



COUNTY OF GALVESTON

*District Courts
County Courts at Law*

*Texas Fair Defense Act - Galveston County Plan
Effective January 01, 2002*

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**GALVESTON COUNTY PLAN INCLUDING STANDING RULES
AND ORDERS FOR PROCEDURES FOR TIMELY AND FAIR
APPOINTMENT OF COUNSEL FOR INDIGENT ACCUSED
PERSONS IN GALVESTON COUNTY, TEXAS, PURSUANT TO
THE TEXAS FAIR DEFENSE ACT.**

EFFECTIVE DATE - JANUARY 01, 2002

Be it remembered that on this date the below signed County Court at Law Judges and District Court Judges for Galveston County, Texas hereby adopts, orders, establishes and orders published these county wide procedures, rules and orders for the timely and fair appointment of counsel for indigent accused persons in Galveston County, Texas. This document is the Galveston County Plan to conform with the requirements of Senate Bill 7 passed by the Texas Legislature and signed into law in 2001.

**I.
ARRESTING OFFICER'S RESPONSIBILITY**

An arresting officer must complete and file an offense report and probable cause affidavit information **AT THE TIME** the defendant is booked into jail.

No one will be booked into the Galveston County Jail without the following documents:

1. Copy of the offense report and any available supplements and statements. A "D.A. Intake Form" may be used in place of an original offense report, if it is thorough and complete;
2. Copy of the criminal history;
3. Temporary Commitment;
4. "D.A. Intake Form";
5. CJIS Forms;
6. Probable Cause Affidavit;
7. Magistrate's Warning, if already completed.

If the arresting police agency does not transport the arrested individual to the Galveston County Jail within eight (8) hours of arrest, it shall be that police agency's responsibility to take the incarcerated individual before a local Justice of the Peace or other magistrate for a magistrate warning within twenty-four (24) hours of arrest on a misdemeanor and forty-eight (48) hours of arrest on a felony. The arresting agency may request the District

Attorney's Office to file an application for an extension to postpone the release of the arrested person for no more than seventy-two (72) hours after that person's arrest, if good cause is shown.

II.
GALVESTON COUNTY SHERIFF'S RESPONSIBILITY

The Sheriff of Galveston County, with the aid of The Department of Court and Pre-Trial Services, shall daily identify those individuals who have been booked into the Galveston County Jail during the last twenty-four (24) hours for any misdemeanor or felony offense and shall transmit that information to the District Attorney's Office immediately.

The Sheriff, through his deputies, shall cause those incarcerated individuals to be taken before the duly assigned District Court Magistrate for felony cases; or the duly assigned County Court at Law Magistrate for misdemeanor cases; or before the duly assigned Justice of the Peace Magistrate during weekends and official County holidays. The Sheriff shall cause those incarcerated individuals to be delivered to the proper assigned court as soon as possible, not later than twenty-four (24) hours after arrest on a misdemeanor charge and forty-eight (48) hours for felony charges.

III.
MAGISTRATE RESPONSIBILITIES

Regarding individuals charged with a Felony offense, the District Judges of Galveston County who handle criminal cases, on a rotating basis and by assignment of the Local Administrative Judge for the District Courts of Galveston County, shall perform the duties of a magistrate by holding magistrate's hearing every regularly scheduled work day (excluding official County holidays and weekends) in the courtroom of the District Judges so assigned.

The County Court at Law Judges of Galveston County, on a rotating basis and by assignment from the Local Administrative Judge for the County Courts at Law of Galveston County, shall perform the duties of a magistrate by holding magistrate's hearings every regularly scheduled work day (excluding official County holidays and weekends) in the courtroom of the County Court at Law Judge so assigned.

During official County holidays and weekends the Justices of the Peace of Galveston County shall daily, on a voluntary and rotating basis, hold magistrate's hearings in a courtroom designated by the Local Administrative District Court Judge for all those incarcerated in the Galveston County Jail for any misdemeanor or felony during official County holidays or weekend periods.

