

Collin County Court Plan

Preamble

10/31/2025

In accordance with the requirements of the Texas Fair Defense Act, Acts 2001, 77th Leg., the County Court at Law Judges of Collin County, Texas hereby adopt the following Local Rules for the appointment of attorneys in misdemeanor criminal cases.

I. SECTION ONE

THE COMMITTEE ON MISDEMEANOR INDIGENT DEFENSE

- a. The Collin County Committee on Misdemeanor Indigent Defense
 - i. The Collin County Committee on Misdemeanor Indigent Defense, hereafter the "Committee," is established. The Committee consists of the County Court at Law Judges of Collin County, Texas who hear criminal cases.
 - ii. The Committee shall establish local rules and procedures necessary for Collin County Courts at Law to comply with the Texas Fair Defense Act in misdemeanor criminal cases.
 1. The County Courts trying criminal cases hereby designate the following individuals or offices as having authority to appoint counsel for indigent defendants charged with a criminal matter within the jurisdiction of the county courts:
 2. The Office of Indigent Defense/Mental Health Managed Counsel;
 3. Any magistrate performing the duties under Section Two below that has authorized access to the County's electronic appointment system; and
 4. In cases where the defendant may be incompetent, a person with mental illness, or a person with mental disability, the Office of Indigent Defense/Mental Health Managed Counsel.

Prompt Magistration

10/31/2025

II. SECTION TWO

WHEN THE RIGHT TO COUNSEL ATTACHES

- a. Misdemeanor Arrest Pursuant to a Warrant
 - i. If a person is arrested on a misdemeanor charge pursuant to a warrant, the person who has custody of the accused shall present the accused before a magistrate within 48 hours of the time of the accused person's arrest. The magistrate shall deliver the admonishments contained in Article 15.17 Code of Criminal Procedure. The magistrate shall also set bail, unless bail was previously set by the magistrate issuing the warrant. The magistrate shall also inform the accused of his or her right to counsel and make a finding of probable cause based upon the warrant. If necessary, an interpreter shall assist the accused during the probable cause hearing. If the accused requests an attorney, the magistrate shall provide the accused with the necessary forms for making such a request and ensure that reasonable assistance to provided to the accused in completing the required forms.

The magistrate shall make a record of:

 1. Informing the accused of the accused's right to request appointment of counsel;
 2. Whether the accused wants to request appointment of counsel; and
 3. Whether the person requested court-appointed counsel.
- b. Misdemeanor Arrest Without a Warrant

- i. If a person is arrested on a misdemeanor charge without a warrant, the person who has custody of the accused shall present the accused before a magistrate within 48 hours of the time of the accused person's arrest. If no probable cause finding has been made by the 24th hour after the arrest, the accused person shall be released on bond, in an amount not to exceed \$5,000.00. If the person is unable to deposit money in the amount of the bond, or unable to obtain a surety for the bond, the accused person must be released on personal bond.
 - ii. If the accused person is brought before a magistrate within 48 hours, the magistrate shall deliver the admonishments contained in Article 15.17 Code of Criminal Procedure and sign the Order Finding Probable Cause included in the "Forms" section of this plan. If necessary, an interpreter shall assist the accused during the probable cause hearing. The magistrate shall make a finding of either "no probable cause" or a "finding of probable cause." A finding of probable cause must be based upon a sworn probable cause affidavit setting forth sufficient facts, or by incorporating a copy of the offense report. If the magistrate makes a finding of no probable cause, the accused person shall be released from custody. If a magistrate makes a finding of probable cause, the magistrate shall inform the accused person of their right to counsel. If the accused requests an attorney, the magistrate shall provide the accused with the forms necessary for making such a request and ensure that reasonable assistance in completing the required forms is provided to the accused. The magistrate, upon a finding of probable cause, shall set reasonable bail and shall make a record of:
 1. Informing the accused of the accused's right to request appointment of counsel;
 2. Whether the accused wants to request appointment of counsel; and
 3. Whether the person requested court-appointed counsel.
- c. Prompt Appointment of Counsel
- i. As soon as possible following arrest, and in any event not later than the Article 15.17 hearing, each arrested person who wants to request appointment of counsel shall be provided with a form on which the arrested person will provide under oath the necessary information concerning the person's financial resources and will indicate that the person requests appointment of counsel. The arrested person will be provided assistance in completing the form. A copy of the form is included in the "Forms" section of this plan.
 - ii. Prompt Appearance Before Magistrate. The law enforcement officer making the arrest and any officer who later has custody of any accused person shall ensure that the person is taken before a magistrate without unnecessary delay, but not later than 48 hours after the person is arrested, for proceedings under Article 14.06, Section (a) of the Code of Criminal Procedure.
 - iii. Transmittal of Request for Appointed Counsel. If an arrested person requests appointment of counsel and has completed the necessary forms, the magistrate shall transmit or cause to be transmitted to the appointing judge or person (s) designated by the judges to appoint counsel under Section 1.01(c) above, the forms requesting appointment of counsel. The forms requesting appointment of counsel shall be transmitted without unnecessary delay, but not later than 24 hours after the person arrested requests appointment of counsel, as stated in Article 15.17, Section (a) of the Code of Criminal Procedure.
 - iv. If a person is identified as suffering from a mental illness or mental defect the magistrate shall transmit or cause to be transmitted to the appointing judge or person(s) designated by the judges to appoint counsel the forms requesting appointment of counsel and information identifying the person as possibly suffering from a mental illness or mental defect. The forms requesting appointment of counsel shall be transmitted without unnecessary delay but not later than 24 hours after the person arrested requests appointment of counsel, as stated in Article 15.17, Section (a) of the Code of Criminal Procedure.
 - v. For persons arrested on out-of-county warrants, the magistrate will ask the defendant if he/she would like to request appointed counsel. The magistrate will record the response, and if counsel is requested, the magistrate will provide the arrestee with the appropriate forms for requesting

