

Indigent Defense

Presented to the
Auditors on the Road
Training
January 25, 2018
Burnet, Texas

Debra Stewart, dstewart@tidc.texas.gov



Presentation Overview

1. TIDC and the Fair Defense Act

Mission, requirements, funding opportunities

2. Indigent Defense Funding In Context

Sources, trends and cost drivers

3. Indigent Defense Expenditure Reporting

Common errors, accurate reporting, examples

4. Overview of the review process

Review steps, examples, common findings.



The mission of the Texas Indigent Defense Commission is to provide financial and technical support to counties to develop and maintain quality, cost-effective indigent defense systems that meet the needs of local communities and the requirements of the Constitution and state law.

What is Indigent Defense?

- The right to a lawyer for persons accused of crimes and who cannot afford to hire a lawyer
- Constitutional Right - 6th Amendment
- Necessary to ensure fairness and protection of rights in our adversarial system of justice

Gideon vs. Wainwright

In our adversarial system of criminal justice....

With government “quite properly” spending “vast sums of money to establish machinery to try defendants accused of crime”.....you need

..... “procedural and substantive safeguard designed to assure fair trials before impartial tribunals in which defendants stands equal before the law”

“This noble ideal cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him.”

The Fair Defense Act of 2001

- **Basic Legal Requirements:**
 - Timeframes for appointment of counsel
 - Minimum attorney qualifications
 - Fair, neutral, and non-discriminatory attorney appointments
 - Develop a standard of indigence and process to determine eligibility
 - Standard attorney fee schedule and payment process
- **Local Reporting Requirements:**
 - Indigent Defense Plan (judiciary)
 - Indigent Defense Expenditures (auditor/treasurer)
- **Created Mechanism for (partial) state funding through grants**

Why did we need the FDA?

No uniformity in local indigent defense appointment practices

Judges' discretion to select counsel, pay fees and determine who is indigent fueled appearance of cronyism

No consistent standards regarding training and experience

No state funding or oversight

No reliable data on appointments, spending or caseloads

TIDC Grant Types

- **Formula Grants**

- Formula based on 50% population & 50% expenditures

- **Discretionary Grants**

- Competitive-Based Discretionary Grants
- Extraordinary Disbursement Grants
- Technical Support Grants
- Targeted Specific Grants

Grant Information

In 2016 the Commission disbursed:

- \$25.1 million in formula grants to 254 counties
- \$6.5 million in discretionary grants
 - 17 counties
 - Four grants were for regional programs covering 180 counties.

Formula Grant Eligibility

- Commissioners Court Resolution
- Indigent Defense Plan Compliance
- Indigent Defense Expenditure Report
- Address any findings from monitoring
- Court Activity Reports to OCA

Discretionary Grants: Two-Tier Process

Tier-One (The ISA)

- Complete online Intent to Submit
- Secure letter of support from at least one judge
- Tier Two- Complete Application
 - On-line Application
 - Commissioners Court Resolution
 - Support from Stakeholders and Judges
 - Data Collection Cooperation Agreement

Discretionary Grant Timeline

- Request for Application (RFA) released January 2018 (webinar on February 2)
- Intent to Submit Application due March 2018
- Full Applications due May 2018
- Start Date for Funded Programs 10/1/2018

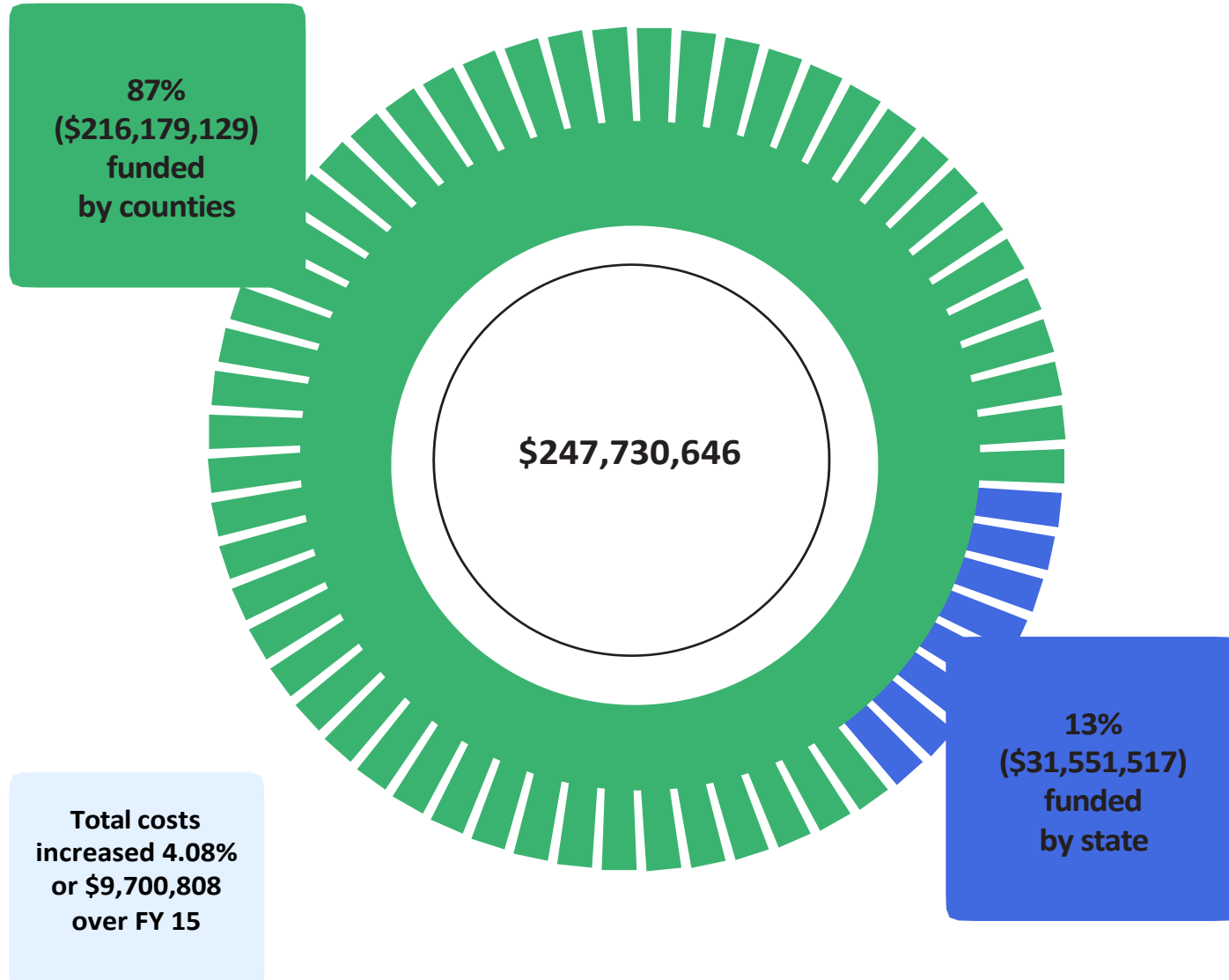
Discretionary Grant Program Examples

- Public Defender Programs (local and regional)
- Managed Assigned Counsel Programs
- Indigent Defense Coordinators
- Programs for Defendants with Mental Illness

Indigent Defense Funding in Context

- State Funding Sources
- Current State Appropriation
- State/County Funding Proportions
- Indigent Defense Cost Drivers

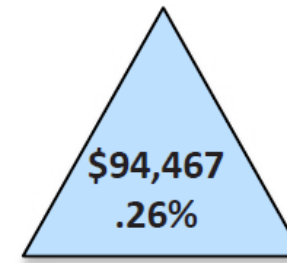
2016 County and State Indigent Defense Spending in Texas



TIDC Revenue FY2016

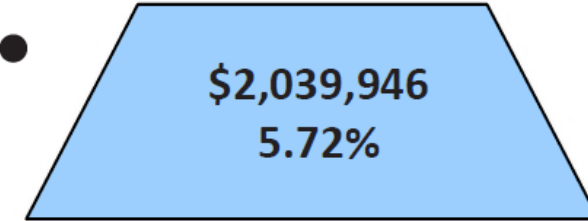
State Grant

In FY 2015 the Commission was awarded a grant from the Governor's Criminal Justice Division (CJD) to develop a model mentoring program for court-appointed attorneys. However, grant-related expenses were not incurred until FY 2016.



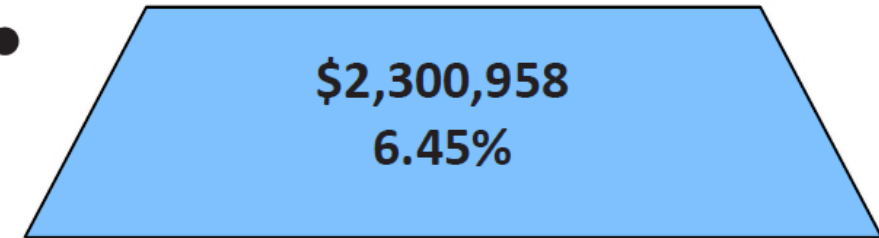
Surety Bond Fees

A \$15.00 fee is assessed when posting a surety bond and 1/3 of the fee goes to the Fair Defense Account.



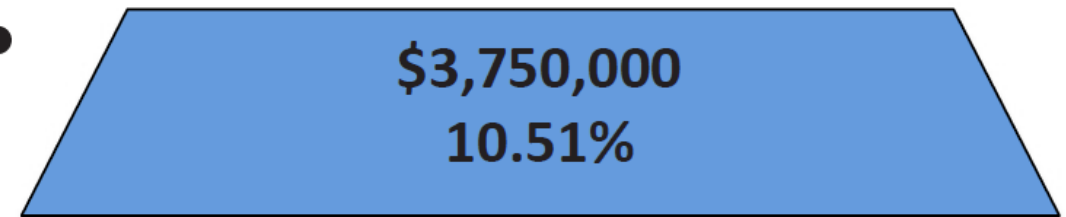
State Bar Fees

A \$65.00 fee is assessed by the State Bar of Texas as part of each attorney's bar dues and 1/2 of the fee is allocated to the Fair Defense Account.



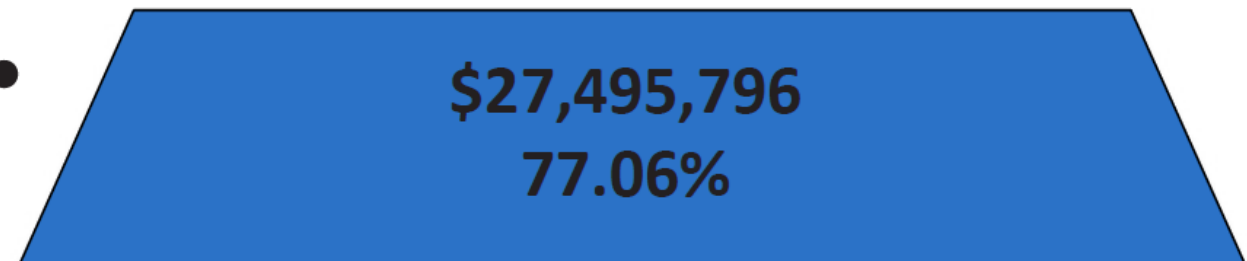
General Revenue

The 84th Legislature provided \$7.5 M new general revenue for indigent defense for the 2016-2017 biennium.

