4/30/2019

05/01/2019

SUBJECT TO AMENDMENT:

This plan is subject to amendment upon the unanimous agreement of the Judges of the District Courts and County Courts at Law in Hunt County.

EFFECTIVE DATE:

This plan is effective on the 1st of May, 2019, and shall remain in effect until further unanimous order of the judges of the District Courts and County Courts at Law in Hunt County.

Prompt Magistration

4/30/2019

Prompt Magistration

05/01/2019

**HUNT COUNTY PROGRAM AND
STANDING RULES AND ORDERS FOR
PROCEDURES FOR PROMPT MAGISTRATION AND TIMELY APPOINTMENT OF COUNSEL
FOR INDIGENT ACCUSED PERSONS IN
HUNT COUNTY, TEXAS
(Hereinafter referred to as "The Hunt County Program")**

EFFECTIVE DATE – 05/01/2019

Be it remembered that on this date the undersigned County Court at Law Judges and District Court Judges for Hunt County, Texas hereby adopt, order, establish and order published these countywide procedures, rules, and orders for the timely and fair appointments of all counsel for indigent accused persons charged in Hunt County, Texas.

This document is **The Hunt County Program** to conform with the requirements of S.B. 7 passed by the Texas Legislature and signed into law in 2001 (Hereinafter referred to as the Fair Defense Act).

**ESTABLISHING PROCEDURES TO ENSURE PROMPT MAGISTRATION AND TIMELY
APPOINTMENT OF COUNSEL**

The following procedures will be used to ensure that defense counsel is appointed within the time limits specified in the Fair Defense Act:

- 1) Police shall take each person arrested before a magistrate. Anyone with custody of an arrested person shall take the person before a magistrate for a hearing pursuant to Article 15.17 of the Texas Code of Criminal Procedure (hereinafter called Article 15.17 Hearing) **without unnecessary delay and no later than 48 hours after arrest.**

- 2) The magistrate informs the arrested person of the right to request counsel and how the request may be made.
- 3) The magistrate shall provide reasonable assistance in completing counsel request forms to the person at the time of the Article 15.17 hearing.
- 4) A “record” must also be made showing
 - (i) that the magistrate informed the accused person of the right to request appointed counsel,
 - (ii) that the magistrate asked the person whether he or she wanted to request counsel, and
 - (iii) whether the person requested counsel.
- 5) A “record” under this situation may consist of:
 - (i) a written document,
 - (ii) an electronic recording, or
 - (iii) any other documentation.
- 6) Local rules designate a jail magistrate must transmit the defendant's request for counsel to the appointing authority within 24 hours. The magistrate transmits the request (i.e. a completed application form) to the jail to be taken **ALONG WITH THE DEFENDANT TO THE APPROPRIATE**

COURT USING THE FOLLOWING SCHEDULE:

Misdemeanor Cases:

Per the Official Schedule as Designated and Agreed to by Both County Courts at Law Judges and sent to the Jail/Sheriff's Office.

Felony Cases:

Per the Official Schedule as Designated and Agreed to by Both District Courts and sent to the Jail/Sheriff's Office.

The appointing authorities shall furnish the application forms to the jail magistrate.

- 7) An appointing authority will appoint counsel “**as soon as possible**” after receiving a request but **always within the third working day after the request is received**. Appointing authorities will attempt to maintain continuity of appointed attorney between felony and misdemeanor companion cases for an accused.

- 8) Appointed attorneys must make every reasonable effort to contact their clients by the end of the first working day after the attorney receives notice of appointment and to interview the accused as soon as practicable after the attorney is appointed.

Article 26.04 (j) (1) of the Texas Code of Criminal Procedure.

- 9) For persons arrested on out-of-county warrants, the magistrate will ask the defendant if he/she would like to request appointed counsel. The magistrate will record the response, and if counsel is requested, the magistrate will provide the arrestee with the appropriate forms for requesting counsel. The magistrate will ensure assistance in completing the forms at the same time. The forms will be transmitted, by the magistrate, to the appointing authority in the county issuing the warrant within 24 hours of the request being made. Article 1.051 and Article 15.18 of the Texas Code of Criminal Procedure.

- 10) If an indigent defendant is arrested in another county based on this county's warrant, counsel will be appointed within three working days of this county's receipt of request for counsel.

- 11) If an indigent defendant is arrested in this county based on another county's warrant, counsel will be appointed for the defendant if, on the eleventh day after the arrest, the defendant is still in this county's custody.

- 12) If a defendant wishes to request counsel prior to the initial appearance, the forms required to request counsel may be obtained at the Texas Indigent Defense Commission's website at <http://tidc.tamu.edu/public.net/> or from the magistrate on duty. The defendant may submit these forms to the magistrate on duty for submittal to the appropriate court. The court will rule on all requests for counsel submitted in this manner.

- 13) Defendants Appearing Without Counsel - If a defendant appears without counsel in any adversary judicial proceeding that may result in punishment by confinement:

- The court may not direct or encourage the defendant to communicate with the attorney representing the state until the court advises the defendant of the right to counsel and the procedure for requesting appointed counsel and the defendant has been given a reasonable opportunity to request appointed counsel.

Indigence Determination Standards

4/30/2019

Indigence Determination Standards
05/01/2019

**HUNT COUNTY PROGRAM AND
STANDING RULES AND ORDERS FOR
PROCEDURES FOR INDIGENCE DETERMINATION STANDARDS
FOR INDIGENT ACCUSED PERSONS IN
HUNT COUNTY, TEXAS
(Hereinafter referred to as "The Hunt County Program")**

EFFECTIVE DATE – 05/01/2019

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PROCEDURES AND FINANCIALS STANDARDS FOR DETERMINING INDIGENCE STATUS

A. ELEGIBILITY FOR APPOINTMENT

An accused is presumed indigent if any of the following conditions or factors are present:

- 1) At the time of requesting appointed counsel, the accused or accused's dependents are eligible to receive food stamps, Medicaid, Temporary Assistance for Needy Families, Supplemental Security Income, or public housing;
- 2) The accused's gross household income does not exceed 125% of the Poverty Guidelines as revised annually by the United States Department of Health and Human Services and published in the Federal Register; OR
- 3) The accused is currently serving a sentence in a correctional institution, is currently residing in a public mental health facility, or is subject to a proceeding in which admission or commitment to such a mental health facility is sought.

B. FACTORS TO BE CONSIDERED IN INDIGENT DETERMINATION

The judge making court appointments for counsel for indigents shall consider the following standards for determining indigence and such other reasonable factors as the court finds bearing on the financial inability of a defendant to retain counsel pursuant to Article 26.04 (m) of the Texas Code of Criminal Procedure:

- a. Defendant's income;
- b. Sources of the defendant's income;
- c. Assets of the defendant;
- d. Property owned by the defendant, or in which the defendant has an interest;
- e. Outstanding obligation of the defendant;

- f. Necessary expenses of the defendant;
- g. The number and age of the defendant's legal dependants;
- h. Spousal income available to the defendant; and
- i. Such other reasonable factors as determined by the judge including Federal Standards for relief support.

