

Judicial Discretion Plan Review

Pursuant to Section 79.036 of the Texas Government Code, county indigent defense (ID) plans must be submitted to the Commission not later than November 1 of each odd-numbered year. The chart below details where local ID plans identify judicial discretion in relation to the published attorney fee schedule. As of August 25, 2017, 168 county ID plans address judicial discretion and 86 county ID plans do not address judicial discretion.

County	Judicial Discretion?	Relevant Language from Plan	Relevant Language from Fee Schedule
Anderson	No	The presiding judge will either approve the amount requested or enter written findings stating the amount of payment that the judge approves and each reason for approving an amount different from the requested amount.	none
Andrews	Yes	If a judge disapproves a request for compensation, the judge shall make written findings, stating the amount of payment that the judge approves and each reason for approving an amount different from the requested amount.	The Court may deviate from this schedule for good cause.
Angelina	No	If the trial judge recommends disapproval of the requested amount of payment, the Judge shall make written findings, stating the amount of amount different from the requested amount.	none
Aransas and San Patricio	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	Compensation for time spent by counsel for out of court or in court, found to be reasonable and necessary, shall be not less than \$20 per hour nor more than \$110 per hour. Total compensation per day shall not exceed \$500, unless the court finds exceptional circumstances or that good cause exist for exceeding said total amount exists.	none

Archer	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	"Total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists." Plus boilerplate cause	none
Armstrong, Potter, and Randall	No		none
Atascosa, Frio, Karnes, La Salle, and Wilson	Yes	boilerplate	The court may make an exception to the above hourly rates upon a showing that the rate would be unfair in a given case.
Austin	No	boilerplate	boilerplate
Bailey and Parmer	Yes	boilerplate	"For good cause or exceptional circumstances, an appointed attorney may request payment at a rate above the rates specified in 1 and 2 above, subject to review and approval by the judge presiding over the case."
Bandera, Gillespie, Kendall, and Kerr	No	boilerplate	boilerplate
Bastrop, Burleson, Lee, and Washington	No	boilerplate	none
Baylor, Cottle, King, and Knox	No	boilerplate	boilerplate

Bee, Live Oak, and McMullen	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	Total compensation per day shall not exceed \$500, unless the court finds exceptional circumstances or that good cause exists for exceeding said total amount.
Bell	Yes	boilerplate plus "In exceptional circumstances and for good cause shown, an attorney may request payment at a rate in excess of the rates specified above. Payment in excess of the fee schedule herein shall be in the sole discretion of the trial court hearing the case."	boilerplate plus "In exceptional circumstances and for good cause shown, an attorney may request payment at a rate in excess of the rates specified above. Payment in excess of the fee schedule herein shall be in the sole discretion of the trial court hearing the case."
Bexar	No	If the judge disapproves the requested amount of payment, the judge shall make written findings stating the amount of payment that the judge approves and each reason for approving an amount different from the requested amount.	Requests for prior approval to exceed the maximum stated out-of-court hours and/or the maximum stated investigator fees must be filed in the appropriate court and set out the need to exceed the maximum and a justification of the cost. Extraordinary circumstances must be presented in order to obtain Court approval.
Blanco, Burnet, Llano, and San Saba	Yes	Boilerplate	Fee voucher form includes this language: "If requesting an amount in excess of the standard amount, attach a written explanation & justification"

Borden and Scurry	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	"Total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists"
Bosque, Comanche, and Hamilton	Yes	"Compensation for court appointed counsel services will be as follows, except upon submission of an itemized voucher and a finding of good cause as hereinafter provided." "This method of computing payment for services is only to be used for complex cases or other circumstances making payment under the fixed rate grossly inadequate. To be compensated under this method the lawyer shall keep an accurate and detailed account of time expended, services rendered and dates involved and shall furnish documentation thereof to substantiate the reasonableness and necessity of the services rendered and time spent. An award under this method will be within the discretion of the Court. If the judge disapproves a request for compensation, the judge shall make written findings, stating the amount of payment that the judge approves and each reason for approving an amount different from the requested amount."	same
Bowie	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	"Total compensation for appointed counsel services in the below listed misdemeanor, felony, and juvenile cases shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists."