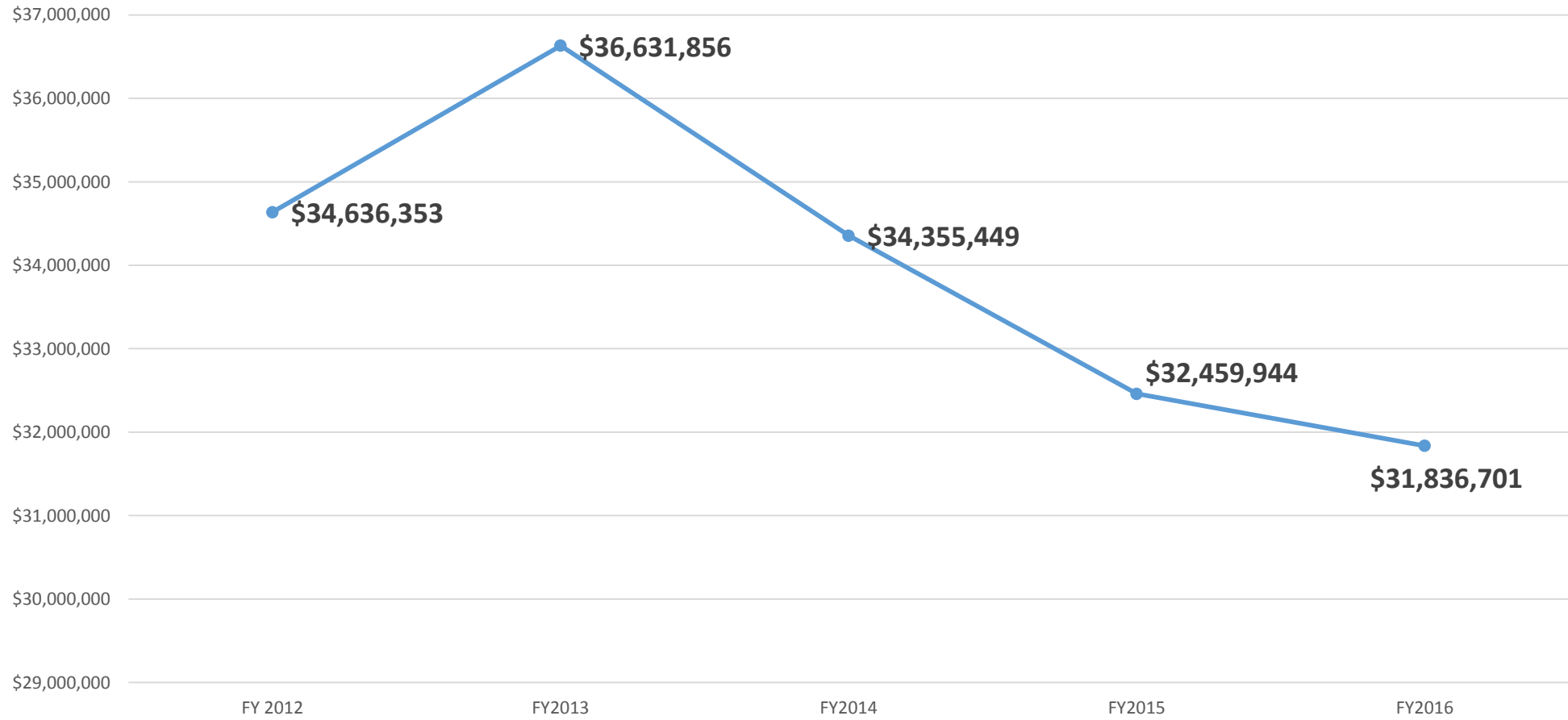


Court Costs

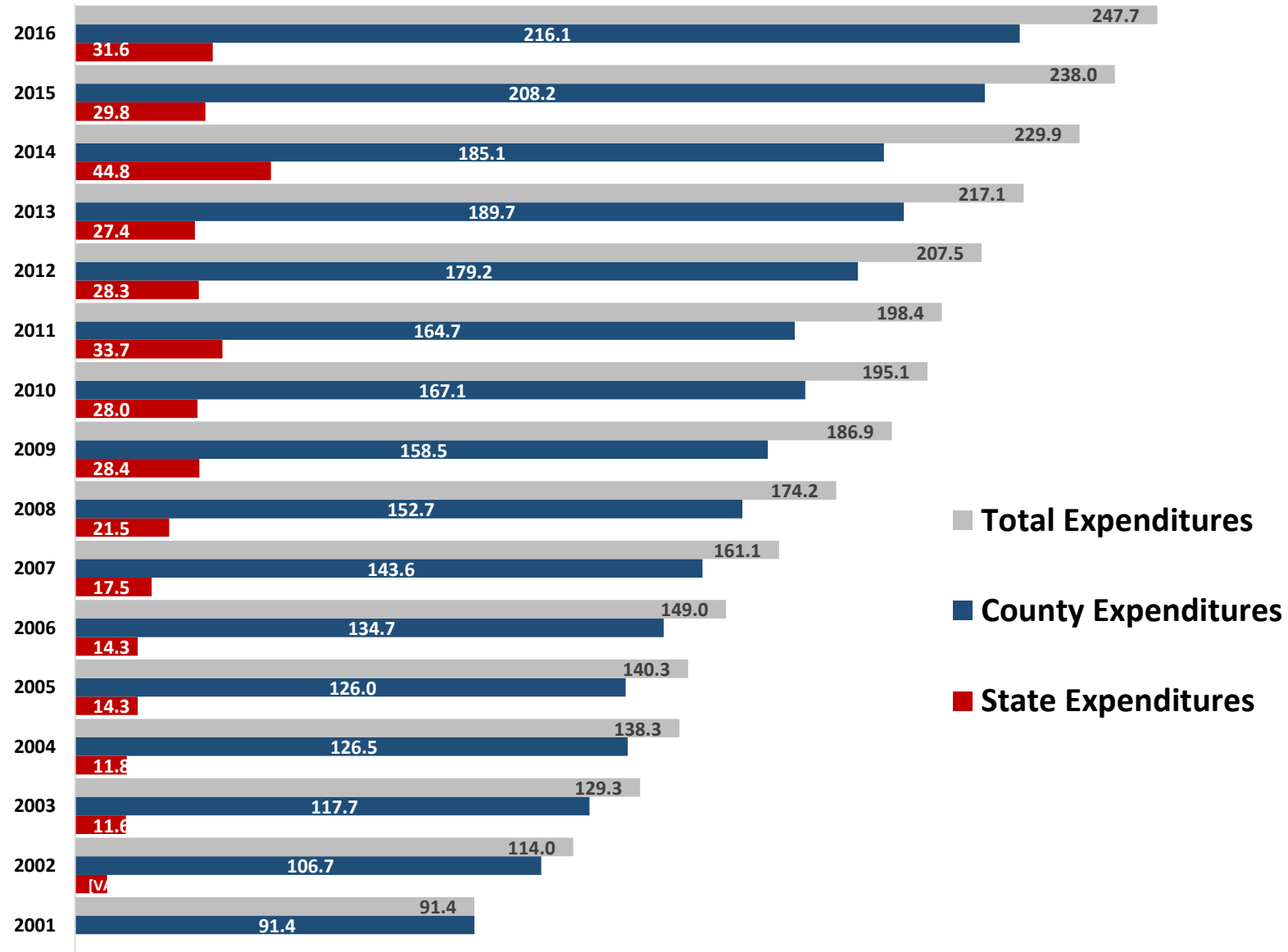
Court costs are paid by a defendant upon conviction for a range of offenses from fine only misdemeanors to felonies.



GR-Dedicated Fair Defense Account Revenue



Indigent Defense Expenditures (in millions) by Fiscal Year



What is driving cost increases?

1. More people served
2. Investments to improve quality of representation
3. Inflation

Prior to the passage of the FDA Texas was operating under a “6th Amendment deficit.” The effort to address the shortcomings in our system prior to the FDA has required more money to be spent.

What is driving cost increases?

First, the total number of indigent persons being provided constitutionally guaranteed assistance of counsel in Texas has increased from 324,000 in FY02 to more than 460,000 in FY15, a 42 percent increase.

Prior to the FDA many defendants who could not afford to hire a lawyer were either not provided with counsel at all or were provided with counsel under systems that encouraged perfunctory representation with minimal effort.

What is driving cost increases?

Second, more is being spent per indigent defense case, which has been necessary to raise the quality of defense up to professional standards.

Prior to the passage of the FDA and the standards created by the Commission, some jurisdictions provided indigent defense under models that encouraged the processing of high volumes of cases with minimal effort from the defense, effectively undermining the 6th Amendment rights of many defendants. Since the FDA counties and the Commission are monitoring indigent defense more carefully and more counties have put in place systems that manage caseloads and include better oversight and accountability.

State Funds for Indigent Defense

- In each of the last two legislative sessions the Commission requested large increases in funding.
- Objective: to share indigent defense funding more equally with counties.

State Funds for Indigent Defense

- Future increases will come in response to county leaders making the case.
 - Commissioners Court Resolutions
 - County officials communicating with their legislators.

Indigent Defense
Expenditure
Reporting

IDER

<http://tidc.texas.gov>



Due November 1, 2017

Indigent Defense Expenditure Report

- What: Eligible indigent defense expenditures, number of cases paid/disposed and attorney information, reported for each court.
- Who: County Auditors (or Treasurers)
- When: Annually, on November 1

IDER – Due November 1, 2017

Government Code Section 79.036. Indigent Defense Information.

- e) In each county, the county auditor, or the person designated by the commissioners court if the county does not have a county auditor, shall prepare and send to the commission. . . . with respect to legal services provided in the county to indigent defendants during each fiscal year, information showing the total amount expended by the county to provide indigent defense services and an analysis of the amount expended by the county.
- Report Attorney Fees, Investigation Expenses, Expert Witness Expenses, or Other Litigation Expenses
- IDER Manual at <http://www.tidc.texas.gov/grants-reporting/ider.aspx>

Payment Records are Basis of the IDER

- The statute (Texas Code of Criminal Procedure Article 26.05 (c)) states that “no payment shall be made under this article until the form for **itemizing** the services performed is submitted to the judge presiding over the proceedings”
- Invoice must include sufficient detail to allow auditor to prepare the report (type of expense, court, case type, etc.)

IDER Eligible Costs

Only Criminal/Juvenile Indigent Defense Costs Are Eligible

- No Civil Law Matters
- Not every case involving juveniles is eligible
 - Only juvenile delinquency, CINS cases
 - Not custody, CPS-related, guardianship or other civil matters.
- Not every court appointed attorney is an eligible indigent defense expense
 - Not special prosecutors, not ad litem attorneys in civil matters.

Attorney Detail Section of Court Expenditure Report

Government Code Section 79.036. Indigent Defense Information.

(a-1) Not later than November 1 of each year and in the form and manner prescribed by the commission, each county shall prepare and provide to the commission information that describes for the preceding fiscal year the **number of appointments under Article 26.04, Code of Criminal Procedure, and Title 3, Family Code, made to each attorney accepting appointments in the county**, and information provided to the county by those attorneys under Article 26.04(j) (4), Code of Criminal Procedure.

Attorney Detail of Court Expenditure Report

“Total Amount Paid” listed for each attorney should only include attorney fees.

If attorney payments included reimbursements for other expenses, such as investigators, expert witnesses, or other litigation expenses, those should not be included in attorney detail report.

Attorney Detail Report Options

- Web Based Data Entry
- OR
- Excel Template with a standard data format provided on Commission website to permit county auditors to complete and then upload the report rather than manually entering the data into the website.

How to Reconcile Court Report and Attorney Detail

- Both the aggregate report for the court and the attorney detail portion include case counts and amounts paid.
- The total case counts in the court report may differ from the total number of cases in the attorney detail report.
- The total attorney fees paid in the court report should match the total paid on the attorney detail.

Samples of IDER
Reports and why we
would call and ask a
question.



Texas Indigent Defense Commission
Indigent Defense Expenditure Report

[IDER Instructions](#)

Fiscal Year Used by County:
 Reporting Period:
 County's Accounting Method:
 Financial Officer:

Contact Person, email address, and phone (if other than above) for report issues:

Reimbursements

Do not subtract the following reimbursement amounts from other sections on this report.
 Reimbursements: Total Amount Collected From Defendants Pre or Post Disposition:
 Reimbursements: Total Amount Received From the State Comptroller for 11,071 Writs of Habeas Corpus Costs:
 Reimbursements: Total Amount Received For Indigent Defense Costs From Other Private or Government Grants:

Regional Indigent Defense Programs

Total funds received from participating counties:
 Total funds paid to host counties for regional indigent defense programs:
 Unobligated Fund Balance or Carryover from all money received from participating counties as of September 30, 2016:

Court Report

Complete one chart of expenditures for each court (i.e., constitutional county court, statutory court, district court and/or appellate court) in the county that hears criminal cases and criminal juvenile matters. The County Magistrate Court and Juvenile Court have been included for the cases where the costs and numbers cannot be assigned to a specific court otherwise listed.