C. FACTORS NOT TO BE CONSIDERED FOR APPOINTMENT

The judge shall not consider pursuant to Article 26.04 (m) of The Texas Code of Criminal Procedure:

- 1) Whether the accused has posted bail, except to the extent that it reflects on the Defendant's financial circumstances as measured by the listed factors.
- 2) Resources available to friends and families/relatives of the accused

D. PARTIAL INDIGENCY

- 1) The court may find an accused to be partially indigent if the person is able to pay some part of the cost of legal representation and if the payment does not impose manifest hardship on the accused or the accused's household.
- 2.) An accused found to be partially indigent may be ordered by the court to pay, while the case is pending, monthly installments commensurate with the accused's ability to pay based upon his/her income and assets. Such payments will be made to the appropriate Clerk's office for each court.

Minimum Attorney Qualifications

4/30/2019

Minimum Attorney Qualifications
05/01/2019

**HUNT COUNTY PROGRAM AND
STANDING RULES AND ORDERS FOR
PROCEDURES FOR MINIMUM ATTORNEY QUALIFICATIONS
FOR INDIGENT ACCUSED PERSONS IN
HUNT COUNTY, TEXAS
(Hereinafter referred to as "The Hunt County Program")**

EFFECTIVE DATE – 05/01/2019

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QUALIFICATIONS FOR ATTORNEYS TO BE PLACED ON THE PUBLIC APPOINTMENT LIST AND TO BE COURT APPOINTED COUNSEL

Minimum Attorney Qualifications

05/01/2019

1. Expectations of Counsel

Court appointed counsel shall comply with all laws, rules, procedures, and ethical provisions for providing reasonable assistance of counsel to their client.

Court appointed counsel shall maintain a high standard of ethical conduct and always be completely candid with the trial court.

An appointed attorney shall not require a defendant to travel outside Hunt County to meet with counsel.

All court appointed attorneys shall provide competent representation for their clients. An appointed attorney shall make initial contact with the defendant within 24 hours of the attorney's receipt of notice of the appointment and shall personally interview the defendant within ten (10) business days of receipt of their first notice of appointment provided the defendant is incarcerated in a local detention facility.

The attorney that is appointed on the case is expected to provide legal services for their client. At the discretion of the court and with the consent of the client, stand-in counsel may appear on behalf of the appointed counsel provided said counsel is capable of providing competent representation for the defendant.

2. Court Appointed Attorney List

Lists of attorneys approved by the Courts to represent indigent defendants for the different offense levels listed below shall be maintained by the DESIGNATED DISTRICT COURT OFFICE (DDCO) & DESIGNATED COUNTY COURTS AT LAW OFFICE (DCCLO)

2.05 DESIGNATED DISTRICT COURT OFFICE AND DESIGNATED COUNTY COURT AT LAW OFFICE (DDCO & DCCLO)

The judges of each District Court that maintains a list of court appointed attorneys shall designate by a majority vote of the judges one court that is the DESIGNATED DISTRICT COURT OFFICE (DDCO) for the District Courts for the purpose of maintaining lists & applications for the District Courts. The judges of each County Court at Law that maintains a list of court appointed attorneys shall designate by a majority vote of the judges one court that is the DESIGNATED COUNTY COURT AT LAW OFFICE (DCCLO) for the County Court at Law Courts for the purpose of maintaining lists & applications for the County Court at Law Courts.

2.1 Application

Attorneys shall apply using the Hunt County Attorney Application for Appointments as referenced in the Plan Documents. Applications with required documentation shall be submitted to the DDCO & DCCLLO. Attorneys may apply for and be placed on multiple lists.

Once approved for placement on list(s), attorneys wishing to remain on the approved list(s) of court appointed attorneys shall renew their application every third year prior to their birth date. Applications may be renewed by completing a new Hunt County Attorney Application form with all required documentation.

Courts shall consider applications from attorneys wishing to be added to or remain on the approved list(s) BIANNUALLY.

2.2 General Qualifications

To be eligible for placement on any list, attorneys shall meet the following minimum general qualifications:

- (a) An attorney must ensure all information on their application is correct;
- (b) An attorney must be licensed to practice law in the State of Texas;
- (c) An attorney must be in good standing with the State Bar of Texas;
- (d) An attorney must exhibit proficiency and commitment to providing quality representation to appointed clients;
- (e) An attorney must exhibit professionalism and reliability when providing representation to appointed clients;
- (f) An attorney must have an e-mail address and fax machine working 24 hours a day;
- (g) An attorney shall maintain a principal office or reside in Hunt County, Texas.
 - i) "Principal office" is defined as the location/office where the attorney handles the majority (more than 50% of cases) of his legal practice.
 - ii) Each attorney that wishes to be considered for placement on any Court Appointed List shall submit a sworn affidavit to the DDCO & DCCLLO stating that his/her Principal Office OR his/her residence is in Hunt County.
 - iii) Any attorney that is claiming to reside in Hunt County but that does not have a principal office in Hunt County must designate a physical location within Hunt County as the location they will meet with any appointed Defendant and/or associated witnesses. Said location shall be listed in the Sworn Affidavit stating his/her residence is in Hunt County.
- (h) An attorney shall agree to notify the DDCO & DCCLLO promptly, in writing, of any matter that would disqualify the attorney by law, regulation, rule or under these guidelines from receiving appointments to represent indigent defendants.

2.3 Specific Qualifications

In addition, attorneys shall meet the following specific qualifications to represent a defendant at a particular offense level.

2.3.1 Misdemeanor Criminal Cases (including Motion to Revoke Misdemeanors)

(a) An attorney must have one year experience in handling criminal cases (excluding Class C) or be second chair on two misdemeanor cases to resolution; and

(b) An attorney shall complete a minimum of 6 hours of Continuing Legal Education (CLE) in the area of criminal law and procedure during each 12 month period immediately preceding their birthday. Attorneys who are not required to report CLE hours to the State Bar of Texas may comply with this requirement by furnishing a letter indicating the number of hours completed in the area of criminal law, the date(s) of the course(s) taken and the location and name of the course(s) to the DDCO and DCCLO prior to their birthday.

2.3.2 Third Degree Felonies and State Jail Felonies (including Motion to Revoke or Adjudicate Third Degree or State Jail Felonies)

(a) An attorney must have met specific qualifications for placement on Misdemeanor Cases; and

(b) An attorney must have practiced criminal law for a minimum of two years; and

(c) An attorney must have tried to verdict at least two criminal jury trials as lead or second chair counsel. (Excluding Class C)

2.3.3 First and Second Degree Felony Cases (including Motion to Revoke or Adjudicate First and Second Degree Felony Cases)

(a) An attorney must have met specific qualifications for placement on Misdemeanor Cases; and

(b) An attorney must have practiced in the area of criminal law for a minimum of four years; and

(c) An attorney must have tried to conclusion at least three criminal jury trials as lead or second chair counsel, including at least one felony trial. (Excluding Class C)

2.3.5 Non-Death Penalty Capital Felony Cases

(a) An attorney must have met specific qualifications for placement on Misdemeanor Cases; and

(b) An attorney must have practiced in the area of criminal law for at least five years; and

(c) An attorney must have tried to verdict at least five criminal jury trials as lead counsel, including at least two trials which were first or second degree felonies or capital felonies and at least one of which was a homicide case.