At the magistrate's hearing the responsible Judge shall comply with Senate Bill 7 by doing the following:

1. Informing accused of the offense for which he/she has been arrested;
2. Make a probable cause determination; **{Form # GC-2}**
3. Admonish the accused of the statutory warning as provided by law;
4. Informing accused of his/her indigent representation rights;
{Form #GC-3}
5. Make a record that the accused was given magistrates and statutory warnings and informed of his/her right to a court appointed attorney if indigent by signing the magistrate warning form;**{Form #GC-3}**
6. Making inquiry as to whether the accused is requesting a court appointed attorney;**{Form #GC-4}**
7. Provide accused with an affidavit of indigency form and reasonable assistance in completing said form, and;**{Form #GC-5}**
8. Making a determination of indigency based upon information received;**{Form #GC-5}**
9. If accused is determined to be indigent then appoint a lawyer pursuant to the approved attorney appointment list plan, or if the magistrate is not authorized to appoint counsel, then transmit or cause to be delivered immediately the request for appointment of attorney, probable cause finding, indigency application and finding of indigency to the Communications Coordinator for delivery to the assigned felony or misdemeanor judge.**{Form #GC-6}**
10. Set the Bond.**{Form #GC-2 or #GC-3}**
11. In the event the defendant does not understand the English language the Magistrate will grant reasonable assistance with the above requirements numbered 1 through 10 in a language that the defendant understands.

IV.
PROCEDURES AND FINANCIAL STANDARDS
FOR DETERMINING INDIGENCE STATUS

At the magistrate's hearing each accused shall be provided an opportunity to request court appointed counsel, if indigent. Each requesting defendant shall complete a sworn affidavit of indigency form **{Form # GC-5}**. The magistrate will insure that reasonable assistance is available in completing the necessary forms for requesting appointment of counsel.

The magistrate shall then review the information and consider the following:

1. Person's income;
2. Source of person's income;
3. Assets of person;
4. Property owned by person;
5. Outstanding obligations - debts of person;

6. Necessary living expenses for person and dependent(s);
7. Number and age of dependent(s);
8. Spousal income available to person, and;
9. Other reasonable factors as determined by the magistrate.

A Magistrate shall find that a person is indigent if the person is determined to be financially unable to retain adequate counsel without substantial hardship in providing basic economic necessities to the person or the person's dependent family. Eligibility shall be determined on a case by case basis.

Upon a determination of indigency, the Magistrate shall sign the form indicating the accused is indigent and shall immediately appoint an attorney pursuant to the approved attorney appointment list plan, or if the Magistrate is not authorized to appoint counsel, then transmit or cause to be delivered immediately to the Communications Coordinator the request for appointment of lawyer form, finding of probable cause form, indigency application form, including finding of indigency. The Communications Coordinator shall deliver the received information to the assigned misdemeanor or felony Judge no later than the next working day.

V. CRIMINAL COURTS BOARD

The Criminal Courts Board is composed of the Judges of the 10th, 56th, 122nd, 212th, 306th and 405th District Courts and the Judges of County Court at Law numbers 1, 2 and 3. The Board, by majority vote, will elect a chairperson and vice-chairperson who will assume that position on January 1, 2002 and serve a term of two (2) years. The chairperson shall preside at all Board meetings and hearings, unless the chairperson is absent in which case the vice-chairperson shall preside, and announce any Board decisions. The Board may periodically adopt policies, procedures and guidelines to implement the plan and guarantee effective representation to all indigent felony offenders. If any new District Court or County Court at Law handling criminal cases shall be created by due process of law then the Judge of the newly created court shall be an automatic member of the Criminal Courts Board.

The Criminal Courts Board shall meet at least once every two (2) months, but may meet monthly at the discretion of the chairman. The presence of five (5) Judges constitute a quorum and no vote on any matter may be taken if less than five (5) Judges are in attendance at a duly posted meeting. No motion or matter may be passed nor change implemented without a majority vote of the quorum in attendance at any duly posted meeting, except that any amendment to the Galveston County Plan must be approved by 2/3 or more of the Judges who are members of the Criminal Courts Board.