To add or remove a court from the list below contact Jim VanBeek at jvanbeek@cpri.tamu.edu.

Click on a court name to submit expenses for the selected court.

Court	Court ID	Court Report		Attorney Detail Report		Differences	
		Total Expenditures	Attorney Fees	Total Cases	Attorney Fees	Total Cases	Attorney Case Fees Count
229th District Court	320660229	\$103,150.00	\$103,150.00	111	\$103,150.00	111	
County Court	520660001	\$16,856.00	\$13,850.00	59	\$13,850.00	59	

NEW Optionally, the Attorney Detail Report for a county can be uploaded and imported at this [link](#). The file must meet stringent requirements to upload successfully. Manual entry is probably easier for most smaller counties.

**Texas Indigent Defense Commission
Indigent Defense Expenditure Report**

[IDER Instructions](#)

Submission Information
Confirmation Number

Submitted by [REDACTED] on 10/26/2016 3:55:58 PM
IDER201616920161026

Fiscal Year Used by County
Reporting Period:
County's Accounting Method:
Financial Officer

October 1 - September 30
October 1, 2015 - September 30, 2016
Cash



Contact Person, email address, and phone (if other than above) for report issues

Reimbursements

Do not subtract the following reimbursement amounts from other sections on this report.

Reimbursements: Total Amount Collected From Defendants Pre or Post Disposition	\$19,907.00
Reimbursements: Total Amount Received From the State Comptroller for 11.071 Writs of Habeas Corpus Costs	\$0.00
Reimbursements: Total Amount Received For Indigent Defense Costs From Other Private or Government Grants	\$21,615.25

Regional Indigent Defense Programs

Total funds received from participating counties	\$0.00
Total funds paid to host counties for regional indigent defense programs	\$13,900.21
Unobligated Fund Balance or Carryover from all money received from participating counties as of September 30, 2016	\$0.00

Court Report

Complete one chart of expenditures for each court (i.e., constitutional county court, statutory court, district court and/or appellate court) in the county that hears criminal cases and criminal juvenile matters. The County Magistrate Court and Juvenile Court have been included for the cases where the costs and numbers cannot be assigned to a specific court otherwise listed.

To add or remove a court from the list below contact Jim VanBeek at jvanbeek@ppri.tamu.edu.

Click on a court name to submit expenses for the selected court.

Confirmation Number: IDER201607620161027

Fiscal Year Used by County: October 1 - September 30

Reporting Period: October 1, 2015 - September 30, 2016

County's Accounting Method: Cash

Financial Officer: [REDACTED]

Contact Person, email address, and phone (if other than above) for report issues: [REDACTED]

Reimbursements

Do not subtract the following reimbursement amounts from other sections on this report

Reimbursements: Total Amount Collected From Defendants Pre or Post Disposition: \$766.00

Reimbursements: Total Amount Received From the State Comptroller for 11.071 Writs of Habeas Corpus Costs: [REDACTED]

Reimbursements: Total Amount Received For Indigent Defense Costs From Other Private or Government Grants: [REDACTED]

Regional Indigent Defense Programs

Total funds received from participating counties: [REDACTED]

Total funds paid to host counties for regional indigent defense programs: \$1,000.00

Unobligated Fund Balance or Carryover from all money received from participating counties as of September 30, 2016: [REDACTED]

Court Report

Complete one chart of expenditures for each court (i.e., constitutional county court, statutory court, district court and/or appellate court) in the county that hears criminal cases and criminal juvenile matters. The County Magistrate Court and Juvenile Court have been included for the cases where the costs and numbers cannot be assigned to a specific court otherwise listed.

To add or remove a court from the list below contact Jim VanBeek at vanbeek@ppri.tamu.edu

Click on a court name to submit expenses for the selected court.

Court	Court ID	Court Report		Attorney Detail Report		Differences	
		Total Expenditures	Attorney Fees	Total Cases	Attorney Fees	Total Cases	Attorney Case Fees Count
32nd District Court	320760032	\$7,600.00	\$7,600.00	13	\$7,600.00	13	
County Court	520760001						
Multi-County Court at Law	540761101						

NEW Optionally, the Attorney Detail Report for a county can be uploaded and imported at this [link](#). The file must meet stringent requirements to upload successfully. Manual entry is probably easier for most smaller counties.

Indigent Defense Increased Administrative Expenditure Report Addendum

If a county has increased administrative costs due to indigent defense, complete this chart.
[Complete Increased Indigent Defense Administrative Expenditure Report Addendum](#)

Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Non-Capital Felony				
Assigned Counsel	\$1,000.00		\$34,105.00	
Contract Counsel	\$31,923.84			
Managed Assigned Counsel				
Adult Misdemeanor				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$32,923.84	\$0.00	\$34,105.00	\$0.00
Juvenile Appeals				
Assigned Counsel				
Contract Counsel	\$15,961.92			
Managed Assigned Counsel				
Adult Felony Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$15,961.92	\$0.00	\$0.00	\$0.00

Provide the total number of cases paid to indigent defense counsel in this court for each of the following categories.

	Assigned Counsel Cases	Contract Counsel Cases	Managed Assigned Counsel Cases	Public Defender Cases
Juvenile Cases				
Capital Murder Cases				
Adult Non-Capital Felony Cases	2	48		
Adult Misdemeanor Cases		24		
Juvenile Appeal Cases				
Felony Appeal Cases				
Misdemeanor Appeal Cases				

**Indigent Defense Expenditure Report, Court [REDACTED]
[REDACTED] District Court
Expenditures
October 1, 2015 - September 30, 2016**

Category of Services	Attorney Fees	Investigation Expenditures	Expert Witness Expenditures	Other Litigation Expenditures
Juvenile				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Capital Murder				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Non-Capital Felony				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$0.00	\$0.00	\$0.00	\$0.00
Juvenile Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Felony Appeals				
Assigned Counsel	\$116,155.66	\$10,451.00	\$1,275.00	\$46,369.00
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$116,155.66	\$10,451.00	\$1,275.00	\$46,369.00

Provide the total number of cases paid to indigent defense counsel in this court for each of the following categories:

Managed Assigned Counsel				
Adult Non-Capital Felony				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$0.00	\$0.00	\$0.00	\$0.00
Juvenile Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Felony Appeals				
Assigned Counsel	\$116,155.66	\$10,451.00	\$1,275.00	\$46,369.00
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$116,155.66	\$10,451.00	\$1,275.00	\$46,369.00

Provide the total number of cases paid to indigent defense counsel in this court for each of the following categories.

	Assigned Counsel Cases	Contract Counsel Cases	Managed Assigned Counsel Cases	Public Defender Cases
Juvenile Cases				
Capital Murder Cases				
Adult Non-Capital Felony Cases	204			
Adult Misdemeanor Cases				
Juvenile Appeal Cases				
Felony Appeal Cases				
Misdemeanor Appeal Cases				
Total Cases	204	0	0	0

[Click to add attorney case counts and total paid on the Attorney Detail of the Court Expenditure](#)

Indigent Defense Expenditure Report, Court Report
th District Court

Expenditures
October 1, 2015 - September 30, 2016

Category of Services	Attorney Fees	Investigation Expenditures	Expert Witness Expenditures	Other Litigation Expenditures
Juvenile				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Capital Murder				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Non-Capital Felony				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor				
Assigned Counsel	\$2,352.38			
Contract Counsel				
Managed Assigned Counsel				
Total	\$2,352.38	\$0.00	\$0.00	\$0.00
Juvenile Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Felony Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$0.00	\$0.00	\$0.00	\$0.00

Provide the total number of cases paid for indigent defense services in this court

Indigent Defense Expenditure Report, Court Report, [REDACTED]
County Court
Expenditures
October 1, 2015 - September 30, 2016

Category of Services	Attorney Fees	Investigation Expenditures	Expert Witness Expenditures	Other Litigation Expenditures
Juvenile				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Capital Murder				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Non-Capital Felony				
Assigned Counsel	\$10,293.75			
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$10,293.75	\$0.00	\$0.00	\$0.00
Juvenile Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Felony Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$0.00	\$0.00	\$0.00	\$0.00

Provide the total number of cases paid to indigent defense counsel in this court for each of the following categories:

Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Non-Capital Felony				
Assigned Counsel	\$29,885.34	\$1,412.50		\$650.00
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$31,972.84	\$1,412.50	\$0.00	\$650.00
Juvenile Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Felony Appeals				
Assigned Counsel	\$2,500.00			\$412.50
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$2,500.00	\$0.00	\$0.00	\$412.50

Provide the total number of cases paid to indigent defense counsel in this court for each of the following categories.

	Assigned Counsel Cases	Contract Counsel Cases	Managed Assigned Counsel Cases	Public Defender Cases
Juvenile Cases	6			
Capital Murder Cases				
Adult Non-Capital Felony Cases	66			
Adult Misdemeanor Cases	3			
Juvenile Appeal Cases				
Felony Appeal Cases	1			
Misdemeanor Appeal Cases				

Confirmation Number: IDER201616420161024
 Fiscal Year Used by County:
 Reporting Period: October 1, 2015 - September 30, 2016
 County's Accounting Method:
 Financial Officer:
 Contact Person, email address, and phone (if other than above) for report issues:

Reimbursements

Do not subtract the following reimbursement amounts from other sections on this report.
 Reimbursements: Total Amount Collected From Defendants Pre or Post Disposition:
 Reimbursements: Total Amount Received From the State Comptroller for 11.071 Writs of Habeas Corpus Costs:
 Reimbursements: Total Amount Received For Indigent Defense Costs From Other Private or Government Grants:

Regional Indigent Defense Programs

Total funds received from participating counties:
 Total funds paid to host counties for regional indigent defense programs:
 Unobligated Fund Balance or Carryover from all money received from participating counties as of September 30, 2016:

Court Report

Complete one chart of expenditures for each court (i.e., constitutional county court, statutory court, district court and/or appellate court) in the county that hears criminal cases and criminal juvenile matters. The County Magistrate Court and Juvenile Court have been included for the cases where the costs and numbers cannot be assigned to a specific court otherwise listed.

To add or remove a court from the list below contact Jim VanBeek at vanbeek@ppri.tamu.edu.

Click on a court name to submit expenses for the selected court.

Court	Court ID	Court Report		Attorney Detail Report		Differences	
		Total Expenditures	Attorney Fees	Total Cases	Attorney Fees	Total Cases	Attorney Case Fees Count
452nd District Court	321640452	\$18,404.46	\$16,654.46	25	\$16,654.46	26	1
County Court	521640001	\$2,502.50	\$2,502.50	7	\$2,502.50	7	

NEW Optionally, the Attorney Detail Report for a county can be uploaded and imported at this [link](#). The file must meet stringent requirements to upload successfully. Manual entry is probably easier for most smaller counties.

Indigent Defense Increased Administrative Expenditure Report Addendum

If a county has increased administrative costs due to indigent defense, complete this chart.
[Complete Increased Indigent Defense Administrative Expenditure Report Addendum](#)

Attorney Detail for the Court Expenditure Report
 Court ID: ██████████

Instructions: Enter a bar card number, the number of cases for each category, and the total amount paid to the attorney. If you enter a valid Bar Card number, the attorney name should appear. If the Attorney Name field says that the name was "not found", the Bar Card is most likely invalid. Then click on the "Save" button. The screen will refresh and a new line will be provided to enter an additional attorney. You may select the sort order in the drop down. Click on "Save" to update your changes and then click on "Close" when you are done. Click on [Load Previous](#) to add attorneys reporting for this court in the previous year.