2.3.6 Death Penalty Cases

(a) An attorney must be on the list of attorneys approved by the local selection committee of the 10th Administrative Judicial Region for appointment in death penalty cases as provided in Article 26.052 of the Code of Criminal Procedure.

(b) To be assigned as second chair counsel in a Death Penalty Case, an attorney must be on the list of attorneys approved by the local selection committee of the 10th Administrative Judicial Region for appointment in death penalty cases as provided in Article 26.052 of the Code of Criminal Procedure.

2.3.7 Appeal Qualification Requirements

(a) An attorney must have met general qualifications and have met specific qualifications for placement on Misdemeanor Cases; and

(b) An attorney must have met at least one of the following criteria:

- a. Be currently board certified in criminal law by the Texas Board of Legal Specialization; or
- b. Have personally authored and filed at least 3 criminal briefs or post-conviction writs of habeas corpus; or
- c. Have submitted an appellate writing sample approved by a majority of the judges; or
- d. Have worked as a briefing clerk of an appellate court for a period of one year or more.

2.3.8 Continuing Legal Education Hours

Any attorney placed on an appointment list to represent indigent defendants shall file a certificate with DDCO & DCCLLO office **no later than their birthday each year** evidencing completion of required Continuing Legal Education (CLE) or submit documentation showing that the attorney is certified as a specialist in criminal law for that calendar year. Continuing legal education activity completed within a one year period may be used to meet the educational requirements for the initial year. Continuing legal education activity completed during any reporting period in excess of the minimum hours for such period may be applied to the following period's requirement. The carryover provision applies to one year only.

The DDCO & DCCLLO office shall send an e-mail reminder regarding CLE requirements to attorneys at least 30 days before their birthday. Any attorney failing to timely submit documentation evidencing completion of the required CLE or certification as a specialist in criminal law shall be removed from the court appointed lists on the day after the documentation is due and placed on judicial hold. The judges hearing criminal cases may return the attorney to the court appoint lists once documentation has been provided.

2.3.9 2nd Chair (Non-Capital)

Any attorney that is willing to have an attorney appointed as a 2nd chair on a matter that he/she is appointed counsel shall indicate so on their Application for inclusion on the Court Approved Attorney List. 2nd chair non-capital attorneys shall be reimbursed at the hourly rate of \$50 with total bill not to exceed \$300 except in case of a trial. Trial fee for 2nd chair non-capital is subject to capping at \$1,000 at the Courts discretion. No 2nd chair shall be paid more than the 1st chair in a criminal case. New attorneys may request appointment as 2nd chair to meet qualifications for further appointment under this plan.

2.4 Judge Approval Process

The District Judges shall review attorney applications for appointment on the felony appointment list(s) on biannual basis. County Court Judges shall review attorney applications for appointment on the misdemeanor appointment list(s) on a biannual basis. An attorney shall be added to the appropriate list(s) upon the approval of their application by a majority of the judges hearing criminal matters with that level of offense.

Attorneys who have submitted their applications will be notified by the DDCO & DCCLLO of the decision reached by the Judges related to their application.

2.5 Removal from Court Appointed List

An attorney shall be removed from the appointment list in the event that the majority of the judges hearing that level of offense(s) shall determine that good cause exists to remove an attorney from said list(s). An attorney shall be removed

from the appointment list in the event that a majority of the District and/or County judges who hear criminal matters determine that the attorney has failed to meet the qualifications of § 2.2 and § 2.3 herein.

Good cause may include but is not limited to:

- (a) Failing on two or more occasions to contact or interview clients in a timely manner as required by CCP § 26.04(j)(1) and § Sec. 1 herein;
- (b) Submitting a claim for legal services not performed as specified in Article 26.05(e), Code of Criminal Procedure;
- (c) Failing to comply with each of the appointment list qualifications herein;
- (d) Having been found, by a Texas Appellate Court, to have provided ineffective assistance of counsel.
- (e) Having been found to have violated a rule of professional conduct by the State Bar of Texas.
- (f) After having been placed on appointment list(s) has been convicted of or received a deferred adjudication for any offense, other than an offense punishable by a fine only;
- (g) Being under indictment or charged with an offense, other than an offense punishable by a fine only; or
- (h) Misrepresenting or providing false or inaccurate information on the attorney's application for the appointment list;
- (i) Failing to remit funds received on behalf of an investigator or expert within 14 days of receipt of said funds.
- (j) Failing to timely comply with the annual reporting requirements of the Texas Indigent Defense Commission pursuant to Texas Government Code Section 79.036 and Texas Code of Criminal Procedure Article 26.04.

2.5.1 Referral

If a Judge believes that an attorney has violated, or failed to comply with any of the provisions listed in P § 2.5, the Judge may recommend an attorney be removed from the appointment list(s). The recommendation shall be made to the judges hearing that level of offense(s).

2.5.2 Notification/Hearing

Upon receiving a recommendation that an attorney be removed from the appointment list(s), the judges hearing that level of offense(s) shall notify the attorney in writing of the recommendation and shall inform the attorney of the basis for the recommendation.

The attorney may respond in writing to the judges or be present at a conference of the judges, at the discretion of the judges.

2.5.3 Action

After the judge's meeting, a majority of the judges hearing that level of offense(s) attending the meeting shall determine whether the attorney should:

- (a) Remain on the appointment list at the same level;
- (b) Be moved to an appointment list for indigent defendants charged with less serious offenses;
- (c) Be removed from the appointment list(s); or
- (d) Be given an opportunity to take corrective action as determined by the judges.

At the sole discretion of the judges, removal of any attorney from any list(s) may be probated. For removal or probated removals, the Judges ordering the removal may require the completion of rehabilitative measures as a condition of probation or reapplication. An order of removal shall state the earliest date at which the attorney may apply for reinstatement. An attorney who was removed from an appointment list under section 2.5(g) or (h) shall be immediately reinstated upon providing proof that the charges were dismissed or that the attorney was acquitted, unless other grounds for removal exist against the attorney that would prohibit reinstatement.

In the event of a split in the voting by the judges to remove an attorney, the matter shall be presented to all the judges of District Courts and County Courts at Law and they shall be removed by a majority vote of all said judges.

The decisions of the judges are final and may not be appealed.

2.5.4 Voluntary Removal

An attorney may at any time temporarily and voluntarily remove his/her name from the appointment list(s). The attorney may return his/her name to the appointment list(s) provided the attorney remains qualified for placement on said list(s). An attorney who has temporarily removed him/herself from the appointment list(s) shall continue to be appointed on additional cases filed against that defendant while the attorney is on voluntary removal.

An attorney may at any time request in writing to be permanently removed from the appointment list(s).

2.5.5 Mandatory Attorney Case Reporting

An attorney shall submit by October 15th each year a statement that describes the percentage of the attorney's practice time that was dedicated to work based on appointments accepted in this county for adult criminal cases and juvenile delinquency cases for the prior 12 months that begins on October 1 and ends on September 30. The report must be submitted through the online form to the Texas Indigent Defense Commission/form prescribed by the Texas Indigent Defense Commission to the court administration office in the county.