VI.
COMMUNICATIONS COORDINATOR

A Communications Coordinator will be approved for employment by the Criminal Courts Board. The Communications Coordinator shall act under the immediate supervision of the Director of the Office of Justice Administration for Galveston County.

The duties of the Communications Coordinator shall include:

1. Maintain and update the list of qualified attorneys;
2. Investigate and track attorney qualifications;
3. Manage Magistrate hearing procedures during weekends and official County holidays;
4. Insure that the Criminal Courts are following the Court Appointed Attorney - Indigent Representation plan set out herein;
5. Maintain the rotation schedule of appointed attorneys;
6. Coordinate with the Office of Court Administration;
7. Notify the Local Administrative District Court Judge and Local Administrative County Court at Law Judge of any non-compliance with the policies and standards of the Task Force on Indigent Defense;
8. Assist in the County Reporting Plan and the obtaining of Technical Report Grants from the State of Texas, and;
9. Perform all other duties designated by the Criminal Courts Board.
10. Receive and forward to the Criminal Courts Board complaints toward court appointed attorneys.

VII.
**REQUIREMENTS FOR CONSIDERATION OF
APPOINTMENT BY CRIMINAL COURT**

Only attorneys who make application will be considered for appointment on felony and misdemeanor cases.

Application forms were mailed to all members of the Galveston County Bar Association prior to November 03, 2001. Notices were prominently posted outside all criminal courtrooms in the Galveston County Courthouse informing interested attorneys to pick up an application form from the Office of Justice Administration/Law Library.

Only those attorneys who have completed the application form **{Form #GC-1}** and returned the completed application form to the Office of Justice Administration no later than December 03, 2001 shall be considered for appointment to represent indigent defendants beginning January 01, 2002.

The District and County Court at Law Judges authorized to preside over criminal matters shall, before December 03, 2001, meet, consider and evaluate applications and post

outside the Galveston County District Clerk's Office and the Galveston County Clerk's Office, the lists of the names of attorneys approved to represent indigent accused persons in the Galveston County Criminal Courts according to the qualification requirements set out herein.

Any attorney who, during a calendar year, desires to participate as an appointed attorney for indigent defendants and who did not complete an application prior to December 03, 2001 may secure an application from the Office of Justice Administration and complete and return that application to the Office of Justice Administration. Once that application is received, it shall be brought before the Criminal Courts Board at their next regularly scheduled meeting for consideration. If the application is approved by a majority vote of Judges, then that attorney's name will be added to the approved appointed list to handle those cases for which the attorney has qualified and been approved to handle by the Criminal Courts Board.

Any attorney who is currently on the approved list for appointment of counsel for indigent defendants and who feels that by experience and education he/she has become qualified to receive appointment for higher grade offenses which he/she was previously not approved to handle, may make application to the Criminal Courts Board for a re-evaluation of their qualifications and standing on the list. The application for re-evaluation shall be considered at the next regularly scheduled meeting of the Criminal Courts Board.

VIII.

QUALIFICATIONS FOR ATTORNEYS TO RECEIVE COURT APPOINTMENTS IN CRIMINAL CASES

- A. Basic Requirements For All Attorneys:
1. Qualified member of State Bar of Texas;
 2. A person of good moral character, and;
 3. Complete a minimum of ten (10) hours of certified C.L.E. credits annually in criminal law. No self-study hours will be counted. The C.L.E. requirement is waived for the initial consideration of attorneys to the appointment list beginning January 01, 2002, however, the required ten (10) hours must be completed in 2002 and every year thereafter in order to be qualified to remain on the list. Completion of the required ten (10) hours will be certified to the Office of Justice Administration on or before the 1st day of December by filing a sworn annual certification form with the Office of Justice Administration **{Form #GC-7}**.
- B. Capital Murder Where Death Penalty Is Sought by State:

1st CHAIR:

1. On the approved list of attorneys qualified for capital murder appointment as maintained by the 2nd Administrative Judicial Region of the State of Texas.