Sort by **Bar Card Number**

#	Bar Card	Attorney Name	Juvenile Cases Paid	Capital Murder Cases Paid	Adult Felony Cases Paid	Adult Misdemeanor Cases Paid	Juvenile Appeals Cases Paid	Felony Appeals Cases Paid	Misdemeanor Appeals Cases Paid	Total Attorney Fees Paid	A%	J%
1					3800							X
2					2200							X
3					5700							X
4					1308			9623			25% 0%	X
5					1450							X
6					3000							X
7					1800							X
8					2100							X
9					1800			11108			20% 0%	X
10					600							X
11					6500							X
12					2600							X
13					950							X
14					4300						30% 5%	X
15					4200							X
16					3000							X
17					1800							X
18					11050							X
19					8875			1654			25% 2%	X
20					3400							X
21					3950							X
22					3650						34% 2%	X
23					6200							X
24					3400						7% 0%	X
25					9070							X
26					600							X
27					4500							X
28					600							X
29					600							X
30					17100						25% 0%	X

Attorney Detail for the Court Expenditure Report for FY16
 Court ID: 322040

Instructions: Enter a bar card number, the number of cases for each category, and the total amount paid to the attorney. If you enter a valid Bar Card number, the attorney name should appear. If the Attorney Name field says that the name was "not found", the Bar Card is most likely invalid. Then click on the "Save" button. The screen will refresh and a new line will be provided to enter an additional attorney. You may select the sort order in the drop down. Click on "Save" to update your changes and then click on "Close" when you are done. Click on [Load Previous](#) to add attorneys reporting for this court in the previous year.

Sort by **Bar Card Number**

#	Bar Card	Attorney Name	Juvenile Cases Paid	Capital Murder Cases Paid	Adult Felony Cases Paid	Adult Misdemeanor Cases Paid	Juvenile Appeals Cases Paid	Felony Appeals Cases Paid	Misdemeanor Appeals Cases Paid	Total Attorney Fees Paid	A%	J%
1	[Redacted]	[Redacted]	<input type="text" value="650"/>	<input type="text"/>	<input type="text" value="4100"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$4,750.00		X
2	[Redacted]	[Redacted]	<input type="text"/>	<input type="text"/>	<input type="text" value="7415"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>		20%	1% X
3	[Redacted]	[Redacted]	<input type="text" value="900"/>	<input type="text"/>	<input type="text" value="7589"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$8,489.00	15%	5% X
4	[Redacted]	[Redacted]	<input type="text" value="500"/>	<input type="text"/>	<input type="text" value="625"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	\$1,125.00		X
5	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>			
Totals			2050	0	19729	0	0	0	0	\$14,364.00		

Confirmation Number: IDER201614820161025
 Fiscal Year Used by County:
 Reporting Period: October 1, 2015 - September 30, 2016
 County's Accounting Method:
 Financial Officer:
 Contact Person, email address, and phone (if other than above) for report issues:

Reimbursements

Do not subtract the following reimbursement amounts from other sections on this report.

Reimbursements: Total Amount Collected From Defendants Pre or Post Disposition:

Reimbursements: Total Amount Received From the State Comptroller for 11.071 Writs of Habeas Corpus Costs:

Reimbursements: Total Amount Received For Indigent Defense Costs From Other Private or Government Grants:

Regional Indigent Defense Programs

Total funds received from participating counties:

Total funds paid to host counties for regional indigent defense programs:

Unobligated Fund Balance or Carryover from all money received from participating counties as of September 30, 2016:

Court Report

Complete one chart of expenditures for each court (i.e., constitutional county court, statutory court, district court and/or appellate court) in the county that hears criminal cases and criminal juvenile matters. The County Magistrate Court and Juvenile Court have been included for the cases where the costs and numbers cannot be assigned to a specific court otherwise listed.

To add or remove a court from the list below contact Jim VanBeek at vanbeek@ppri.tamu.edu.

Click on a court name to submit expenses for the selected court.

Court	Court ID	Court Report		Attorney Detail Report		Differences		
		Total Expenditures	Attorney Fees	Total Cases	Attorney Fees	Total Cases	Attorney Case Fees	
31st District Court	321480031	\$8,017.45	\$7,712.50		\$8,017.45	12	\$304.95	12
County Court	521480001	\$500.00	\$500.00		\$500.00	1		1

NEW Optionally, the Attorney Detail Report for a county can be uploaded and imported at this [link](#). The file must meet stringent requirements to upload successfully. Manual entry is probably easier for most smaller counties.

Indigent Defense Increased Administrative Expenditure Report Addendum

If a county has increased administrative costs due to indigent defense, complete this chart.
[Complete Increased Indigent Defense Administrative Expenditure Report Addendum](#)

Confirmation Number: IDER201610620161006

Fiscal Year Used by County:

Reporting Period:

County's Accounting Method:

Financial Officer:

Contact Person, email address, and phone (if other than above) for report issues:

Reimbursements

Do not subtract the following reimbursement amounts from other sections on this report.

Reimbursements: Total Amount Collected From Defendants Pre or Post Disposition:

Reimbursements: Total Amount Received From the State Comptroller for 11.071 Writs of Habeas Corpus Costs:

Reimbursements: Total Amount Received For Indigent Defense Costs From Other Private or Government Grants:

Regional Indigent Defense Programs

Total funds received from participating counties:

Total funds paid to host counties for regional indigent defense programs:

Unobligated Fund Balance or Carryover from all money received from participating counties as of September 30, 2016:

Court Report

Complete one chart of expenditures for each court (i.e., constitutional county court, statutory court, district court and/or appellate court) in the county that hears criminal cases and criminal juvenile matters. The County Magistrate Court and Juvenile Court have been included for the cases where the costs and numbers cannot be assigned to a specific court otherwise listed.

To add or remove a court from the list below contact Jim VanBeek at vanbeek@cpri.tamu.edu.

Click on a court name to submit expenses for the selected court.

Court	Court ID	Court Report		Attorney Detail Report		Differences	
		Total Expenditures	Attorney Fees	Total Cases	Attorney Fees	Total Cases	Attorney Case Fees Count
31st District Court	321060031	\$14,508.20	\$14,330.00	25	\$14,508.20	25	\$178.20
County Court	521060001	\$7,250.00	\$7,250.00	15	\$7,250.00	15	

NEW Optionally, the Attorney Detail Report for a county can be uploaded and imported at this [link](#). The file must meet stringent requirements to upload successfully. Manual entry is probably easier for most smaller counties.

Indigent Defense Increased Administrative Expenditure Report Addendum

If a county has increased administrative costs due to indigent defense, complete this chart. [Complete Increased Indigent Defense Administrative Expenditure Report Addendum](#)

Indigent Defense Expenditure Report, Court F [REDACTED]

This court's [REDACTED]
Expenditures
October 1, 2015 - September 30, 2016

Category of Services	Attorney Fees	Investigation Expenditures	Expert Witness Expenditures	Other Litigation Expenditures
Juvenile				
Assigned Counsel	\$1,750.00			
Contract Counsel				
Managed Assigned Counsel				
Capital Murder				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Non-Capital Felony				
Assigned Counsel	\$19,001.25			
Contract Counsel			\$9,267.50	\$8,267.00
Managed Assigned Counsel				
Adult Misdemeanor				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$20,751.25	\$0.00	\$9,267.50	\$8,267.00
Juvenile Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Felony Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Adult Misdemeanor Appeals				
Assigned Counsel				
Contract Counsel				
Managed Assigned Counsel				
Total	\$0.00	\$0.00	\$0.00	\$0.00

Provide the total number of cases paid for indigent defense services in this court.

Managed Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Adult Misdemeanor				
Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Contract Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Managed Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$18,130.00	\$0.00	\$0.00	\$1,923.35
Juvenile Appeals				
Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Contract Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Managed Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Adult Felony Appeals				
Assigned Counsel	\$3,131.00	\$0.00	\$0.00	\$0.00
Contract Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Managed Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Adult Misdemeanor Appeals				
Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Contract Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Managed Assigned Counsel	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$3,131.00	\$0.00	\$0.00	\$0.00

Provide the total number of cases paid to indigent defense counsel in this court for each of the following categories.

	Assigned Counsel Cases	Contract Counsel Cases	Managed Assigned Counsel Cases	Public Defender Cases
Juvenile Cases	0	0	0	0
Capital Murder Cases	0	0	0	0
Adult Non-Capital Felony Cases	57	0	0	0
Adult Misdemeanor Cases	0	0	0	0
Juvenile Appeal Cases	0	0	0	0
Felony Appeal Cases	3	0	0	0
Misdemeanor Appeal Cases	0	0	0	0
Total Cases	60	0	0	0

Click to add attorney case counts and total paid on the Attorney Detail of the Court Expenditure Report.

If you are unable to follow the instructions in the IDER manual please check one or more of the boxes:
 Cases reported above are based on information from a clerk's office and not associated with the payment.

Limestone County

Year	2001	2012	2013	2014	2015	2016	Texas 2016	
Population (Non-Census years are estimates)		22,295	23,858	24,094	22,982	24,186	24,104	27,725,192
Felony Charges Added (from OCA report)			377	386	399	371	385	276,879
Felony Cases Paid			225	279	344	329	341	200,580
% Felony Charges Defended with Appointed Counsel			60%	72%	86%	89%	89%	72%
Felony Trial Court-Attorney Fees		\$119,244	\$117,705	\$143,117	\$140,064	\$132,236		\$115,192,600
Total Felony Court Expenditures		\$149,790	\$144,660	\$152,617	\$164,904	\$138,536		\$131,727,198
Misdemeanor Charges Added (from OCA report)			534	581	552	508	490	481,253
Misdemeanor Cases Paid			223	232	198	188	161	214,674
% Misdemeanor Charges Defended with Appointed Counsel			42%	40%	36%	37%	33%	45%
Misdemeanor Trial Court Attorney Fees		\$91,781	\$72,169	\$44,379	\$44,934	\$35,433		\$40,245,051
Total Misdemeanor Court Expenditures		\$91,781	\$72,169	\$45,579	\$44,934	\$35,433		\$41,003,480
Juvenile Charges Added (from OCA report)			32	24	25	22	17	27,307
Juvenile Cases Paid			37	11	15	14	13	41,989
Juvenile Attorney Fees		\$19,446	\$3,840	\$4,813	\$5,266	\$2,735		\$11,119,664
Total Juvenile Expenditures		\$19,446	\$3,840	\$4,813	\$5,266	\$2,735		\$11,424,425
Total Attorney Fees	\$71,083	\$238,911	\$204,949	\$196,065	\$202,653	\$175,084		\$172,232,454
Total ID Expenditures	\$71,083	\$318,956	\$311,291	\$265,497	\$298,245	\$252,260		\$247,730,647
Increase In Total Expenditures over 2001 Baseline		349%	338%	274%	320%	255%		179%
Total ID Expenditures per Population	\$3.19	\$13.37	\$12.92	\$11.55	\$12.33	\$10.47		\$8.94
Commission Formula Grant Disbursement		\$32,754	\$26,910	\$44,177	\$26,599	\$27,212		\$25,056,873
Costs Recouped from Defendants		\$18,265	\$15,939	\$21,957	\$14,586	\$16,465		\$11,055,035

Palo Pinto County

Year	2001	2012	2013	2014	2015	2016	Texas 2016
Population (Non-Census years are estimates)	27,398	28,375	28,497	28,635	28,743	28,382	27,725,192
Felony Charges Added (from OCA report)		367	376	392	436	452	276,879
Felony Cases Paid		212	266	243	321	265	200,580
% Felony Charges Defended with Appointed Counsel		58%	71%	62%	74%	59%	72%
Felony Trial Court-Attorney Fees		\$85,720	\$106,400	\$100,825	\$135,200	\$106,682	\$115,192,600
Total Felony Court Expenditures		\$88,951	\$111,621	\$106,881	\$142,142	\$112,352	\$131,727,198
Misdemeanor Charges Added (from OCA report)		617	616	549	497	508	481,253
Misdemeanor Cases Paid		58	45	56	53	82	214,674
% Misdemeanor Charges Defended with Appointed Counsel		9%	7%	10%	11%	16%	45%
Misdemeanor Trial Court Attorney Fees		\$11,850	\$9,425	\$12,150	\$11,475	\$18,475	\$40,245,051
Total Misdemeanor Court Expenditures		\$11,850	\$9,425	\$12,600	\$11,475	\$18,475	\$41,003,480
Juvenile Charges Added (from OCA report)		6	12	2	7	4	27,307
Juvenile Cases Paid		20	21	10	18	8	41,989
Juvenile Attorney Fees		\$5,850	\$5,175	\$2,475	\$5,175	\$3,600	\$11,119,664
Total Juvenile Expenditures		\$5,850	\$5,175	\$2,475	\$5,175	\$3,600	\$11,424,425
Total Attorney Fees	\$69,658	\$112,520	\$126,600	\$120,350	\$157,200	\$134,142	\$172,232,454
Total ID Expenditures	\$76,824	\$134,737	\$143,160	\$133,375	\$175,294	\$144,911	\$247,730,647
Increase In Total Expenditures over 2001 Baseline		75%	86%	74%	128%	89%	179%
Total ID Expenditures per Population	\$2.80	\$4.75	\$5.02	\$4.66	\$6.10	\$5.11	\$8.94
Commission Formula Grant Disbursement		\$17,057	\$22,070	\$36,813	\$24,263	\$25,993	\$25,056,873
Costs Recouped from Defendants		\$7,862	\$9,286	\$5,519	\$8,507	\$7,405	\$11,055,035

What to expect
during an on-site or
desk review.