2.6 Grandfather Provisions

Any attorney qualified and listed on the courts' appointment list as of the inception of this new plan shall be qualified for the same type cases going forward notwithstanding these new rules.

Prompt Appointment of Counsel

4/30/2019

Prompt Appointment of Counsel
05/01/2019

See Prompt Magistration (includes Timely Appointment of Counsel)

Attorney Selection Process

4/30/2019

Attorney Selection Process
05/01/2019

**HUNT COUNTY PROGRAM AND
STANDING RULES AND ORDERS FOR
PROCEDURES FOR APPOINTMENT OF COUNSEL
(ATTORNEY SELECTION PROCESS)
FOR INDIGENT ACCUSED PERSONS IN
HUNT COUNTY, TEXAS
(Hereinafter referred to as “The Hunt County Program”)**

EFFECTIVE DATE – 05/01/2019

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This document is **The Hunt County Program** to conform with the requirements of S.B. 7 passed by the Texas Legislature and signed into law in 2001 (Hereinafter referred to as the Fair Defense Act).

PROCEDURES FOR APPOINTMENT OF COUNSEL

The appointing judge will appoint counsel from lists composed of those attorneys who filed an application and were approved by the two Judges of the County Courts at Law for the Misdemeanor list and by the two Judges of the District Courts for the Felony list handling criminal cases in Hunt County.

The Judges shall appoint attorneys from the next five names on the list, unless good cause exists to appoint an attorney out of order. Article 26.04 (a) Texas Code of Criminal Procedure.

In the absence of any appointing judge, any of the other appointing judges may appoint for the absent judge.

An attorney appointed by a Court from the public appointment list shall remain assigned and responsible for the Defendant’s charge(s) at the time of the appointment until charges are dismissed, the defendant is acquitted, appeals are exhausted, or the attorney is permitted or ordered by the court to withdraw as counsel for the defendant after a finding of good cause is entered on the record. Article 26.04 (j) (2) Texas Code of Criminal Procedure.

Fee and Expense Payment Process

4/30/2019

Fee and Expense Payment Process
05/01/2019

**HUNT COUNTY PROGRAM AND
STANDING RULES AND ORDERS FOR
PROCEDURES FOR FEE AND EXPENSE PAYMENT PROCESS
FOR INDIGENT ACCUSED PERSONS IN**

HUNT COUNTY, TEXAS
(Hereinafter referred to as “The Hunt County Program”)

EFFECTIVE DATE – 05/01/2019

Be it remembered that on this date the undersigned County Court at Law Judges and District Court Judges for Hunt County, Texas hereby adopt, order, establish and order published these countywide procedures, rules, and orders for the timely and fair appointments of all counsel for indigent accused persons charged in Hunt County, Texas.

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PROCEDURES FOR FEE AND EXPENSE PAYMENT PROCESS

Pursuant to Article 26.05 Texas Code of Criminal Procedure a schedule of attorney fees that covers all criminal cases for which punishment by incarceration may be imposed is included in the forms section of this plan. Payments shall be made in accordance with a Standing Order for Compensation adopted by the judges. No payment shall be made until judge approves payment after submission of an attorney fee voucher. All payments are paid from the general fund of this county. Article 26.05 (f) Texas Code of Criminal Procedure.

If a judge disapproves the requested amount, the judge shall make written findings stating the amount that the judge approves and the reason(s) for disapproval of the whole amount. An attorney whose request for payment is disapproved or reduced or is not acted on within 60 days of submission may appeal the disapproval by filing a motion with the presiding regional administrative judge. Article 26.05 (c) Texas Code of Criminal Procedure.

Investigative and Expert Expenses:

Counsel appointed in a non-capital case shall be reimbursed for reasonable and necessary expenses, including expenses for investigation and for mental health and other experts. Expenses incurred with and without prior court approval shall be reimbursed, according to the procedures set forth below. When possible, prior court approval should be obtained before incurring expenses for investigation and for mental health and other experts.

Procedure With Prior Court Approval:

Appointed counsel may file with the trial court a pretrial *ex parte* confidential request for advance payment of investigative and expert expenses. The request for expenses must state, as applicable:

- 1) the type of investigation to be conducted or the type of expert to be retained;
- 2) specific facts that suggest the investigation will result in admissible evidence or that the services of an expert are reasonably necessary to assist in the preparation of a potential defense; and
- 3) an itemized list of anticipated expenses for each investigation or each expert.

The court shall grant the request for advance payment of expenses in whole or in part if the request is reasonable. If the court denies in whole or in part the request for expenses, the court shall:

- 1) attach the denial to the confidential request; and
- 2) submit the request and denial as a sealed exhibit to the record.

Procedure Without Prior Court Approval:

Appointed counsel may incur reasonable expenses, investigative and expert services excluded, without prior approval of the court. On presentation of a claim for reimbursement, the court shall order reimbursement of counsel for the expenses, if the expenses are reasonably necessary and reasonably incurred. Unreasonable or unnecessary expenses will not be approved.

Miscellaneous

4/30/2019

Plan Documents

- Hunt District and County Court Affidavit of Indigence COUNTY Court.pdf (10/20/2015 3:11:02 PM) [view](#)
- Hunt District and County Court Affidavit of Indigence DISTRICT Court Spanish.pdf (11/12/2015 2:00:01 PM) [view](#)
- Hunt District and County Court Affidavit of Indigence DISTRICT Court.pdf (11/5/2009 4:15:39 PM) [view](#)
- Hunt District and County Court Attorney Application and Affidavit for Appointments in The Hunt County Courts.docx (5/2/2019 10:01:23 AM) [view](#)
- Hunt District and County Court Attorney Fee Voucher.xls (11/2/2009 9:01:26 AM) [view](#)
- Hunt District and County Court Magistrate's Warning Class C Only.pdf (10/9/2013 2:34:37 PM) [view](#)
- Hunt District and County Court Magistrate's Warning Form.pdf (10/9/2013 2:33:04 PM) [view](#)
- Hunt District and County Court Standing Order For Compensation (Attorney Fee Schedule).pdf (4/30/2019 1:57:58 PM) [view](#)
- Hunt District and County Court The Hunt County Program (DCCLC) ORDER.pdf (5/2/2019 12:48:46 PM) [view](#)
- Hunt District and County Court Unanimous Approval of 2019 Biennial Plans.pdf (4/30/2019 2:08:13 PM) [view](#)

CAUSE NO. _____

THE STATE OF TEXAS
VS.