2nd CHAIR:

1. At least five (05) years experience in criminal litigation and tried to verdict at least eight (08) felony cases before a jury for offenses punishable as 1st or 2nd degree felonies, or;
2. On the approved list of attorneys qualified for capital murder appointment as 2nd Chair as maintained by the 2nd Administrative Judicial Region of the State of Texas.

C. Capital Murder Where Death Penalty Is Not Sought by State of Texas:

1. Board certified in criminal law, or;
2. At least five (05) years experience in criminal litigation and tried to verdict at least eight (08) felony cases, excluding State Jail felonies.

D. First Degree Felonies:

1. Board certified in criminal law, who are therefore qualified to handle all 1st degree felonies and any lesser offenses for purposes of this plan, or;
2. Have at least four (04) years prior experience in criminal litigation, and;
3. Tried to verdict at least five (05) felony jury trials, and;

E. Second Degree Felonies:

1. Have at least three (03) years experience in criminal litigation, and;
2. Prior experience in three (03) or more felony jury trials as lead counsel.

F. Third Degree Felonies and State Jail Felonies:

1. Have at least one (01) year prior experience in criminal litigation, and;
2. Prior experience as lead counsel in at least three (03) criminal jury trials, excluding Class C misdemeanors.

G. Misdemeanors:

1. Meet basic requirements for all attorneys, and;
2. Be familiar with the docket call procedures for County Courts at Law numbers 1, 2 and 3.

H. Appellate Appointments:

Capital Murder - Death Penalty

1. On the approved list of attorneys qualified for capital murder appellate appointments as maintained by the 2nd Administrative Judicial Region of the State of Texas.

Capital Murder - No Death Penalty

1. Board certified in criminal law, or;
2. Have personally authored at least five (05) criminal appellate briefs.

First and Second Degree Felonies

1. At least three (03) years experience in criminal litigation or appellate practice and at least two (02) appellate briefs filed in criminal cases.

Third Degree Felonies, State Jail Felonies and Misdemeanors

1. Two (02) years prior experience in criminal litigation and at least one (01) brief filed in a criminal or juvenile case, or;
2. Otherwise deemed qualified by a majority vote of Judges handling criminal cases.

IX.
GRADUATED LISTS

Attorneys who complete and submit an application for inclusion on the appointment list for representation of indigent defendants and who meet the basic requirements for attorneys shall be placed on a graduated list based on experience and qualifications as set out in Section VIII.

The Graduated List shall be as follows:

A. Death Penalty Cases

Appointment to capital murder cases where the death penalty is sought and 1st Chair and 2nd Chair appointments shall be made from the approved list as maintained by the 2nd Administrative Judicial Region of the State of Texas on a case by case basis considering availability, experience and qualifications.

B. Capital List - Non Death Penalty

There will be no list compiled for appointment to capital murder cases where the death penalty is not sought. Attorneys assigned for capital murder cases where the death penalty is not sought shall be made on a case by case basis without regard to any rotation among attorneys, and the appointing Court shall consider availability, experience and qualifications as set out under Section VIII C.

C. First Degree List

Attorneys on the first degree list may represent defendants charged with first degree felonies, or any lesser offense, including writs, criminal contempt and motions involving DNA matters.

D. Second Degree List

Attorneys on the second degree list may represent defendants charged with second degree felonies, or any lesser offense, including writs, criminal contempt and motion involving DNA matters.

E. Third Degree List

Attorneys on the third degree list may represent defendants charged with third degree felonies, State Jail felonies, motions to revoke probation and motions to adjudicate guilt, and any County Court at Law criminal matters, including writs, criminal contempt and motions involving DNA matters.