<http://tidc.texas.gov>



Request for Information

- Initial Request - Please forward electronically, if possible the following by **Date**:
- General Ledger or other support of activities that support the IDER for **FY20XX**.
- Other Documents - Please make available upon request:
- Copies of paid attorney fee vouchers (A selection of these invoices will be requested after the review of the submitted General Ledger or other support)
- A copy of the published attorney fee schedules for criminal and juvenile cases.
- Copy of the public attorney appointment list
- The records that exist which document that an attorney applied to be included on the public appointment list.
- The records that exist that document continuing legal education (CLE) of attorneys on the public appointment list.
- Policy and Procedures regarding grant reporting
- Any written accounting procedures as related to criminal indigent defense expenses.
- If applicable, provide a copy of any written contract(s) for indigent defense services.
- If applicable, a copy of the open bidding and selection process used to solicit contract attorneys, such as a Request for Qualification.
- If applicable, documentation to support contractual and equipment expenses.
- If applicable, inventory records of grant funded equipment purchases.
- If applicable, records which outline equipment with more than 1 year of usefulness and items of equipment with an acquisition cost of \$5,000 or more.
- If applicable, documentation to support salaries allocated to Administrative Expense.

Request for Information

- Initial Request - Please forward electronically, if possible the following by **Date:**
- General Ledger or other support of activities that support the IDER for **FY20XX.**
-
- **Other Documents** - Please make available upon request:
 - Copies of paid attorney fee vouchers (A selection of these invoices will be requested after the review of the submitted General Ledger or other support)
 - A copy of the published attorney fee schedules for criminal and juvenile cases.
 - Copy of the public attorney appointment list
 - The records that exist which document that an attorney applied to be included on the public appointment list.
 - The records that exist that document continuing legal education (CLE) of attorneys on the public appointment list.
 - Policy and Procedures regarding grant reporting
 - Any written accounting procedures as related to criminal indigent defense expenses.
 - If applicable, provide a copy of any written contract(s) for indigent defense services.
 - If applicable, a copy of the open bidding and selection process used to solicit contract attorneys, such as a Request for Qualification.
 - If applicable, documentation to support contractual and equipment expenses.
 - If applicable, inventory records of grant funded equipment purchases.
 - If applicable, records which outline equipment with more than 1 year of usefulness and items of equipment with an acquisition cost of \$5,000 or more.
 - If applicable, documentation to support salaries allocated to Administrative Expense.

Re-create IDER

- Is the information provided from the county's general ledger?
- Or can the information be traced back to the general ledger. (i.e. spreadsheets)
- Can I trace the information provided back to the IDER?
- Do I have the universe of data to sample?
- Once information is verified, selection of sample invoices will be made.

Request for Information

- Initial Request - Please forward electronically, if possible the following by **Date:**
- General Ledger or other support of activities that support the IDER for **FY20XX.**
-
- **Other Documents** - Please make available upon request:
 - Copies of paid attorney fee vouchers (A selection of these invoices will be requested after the review of the submitted General Ledger or other support)
 - A copy of the published attorney fee schedules for criminal and juvenile cases.
 - Copy of the public attorney appointment list
 - The records that exist which document that an attorney applied to be included on the public appointment list.
 - The records that exist that document continuing legal education (CLE) of attorneys on the public appointment list.
- Policy and Procedures regarding grant reporting
- Any written accounting procedures as related to criminal indigent defense expenses.
- If applicable, provide a copy of any written contract(s) for indigent defense services.
- If applicable, a copy of the open bidding and selection process used to solicit contract attorneys, such as a Request for Qualification.
- If applicable, documentation to support contractual and equipment expenses.
- If applicable, inventory records of grant funded equipment purchases.
- If applicable, records which outline equipment with more than 1 year of usefulness and items of equipment with an acquisition cost of \$5,000 or more.
- If applicable, documentation to support salaries allocated to Administrative Expense.

Fiscal Monitoring Payment Elements (Legal)

- Attorney Fee Vouchers and Invoices
 - Itemized
 - Submitted
 - Approved
- Proper Payment
 - Classification of Expenses
 - Attorneys on Wheel w/Judge Approval
 - Attorneys CLE Requirements

Texas Administrative Code
TITLE 1 ADMINISTRATION
PART 8 TEXAS JUDICIAL COUNCIL
CHAPTER 174 INDIGENT DEFENSE POLICIES AND STANDARDS
SUBCHAPTER B CONTRACT DEFENDER PROGRAM REQUIREMENTS
DIVISION 1 DEFINITIONS
RULE §174.10 Subchapter Definitions

The following words and terms when used in this subchapter shall have the following meanings, unless the context clearly indicates otherwise.

(1) Appointing Authority. The appointing authority is the:

(A) Judge or judges who have authority to establish an indigent defense plan and approve attorneys to represent indigent defendants in criminal cases under Article 26.04, Code of Criminal Procedure; and/or

(B) Juvenile board that has authority to establish an indigent defense plan and approve attorneys to represent indigent respondents in juvenile cases under §51.102, Family Code.

(2) Contract Defender Program. Contract defender program means a system under which private attorneys, acting as independent contractors and compensated with public funds, are engaged to provide legal representation and services to a group of unspecified indigent defendants who appear before a particular court or group of courts.

(3) Contracting Authority. The contracting authority is the county or counties that have the authority to conclude a contract and to obligate funds for the provision of indigent defense services.

(4) Contractor. The contractor is an attorney, law firm, professional association, lawyer's association, law school, bar association, non-profit organization or other entity that can be bound by contract.

(5) Itemized Fee Voucher. An itemized fee voucher is any instrument, such as an invoice, that details services provided by a contractor providing indigent defense services. The itemized fee voucher may be in paper or electronic form. It shall include at a **minimum all the information necessary for the county auditor or other designated official to complete the expenditure report** required to be submitted to the Office of Court Administration by §71.0351, Government Code.

Minimum Required Itemization per IDER Instruction Manual

Under Article 26.05(c) of the Code of Criminal Procedure, “...*No payment shall be made under this article until the form for itemizing the services performed is submitted to the judge presiding over the proceedings or, if the county operates a managed assigned counsel program under Article 26.047, to the director of the program, and until the judge or director, as applicable approves the payment.* The information reported must be consistent with the fee schedule adopted by the courts for each level of case. Invoices approved by a judge or director must include at a minimum: 1) the payee; 2) the service(s) provided which must include the case(s) level by type; 3) the date(s); and 4) the amount. Public defenders do not use invoices. The only way that a fiscal officer will be able to reconcile courts, attorneys, and amounts or to establish veracity of the IDER is to list the cause numbers of the cases disposed for a specific defendant for any of the following systems:

- I'm going to select various attorney fee vouchers and test for the following attributes:
 - Is the voucher for an allowable expense
 - Did the attorney submit
 - Is there documentation that voucher is related to a criminal case, including case number
 - Is there more than one case listed on voucher
 - Did the attorney itemize the service provided
 - Is the court listed
 - Are the fees consistent with the published fee schedule
 - Did the judge approve the amount requested? If Not,
 - Is there a written explanation for variance?
 - Did the judge sign the voucher?

Attribute – Submitted by Attorney

IN THE DISTRICT COURT OF [REDACTED] TEXAS 120TH JUDICIAL DISTRICT

1st Degree Felony _____ Misdemeanor _____
 2nd Degree Felony _____ Capital _____
 3rd Degree Felony _____ Death _____
 State Jail Felony _____ Appeal _____

STATE OF TEXAS
 VS.
LUIS GABRIEL [REDACTED]

CASE No. 20130D02462
 JIMS No. _____

ATTORNEY [REDACTED] Saldivar Jr
 ADDRESS 3160 Lee Trevino Ste 110A
 [REDACTED]

FOR COUNTY AUDITOR'S OFFICE USE ONLY

Atty Fee Number 901175 Date Entered 6/20/13
 Vendor Number _____
 Trans Code 200
 Index & Sub-Obj COUNCIL-6856

This case is set for: _____ at _____ m. in _____ Court.

CLAIM FOR SERVICES OR EXPENSES			
Service IN Court	Date	Hours/Tenths	This area for Auditor use only
A. Arraignment	<u>5/30/13</u>	<u>1.0 hr</u>	PAID
B. Bond / Bail			
C. Examining Trial			
D. Habeas Corpus			
E. Judge's Conference			
F. Pre-trial Motions			
G. Trial/Plea	<u>6/12/13</u>	<u>1.0 hr</u>	
H. New Trial Motions			
I. Revocation			
J. Other			

Multiply total in court time by \$75.00 per hour, Total IN Court Claim: \$150.00 Total Time: 2.0 HR

Service OUT of Court	Date	Hours/Tenths	This area for Auditor use only
K. Interviews and Conferences	<u>5/16/13</u>	<u>.5 hr</u>	
L. Obtaining and reviewing records			
M. Legal research and writing	<u>5/25/13</u>	<u>.25</u>	
N. Other	<u>6/3/13</u>	<u>.25</u>	

Multiply total out of court time by \$60.00 per hour, Total OUT of Court Claim: \$60.00 Total Time: 1.0

COURT APPROVED REIMBURSABLE EXPENSES		** NOTE **
O. Long distance telephone service		All receipts for reimbursable items R,S, and T must be attached. Total Expenses: _____ Total Claim: _____
P. Copies		
Q. Photographs	<u>5-16 / 6-12-13</u>	
R. Witness fee		
S. Travel		
T. Mileage to / from Jail Annex .40 cents a mile		

ORDER APPROVING PAYMENT
 The above voucher is approved to the amount of \$210.00
 JUDGE: [Signature] 6/12/13
 Excess payment approval
 JUDGE: _____ DATE: _____

ATTORNEY CERTIFICATION
 I swear and affirm the truth and correctness of the above statement. I CERTIFY THAT I HAVE NOT SUBMITTED ANY OTHER VOUCHER ON THIS CASE OR; I CERTIFY I HAVE FILED A VOUCHER FOR \$ 577.50 ON 5/5/13, 2013

Attorney Signature [Signature]
 State Bar No. [REDACTED]

I further certify that no other funds from any other source have been received as payment on this case.
 I further certify that any other funds received from any other source in payment on this case are fully disclosed and attached.

COUNCIL OF JUDGES ADMINISTRATION ATTORNEY REQUIREMENTS-PROCESS FOR PAYMENT

Date Received: [Signature] (1) Original to Court for signature, (2) Original and 1 copy to the Council of Judges Administration, (3) Council of Judges Administration signs off on voucher and retains a copy to be forwarded to the District Clerk, (4) Attorney forwards original to County Auditor's Office for payment.

Voucher for services on criminal cases must be submitted within 45 days after final court appearance. Failure to comply will result in forfeiture of fee. EFFECTIVE OCTOBER 1, 2010.