IN THE COUNTY COURT AT LAW NO. 1
OF HUNT COUNTY, TEXAS

NAME _____	ADDRESS _____	APT# _____
CITY, STATE, ZIP _____	DATE OF BIRTH _____	PHONE NUMBER _____

ALL BLANKS MUST BE FILLED IN, EVEN IF IT'S "-0-" OR "DOES NOT APPLY" (N/A)

DECLARATION OF INABILITY TO EMPLOY COUNSEL

I, _____, am a defendant in the above entitled action. I am not represented by counsel in this proceeding. I have no assets except the following:

1. My weekly earnings are (Name, Address of employer, and amount of weekly or monthly earnings):

2. I have other income (Food Stamps, Welfare, Unemployment, Social Security, or other) in the amount of: _____

3. I am / am not married, and support _____ children, ages _____, and other dependents who
Are: (Names & Relationships) _____

4. Earnings of my spouse and/or children are (Name of employer & amount of weekly or monthly earnings):

5. I own the following property:	Value	Payments	Balance Owed
A. Home _____			
B. Auto _____			
C. Furniture _____			
D. Other Land/Buildings _____			
E. Notes, Mortgages, Trusts, Deeds _____			
F. Motorcycles/Other vehicles _____			
G. Stocks & Bonds _____			
H. Livestock _____			
I. Jewelry/Other Personal Property _____			

6. I have the following expenses: Rent \$ _____ Utilities \$ _____ Food \$ _____ Car \$ _____ Pers Loans \$ _____ Insurance \$ _____

7. I have the following money: In Jail \$ _____ At home \$ _____ Checking/Savings \$ _____ Safe Dep Box \$ _____ Other \$ _____

8. I have the following friends and/or relatives who might lend me money to hire an attorney:

9. Amount of Bail Bond \$ _____ Paid By _____

I have no ability to raise funds with which to hire an attorney and desire the court to assign an attorney to defend me. I declare under the penalty of perjury, that the foregoing is true and correct.

_____ Date _____ Signature of Defendant _____

Sworn to and subscribed before me on _____ / _____ / _____ by the said _____
to certify witness my hand and seal of office.

Jennifer Lindenzweig, Hunt County Clerk

By: _____
Deputy Clerk

NO. DE CAUSA _____

ESTADO DE TEXAS
VS.

EN EL TRIBUNAL DEL CONDADO EN DERECHO NO. 1
DEL CONDADO HUNT, TEXAS

NOMBRE

DIRECCIÓN APT#

CIUDAD, ESTADO, C. P.

FECHA DE NACIMIENTO

NUMERO DE TEL.

TODOS LOS ESPACIOS VACIOS DEBEN SER LLENADOS, INCLUSO SI ES ".0." O "NO SE APLICA" (N / A)

DECLARACIÓN DE LA IMPOSIBILIDAD DE EMPLEAR EL ABOGADO

Yo, _____, soy un acusado en la acción titulada anterior. Yo no estoy representado por un abogado en este procedimiento. No tengo bienes, excepto los siguientes:

- 1. Mis ingresos semanales son (nombre, dirección del empleador, y la cantidad de los ingresos semanales o mensuales): _____
- 2. Tengo otros ingresos (Cupones para Alimentos, Asistencia pública, Desempleo, Seguro Social, u otros) en la cantidad de: _____
- 3. Yo _____ estoy / _____ no estoy casado, y mantengo _____ niños, edades _____, y otros dependientes quienes son: (Nombres y Parentesco) _____
- 4. Ingresos del cónyuge y / o los niños son (Nombre del empleador y cantidad de los ingresos semanales): _____

5. Soy dueño de las propiedades siguientes:	Valor	Pagos	Saldo adeudado
A. Hogar _____			
B. Auto _____			
C. Muebles _____			
D. Otros Terrenos /Edificios _____			
E. Notas, Hipotecas, Fideicomisos, Escrituras _____			
F. Motocicletas / Otros vehículos _____			
G. Acciones y Bonos _____			
H. Ganadería _____			
I. Joyería / Otra propiedad personal _____			

6. Tengo los siguientes gastos: Renta _____ Utilidades _____ Carro _____ Préstamos Personales _____ Seguranza _____

7. Tengo el siguiente dinero: En la Cárcel _____ En casa _____ Cheques/ Ahorros _____ Caja de Seguridad _____ Otro _____

8. Tengo los siguientes amigos y/o parientes que me podrían prestar dinero para contratar a un abogado: _____

9. Cantidad de la fianza \$ _____ Pagado Por _____

No tengo habilidad para recaudar fondos con los cuales contratan a un abogado y deseo que el tribunal asigne un abogado para que me defienda, declaro bajo pena de perjurio, que lo anterior es verdadero y correcto.

Fecha

Firma Del Acusado

Sworn to and subscribed before me on ____/____/____ by the said _____
to certify witness my hand and seal of office.

Jennifer Lindenzweig, Hunt County Clerk

By: _____
Deputy Clerk

DECLARACION JURADA DE INIGENCY Y SOLICITUD PARA UN ABOGADO DE DESIGNADO
AFFIDAVIT OF INDIGENCE AND APPLICATION FOR APPOINTED ATTORNEY

Mi nombre complete: _____

Mi dirección es: _____

Deseo revelar bajo el juramento mis ingresos, fuentes de ingresos, activos, propiedad, obligaciones excepcionales, gastos necesarios, dependientes, ingresos conyugales disponibles para mí y cualquier apoyo Gubernamental.

1) Mis ganancias son: \$ _____ de _____
El Empleador _____
Dirección de los empleadore _____

Ponga en una lista el último trabajo que tenía y cuando terminó y expectativas de ganar empleo:

2) Tengo otros ingresos en cantidad de (cantidad de la fuente estatal por mes/semana)

3) YO DE LA MAÑANA/DE LA MAÑANA NO casado y apoyo ____ niños y u otras personas a cargo que son (nombre y relación)

4) Ganancias de mi esposa disponible para mi (nombre de empleador y cantidad de ganancias semanales o mensuales)

5) Tengo thoe después del dinero:
En Casa \$ _____ Cuenta Corriente \$ _____
Cuenta de Ahorros \$ _____ Caja de Fuerta \$ _____
Debido o Debido a mí \$ _____ Otro \$ _____

6) Poseo los bienes raíces siguientes: (dirección y ubicación)

Si posee alguno de los siguientes, muestre el valor:
Casa \$ _____ Autos \$ _____
Muebles \$ _____ Otra Tierra/Edificios \$ _____
Notas, Hipoteca, Fundaciones \$ _____ Reservas y Obligaciones \$ _____
Animales de Valor \$ _____ la Joyas \$ _____
Otros Efectos Personales \$ _____

7) Tengo los gastos necesarios siguientes:

8) Tengo las obligaciones excepcionales siguientes:

9) Puedo tomar a préstamo \$ _____ de _____

10) ESTOY/NO ESTOY libre de bond. Cantidad de obligación \$ _____
El nombre de la persona que pagó la obligación: _____
El nombre del garante: _____

11) Recibo el apoyo gubernamental \$ _____ para _____

12) Soy representado actualmente por el abogado _____ a otros gastos o en otros tribunal(s). Mi abogado es RETENIDO/DESIGNADO.

ELIJA UNO:

- No tengo capacidad de procurar fondos con que emplear a un abogado y desee el tribunal designar a un abogado para defenderme.
- Me puedo permitir el pago \$ _____ de por semana/mes hacia el pago de un tribunal designó al abogado.

(Fecha)

(Firma)

Subscribed and sworn to before me, the undersigned authority, on this the ____ day of _____, 20__.

State of Texas

By: _____
Official Administering Oath for the State of Texas

VS

ORDER

The court, finding that Defendant is too poor to employ counsel, appoints _____ to defend the accused.