Brazoria	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	"In the event an attorney presents a voucher for more than the presumptive maximum, said attorney will be responsible for providing an explanation to the Court to which the voucher is presented before same will be approved."
Brazos	Yes, but only in very specific circumstances (services not on fee vouchers and multiple charges)	"In determining the amount of compensation for disposition of multiple cases involving a single defendant, the court may award an amount greater than the established fixed fee." "Services not specifically described above (e.g., bond reductions, pre-filing dismissals, defense of motions to deny bail or revoke bond, dismissals, habeas corpus, etc.) will be paid on a rate basis using a daily or hourly rate most appropriate to the circumstances. Any request for compensation on a rate basis must be accompanied by an itemized statement showing the amount of time actually expended by the attorney on the case."	none
Brewster, Culberson, Hudspeth, Jeff Davis, and Presidio	No	boilerplate	boilerplate
Briscoe, Dickens, Floyd, and Motley	Yes	boilerplate	"The judge may, in his discretion, adjust the compensation to be paid to court appointed counsel if he believes, upon review of the Application of Compensation, overpayment has been requested due to an excessive amount of hours being entered on said application. In exceptional circumstances, the judge may deviate from the above numerations."

Brooks and Jim Wells	Yes	boilerplate	In the event of exceptional circumstances, the Court may allow a fee in excess of the above stated Flat Fee amounts. However, the attorney must provide a detailed, itemized statement (as to date, time expended and service rendered) to justify a variance from the Flat Fee Schedule.
Brown and Mills	Yes	boilerplate	"Except under unusual circumstances where the flat rate fee would be manifestly inappropriate because of circumstances beyond the control of appointed counsel, or the complexity of the case/legal issues, compensation for court appointed counsel in felony cases shall be as follows." "In exceptional circumstances and for good cause shown, an attorney may request payment at a rate in excess of the rates specified above. Payment in excess of the fee schedule herein shall be in the sole discretion of the trial court hearing the case."
Burleson	No	See Bastrop	
Burnet	Yes	See Blanco	
Caldwell	Yes	none, see fee schedule	"These fees are subject to equitable justification in discretion of the Court in extraordinary circumstances."
Calhoun, DeWitt, Goliad, Jackson, Reguio, and Victoria	Yes	boilerplate	"An attorney will be paid at a rate of \$60 per hour unless there is a written approval/order from the Judge presiding over the case." "The attorney may request review of the fixed fee amount if the attorney deems said amount is insufficient based upon the complexity of a particular appeal."

Callahan, Coleman, and Taylor	Yes	boilerplate	"Other representation, at Judge's discretion." "Judge may deviate from above schedule in Judge's discretion."
Cameron	No	boilerplate	Unknown, fee schedule references guidelines that are not attached.
Camp	Yes	boilerplate	Total compensation for appointed counsel services in the below listed misdemeanor, felony, and juvenile cases shall not exceed the following, unless the Court, in its discretion, deems it just and necessary to award a greater sum than the following deemed minimums:
Carson, Childress, Collingsworth, Donley, and Hall	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	Total compensation for all pre-trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amounts exists
Cass	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	Total compensation for appointed counsel services in the below listed misdemeanor, felony, and juvenile cases shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Castro	No	boilerplate	none
Chambers	No	boilerplate	none
Cherokee	Yes	boilerplate	The approving Court may vary from any guideline or limit set for the herein upon good cause shown and found by the Court

Childress	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Carson	
Clay	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	Total compensation for all pre-trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amounts exists
Cochran and Hockley	Yes	boilerplate	For good cause or exceptional circumstances, such as Capital cases, an appointed attorney may request payment at an hourly rate above the rate specified in subsection(b) of this Rule, subject to review and approval by the judge presiding over the case as specified in Rule 8.02.
Coke, Concho, Irion, Runnels, Schleicher, Sterling, and Tom Green	Yes	none	In the interest of justice, for just cause, or in exceptional cases, the Court in its discretion may approve fees that differ from this schedule.
Coleman	Yes	See Callahan	
Collin	No	none	none
Collingsworth	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Carson	

Colorado	No	boilerplate	none
Comal	Yes	none	These fees are subject to equitable justification in discretion of the Court in extraordinary circumstances
Comanche	Yes	See Bosque	
Concho	Yes	See Coke	
Cooke	No	boilerplate	none
Coryell	No	boilerplate	none
Cottle	No	See Baylor	
Crane	Yes	none	The Court may deviate from this schedule for good cause.
Crockett, Reagan, Sutton, and Upton	No	boilerplate	none
Crosby	No	boilerplate	none
Culberson	No	See Brewster	
Dallam	No	boilerplate	none
Dallas	Yes	boilerplate	"All fees are to be awarded at the discretion of the judge based upon the complexity of the case and work completed by the attorney"- unclear if this just speaks to the ability to deny an unreasonable line item or to alter the pay rate
Dawson, Gaines, Garza, and Lynn	No	boilerplate	none
De Witt	Yes	See Calhoun	