THE COURT APPROVES PAYMENT OF A VOUCHER ON CONDITION UPON DEFENDANT'S COUNSEL HAVING FILED A CURRENT SENATE BILL AFFIDAVIT WITH THE COUNCIL OF JUDGES ADMINISTRATION.

Attribute – Related to Criminal Case/ Court listed

IN THE DISTRICT COURT OF [REDACTED] TEXAS 1TH JUDICIAL DISTRICT

STATE OF TEXAS
VS.
LUIS GABRIEL [REDACTED]

1st Degree Felony _____
2nd Degree Felony _____
3rd Degree Felony _____
State Jail Felony _____

Misdemeanor _____
Capital _____
Death _____
Appeal _____
Civil _____

CASE No. 2013002462
JIMS No. _____

ATTORNEY [REDACTED] Saldivar Jr
ADDRESS 3160 Lec Trevino Ste 110A

FOR COUNTY AUDITOR'S OFFICE USE ONLY
Atty Fee Number 90175 Date Entered 6/20/13
Vendor Number 200
Index & Sub-Obj COUNCIL-6856

This case is set for: _____ at _____ m. in _____ Court.

CLAIM FOR SERVICES OR EXPENSES

Service IN Court	Date	Hours/Tenths	This area for Auditor use only
A. Arraignment	5/30/13	1.0 hr	PAID
B. Bond / Bail			
C. Examining Trial			
D. Habeas Corpus			
E. Judge's Conference			
F. Pre-trial Motions			
G. Trial/Plea	6/12/13	1.0 hr	
H. New Trial Motions			
I. Revocation			
J. Other			

Multiply total in court time by \$75.00 per hour, Total IN Court Claim: \$150.00 Total Time: 2.0HR

Service OUT of Court	Date	Hours/Tenths	This area for Auditor use only
K. Interviews and Conferences	5/16/13	.5 hr	
L. Obtaining and reviewing records			
M. Legal research and writing	5/25/13 6/3/13	.25 .25	
N. Other			

Multiply total out of court time by \$60.00 per hour, Total OUT of Court Claim: \$60.00 Total Time: 1.0

COURT APPROVED REIMBURSABLE EXPENSES

O. Long distance telephone service			** NOTE ** All receipts for reimbursable items R,S, and T must be attached. Total Expenses: _____ Total Claim: _____
P. Copies			
Q. Photographs			
R. Witness fee **			
S. Travel **			
T. Mileage to / from Jail Annex .40 cents a mile **			
5-16 / 6-12-13			

ATTORNEY CERTIFICATION
I swear and affirm the truth and correctness of the above statement. I CERTIFY THAT I HAVE NOT SUBMITTED ANY OTHER VOUCHER ON THIS CASE OR I CERTIFY I HAVE

ORDER APPROVING PAYMENT
The above voucher is approved to the amount of \$210.00

Attribute – More than one Cause/Case Number

IN THE DISTRICT COURT OF [REDACTED] TEXAS 120TH JUDICIAL DISTRICT

1st Degree Felony _____ Misdemeanor _____
 2nd Degree Felony _____ Capital _____
 3rd Degree Felony _____ Death _____
 State Jail Felony X Appeal _____
 Civil _____

STATE OF TEXAS
 VS. CASE No. 20130D02462

ATTORNEY [REDACTED] Saldivar Jr
 ADDRESS 3160 Lee Trevino Ste 110A
[REDACTED]

FOR COUNTY AUDITOR'S OFFICE USE ONLY

Atty Fee Number _____
 Vendor Number 90115
 Trans Code 200
 Index & Sub-Obj COUNCIL-6856

This case is set for: _____ m. in _____ Court.

CA 6/20/13 VC

CLAIM FOR SERVICES OR EXPENSES			
Service IN Court	Date	Hours/Tenths	This area for Auditor use only
A. Arraignment	<u>5/30/13</u>	<u>1.0 hr</u>	PAID
B. Bond / Bail			
C. Examining Trial			
D. Habeas Corpus			
E. Judge's Conference			
F. Pre-trial Motions			
G. Trial/Plea	<u>6/12/13</u>	<u>1.0 hr</u>	
H. New Trial Motions			
I. Revocation			
J. Other			

Multiply total in court time by \$75.00 per hour, Total IN Court Claim: \$ 150.00

Service OUT of Court	Date	Hours/Tenths	This area for Auditor use only
K. Interviews and Conferences	<u>5/16/13</u>	<u>.5 hr</u>	
L. Obtaining and reviewing records			
M. Legal research and writing	<u>5/25/13</u>	<u>.25</u>	
N. Other	<u>6/3/13</u>	<u>.25</u>	

Multiply total out of court time by \$60.00 per hour, Total OUT of Court Claim: \$ 60.00

COURT APPROVED REIMBURSABLE EXPENSES		
O. Long distance telephone service		** NOTE ** All receipts for reimbursable items R,S, and T must be attached. Total Expenses: _____ Total Claim: _____
P. Copies		
Q. Photographs		
R. Witness fee **		
S. Travel **		
T. Mileage to / from Jail Annex .40 cents a mile **		

ATTORNEY CERTIFICATION
 swear and affirm the truth and correctness of the above statement. I CERTIFY THAT I HAVE NOT SUBMITTED ANY OTHER VOUCHER ON THIS CASE OR; I CERTIFY I HAVE FILED A VOUCHER FOR \$ 577.50
 ON 5/6/13, 2013
 Attorney Signature [Signature]
 State Bar No. [REDACTED]

ORDER APPROVING PAYMENT
 The above voucher is approved to the amount of \$250.00
 JUDGE: [Signature] 6/12/13
 Excess payment approval
 JUDGE: _____ DATE: _____

I further certify that no other funds from any other source have been received as payment on this case.
 I further certify that any other funds received from any other source in payment on this case are fully disclosed and attached.

Attribute - Itemized Services provided/ Fee schedule

IN THE DISTRICT COURT OF [REDACTED] TEXAS 120TH JUDICIAL DISTRICT

1st Degree Felony _____ Misdemeanor _____
 2nd Degree Felony _____ Capital _____
 3rd Degree Felony _____ Death _____
 State Jail Felony X Appeal _____
 Civil _____

STATE OF TEXAS
 VS.
LUIS GABRIEL [REDACTED] CASE No. 20130D02462
 JIMS No. _____

ATTORNEY: [REDACTED] Saldivar Jr
 ADDRESS: 3160 Lee Trevino Ste 110A
 [REDACTED]

This case is set for: _____ at _____ m. in _____ Court.

FOR COUNTY AUDITOR'S OFFICE USE ONLY

Atty Fee Number: _____ Date Entered: _____
 Vendor Number: 901175
 Trans Code: 200
 Index & Sub-Obj: COUNCIL-6856

CLAIM FOR SERVICES OR EXPENSES

Service IN Court	Date	Hours/Tenths	This area for Auditor use only
B. Bond / Bail			
C. Examining Trial			
D. Habeas Corpus			
E. Judge's Conference			
F. Pre-trial Motions			
G. Trial/Plea	<u>6/12/13</u>	<u>1.0 hr</u>	PAID
H. New Trial Motions			
I. Revocation			
J. Other			
Multiply total in court time by \$75.00 per hour,		Total IN Court Claim: <u>\$150.00</u>	

Service OUT of Court	Date	Hours/Tenths	This area for Auditor use only
K. Interviews and Conferences	<u>5/16/13</u>	<u>.5 hr</u>	
L. Obtaining and reviewing records			
M. Legal research and writing	<u>5/25/13</u>	<u>.25</u>	
N. Other	<u>6/3/13</u>	<u>.25</u>	
Multiply total out of court time by \$60.00 per hour,		Total OUT of Court Claim: <u>\$60.00</u>	

COURT APPROVED REIMBURSABLE EXPENSES

P. Copies _____
 Q. Photographs _____
 R. Witness fee ** _____
 S. Travel ** _____
 T. Mileage to / from Jail Annex .40 cents a mile ** _____

5-16 / 6-12-13

All receipts for reimbursable items M, N, and T must be attached.
 Total Expenses: _____

swear and affirm the truth and correctness of the above statement. I CERTIFY THAT I HAVE NOT SUBMITTED ANY OTHER VOUCHER ON THIS CASE OR; I CERTIFY I HAVE FILED A VOUCHER FOR \$ 577.50 ON 5/6/13, 20____.

Attorney Signature: [Signature]
 State Bar No: [REDACTED]

ATTORNEY CERTIFICATION

ORDER APPROVING PAYMENT
 The above voucher is approved to the amount of \$210.00
 JUDGE: [Signature] 6/12/13
 Excess payment approval

JUDGE: _____ DATE: _____

I further certify that no other funds from any other source have been received as payment on this case.
 I further certify that any other funds received from any other source in payment on this case are fully disclosed and attached.

COUNCIL OF JUDGES ADMINISTRATION

DATE RECEIVED: _____

ATTORNEY REQUIREMENTS-PROCESS FOR PAYMENT

Dates of Service
 Services performed
 Amount of Time

Attribute – Judge Approved amount and signed

IN THE DISTRICT COURT OF [REDACTED] TEXAS 120TH JUDICIAL DISTRICT

1st Degree Felony _____ Misdemeanor _____ STATE OF TEXAS
 2nd Degree Felony _____ Capital _____ VS.
 3rd Degree Felony _____ Death _____ CASE No. 20130D02462
 State Jail Felony X Appeal _____ CIVIL _____ JIMS No. _____

ATTORNEY: [REDACTED] Saldivar Jr
 ADDRESS: 3160 Lee Trevino Ste 110A
 [REDACTED]

This case is set for: _____ at _____ m. in _____ Court.

FOR COUNTY AUDITOR'S OFFICE USE ONLY

Atty Fee Number: [REDACTED] 90175 Date Entered: 6/20/13
 Vendor Number: _____ Trans Code: 200
 Index & Sub-Obj: COUNCIL-6856

CLAIM FOR SERVICES OR EXPENSES

Service IN Court	Date	Hours/Tenths	This area for Auditor use only
A. Arraignment	<u>5/30/13</u>	<u>1.0 hr</u>	PAID
B. Bond / Bail			
C. Examining Trial			
D. Habeas Corpus			
E. Judge's Conference			
F. Pre-trial Motions			
G. Trial/Plea	<u>6/12/13</u>	<u>1.0 hr</u>	
H. New Trial Motions			
I. Revocation			
J. Other			
Multiply total in court time by \$75.00 per hour,		Total IN Court Claim: <u>\$150.00</u>	Total Time: <u>2.0HR</u>

Service OUT of Court	Date	Hours/Tenths	This area for Auditor use only
K. Interviews and Conferences	<u>5/16/13</u>	<u>.5 hr</u>	
L. Obtaining and reviewing records			
M. Legal research and writing	<u>5/22/13</u>	<u>.25</u>	
N. Other	<u>6/3/13</u>	<u>.25</u>	
Multiply total out of court time by \$60.00 per hour,		Total OUT of Court Claim: <u>\$60.00</u>	Total Time: <u>1.0</u>

COURT APPROVED REIMBURSABLE EXPENSES

O. Long distance telephone service _____
 P. Copies 5-16 / 6-12-13
 Q. Photographs _____
 R. Witness fee ** _____
 S. Travel ** _____
 T. Mileage to / from Jail Annex .40 cents a mile ** _____

ATTORNEY CERTIFICATION
 I swear and affirm the truth and correctness of the above statement. I CERTIFY THAT I HAVE NOT SUBMITTED ANY OTHER VOUCHER ON THIS CASE OR; I CERTIFY I HAVE FILED A VOUCHER FOR \$ 577.50 ON 5/5/13, 20____.