- Defendant is in custody and the attorney should visit the jail within one day.
- Defendant is directed to meet the attorney within three days.
- Defendant is able to partially afford attorney in the amount of \$ _____ per _____.

JUDGE PRESIDING
HUNT COUNTY, TEXAS
DATE: _____

CERTIFICATE

Forward to appointed attorney

By Fax E-mail on _____

Coordinator

AFFIDAVIT OF INDIGENCE AND APPLICATION FOR APPOINTED ATTORNEY

My full name is _____

My address is _____

I wish to disclose under oath my income, sources of income, assets, property, outstanding obligations, necessary expenses, dependents, spousal income available to me and any Governmental support.

1. My earnings are \$ _____ per _____

Employer _____

Address of Employer _____

If unemployed, list the last job you had when it ended and expectations of gaining employment.

2. I have other income in the amount of (state source and amount per month/week)

3. I AM / AM NOT married and support _____ children and or other dependents who are (name and relation)

4. Earnings of my spouse available to me are (name of employer and amount of weekly or monthly earnings)

5. I have the following money:

At home	\$ _____	Checking Account	\$ _____
Savings Account	\$ _____	Safety Deposit Box	\$ _____
Due/Owed to me	\$ _____	Other	\$ _____

6. I own the following real property: (Address and location)

If you own any of the following, please show value:

House	_____	Automobiles	_____
Furniture	_____	Other Land/Buildings	_____
Notes, Mortgages, Trusts	_____	Stocks and Bonds	_____
Animals of Value	_____	Jewelry	_____
Other Personal Property	_____		

7. I have the following necessary expenses:

8. I have the following outstanding obligations:

9. I can borrow \$ _____ from _____

10. I AM / AM NOT free on bond. Amount of bond \$ _____
Name of person who paid for bond _____
Bondsman's name _____

11. I receive governmental support of \$ _____ for _____

12. I am currently represented by attorney _____ on other charges or in other court(s). My attorney is RETAINED / APPOINTED.

CHOOSE ONE:

- () I have no ability to raise funds with which to employ an attorney and desire the court to appoint an attorney to defend me.
- () I can afford payments of \$ _____ per week/month toward paying a court appointed attorney.

Date: _____
_____ Defendant

Subscribed and sworn to before me, the undersigned authority, on this the ___ day of _____ 20__

_____ By: _____
State of Texas Official Administering Oath for the State of Texas

VS

ORDER

The court, finding that Defendant is too poor to employ counsel, appoints _____ to defend the accused.

- () Defendant is in custody and the attorney should visit the jail within one day.
- () Defendant is directed to meet the attorney within three days.
- () Defendant is able to partially afford attorney in amount of \$ _____ per _____

JUDGE PRESIDING
HUNT COUNTY, TEXAS
DATE: _____

CERTIFICATE
Forward to appointed attorney
By () Fax () E-mail on _____

Coordinator

**Texas Fair Defense Act
Application and Affidavit for Appointments In The
Hunt County Courts**

Attorney Contact Information

Full Name	Bar Card #
Physical Address (No PO Boxes)	
Business Address	
Business Phone	Mobile Phone
Fax Number	Email Address

General Requirements for Court Appointed Attorneys

Please select each checkbox acknowledging you meet each requirement.	
<input type="checkbox"/>	Licensed to practice law in the State of Texas;
<input type="checkbox"/>	In good standing with the State Bar;
<input type="checkbox"/>	Exhibit proficiency and commitment to providing quality representation to appointed clients;
<input type="checkbox"/>	Exhibit professionalism and reliability when providing representation to appointed clients;
<input type="checkbox"/>	An attorney shall maintain a principal office or reside in Hunt County, Texas. i) "Principal office" is defined as the location/office where the attorney handles the majority (more than 50% of cases) of his legal practice. ii) Each attorney that wishes to be considered for placement on any Court Appointed List shall submit a sworn affidavit to the DDCO & DCCLLO stating that his/her residence is in Hunt County. iii) Any attorney that is claiming to reside in Hunt County but that does not have a principal office in Hunt County must designate a physical location within Hunt County as the location they will meet with any appointed Defendant and/or associated witnesses. Said location shall be listed in the Sworn Affidavit stating his/her residence is in Hunt County.
<input type="checkbox"/>	Have an E-mail and fax machine working 24 hours a day;
<input type="checkbox"/>	Agree to notify the Designated District Court Office (DDCO) and Designated County Courts at Law Office (DCCLLO) promptly, in writing, of any matter that would disqualify the attorney by law, regulation, rule or under the Hunt County Indigent Defense Policy from receiving appointments to represent indigent defendants.

Wheel Consideration

Please select all offense levels for which you would like to be considered.

County Courts

<input type="checkbox"/>	Misdemeanor	One year experience in handling criminal cases or two cases as second chair (Class C excluded) Six hours of Continuing Legal Education in Criminal Law every year
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Juvenile Courts

<input type="checkbox"/>	Misdemeanor & Felony	See Juvenile Indigent Defense Plan
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Mental

<input type="checkbox"/>	Mental	One (1) year experience in practice of law
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Tax

<input type="checkbox"/>	Tax	Licensed attorney in Texas
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CPS

<input type="checkbox"/>	CPS	Member in good standing with State Bar of Texas. Meet practice and/or residency requirements under the Hunt County Indigent Defense Plan. ----- Complete all required CLE credits annually, with at least four (4) hours in family law/ad litem law. No self-study hours may be used to satisfy the four (4) hour requirement. The four (4) hours are required to be reported each year on or before October 1.
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Guardianship

<input type="checkbox"/>	Guardianship	Attorney Ad Litem in Guardianship. Be in compliance with 1054.201 Estates Code.
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District Courts

<input type="checkbox"/>	3 rd Degree and State Jail Felonies	Have met the qualifications for placement on the Misdemeanor List; Have practiced in the area of criminal law for at least two years; and Have tried to verdict at least two criminal jury trials as lead or second chair counsel. Excluding Class C.
<input type="checkbox"/>	1st & 2nd Degree Felonies	Have met the qualifications for placement on the Misdemeanor List; Have practiced in the area of criminal law for at least four years; and Have tried to conclusion at least three criminal jury trials as lead or second chair counsel, including at least one felony trial. Excluding Class C.
<input type="checkbox"/>	Capital Cases (No Death Penalty) ¹	Have met the qualifications for placement on the Misdemeanor List; Have practiced in the area of criminal law for at least five years; Have tried to verdict at least five criminal jury trials as lead counsel, including at least two trials which were first or second degree felonies or capital felonies and at least one of which a homicide case. Excluding Class C.

Appeals

<input type="checkbox"/>	Misdemeanor Appeals	Have met the qualifications for placement on the Misdemeanor List; and must meet at least one of the following criteria: <ul style="list-style-type: none"> <input type="checkbox"/> Be currently board certified in criminal law by the Texas Board of Legal Specialization; or <input type="checkbox"/> Have personally authored and filed at least 3 criminal briefs or post-conviction writs of habeas corpus; or <input type="checkbox"/> Have submitted an appellate writing sample approved by a majority of the judges; or
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¹The Death Penalty attorney List is maintained by the Tenth Administrative Judicial Region.