counsel. The magistrate will ensure assistance in completing the forms at the same time. The forms will be transmitted to the appointing authority in the county issuing the warrant within 24 hours of the request being made. Regarding the appointment of counsel, persons arrested in other counties on local warrants must be appointed counsel in the county that issued the warrant within one working day of receipt of the request. Persons arrested on out-of-county warrants must be appointed counsel in the county of arrest if the person has not been transferred or released to the custody of the county issuing the warrant before the 11th day after the date of arrest. (Art. 1.051(c-1), CCP).

Indigence Determination Standards

10/31/2025

III. SECTION THREE

DETERMINATION OF INDIGENCE FOR ADULTS

- a. Definitions, as used in this rule:
 - i. “Indigent” means financially unable to hire private counsel.
 - ii. “Net household income” means all income of the accused and spousal income actually available to the accused. Such income shall include: take-home wages and salary (gross income earned less any deductions required by law or as a condition of employment); net self-employment income (gross income minus business expenses and any deductions required by law or as a condition of operating the business); regular payments from a government income maintenance program, alimony, child support, public or private pensions, or annuities; and income from dividends, interest, rents, royalties, or periodic receipts from estates or trusts. Seasonal or temporary income will be considered on an annualized basis, averaged together with periods for which the accused has no or less income.
 - iii. “Household” means all individuals who are actually dependent on the accused for financial support.
 - iv. “The cost of obtaining competent private legal representation” includes the reasonable costs of support services such as investigators and expert witnesses which are necessary and appropriate given the circumstances of the case.
- b. Eligibility for Appointment
 - i. An accused is presumed indigent if any of the following circumstances are present:
 - ii. The accused or the accused’s dependents are eligible to receive food stamps, Medicaid, Temporary Assistance for Needy Families, Supplemental Security Income, or public housing;
 - iii. The accused’s net household income does not exceed 125% of the Poverty Guidelines as revised annually by the United States Department of Health and Human Services and published in the Federal Register; or
 - iv. The accused is currently serving a sentence in a correctional institution, residing in a public mental health facility, or subject to a proceeding in which admission or commitment to a mental health facility is sought.
 - v. An accused who does not meet any of the standards above shall nevertheless be considered indigent if the accused is unable to retain private counsel without substantial hardship to the accused or the accused’s dependents. In considering whether obtaining private counsel will create a substantial hardship, the appointing authority shall take into account:
 1. The nature of the criminal charge(s);
 2. Anticipated complexity of the defense;