Attorney Signature: [Signature]
 State Bar No: [REDACTED]

ORDER APPROVING PAYMENT
 The above voucher is approved to the amount of \$210.00
 JUDGE: [Signature] 6/12/13
 Excess payment approval
 JUDGE: _____ DATE: _____

COUNCIL OF JUDGES ADMINISTRATION
 I further certify that no other funds from any other source have been received as payment on this case.
 I further certify that any other funds received from any other source in payment on this case are fully disclosed and attached.

ate Received: [Signature] (1) Original to Court for signature, (2) Original and 1 copy to the Council of Judges Administration, (3) Council of Judges Administration signs off on voucher and retains a copy to be forwarded to the District Clerk, (4) Attorney forwards original to County Auditor's Office for payment.

oucher for services on criminal cases must be submitted within 45 days after final court appearance. Failure to comply will result in forfeiture of fee. **EFFECTIVE OCTOBER 1, 2010.**

THE COURT APPROVES PAYMENT OF A VOUCHER ON CONDITION UPON DEFENDANT'S COUNSEL HAVING FILED A CURRENT SENATE BILL AFFIDAVIT WITH THE COUNCIL OF JUDGES ADMINISTRATION.

Examples of Findings -Expenditures of Civil Cases included with Criminal

INDIGENT DEFENSE REPORTING DISTRICT COURT

'OCTOBER-DECEMBER 2012

010.435.419 CONTRACT SERVICES

DATE	pp	VENDOR NAME	DESCRIPTION	INV#	CASES	AMOUNT	CHK#
10/31/2012	112012	AMANDA TOLSON	CS#18224 R BUSTAMANTE	18224	2	1,200.00	441141C
0-/							
10/22/2012	112	[REDACTED]	CS#43997 CHILDREN	43997	1	300.00	441142C
10/24/2012	112	[REDACTED]	CS#43562 FATHER	43562	1	400.00	441142C
10/24/2012	112	[REDACTED]	CS#34075 FATHER	34075	1	400.00	441142C
10/30/2012	112	[REDACTED]	CS#45145 MOTHER	45145	1	525.00	441142C
1/31/2013	122	[REDACTED]	CS#45669-MOTHER	45669	1	575.00	442460C
00/							
10/29/2012	112012	C HA [REDACTED] C.	CS#3314 JUVENILE	3314	1	100.00	441169C
10/29/2012	112012	C HA [REDACTED] C.	CS#3350 JUVENILE	3350	1	250.00	441169C
1/3/2013	122012	C HA [REDACTED] C.	CS#3352 JUV	3352	1	150.00	442048C
/3 500.00 ../							
10/22/2012	112012	D, B& C	CS#37774 FATHER	37774	1	400.00	441180C
10/22/2012	112012	D, B& C	CS#45121 FATHER	45121	1	400.00	441180C
10/22/2012	112012	D, B& C	CS#45603 CHILD	45603	1	450.00	441180C
10/22/2012	112012	D, 8& C	CS#45031 CHILD	45031	1	1,800.00	441179C
11/29/2012	112012	D, 8& C	AUTO VOID CHECK	20121129	-1	-1,800.00	441179V
0./							
9/21/2012	102012	JAMES F [REDACTED] Z	CS#15997 R GARCIA	15997	1	300.00	440744C

Example of case count error

DATE	NAME	TYPE	AMOUNT	count	DEFENDANT	CAUSE	CRT	CHECK	AF NO.	SU	DETAIL	JUDGE	Vendor Type
2/4/2013	Dunham Dale Jason	M	\$750.00	1	GARZA DAVID	9536210	384	1283475	AF1301145	02	12/19/2012	P GARCIA	EXPERT
2/4/2013	Dunham Dale Jason	M	\$750.00	1	DELGADO ALDO	9537063	384	1283475	AF1301145	03	12/18/2012	P GARCIA	EXPERT
4/15/2013	Rivera Cynthia MD	M	\$750.00	1	SHADRICK CHARLES	9539916	384	1287803	AF1302059	01	1/22/2013	P GARCIA	EXPERT
11/8/2012	Siegel Niel	M	\$165.00	1	ARRIA LUIS	120900109	MAG	1278317	AF1300162	01	10-19-12 DSMS	CARTER	ATTORNEY
11/19/2012	Chisolm Marie Daniela	F	\$454.50	1	MARTINEZ RICHARD	20120804206	41	1278945	AF1300250	01	10-01,11-05-12	M BRAMBLETT	ATTORNEY
10/22/2012	Troche Jose	F	\$885.00	10	AINSWORTH RONALD	(10)VARIOUS	205	1276895	AF1204171	01	02-09,09-28-12	OLIVARES	ATTORNEY
12/3/2012	Razo Danny	F	3,058.50	10	ESPARZA EDGAR	(10)VARIOUS	171	1279820	AF1204369		11-18-11 9-13-12	RANGEL	ATTORNEY
12/3/2012	Razo Danny	F	96.00	10	ESPARZA EDGAR	(10)VARIOUS	171	1279820	AF1204369		OTH EXP	RANGEL	OTHER EXPENSE
6/11/2013	Deleon Diaz Jesus INV	F	\$1,000.00	13	REYES EDUARDO JR	(13)VARIOUS	205	1291814	AF1302822	02	05-17,05-22-13	OLIVARES	INVESTIGATOR
2/11/2013	Herrera Joshua	M	\$155.00	2	RIVERA DEREK	(2)VARIOUS	CCR1	1283878	AF1301200	03	01-28-13 ORP	TREJO	ATTORNEY
10/22/2012	Contreras Ricardo	M	\$210.00	2	KAYE DEONTRAY	(2)VARIOUS	CCR4	1276992	AF1204112	01	09-05-12 PLEA	J HERRERA	ATTORNEY
10/22/2012	Escobar David	M	\$655.00	2	MARQUEZ JORGE	(2)VARIOUS	CCR3	1276877	AF1204114	01	01-12,09-25-12 MWA	CARRASCO	ATTORNEY
10/22/2012	Anchondo Christopher	M	\$1,140.00	2	RESENDIZ JOEL	(2)VARIOUS	CCR3	1277109	AF1204123	01	06-14-11,06-07-12 MW	SPIECZNY	ATTORNEY
10/22/2012	Carmona Omar	M	\$210.00	2	DE LA ROSA CARLOS	(2)VARIOUS	CC2	1277100	AF1204126	02	09-27-12 DSMS,PLEA	J GONZALEZ	ATTORNEY
10/22/2012	Carmona Omar	M	\$210.00	2	RODRIGUEZ ARTURO	(2)VARIOUS	CC4	1277100	AF1204126	05	08-30-12 PLEA	A GONZALEZ	ATTORNEY
10/22/2012	Carmona Omar	M	\$210.00	2	VALDEZ JANNELLE	(2)VARIOUS	CCR4	1277100	AF1204126	01	09-28-12 PLEA	J HERRERA	ATTORNEY
10/22/2012	Olivas Jesus	M	\$1,017.50	2	SHAW STEPHEN	(2)VARIOUS	CCR2	1276865	AF1204136	01	01-06,09-20-12 PLEA	ANCHONDO	ATTORNEY
10/22/2012	Saldivar Sergio	M	\$1,310.00	2	ESCO MARK ANTHONY	(2)VARIOUS	CCR4	1277116	AF1204141	01	12-01-10,09-05-12 DS	J HERRERA	ATTORNEY
10/22/2012	Steinberger J Scott	M	\$210.00	2	ROBLEDO JANETTE	(2)VARIOUS	CC4	1277068	AF1204142	01	09-13-12 DSMS,PLEA	A GONZALEZ	ATTORNEY
10/22/2012	Torres Rosendo	M	\$981.25	2	MARTINEZ OSCAR	(2)VARIOUS	CCR3	1277071	AF1204143	01	08-15-11,08-16-12 PL	CARRASCO	ATTORNEY
10/22/2012	Leeds Stuart	F	\$512.50	2	ROCHA SAMUEL	(2)VARIOUS	168	1277553	AF1204186	01	07-19,10-18-12	LIZARRAGA	ATTORNEY
10/22/2012	Troche Jose	F	\$1,882.50	2	ENGLISH ROBERT	(2)VARIOUS	CRDC1	1277570	AF1204193	01	10-26-10,10-15-12	LARSEN	ATTORNEY
10/22/2012	Nunez Ruben	F	\$902.50	2	RAMIREZ JENNIFER	(2)VARIOUS	409	1277571	AF1204199	02	04-08,10-04-12	MEDRANO	ATTORNEY
11/5/2012	Bouilly Nicolas Tristan	M	210.00	2	SERRATO CESAR	(2)VARIOUS	CC1	1278027	AF1204224		09-14-12PLEAORP	R HERRERA	ATTORNEY
11/5/2012	Canales Carla	M	210.00	2	GUERRERO JOSE	(2)VARIOUS	CC1	1278025	AF1204244		08-15-12DSMS PLEA	R HERRERA	ATTORNEY
11/5/2012	Canales Carla	M	210.00	2	PULIDO TANIA	(2)VARIOUS	CC1	1278025	AF1204244		09-05-12PLEA	R HERRERA	ATTORNEY
11/5/2012	Rey James	M	210.00	2	PINON AMBER	(2)VARIOUS	CC1	1277855	AF1204255		09-17-12PLEA	R HERRERA	ATTORNEY
11/5/2012	Reyes Antonio	F	630.00	2	VELARDE FERNANDO	(2)VARIOUS	205	1278001	AF1204266		02-23,10-26-12	OLIVARES	ATTORNEY
11/5/2012	Leeds Stuart	M	157.50	2	RODRIGUEZ JULISSA	(2)VARIOUS	CC1	1277726	AF1204268		08-20,08-30-152 MMWA	R HERRERA	ATTORNEY
11/5/2012	Lettunich Brandon	M	270.00	2	PRANGER OTTO	(2)VARIOUS	CC1	1277852	AF1204269		07-03,08-8-12 PLEA	R HERRERA	ATTORNEY
11/5/2012	Rutledge David	M	820.00	2	KRIEGBAUM FRANK	(2)VARIOUS	CCR1	1277739	AF1204277		12-08-11 8-14-12 DSMS	TREJO	ATTORNEY
11/5/2012	Bradley Christa	F	1,535.00	2	ALARCON JOE	(2)VARIOUS	CRDC1	1278042	AF1204282		01-27,09-17-12	ABLES	ATTORNEY
11/5/2012	Beltran Teresa	F	527.50	2	DANIELL HOLLIE	(2)VARIOUS	34	1278130	AF1204283		06-24-11- 10-4-12	MOODY	ATTORNEY
11/8/2012	Foster Scott	F	1,307.50	2	QUIROZ JOE	(2)VARIOUS	120	1278251	AF1204304		07-27-11 10-19-12	SALAS MENDOZA	ATTORNEY
11/8/2012	Benjamin Law Firm	F	1,273.00	2	NOYA HECTOR	(2)VARIOUS	409	1278450	AF1204309		12-09-10 8-20-12	SALAS MENDOZA	ATTORNEY
11/8/2012	Al-Hanna and Rosales LLP	F	272.50	2	VILLEGAS JUAN MANUEL	(2)VARIOUS	205	1278400	AF1204315		08-24,10-26-12	OLIVARES	ATTORNEY
11/8/2012	Al-Hanna and Rosales LLP	F	24.00	2	VILLEGAS JUAN MANUEL	(2)VARIOUS	205	1278400	AF1204315		OTHER EXP	OLIVARES	OTHER EXPENSE
11/8/2012	Leeds Stuart	F	257.50	2	ESTRADA MARIELA	(2)VARIOUS	168	1278234	AF1204318		08-30,10-31-12	LIZARRAGA	ATTORNEY