	<input type="checkbox"/>	Have worked as a briefing clerk of an appellate court for a period of one year or more.
		Have met the qualifications for placement on the Misdemeanor List; and must meet at least one of the following criteria:
<input type="checkbox"/>	Felony Appeals	<input type="checkbox"/> Be currently board certified in criminal law by the Texas Board of Legal Specialization; or <input type="checkbox"/> Have personally authored and filed at least 3 criminal briefs or post-conviction writs of habeas corpus; or <input type="checkbox"/> Have submitted an appellate writing sample approved by a majority of the judges; or <input type="checkbox"/> Have worked as a briefing clerk of an appellate court for a period of one year or more.
<input type="checkbox"/>	Juvenile Appeals	See Juvenile Indigent Defense Plan

2nd Chair

<input type="checkbox"/>	2 nd Chair Mentor	I volunteer to have a 2 nd chair attorney be appointed on any case in which I am appointed (non-capital).
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New Attorneys Only

<input type="checkbox"/>	2 nd Chair Appointment	<p>New attorneys may request appointment as 2nd chair to meet qualifications for further appointment under the plan.</p> <p>I will accept appointment as 2nd chair (non-capital).</p>
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Categories

<input type="checkbox"/>	Spanish Speaking	I affirm by signing the included Affidavit, my ability to fluently communicate in Spanish. I am fluent in both oral and written communication.		
<input type="checkbox"/>	Other Languages	I affirm by signing the included Affidavit, my ability to fluently communicate in the language noted below. I am fluent in both oral and written communication of the language(s) noted below.		
		1	2	3
<input type="checkbox"/>	Other Training and/or Skills	1	2	3

Attorney Profile

	Date licensed to practice law in Texas
--	--

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Are you currently in good standing with the state bar?
<input type="checkbox"/>	<input type="checkbox"/>	Are you currently under indictment or charged for a criminal offense other than class C traffic offenses?
<input type="checkbox"/>	<input type="checkbox"/>	Do you have an appeal pending of any bar sanction?
<input type="checkbox"/>	<input type="checkbox"/>	Are you board certified by the Texas Board of Legal Specialization?
		If yes, in what area (s)?

<input type="checkbox"/>	<input type="checkbox"/>	Are you a member of the State Bar College?
		How many hours of continuing legal education did you average in the last three years?
		How many open criminal files are in your current caseload?
		What percentage of your practice is in criminal law?

Jury Trials

	How many criminal jury trials have you tried in the last 5 years?
--	---

Trial Experience

	What percentage of your practice consists of criminal appointments?
	Approximately how many appeals have you pursued in which you authored the brief (excluding subcontracted briefs)? (Applicable appellate applicants only)

Hunt County History

Which Hunt County Judges presided over your last five trials (both jury and non-jury trials)?	
1	
2	
3	
4	
5	

Since your prior application-

Sanctions

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Have you been sanctioned or censored by any professional entity of which you are or were a member including but not limited to the State Bar Grievance Committee? If yes, attach decisions by the entity and, if desired, any written explanations.
<input type="checkbox"/>	<input type="checkbox"/>	Have you been sanctioned for failure to appear before a court? If yes, attach any applicable court documents and, if desired, any written explanations
<input type="checkbox"/>	<input type="checkbox"/>	Have you admitted, in connection with an official proceeding, to having provided ineffective assistance of counsel? If so, explain by attaching any applicable documents and, if desired, any written explanations.
<input type="checkbox"/>	<input type="checkbox"/>	Have you been convicted or placed on deferred adjudication for any offense other than traffic citations? If yes, attach copies of all final orders (or those deferring adjudication) and judgments.

Required Attachments Checklist

Your application will not be complete until you submit the following items to:
(All items should be submitted together.)

<input type="checkbox"/>	A complete and signed application.
<input type="checkbox"/>	A signed and notarized affidavit.
<input type="checkbox"/>	Your annual CLE report from the State Bar for the last three years.
<input type="checkbox"/>	If you have been sanctioned by the State Bar Grievance Committee, attach the decision(s) by the committee and, if desired, a written explanation.
<input type="checkbox"/>	If you have been sanctioned for failure to appear before a court, attach any applicable court documents and, if desired, a written explanation.
<input type="checkbox"/>	If you have admitted, in connection with an official proceeding, to having provided ineffective assistance of counsel, attach any applicable documents and, if desired, a written explanation.
<input type="checkbox"/>	If you have been convicted or placed on deferred adjudication for any offense other than traffic, attach copies of all final orders (or those deferring adjudication) and judgments.
<input type="checkbox"/>	If you are applying for appellate appointments, attach a copy of a brief you have authored and which was filed within the past five (5) years.

ATTORNEY QUALIFICATIONS AFFIDAVIT

STATE OF TEXAS **
 COUNTY OF HUNT *

APPLICATION TO BE PLACED ON PUBLIC APPOINTMENT LIST FOR HUNT COUNTY

I, _____, a licensed attorney in Texas, State Bar Of Texas Number _____, with my principal office at _____ do hereby file this Application in compliance with the LOCAL RULES OF HUNT COUNTY FOR THE TIMELY AND FAIR APPOINTMENT OF COUNSEL FOR INDIGENT DEFENDANTS, and swear or affirm that the information contained herein is true and accurate.

If my principle office is not in Hunt County, I swear that my personal residence is located at _____ and that it is within Hunt County. I further designate that _____ (address) is my location in Hunt County where I will meet with appointed clients and associated witnesses in any appointed case.

Should any change in this information occur, I will file an Amended Application with Hunt County within thirty (30) days of the change.

REQUEST

I, _____, hereby request to be placed on the Attorney List/Wheels as documented herein.

 Attorney Signature Date

SWORN TO and SUBSCRIBED before me on _____ (date)

 Notary Public in and for
 The State of Texas

My commission expires:

PAYMENT FEE VOUCHER - ATTORNEY (excluding CPS)

The State of Texas CRIM Cause No. ()Appeal
Vs. CIVIL Cause No. ()No Charges Filed-Writ
JUVENILE Cause No. ()Capital Murder
OTHER Cause No. ()Contempt
()196th District Court
()354th District Court
()County Court at Law

Time Period of Services Rendered: From To

AFFIDAVIT OF COURT-APPOINTED ATTORNEY (excluding CPS)

State of Texas:
County of Hunt:

Before me, the undersigned authority, on this day personally appeared the undersigned and who after being by me duly sworn stated:

A. ()That on the day of ,20, I was appointed by the presiding Judge to represent the above defendant. That the legal work for said case is (circle one) completed, or incomplete because
I request payment in accordance with the laws of the State of Texas and Rules for Appointment of Counsel for Indigent Accused Persons. The following is a summary of the work in said case, to-wit:
(Attached is documentation to show accounting for category claimed in A).

- 1. Misdemeanor cases or motions to revoke felony supervision hours
2. Felony Cases
a. Time spent out of court hours
b. Time spent in court hours
3. Expenses other than overhead given prior approval by the court \$
4. Less monies paid by client \$

B. ()Standard Plea/Hearing without accounting for hours

State Bar No.
Tax ID No.

Printed Name of Attorney:

SUBSCRIBED AND SWORN TO on this day of , 20.