3. The estimated cost of obtaining competent private legal representation for the matter(s) charged;
 4. The amount needed for the support of the accused and the accused's dependents;
 5. Accused's income,
 6. Source of income,
 7. Assets and property owned,
 8. Outstanding obligations,
 9. Necessary expenses,
 10. The number and ages of dependents, and
 11. Spousal income that is available to the accused.
- c. Factors NOT to be considered in determining indigence:
- i. The accused's posting of bail or ability to post bail may not be considered in determining whether the accused is indigent.
 - ii. The resources available to friends or relatives of the accused may not be considered in determining whether the accused is indigent.
 - iii. Only the accused's financial circumstances as measured by the financial standards stated in this rule shall be used as the basis for determining indigence.
 - iv. A defendant shall not be denied the appointment of counsel merely because the person is employed.
- d. Other factors that may be considered:
- i. The appointing authority can require the accused to respond to questions about the accused's financial status, produce documentation supporting financial information provided, and/or order a court official to verify financial information provided.
 - ii. Information gathered for determining indigence, both in the affidavit of indigence or through oral examination, may not be used for any purpose other than:
 - iii. Determining whether the accused is or is not indigent; or
 - iv. Impeaching the direct testimony of the accused regarding the accused's indigence.
 - v. A request by the appointing authority for additional information, documentation, and/or verification cannot delay appointment of counsel beyond the timelines specified in Section I of these rules and contained in the Code of Criminal Procedure article 1.051.
 - vi. An accused determined to be indigent is presumed to remain indigent for the remainder of the case unless a material change in the accused's financial circumstances occurs.
 - vii. A defendant determined to be indigent is presumed to remain indigent for the remainder of the case unless a material change in the defendant's financial circumstances occurs. Counsel shall notify the Court if a material change occurs. Release from custody or change of employment status are changes which shall be brought to the attention of the Court within 14 days.
 - viii. An accused's status may be reviewed in a formal hearing at any stage of a court proceeding on a motion for reconsideration by the accused or by the state.
 - ix. A presumption of indigence can be rebutted with evidence of a material change in the accused's financial circumstances which establishes that the accused no longer meets any standard of indigence.

- x. If an accused previously determined to be indigent is subsequently determined not to be indigent, appointed counsel shall be compensated under the terms of this Plan for services reasonably rendered.
- xi. If a court determines that an accused has sufficient financial resources to partially or completely offset the costs of legal services provided, the court may order the defendant to pay said amount as costs of court.
- xii. An accused person who is found guilty, and after all appeals, if any, are exhausted, shall be required to reimburse Collin County a sum not more than the amount paid by the County to the accused's attorney, provided however that a finding is made at the time of final disposition that the accused has the ability to reimburse the County without substantial financial hardship. Such reimbursement shall be taxed as costs in the accused person's case, which are ordered to be collected by the County Clerk, Collections Department, or Community Supervisions and Collections Department before all other court costs and fines.

Minimum Attorney Qualifications

10/31/2025

IV. SECTION FOUR

ATTORNEY ELIGIBILITY AND REQUIREMENTS

- a. Residency Requirements. To be eligible to receive appointments in misdemeanor cases, an attorney must:
 - 1. Be a resident of Collin County, maintain a principal office in Collin County, or have at least 80 percent of the attorney's practice in Collin County. An attorney may be a resident of Collin County or a contiguous county, maintain a principal office in Collin County or a contiguous county, or have at least 80 percent of the attorney's practice in Collin County or a contiguous county for Appeals, Crimes Against Children, and Spanish-speaking cases.
 - 2. Anyone not meeting the above-listed criteria may petition the County Courts for an exception by contacting the indigent defense coordinator. An exception may be granted upon the approval of a majority plus one of the Committee.
- b. Competency Requirements and Standards. To be on the list of approved attorneys for misdemeanor appointments, an attorney must meet the Residency Requirements above and one of the following criteria:
 - 1. Board Certification in Criminal Law by the Texas Board of Legal Specialization; or
 - 2. Completion of at least two years of law practice with at least three misdemeanor jury trials (which may be second chair) during the attorney's career and completion of at least sixteen hours of criminal law continuing legal education in the twenty-four-month period preceding application; or
 - 3. Demonstrate competence using other criteria to be approved by the Committee including, but not limited to, years of legal experience, board certification in areas of law other than criminal law, number of civil and jury trials completed, number of hours of criminal law CLE and professional reputation for handling criminal cases.
 - 4. The attorney will not accept court appointments in another county.