F. Misdemeanor List

Attorneys on the misdemeanor list may represent defendants charged with Class A or Class B misdemeanors in the County Courts at Law of Galveston County.

G. Appeals - Capital Murder - Death Penalty

There will be no list compiled for appointment to capital murder appeals where the death penalty is imposed, and appointments shall be made on a case by case basis considering availability, experience and qualifications.

H. Appeals - Capital Murder - Non Death Penalty

Attorneys on this list may represent on appeal those defendants with capital murder convictions where the death penalty was not sought , or any lesser offense. Attorney assignment for the appeal of capital murder cases shall be made on a case by case basis without regard to any rotation among attorneys, and the appointing Court shall consider availability, experience and qualifications.

I. Appeals - First and Second Degree Felonies

Attorneys on the first and second degree appellate appointment list may represent defendants on appeal convicted of a first degree felony, or any lesser offense, including writs and criminal contempt.

J. Appeals - Third Degree Felonies, State Jail Felonies and Misdemeanors

Attorneys on the Third Degree Felonies, State Jail Felonies and Misdemeanors appellate appointment list may represent defendants convicted of third degree felonies, state jail felonies and any County Court at Law criminal matters, including writs and criminal contempt.

X.
COMPILATION OF MASTER LIST
WHICH INCLUDES GRADUATED LIST

Attorney placement on the Master List, which includes the Graduated List, will be initially determined by a majority vote of the Judges named in Section V to comprise the Criminal Courts Board. The Judges shall meet to consider, vote and compile the initial Master List, including the Graduated List, after December 03, 2001, but before January 01, 2002.

A majority vote of Judges is required for an attorney to be included on the Master List and a majority of Judges must agree that the attorney meets the adopted criteria for placement on the appropriate level of the graduated list.

If one or more Judges vote "Abstain" then the application shall be deemed approved if a majority of the Judges who did not "Abstain" vote "Approved" on the application.

After the initial Master List, including Graduated List, has been compiled and posted attorneys shall report any material changes in their information and qualifications to the Office of Justice Administration by November 1st of each year.

Any new applications or requests to be upgraded on the Graduated List shall be governed by the procedures set out in Section VII.

XI.
REMOVAL OF ATTORNEYS FROM THE MASTER LIST

A majority of Judges comprising the Criminal Courts Board may remove an attorney from the Master List upon a finding of good cause or if the attorney intentionally or repeatedly does not fulfill his/her duties in representing indigent defendants. An attorney may also be removed from the list by a majority vote of Judges if, after a hearing, it is shown that the attorney submitted a claim for legal services not performed by the attorney.

XII.
PROCEDURE FOR ATTORNEY ASSIGNMENT

If a defendant is in jail and adversarial judicial proceedings have been initiated against the defendant then the Judge of the District Court or County Court at Law shall appoint an attorney not later than the end of the first working day after the Court or it's designee receives the request for appointed counsel.

A. District Courts

1. Individual Case Appointment

When an indigent defendant comes before the District Court Judge and requests the appointment of an attorney or when the District Court Judge receives a request for appointment of an attorney from a defendant who has been determined by the Judge or a Magistrate to be indigent, then that Judge shall immediately appoint an attorney from the Master List whose placement on the Graduated List qualifies that attorney to handle the class of criminal offense with which the defendant is currently charged. The appointing District Judge shall appoint an attorney from within the next three (3) names up on the Master List of those qualified to handle the level of offense involved. However, once an attorney's name reaches the top of the appointment list for the level of offense that the attorney is qualified to handle, that attorney may not be bypassed for appointment more than two (2) times before appointment is mandatory, except for conflict of interest or other good cause shown. The District Court Judge who fails to make the mandatory appointment is required to make a written finding of conflict of interest or other good cause before appointment of another attorney.