Official Administering Oath for the State of Texas

ORDER

TO THE COMMISSIONERS' COURT
OF HUNT COUNTY, TEXAS

I, the undersigned Judge, do hereby certify the following:

- 1. That the Defendant in the above cause has on file in the court an affidavit(s) that (s)he is indigent and cannot afford counsel.
2. That the attorney shown above has been appointed to represent the Defendant in the case.
3. That said attorney is entitled to be paid from the General Fund of Hunt County, Texas in the amount shown below.

DATE: ,20

TOTAL \$

PRESIDING JUDGE

After judicial approval of the fee amount, all Payment Fee Vouchers shall be filed with the Hunt County Auditor on or before the next business day.

MAGISTRATES WARNING

**THE STATE OF TEXAS
COUNTY OF HUNT**

SO# _____

Before me, the undersigned magistrate of the State of Texas on this day personally appeared _____ in the custody of _____ a peace officer, and said person was given the following warning by me:

The magistrate SHALL ensure that the person is informed of the following procedures:

- You are charged with the offense of _____
- You have the right to hire an attorney and have said attorney present prior to and during any interview and questioning by peace officers or attorneys representing the State. You may have reasonable time and opportunity to consult your attorney.
- If you cannot afford an attorney, you have the right to request the appointment of an attorney to be present prior to and during any interview and questioning by peace officers or attorney representing the State.
- An application for a court-appointed attorney must be completed to determine if you (the defendant) qualifies for a court-appointed attorney;
- Reasonable assistance will be provided to you (the defendant) when filling out the application for a court-appointed attorney, if needed;

ARE YOU REQUESTING AN ATTORNEY AT THIS TIME? No Yes

- You have the right to remain silent.
- You are not required to make a statement, and any statement you make can and may be used against you in a Court of Law
- You have the right to stop any interview or questioning at any time.
- You have the right to have an examining trial, if charged with a felony.
- If you (the defendant) are not a United States citizen and you have been arrested or detained, you may be entitled to have us notify your country's consular representative here in the United States. Do you want us to notify your country's consular officials? No Yes, if yes what country? _____
- If you are convicted of a misdemeanor offense involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim or are or were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a handgun or long gun, or ammunition, pursuant to federal law under 18 USC Section 922(g)(9) or Section 46.04(b), of the Texas Penal Code. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney. (Ref: Art.27.14)

I acknowledge that I was given the above warnings and I also acknowledge that this is not an admission of guilt.

Accused refused to sign the acknowledgement of warnings:

X _____
Person Warned

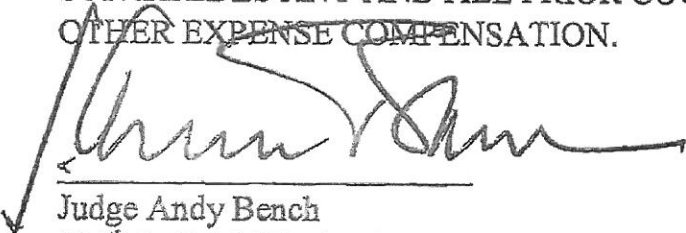
Your bail is set at \$ _____
Bail is denied.
Bail not determined.

Magistrate _____
Place of Warning: _____
Time: _____ Date: _____
Remarks: _____

WITNESSES:
Name: _____
Address: _____
Interpreter: _____
Address: _____
City & Zip Code: _____

- VIII. Interpreter compensation is authorized for up to \$500 per Defendant without prior Court Approval.
- IX. Request for payment is governed by a separate order and forms.
- X. Any payment request submitted 6 months or more from the date of the last reasonable and necessary action on the case is subject to being denied by the Court.

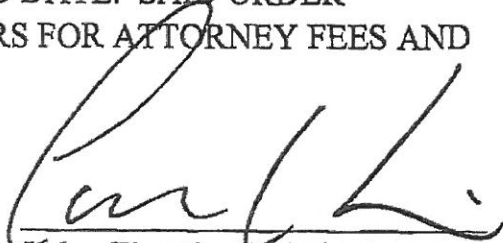
THIS STANDING ORDER FOR COMPENSATION IS SIGNED ON THE 18 DAY OF APRIL, 2019 AND IS EFFECTIVE FROM SAID DATE. SAID ORDER SUPERSEDES ANY AND ALL PRIOR COURT ORDERS FOR ATTORNEY FEES AND OTHER EXPENSE COMPENSATION.



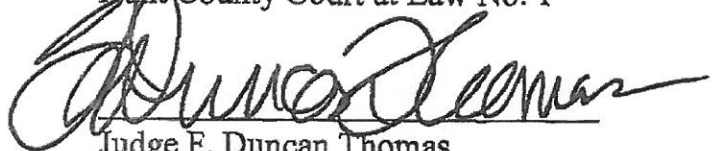
Judge Andy Bench
196th Judicial District Court



Judge Keli Aiken
354th Judicial District Court

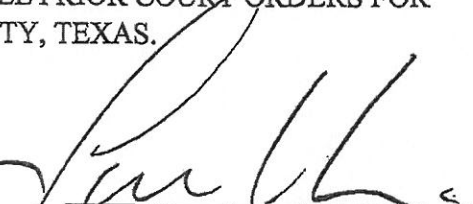
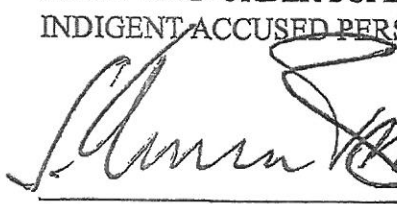


Judge Timothy S Linden
Hunt County Court at Law No. 1



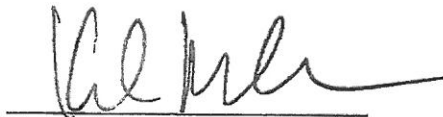
Judge F. Duncan Thomas
Hunt County Court at Law No. 2

THE HUNT COUNTY PROGRAM AND STANDING RULES AND ORDERS FOR PROCEDURES FOR PROMPT MAGISTRATION AND TIMELY APPOINTMENT OF COUNSEL FOR INDIGENT ACCUSED PERSONS IN HUNT COUNTY, TEXAS, IS SIGNED ON THE 18 DAY OF APRIL, 2019 AND IS EFFECTIVE FROM SAID DATE. SAID ORDER SUPERSEDES ANY AND ALL PRIOR COURT ORDERS FOR INDIGENT ACCUSED PERSONS IN HUNT COUNTY, TEXAS.

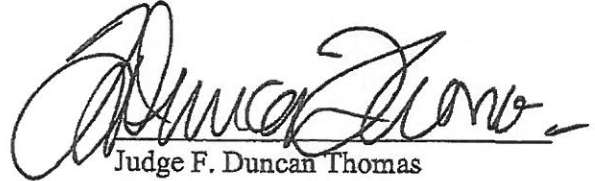


Judge Andy Bench
196th Judicial District Court

Judge Timothy S Linden
Hunt County Court at Law No. 1



Judge Keli Aiken
354th Judicial District Court



Judge F. Duncan Thomas
Hunt County Court at Law No. 2