5. In addition to the above-referenced eligibility requirements, additional requirements for designation on the approved attorney list for the MHMC include:
 6. Six hours per year of CLE in Mental Health;
 7. Six jury trials as lead counsel.
- c. The Master List of Attorneys will be created from all eligible and approved attorneys.
 - i. An attorney who wishes to be included in the master list of attorneys from which court appointments are made must, between December 1-31 and July 1-14, submit a written application to the Committee, a copy of which is included in the "Forms" section of this plan and the county website, to the Indigent Defense Office.
 - ii. The Committee shall meet periodically to review attorney applications. A majority plus one of the Committee is required to approve an attorney's application for inclusion on the master list. If an application is rejected for placement on the master list, the attorney may: request to address the Committee at their next scheduled meeting or reapply after ninety days. To be added to the master list due to being excluded, the attorney must receive the vote of a majority of the Committee plus one. The master list shall be posted in the Indigent Defense Office and is a public record.
 - iii. Any attorney may be immediately removed from the Master List for good cause shown by any member of the Committee. An attorney so removed from the master list may: request to address the Committee at their next scheduled meeting or reapply after ninety days. To be added to the master list following removal, the attorney must receive the vote of a majority of the Committee plus one.
 - iv. The Collin County Information Technology Department shall be responsible for writing and maintaining the computer software necessary to utilize the master list. The Indigent Defense Office shall be responsible for updating the master list with changes, additions and deletions provided to the Indigent Defense Coordinator by the Committee.
 - v. Attorneys shall initially be listed alphabetically on the master list. As new attorneys are approved, they shall be placed at the bottom of the list.
- d. Mental Health Master List
 - i. An attorney who wishes to be included in the MHMC master list of attorneys from which the court appointments are made must submit a written application to the MHMC Attorney Director, a copy of which is included in the "Forms" section of this plan on the website.
 - ii. All MHMC applications will be accepted year-round and positions filled as vacancies occur.
 - iii. The MHMC Attorney Director will review all applications and submit the list of qualified attorneys proposed for appointment to the Mental Health list to the judges for approval by majority vote.
 - iv. The Collin County Information Technology Department shall be responsible for writing and maintaining the computer software necessary to utilize the MHMC master list. The Collin County Indigent Defense Coordinator shall be responsible for updating the master list with changes, additions, and deletions provided to the clerk by the MHMC Attorney Director.
 - v. Attorneys shall initially be listed alphabetically on the Master list. As new attorneys are approved, they shall be placed at the bottom of the list.
- e. Annual Renewal of Counsel

- i. An attorney whose name is placed on the master list shall annually complete at least 8 hours of criminal law continuing legal education and shall attach verification of completion of CLE requirements to the initial application or to the application for annual renewal by December 30th. An attorney on the Mental Health list shall annually complete an additional 6 hours of CLE in mental health and shall attach verification of completion of CLE requirements to the initial application or to the application for annual renewal by December 30th.
- ii. No later than the 15th day of October each year, an attorney that was appointed to represent a defendant under this plan must submit, through the Texas Indigent Defense Commission attorney reporting portal, the percentage of the attorney's practice time that was dedicated to work based on appointments accepted in this county for the prior 12 months that begins on October 1 and ends on September 30.
- iii. An attorney whose name is placed on the master list, or Mental Health list, shall immediately notify the Indigent Defense Office, and MHMC Program Office, if applicable, in writing if their law license is suspended, revoked, or if the attorney has been arrested, accused of, or convicted of a criminal offense (other than a class C misdemeanor), in which case the attorney's name shall be removed from the master list, and Mental Health list. An attorney, once removed from the master list, and/or the Mental Health list, must reapply to the Committee to have their name added to the master list.