2. Limited Term Assignment

A District Court Judge who has been assigned jail docket duty for consecutive three (3) or four (4) week periods shall appoint no less than two (2) no more than three (3) attorneys from the Master List for a period not to exceed one (1) week. Said attorneys shall appear before the Court

daily during the regularly scheduled jail docket to provide representation for indigent defendants who request appointment of counsel. At least one (1) of the attorneys appointed for the one (1) week term shall be qualified and approved to the 1st Degree Felonies List. The appointing Judge shall appoint the two (2) or three (3) attorneys for the week from within the next three (3) names up on the Master List and Graduated List with the understanding that at least one attorney appointed for the week must come from within the next three (3) names up on the 1st Degree Felonies List. The same attorney may not participate as a jail docket attorney for felony cases more than once during a three (3) month period in any District Court of Galveston County.

B. County Courts at Law

1. Individual Case Appointment

When an indigent defendant comes before the County Court at Law Judge and requests the appointment of an attorney or when the County Court at Law Judge receives a request for appointment of an attorney from a defendant who has been determined by the Judge or a Magistrate to be indigent, then that Judge shall immediately appoint an attorney from the Master List who is qualified to handle misdemeanors. The appointing County Court at Law Judge shall appoint an attorney from within the next three (3) names up on the Master List of those qualified to handle misdemeanors. However, once an attorney's name reaches the top of the appointment list for the level of offense that the attorney is qualified to handle, that attorney may not be bypassed for appointment more than two (2) times before appointment is mandatory, except for conflict of interest or other good cause shown. The County Court at Law Judge who fails to make the mandatory appointment is required to make a written finding of conflict of interest or other good cause before appointment of another attorney.

2. Limited Term Assignment

A County Court at Law Judge who has been assigned jail docket duty for a one (1) week period shall appoint an attorney from the Master List of those qualified to handle misdemeanor cases. The appointment shall be for a period of one (1) week and the appointed attorney shall appear before the Court daily during the regularly scheduled jail docket to provide representation for indigent defendants who request appointment of counsel. The appointing Judge shall appoint the attorney for a one (1) week period and the appointment must come from within the next three (3) names up on the appointment Master List of those approved to handle misdemeanor cases. The same attorney may not participate as a jail

docket attorney for misdemeanor cases more than once during a three (3) month period.

C. Judicial Economy

If an attorney is previously appointed to represent an indigent defendant on a pending, unresolved case and the indigent defendant is subsequently charged with any new offense or offenses, then the appointing Court may appoint the same attorney previously appointed to represent that indigent defendant instead of appointing from the attorneys next up on the Master List. However, if the new charge or charges against the indigent defendant are of a higher grade or level and the previously appointed attorney is not qualified to handle the higher level of offense charged, then new qualified counsel shall be appointed from the Master List as set out herein to represent the indigent defendant on all changes pending against the defendant.

XIII.
RESPONSIBILITIES OF COURT APPOINTED ATTORNEYS

Court appointed attorneys shall make every reasonable effort to contact the indigent defendant not later than the end of the first working day after notification of appointment is received and to interview the defendant as soon as practicable.

Court appointed attorneys on the Master List must maintain an office with a phone which is answered by a receptionist or answering service from 8:00 a.m. until 12:00 noon and from 1:00 p.m. until 5:00 p.m., Monday through Friday (except for Galveston County official holidays as designated by the Galveston County Commissioner's Court) and which receptionist or answering service can promptly locate the attorney and notify said attorney of the appointment or hearing setting. All attorneys on the approved Master List must maintain a FAX number or e-mail address to which faxes or e-mail may be received twenty-four (24) hours a day, seven days a week. Any change in their notification numbers or e-mail address must be given in writing to the Communications Coordinator at the Office of Justice Administration for Galveston County within twenty-four (24) hours of any change.

A court appointed attorney shall represent a defendant until the defendant is either acquitted, the case dismissed, enters into a plea bargain agreement and final judgment is entered, or; if convicted by a Court or Judge, until appeals are exhausted or waived, or; the Court, after entering a finding of good cause on the record, relieves the attorney or replaces the attorney with other counsel.