Examples of No requested amount

1. Jurisdiction: <input checked="" type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> County Court at Law Court # _____		2. County _____	3. Cause Number 12-10-19504-CE	Offense _____	4. Proceedings <input type="checkbox"/> Trial-Jury <input type="checkbox"/> Trial-Court <input checked="" type="checkbox"/> Plea-Open <input type="checkbox"/> Plea-Bargain <input type="checkbox"/> Other _____
5. In the case of: State of Texas v Samuel MARCUS [REDACTED]					
6. Case Level <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Juvenile <input type="checkbox"/> Appeal <input type="checkbox"/> Capital Case <input type="checkbox"/> Revocation - Felony <input type="checkbox"/> Revocation - Misdemeanor <input type="checkbox"/> No Charges Filed <input type="checkbox"/> Other _____					
7. Attorney (Full Name) [REDACTED]		8. State Bar Number [REDACTED]		8a. Tax ID Number [REDACTED]	9. Attorney Address (Include Law Firm Name if Applicable) 211 W. Fourth H [REDACTED] 59
				10. Telephone [REDACTED]	11. Fax [REDACTED]
12. Flat Fee - Court Appointed Services				12a. Total Flat Fee \$	
13.	In Court Services		Hours	Dates	13a. Total In Court Compensation. \$
	Rate per Hour =	Total hours			
14.	Out of Court Services		Hours	Dates	14a. Total Out of Court Compensation. \$
	Rate per Hour =	Total hours			
15.	Investigator		Amount		15a. Total Investigator Expenses \$
16.	Expert Witness		Amount		16a. Total Expert Witness Expenses \$
17.	Other Litigation Expenses		Amount		17a. Total Other Litigation Expenses \$
18. Time Period of service Rendered: From _____ Date to _____ Date					
19. Additional Comments				20. Total Compensation and Expenses Claimed	
21. Attorney Certification: I, _____, of the State of Texas. The compensation and expenses claimed were reasonable and necessary to provide effective assistance of counsel. <input checked="" type="checkbox"/> Final Payment <input type="checkbox"/> Partial Payment Signature: [REDACTED] Date: 11/19/12					
22. SIGNATURE OF PRESIDING JUDGE: [REDACTED]				Amount Approved: 1,800	
Reason(s) for Denial or Variation: FILED FOR RECORD at 11:50 A.M. o'clock NOV 19 2012 [REDACTED]					

No written explanation for variance

Attorney Fee Voucher HARRIS

1. Jurisdiction <input type="checkbox"/> District <input checked="" type="checkbox"/> County		2. County [Redacted]		3. Cause Number <u>3165</u>		4. Proceedings <input type="checkbox"/> Trial-Jury <input type="checkbox"/> Trial-Court	
<input type="checkbox"/> County Court at Law		Offense: False Report to a Peace Officer		<input type="checkbox"/> Plea-Open <input checked="" type="checkbox"/> Plea- Bargain		<input type="checkbox"/> Other _____	
Court #/Gray County Court							
5. In the case of: State of Texas v. [Redacted]				FILED			
6. Case Level <input type="checkbox"/> Felony <input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Juvenile <input type="checkbox"/> Appeal <input type="checkbox"/> Capital Case				AT <u>12:15</u> O'CLOCK <u>AM</u>			
<input type="checkbox"/> Revocation - Felony <input type="checkbox"/> Revocation - Misdemeanor <input type="checkbox"/> No Charges Filed <input type="checkbox"/> Other _____				SEP 11 2014			
7. Attorney (Full Name) [Redacted]		8. State Bar Number [Redacted]		9. Attorney Address (Include La [Redacted]		10. Telephone 806-665-3788	
8a. Tax ID Number [Redacted]		[Redacted]		[Redacted]		11. Fax 806-665-9548	
12. Flat Fee - Court Appointed Services						12a. Total Flat Fee	
						\$500.00	
13. In Court Services				Hours	Dates	13a. Total In Court Compensation.	
Rate per Hour =		Total hours				\$	
		<u>9/11/14 3165</u>			<u>10-465-401, 500.00</u>		
14. Out of Court Services				Hours	Dates	14a. Total Out of Court Compensation.	
Rate per Mile = \$0.50		Total Miles				\$72.00	
		<u>144</u>					
15. Investigator Not Applicable					Amount	15a. Total Investigator Expenses \$0.00	
16. Expert Witness Not Applicable					Amount	16a. Total Expert Witness Expenses \$0.00	
17. Other Litigation Expenses Payment of Offense Report Copies					Amount	17a. Total Other Litigation Expenses \$0.00	
18. Time Period of service Rendered: From August 25, 2014 to September 11, 2014				PAID BY ORDER OF COMMISSIONERS COURT			
19. Additional Comments				20. Total Compensation and Expenses			
				Claimed		500.00	
				DATE		9/26/14 JATV	
				AMOUNT		500.00	
21. Attorney Certification - I, the undersigned attorney, certify that the above information is true and correct and in accordance with the laws of the State of Texas. The compensation and expenses claimed were reasonable and necessary to provide effective assistance of counsel.							
X Final Payment <input type="checkbox"/> Partial Payment				Signature		September 11, 2014 Date	
22. SIGNATURE OF PRESIDING JUDGE:				Amount Approved:		500	
Reason(s) for Denial or Variation							

Examples of Invoice Findings – changed approved payment

AF 1300093

IN THE DISTRICT COURT OF _____, TEXAS _____ JUDICIAL DISTRICT

1st Degree Felony _____ Misdemeanor _____
 2nd Degree Felony Capital _____
 3rd Degree Felony _____ Death _____
 State Jail Felony _____ Appeal _____
 Civil _____

STATE OF TEXAS
 VS. SERGIO [REDACTED] CASE No. 2012D00874
 JIMS No. _____

ATTORNEY R [REDACTED] NTERO
 ADDRESS [REDACTED] REIST
[REDACTED] 79903

This case is set for _____ at _____ m. in _____ Court.

CLAIM FOR SERVICES OR EXPENSES			
Service IN Court	Date	Hours/Tenths	This area for Auditor use only
A. Arraignment	8-17-12	1.05	
B. Bond / Bail			
C. Examining Trial			
D. Habeas Corpus			
E. Judge's Conference	10-18-12	1.75	
F. Pre-trial Motions	9-24-12	1.45	
G. Trial/Plea	10-22-12	6.9	
H. New Trial Motions	10-24-12	2	
I. Revocation			
J. Other			

Total Time: 30

Multiply total in court time by \$75.00 per hour, Total IN Court Claim: 1480.00

Service OUT of Court	Date	Hours/Tenths	This area for Auditor use only
K. Interviews and Conferences	8-20-12, 8-23-12, 8-27-12, 9-7-12, 9-14-12, 9-15-12, 9-19-12, 9-27-12	1.11	150
	10-3-12, 10-10-12, 10-13-12	1.11	250
	10-15-12	1.11	300
	9-6-12	1.6	300
L. Obtaining and reviewing records	10-1-12	6.6	720
M. Legal research and writing	10-9-12	6.5	720
	10-19-12	6.5	720
N. Other	10-18-12	3	340

Total Time: 2650.00

Multiply total out of court time by \$80.00 per hour, Total OUT of Court Claim: 2500

COURT APPROVED REIMBURSABLE EXPENSES	
O. Long distance telephone service	
P. Copies	
Q. Photographs	
R. Witness fee	<u>8-17-10 [REDACTED]</u>
S. Travel	
T. Mileage to / from Jail Annex .40 cents a mile	

Total Claim: 4130.00

ATTORNEY CERTIFICATION
 I swear and affirm the truth and correctness of the above statement. I CERTIFY THAT I HAVE NOT SUBMITTED ANY OTHER VOUCHER ON THIS CASE OR; I CERTIFY I HAVE FILED A VOUCHER FOR _____ ON _____ 20____

ORDER APPROVING PAYMENT
 The above voucher is approved to the amount of 4130.00

ATTORNEY SIGNATURE: [Signature] JUDGE: [Signature] DATE: 10/24/12

Excess payment: _____

Eligibility of Mental Health Evaluation

Competency to stand trial

vs.

Preparation for defense

Authoritative statute

Texas Administrative Code

Sec. 173.202. USE OF FUNDS.

Grants provided under this chapter may be used by counties for:

- (1) Attorney fees for indigent defendants accused of crimes or juvenile offenses;
- (2) Expenses for licensed investigators, experts, forensic specialists, or mental health experts related to the criminal defense of indigent defendants;
- 3) Other direct litigation costs related to the criminal defense of indigent defendants; and
- (4) Other approved expenses allowed by the Request for Applications necessary for the operation of a funded program.

IDER Manual - Cost Not Allowed

- General government costs;
- Costs of law enforcement, prosecution, and incarceration;
- Replacing existing county funding with grant funds (supplanting);
- Prosecution costs such as attorney fees, licensed investigator fees, expert witness fees, lab fees, transcript fees, mental health evaluations, sociological evaluations, copying fees, or any other costs paid by the county to prosecute a defendant;
- Cost of operating court systems including docketing, general case management systems, or court and administrative personnel unrelated to the provision of indigent defense;
- Court reporters – The routine fees and costs associated with court reporting are not allowable. Counties that expend additional funds for transcription fees (statement of facts) on behalf of an indigent defendant’s appeal may claim the additional direct costs as “Other Litigation Expenses”;

“...invoices were for competency/psychological evaluations that were not readily determined to have been requested by the defense counsel. If these evaluations were requested by the defense counsel they are permitted however if they are requested by the judge or prosecuting attorney they would not be allowed as an indigent defense expense. Support that the expense is requested by the defense attorney should be documented. “

ORDER

ON THIS DAY came to be heard the State's Motion to Examine Defendant for Competency. After hearing the evidence and arguments of counsel, the court finds that the motion should be GRANTED/ ~~DENIED~~. [REDACTED]

The Court hereby ORDERS that [REDACTED] a disinterested expert experienced and qualified in mental health or mental retardation to examine the defendant pursuant to Texas Code of Criminal Procedure, Article 46B.

The examiner is advised that the Defendant is charged with the felony offense of Injury to a Child alleged to have been committed on or about the 29th day of September, 2009.

A person is incompetent to stand trial if he does not have (1) sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding or (2) a rational as well as factual understanding of the proceedings against him.

The examiner shall submit a sanity report in writing to this Court within 30 days of this Order of Examination. The report shall state the examining expert's opinion on

Motion to Examine Defendant for Competency

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the State of Texas, represented by Assistant District Attorney [REDACTED] in the above styled and numbered cause and, pursuant to TEX. CRIM. PRO. Chapter 46B, presents this motion and in support of this motion shows:

I.

The defendant has been charged with the felony offense of Unauthorized Use Of Vehicle in the above cause, and is presently in custody in the [REDACTED] County jail awaiting disposition of his case.

II.

Article 46B.021 of the Texas Code of Criminal Procedure states that at any time the issue of the defendant's incompetency to stand trial is raised, the court may, on its

Eligibility of Mental Health Evaluation Expert Fees

Generally speaking, experts requested and hired by the defense to conduct a psychological evaluation are considered eligible indigent defense expenditures and should be included in the Expert Witness sections of the IDER.

Not all psychological evaluations of a defendant who is indigent are eligible, however. For example, competency evaluations ordered by the court are not eligible defense costs.

To determine whether a psychological evaluation is an eligible indigent defense expenditure, auditors should determine if the expert fees in question were initiated through an *ex parte* motion by the defense. In such circumstances, the resulting reports would be privileged information provided only to the defense attorney.

By contrast, psychological evaluations ordered by the court and which yield expert reports made available directly to the court or to all parties would not be counted as eligible indigent defense expenditures.

STATE OF TEXAS

IN THE DISTRICT COURT

vs.

§
§
§
§
§

[REDACTED] COUNTY, TEXAS

[REDACTED]

[REDACTED] DISTRICT

ORDER FOR EX PARTE PSYCHOLOGICAL EXAMINATION OF DEFENDANT

On June 3, 2015, the Court considered the Defendant's Motion for Psychological Examination and Evaluation of Defendant. The Court is of the opinion that Defendant should be examined so as to assist Defense Counsel in representation of Defendant.

It is, therefore, ORDERED that [REDACTED] shall perform a Psychological Examination and Evaluation of [REDACTED]

It is further ORDERED that a written report of the examination as described below be submitted to the Defense Counsel not later than thirty (30) days of the date of this Order.

Signed on

June 3

[REDACTED]

9 counties and one follow-up

Unallowable

general court expenditures were listed	5 counties
general court , civil cases and prosecution cost	1 county
civil case expenditures	1 county
CLE hours were not maintained	2 counties
attorney fee vouchers not itemized	2 counties
Written explanation for variance not present	6 counties
IDER not prepared in required manner	2
IDER was not supported by financial data	5
Payments not made in accordance with fee schedule	2
Vouchers utilized by attorneys was not the voucher adopted by the courts. / variety of forms	2
under reporting disposed cases - jail docket	1