Prompt Appointment of Counsel

10/31/2025

V. SECTION FIVE

- a. Counsel shall be appointed as soon as possible, but not later than the end of the first working day after the date on which the appointing judge or person(s) designated by the judges to appoint counsel receives an eligible defendant's request for counsel, as stated in Article 1.051, Section (c) of the Code of Criminal Procedure. If the defendant is released from custody prior to the appointment of counsel, the appointment of counsel is not required until the defendant's first court appearance, or when adversarial judicial proceedings are initiated, whichever comes first.
- b. If an indigent defendant is arrested in another county based on this county's warrant, counsel will be appointed within one working day of this county's receipt of the request for counsel.
- c. If a defendant is arrested in this county based on another county's warrant, counsel will be appointed for the defendant if, on the eleventh day after the arrest, the defendant is still in this county's custody.
- d. If a defendant appears without counsel in any adversary judicial proceeding that may result in punishment by confinement, the court may not direct or encourage the defendant to communicate with the attorney representing the State until the court advises the defendant of the right to counsel and the procedure for requesting appointed counsel, and the defendant has been given a reasonable opportunity to request appointed counsel.
- e. If a defendant wishes to request counsel prior to the initial appearance, the forms required to request counsel may be obtained at the Collin County website at http://www.collincountytx.gov/indigent_defense/Pages/default.aspx or at the Office of the Indigent Defense Coordinator. The defendant may submit these forms to the Indigent Defense Coordinator or email them to: ccIndigentDefense@co.collin.tx.us. The court will rule on all requests for counsel submitted in this manner.
- f. Duties of Appointed Counsel
 - i. Professional Representation
 1. An attorney who is appointed from the master list, or Mental Health list, shall personally represent the accused or withdraw from the case, after first obtaining permission from the court, or after first notifying the MHMC Attorney Director and obtaining permission from the

court if the case is part of the MHMC caseload. An attorney must exercise the same degree of professionalism and responsibility with an appointed client as they would with a client who has retained them.

2. An attorney who is appointed from the master list, shall make every reasonable effort possible to contact his client not later than the end of the first working day after receiving notice of the appointment. If the client is an inmate, an attorney must personally visit the client at the jail. In all cases, the attorney must interview the defendant as soon as practicable. An attorney who is appointed from the master Mental Health list shall contact and interview appointed clients no later than the first working day after receiving notice of the appointment. An attorney who receives appointments from the master list, or master Mental Health list, must personally appear with their client at all settings and must inform the accused that their presence is also required at all settings. Any member of the Committee may immediately remove an attorney who intentionally or repeatedly fails to fulfill their obligations to their client from the master list. Attorneys on the mental health appointment list may be removed in the best interests of the MHMC Program by request of the MHMC Program Director and approval of the Committee. Upon either such event, the Committee shall review the matter at its next scheduled meeting. Unless the Committee unanimously votes in favor of reinstating the attorney's name to the master list, the attorney's name shall not be added.
3. An attorney who is appointed to a case shall continue representing the accused until the accused is acquitted, a plea has become final, all appeals are exhausted, or the court makes a finding of good cause on the record permitting the attorney to withdraw and substitute other counsel.
4. An attorney who applies for court appointments under the Plan must designate either a telephone fax number or email address for the purpose of receiving notices of appointments. A court that appoints an attorney may use either the attorney's telephone fax number or email address to notify the attorney of his appointment or court hearings. Any changes in the attorney's telephone numbers or email address must be promptly given in writing to the County Clerk, the Office of Indigent Defense/Mental Health Managed Counsel, if applicable, for updating the master list.
5. An attorney who receives appointments from the master list shall timely and truthfully submit requests for payment to the court with jurisdiction in the matter. Payment requests shall be presented to the court within two weeks of the plea, trial, hearing, or any other proceeding. Requests for payment made outside the two-week period may be denied or reduced.
6. An attorney whose name is included on the master list for appointments must notify the County Clerk, in writing of any vacation plans, seminars, protracted trials, etc. where the attorney will be unavailable to accept appointments during a period of more than four calendar days.
7. An attorney whose name is included on the Mental Health list for appointments must notify the County Clerk, the Office of Indigent Defense/Mental Health Managed Counsel in writing of any vacation plans, seminars, protracted trials, etc., where the attorney will be unavailable to accept appointments during a two-day calendar period.

