TRAVIS COUNTY FEE GUIDELINES
FOR APPOINTED COUNSEL IN MISDEMEANOR CRIMINAL CASES

EFFECTIVE NOVEMBER 1, 2026, FOR ASSIGNMENTS ON OR AFTER THAT DATE

The goal of these payment guidelines is to assure quality representation for indigent persons charged with misdemeanor crimes in Travis County. Those cases appropriate for trial should be tried, and those appropriate for plea should be pled.

The Program Administrator reserves the right to deviate from these guidelines in particular cases where the amount or quality or work performed is substantially above or below the norm.

Court appointed attorneys remain attorneys of record until final disposition of their cases unless removed by the program administrator or the court.

PAYMENT GUIDELINES

In trial cases attorneys may submit a request for payment using either a flat-fee schedule or an hourly voucher. Only one payment type may be selected per assignment.

FLAT FEE SCHEDULE

Attorney Released	$100.00 per case
Case Resolution (plea, dismissal, or diversion program completion)[1]	$400.00 per case
Pretrial (including preparation)	$200 per case
Trial Before the Court – Full Day (including discovery and preparation) Trial Before the Court – Half Day (including discovery and preparation)	$500 per day $250 per half day
Jury trial – Full Day (including discovery and preparation)	$700 per day
Jury trial – Half Day (including discovery and preparation)	$350 per half day
Uncontested Competency	$100 per case

[1]$100 for each additional case

HOURLY RATES

The Capital Area Private Defender Service ("CAPDS") shall implement an hourly compensation program for misdemeanor cases consistent with the Travis County Fee Guidelines For Appointed Counsel in Felony Criminal Cases..

The hourly rate shall be $75 per hour for all misdemeanors punishable by incarceration.

For all assignments made before April 1, 2024, prior hourly rate schedules will apply.

For all assignments billed hourly by the attorney, the following applies:

- Attorneys shall be compensated only according to the hourly rate.
- Attorneys must submit all requests for payments as directed by CAPDS in an itemized statement reflecting the date, service performed, and time expended to the 1/10th of an hour.
- Attorneys must seek preapproval from CAPDS if total hourly compensation in any assignment will exceed $1,000 for non-trial cases and $2,500 for cases in which a trial occurs or for an appellate assignment.
- CAPDS shall adopt policies and procedures to implement hourly compensation. CAPDS shall determine the reasonableness and necessity of actions undertaken by attorneys.

ADDITIONAL COMPENSATION IN CERTAIN CASES

Court appointed counsel will be eligible for additional compensation in certain assignments as follows:

- Mental Health Assignments
  - For attorneys approved by CAPDS to receive mental health assignments and when assignments are designated as mental health, counsel is eligible for an additional $100 per assignment or $20 per hour.
  - Additional compensation eligibility is based on the manner of assignment.

- Non-English-Speaking Defendant Assignments
  - For attorneys approved by CAPDS to receive Spanish-speaking assignments and when assignments are made through the Spanish-speaking panel, counsel is eligible for an additional $100 per assignment or $40 per hour. For any assignment where the use of interpretation (spoken or sign language) is required to communicate with the defendant counsel is eligible for an additional $100 per assignment or $40 per hour.
  - Attorneys requesting additional compensation for when interpretation is required must notify CAPDS as soon as possible as to the need and receive services through the courts to be eligible.

COMPENSATION FOR THE VISITATION OF INCARCERATED CLIENTS

Assigned counsel shall be compensated for reasonable and necessary travel to facilitate in-person visitation with incarcerated clients, as follows:

- Attorneys will be compensated for the time spent at the jail visiting a client pursuant to the policies of CAPDS.
- For visitation of clients housed at the Travis County Jail, no additional compensation is authorized.
- For visitation of clients housed within Travis County, but not at the Travis County Jail, attorneys may claim a travel fee of $50. This fee may only be claimed once per location per day and only for the first client visited. This fee is the total compensation for the travel to and from any eligible location. No additional compensation for travel is authorized. The payment of a travel fee is subject to the policies of CAPDS and will only be paid for reasonable and necessary travel.
- For visitation of clients housed outside of Travis County, attorneys must have prior written approval of CAPDS to be compensated for reasonable and necessary travel. Attorneys will receive 50% of the hourly rate for time spent actively traveling and mileage based on the approved IRS mileage rate. The payment of a travel fee is subject to the policies of CAPDS. Additional travel expenses may be approved by CAPDS only when they are reasonable and necessary.

SPECIALTY COURT ASSIGNED ATTORNEYS

Attorneys assigned by CAPDS or the court to serve as program-specific counsel for a specialty court shall be compensated at an hourly rate of $85 per hour.

APPELLATE AND WRIT RATES COURT ASSIGNED ATTORNEYS

For appellate and writ assignments on or after the effective date of this order, the hourly rate shall be $75 per hour.

INVESTIGATOR COMPENSATION

Investigators shall be compensated at an hourly rate of $75 per hour for services provided on assignments made on or after 11/1/2026, subject to the policies and procedures of the courts and CAPDS.

MITIGATION SPECIALIST COMPENSATION

Mitigation specialist shall be compensated at an hourly rate of $85 per hour, subject to the policies and procedures of the courts and CAPDS.

EXPENSES

Court appointed counsel will be compensated for all necessary and reasonable expenses approved by the Program Administrator prior to the expense being incurred.

REQUESTS FOR PAYMENTS

Request for payment should be submitted no later than 30 days after disposition utilizing the online vouchering system and under the policies adopted by the Program Administrator. Failure to provide timely requests for payment may result in denial of payment and other disciplinary action.

COMPENSATION THROUGH FELONY HOURLY PROGRAM

For any assignment in which compensation is authorized by felony fee schedule all compensation for misdemeanors will be included in a single combined voucher and are subject the rate determined by the Travis County Fee Guidelines For Appointed Counsel in Felony Criminal Cases and the policies and procedures of the Travis County District Courts and the Program Administrator.

COMPENSATION FOR REPRESENTATION AT MAGISTRATION

The Program Administrator shall implement a pilot of representation by defense counsel at first appearance (magistration) as approved by Travis County. Compensation for assigned counsel will range from $75 per hour to $150 per hour based on the day and time of the shift and include additional compensation for shifts occurring on holidays recognized by Travis County. The program manager shall implement a schedule for assigned counsel, a schedule of approved compensation, and review and authorize payment according to the policies and procedures adopted by the Program Administrator.

CAVEAT

In an unusual case, the considerations set forth in Texas Rules of Professional Conduct Rule 1.04(b) may dictate a fee that is less than or more than the one established by these guidelines. Fees will be dependent upon the complexity of the case and the experience and ability of the appointed counsel.

Approved and Ordered the 3rd day of November, 2026.

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Bianca Garcia
Judge, County Court at Law #3

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Dimple Malhotra
Judge, County Court at Law #4

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Mary Ann Espiritu
Judge, County Court at Law #5

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Denise Hernández
Judge, County Court at Law #6

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Elisabeth Earle
Judge, County Court at Law #7

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Carlos Barrera
Judge, County Court at Law #8

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Kim Williams
Judge, County Court at Law #9