XIV.
FEE SCHEDULE

The appointing Court shall pay the appointed attorney a reasonable fee in accordance with a uniform schedule of fees as adopted by the majority of Judges and attached hereto as **Exhibit #1**.

The uniform schedule of fees shall take into consideration reasonable and necessary overhead costs, the availability of qualified attorneys, time and labor expenses, complexity of the case, and the experience and ability of counsel.

An attorney working under a limited term assignment shall only be paid for work actually performed and according to a uniform schedule of payment for limited term appointments as adopted by a majority of Judges and attached hereto as **Exhibit #1**.

XV.
**APPOINTMENT OF INVESTIGATORS AND
EXPERTS FOR INDIGENT DEFENSE**

Appointment and reimbursement for reasonable and necessary investigation, mental health and other experts shall be as provided by law and only upon written motion and prior approval by the trial Judge for such appointment and anticipated reimbursement.

XVI.
**REQUEST FOR PAYMENT OF
ATTORNEY'S FEES AND EXPENSES**

Each attorney shall present a signed voucher or claim for attorney fees and expenses using the approved form(s) attached as **{Form #GC-8}** and **{Form #GC-12}**. The claim form shall include a statement of the nature of the charge, the services performed, the dates of such performance, the actual time spent on each date and the amount requested for payment of attorney's fees and expenses.

The signed claim form shall be submitted to the trial Judge as follows:

- A. No later than the next working day after disposition of a case by plea, modification of probation, or dismissal.
- B. Within two (2) working days after disposition of a case by bench trial, including motions to revoke probation, except if a motion for new trial or rehearing is timely filed, then no later than the next working day after the motion for new trial or rehearing is ruled upon, if denied or overruled.
- C. Within fifteen (15) working days of the date a verdict in a jury trial is received and accepted by the Court, or; if a motion for new trial is timely filed, then no later than the next working day after the motion for new trial is ruled upon, if denied or overruled

- D. On appeals, no later than the fifteenth (15th) day after the mandate is returned by the appellate Court.

Vouchers for indigent attorney fees not timely submitted will be considered waived, the services performed Pro Bono, and the request for attorney's fees shall not be paid.

If the trial Judge disapproves the requested amount of payment, the Judge shall make written findings stating the amount of payment approved and the reasons for approving an amount different from the requested amount. The attorney whose request for payment has been disapproved or reduced may, by written motion, file an appeal with the Presiding Judge of the 2nd Administrative Region.

An inexperienced attorney who desires to gain experience in criminal matters in order to be placed on the appointment list or to advance on the Graduated List may petition the Court to allow the attorney to sit as second chair on a felony or misdemeanor trial. Upon approval of the Court the attorney may participate in the trial as a second chair attorney; however, the attorney will not be compensated by the Court and will perform any legal services as second chair on a Pro Bono basis in order to gain experience and knowledge as to criminal matters.

XVII. **LIST UPDATE**

The Criminal Courts Board shall annually update and reform the list of eligible court appointed attorneys consistent with the provisions of Article VII and shall post the updated list outside the Galveston County District Clerk's Office and outside the Galveston County Clerk's Office no later than December 31st of each year hereafter.

XVIII.
LOCAL ADMINISTRATIVE JUDGE'S
REPORTING COMPLIANCE

The above set out standing rules and order was adopted by unanimous vote of the below-signed Judges and is effective beginning January 1, 2002.

SIGNED AND ORDERED this the _____ day of December, 2001.

Judge David E. Garner
10th District Court and
Local Administrative District Court Judge

Judge Norma Venso
56th District Court

Judge Frank Carmona
122nd District Court

Judge Susan Criss
212th District Court

Judge Susan Baker
306th District Court

Judge Wayne J. Mallia
405th District Court

Judge Mary Nell Crapitto
County Court at Law #1

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

Judge Roy Quintanilla
County Court at Law #3