Attorney Selection Process

10/31/2025

VI. SECTION SIX

DUTIES OF APPOINTING COURT

- a. Appointment of Counsel
 - i. Master List General

1. A Court, or its designee, upon a proper showing of indigency under the standards set forth herein, shall appoint an attorney from the master list. The list shall be managed by the Office of Indigent Defense/Mental Health Managed Counsel, and shall be maintained on the County's computer system. After making an appointment, the Office of Indigent Defense/Mental Health Managed Counsel will send notice to the attorney by email. The original of the order appointing the attorney shall be forwarded to the County Clerk.
 2. In making an appointment, the appointing judge, or his/her designee shall select an attorney from among the names of the next five attorneys that appear on the master list. In cases involving motions to adjudicate or motions to revoke, the accused's prior court-appointed attorney, if any, shall be appointed, if that person's identity is known and is currently approved for appointments. If an accused person does not speak English, an attorney who speaks a language the accused can understand must be appointed, if available.
 3. If a court does not appoint one of the five attorneys next up on the master list, the court must state good cause on the record for the deviation. Good cause may include, but is not limited to, conflict of interest, attorney unavailability, request by the accused that the attorney not be appointed, inconvenience to the accused, prior representation by an attorney with knowledge of the facts in the pending case and other similar good cause. Attorneys whose names are among the five names next up on the master list, but who are not selected based upon a showing of good cause, shall have their names placed back at the top of the list.
 4. Once an attorney has been appointed to an accused person, the Court may not remove the attorney unless a motion to withdraw or substitute is filed and granted, or where an attorney repeatedly fails to fulfill their obligations to their client, any member of the Committee may immediately remove an attorney, with notice to the accused in accordance with Section V. If an attorney has been appointed to represent an accused, and an appeal is filed from the accused's conviction, the original attorney shall be appointed for the purposes of appeal. If an accused receives probation or deferred adjudication, the accused's appointed attorney continues as his attorney in any subsequent revocation proceeding and must be appointed for that purpose.
- ii. Mental Health Master List
1. A court or its designee, upon a proper showing of indigence under the standards set forth herein, shall notify the Office of Indigent Defense/Mental Health Managed Counsel or court designee of an appointment to be made from the mental health list. The next attorney on the list will be appointed unless good cause exists to appoint another attorney. Mental Health case appointment takes into account any prior representation and rapport that counsel may have with the accused.

Fee and Expense Payment Process

10/31/2025

VII. SECTION SEVEN

- a. Counsel shall be reimbursed for reasonable and necessary expenses, including expenses for investigation and for mental health and other experts. Expenses incurred with and without prior court approval shall be reimbursed, according to the procedures set forth below. When possible, prior court approval should be obtained before incurring expenses for investigation and for mental health and other experts.
- b. No payment shall be made until a judge approves payment after submission of the attorney fee voucher. [Art. 26.05(c), CCP]
- c. If a judge disapproves of the requested amount of payment, the judge shall make written findings stating the amount that the judge approves and each reason for approving an amount different from the

requested amount. [Art. 26.05(c), CCP]

d. Investigative and Expert Witnesses

i. Procedure with Prior Court Approval

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

- a. The type of investigation to be conducted or the type of expert to be retained;
- b. Specific facts that suggest the investigation will result in admissible evidence or that the services of an expert are reasonably necessary to assist in the preparation of a potential defense; and
- c. An itemized list of anticipated expenses for each investigation or each expert.

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

1. State the reasons for the denial in writing;
2. Attach the denial to the confidential request; and
3. Submit the request and denial as a sealed exhibit to the record.

e. Procedure Without Prior Court Approval

i. Appointed counsel may incur investigative or expert *witness fees* without prior approval of the court or counsel. All requests for reimbursement shall be presented to the court within two weeks after the plea, trial, hearing or any other procedure. Requests for reimbursement made outside the two-week period may be denied or reduced.

f. General Billing

- i. Pay sheets must be submitted to the court having jurisdiction within 30 days of case dispositions.
- ii. Pay sheets for matters disposed of before they are assigned to a County Court at Law are to be submitted to the Magistrate Court.

g. Payments to Court Appointed Attorneys Hourly or Fixed Rates

i. Counsel shall be paid:

1. \$750.00 for a plea on a driving while intoxicated case plus \$100.00 for each additional case pled with the same offense date;
2. \$650.00 for a dismissal or for all non-driving while intoxicated pleas plus \$100.00 for each additional case pled with the same offense date;
3. \$2,500.00 for a jury trial of any case, including a motion for new trial; or
4. \$1,250.00 for a trial before the court of any case;
5. \$2,500.00 for the appeal of any case, including motions for rehearing;
6. \$1,000.00 for a dismissal or plea at the time of trial (not at the arraignment)
7. \$250.00 for Expunction as required by the Code of Criminal Procedure
8. \$250.00 for Motions to Withdraw
9. \$250.00 for Refusals
10. Motions to Adjudicate and Motion to Revoke: Compensated at the original plea rate (see above).
11. Motions to Suppress: Included within the representation; no additional fee allotted.

12. Motions to Substitute Counsel: Compensation at the Judge's discretion, not to exceed the flat rate (see above). Motions involving violations of bond/bond modifications for filed cases are considered part of the representation. No separate fee is paid.
 13. MHMC Cases Pleas: Compensated at the flat rate for DWI or Non-DWI plea (refer to above).
 14. \$250.00 for Competency Hearing
 15. \$100.00 for MH Bond Hearing
- ii. Discretionary Fees: Attorneys may request an additional discretionary fee up to \$1,250.00 when casework exceeds the scheduled compensation at the discretion of the Judge. The request must include a justification statement explaining the additional work performed and itemized time records (excluding confidential or privileged information). Qualifying factors include but are not limited to cases involving mental illness or intellectual disability, speedy trial motions, expunctions, and writs of habeas corpus. Judicial Discretion for Extraordinary Circumstances: Any judge, in his or her discretion, may authorize additional compensation when deemed proper and necessary due to extraordinary circumstances. In such cases, the attorney must approach the court directly and provide sufficient documentation to support the request. Blanket motions will not be considered sufficient.
 - iii. Pre-Trial Diversion (PTD): Payments is remitted upon placement in PTD. If the PTD ends unsuccessfully, it will be consider a new appointment.
 - iv. Unapprehended Defendants: If a warrant has been issued and the defendant remains unapprehended for six (6) months or more, attorneys may file a motion to withdraw and submit a pay sheet for \$250.00. If the defendant is rearrested, the same attorney will be reappointed if the defendant qualifies and the attorney remains on the appointment wheel.
 - v. Billing for Experts (Private Investigators & Testifying Experts: Invoices must be submitted via the pay portal. The attorney must complete the pay sheet, mark "Pay to Expert," attach the invoice, and include any related court orders. The attorney must sign the pay sheet to verify services were provided.
 - vi. Other Experts (Non-Testifying, Consultants, Interpreters, Reporters, Immigration Attorneys, Competency Experts): Invoices must be submitted to the court coordinator for payment by check. The attorney must sign the invoice to indicate approval and verification of services rendered.

Plan Documents

- Collin County Court Affidavit of Indigence.pdf (10/21/2021 1:48:25 PM) [view](#)
- Collin County Court Annual Renewal Application to Receive Court Appointments.doc (11/30/2009 3:54:23 PM) [view](#)
- Collin County Court Annual Renewal Application to Receive Misdemeanor Court Appointments.docx (1/15/2013 11:26:23 AM) [view](#)
- Collin County Court Application Process for Misdemeanor Court Appointments.docx (1/15/2013 11:25:36 AM) [view](#)
- Collin County Court Attorney Application for Appointment.docx (10/21/2021 2:04:39 PM) [view](#)
- Collin County Court Attorney Application for MHMC Program Appointment.docx (10/25/2013 9:38:35 AM) [view](#)
- Collin County Court Attorney Fee Schedule.pdf (4/4/2025 12:42:19 PM) [view](#)
- Collin County Court Attorney Fee Voucher.pdf (11/30/2009 1:58:40 PM) [view](#)
- Collin County Court Collin County Amendment to MHMC Attorney Director Contract.pdf (10/20/2015 11:25:20 AM) [view](#)
- Collin County Court Collin County Annual Renewal Application to Receive Misdemeanor Court Appointments.pdf (10/20/2015 11:20:38 AM) [view](#)
- Collin County Court Collin County Court Attorney Fee Schedule .pdf (10/29/2025 4:33:23 PM) [view](#)

- Collin County Court Collin County order Requiring Defendant's Contribution for Attorney Fees.docx (9/16/2015 3:37:32 PM) [view](#)
- Collin County Court Contracts for Indigent Defense Services.pdf (11/7/2013 12:28:55 PM) [view](#)
- Collin County Court Magistrates Warning Form.doc (11/30/2009 2:46:49 PM) [view](#)
- Collin County Court Managed Assigned Counsel Plan of Operation.docx (10/31/2013 7:49:59 AM) [view](#)
- Collin County Court Order Finding Probable Cause.doc (11/30/2009 1:25:07 PM) [view](#)
- Collin County Court Order Requiring Defendant's Contribution for Attorney Fees.pdf (10/24/2013 4:36:13 PM) [view](#)