Deaf Smith and Oldham	No	The court may enter an order to compensate the attorney based upon the fee schedule described above.	None
Delta	Yes	Due to the wide variety of circumstances that may be encountered in cases, total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall be determined by the judge upon the circumstances and complexity of each case. The fees set out below may be adjusted as reasonably determined by the judge.	none
Denton	Yes	Upon good cause shown, the Court may approve an amount for attorney fees which exceeds the amounts stated above. In making its determination, the Court may consider the time and labor required the complexity of the case, and the experience and ability of appointed counsel.	Upon good cause shown, the Court may approve an amount for attorney fees which exceeds the amounts stated above. In making its determination, the Court may consider the time and labor required the complexity of the case, and the experience and ability of appointed counsel.
Dickens	Yes	See Briscoe	
Dimmit, Maverick, and Zavala	Yes	For good cause or exceptional circumstances, an appointed attorney may request payment at an hourly rate above the rates specified in subsections (a) and (b) of this Rule, subject to review and approval by the judge presiding over the case as specified in Rule 8.02.	In an unusual case, the consideration 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.
Donley	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Carson	

Duval, Jim Hogg, and Starr	Yes	boilerplate	Upon written motion setting forth good cause, the Court may vary from the foregoing schedule to fairly compensate counsel in a particular case.
Eastland	Yes	boilerplate	The Court reserves the right in all cases to modify this fee schedule based on the nature and complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered.
Ector	No	boilerplate	none
Edwards, Kimble, McCulloch, Mason, and Menard	Yes	boilerplate	Compensation for time spent by counsel for in court and out of court shall be not less than SEVENTY DOLLARS AND NO CENTS (\$70.00) per hour
El Paso	Yes	If the trial Judge disapproves the requested amount of payment, the judge shall make written findings stating the amount of payment that the judge approves and each reason for approving an amount different from the requested amount.	Fee schedule has maximum rates. "An attorney may obtain excess payment by certifying to the trial court that (1) the case was extended, complex, or both and (2) excess payment is necessary to provide fair compensation. ... If the trial court grants the excess payment, the Local Administrative Judge, or one other judge of the same level as the trial court, must also approve the excess payment."

Ellis	Yes	The Court reserves the right in all cases to modify the fee requested based on the nature or complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered in the context of the ability of an average competent attorney with average experience.	It is Ordered that compensation of court appointed counsel and related expenses made pursuant to a form prescribed by the appointing courts, shall be on a case by case basis as determined by the Judge. Compensation for court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Erath	Yes	boilerplate	The Court reserves the right in all cases to modify this fee schedule based on the nature or complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered.
Falls and Robertson	Yes	boilerplate	Compensation for non-capital felony appeals shall not be less than FIVE HUNDRED DOLLARS (\$500.00) nor more than TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) unless the Court finds exceptional circumstances for exceeding said amount.
Fannin	No	boilerplate	none
Fayette	No	boilerplate	none
Fisher, Mitchell, and Nolan	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	As elsewhere, attorneys can choose between flat fee or hourly, but it's unclear whether judges have discretion over the hourly rate
Floyd	Yes	See Briscoe	

Foard, Hardeman, and Wilbarger	No	boilerplate	none
Fort Bend	Yes	boilerplate	THE COURT MAY APPROVE ADDITIONAL EXPENDITURES UPON GOOD CAUSE SHOWN AND RESERVES THE DISCRETION TO DEVIATE UPWARD OR DOWNWARD IN AWARDING AN ATTORNEY FEE (WHETHER BY THE HOUR OR BY THE TOTAL AWARDED FEE) DEPENDING ON THE TIME AND LABOR REQUIRED THE COMPLEXITY OF THE CASE. AND THE EXPERIENCE AND ABILITY OF THE APPOINTED COUNSEL
Franklin	Yes	Due to the wide variety of circumstances that may be encountered in cases, total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall be determined by the judge upon the circumstances and complexity of each case. The fees set out below may be adjusted as reasonably determined by the judge.	none
Freestone	Yes	boilerplate	Fees shall be paid according to the schedule listed hereafter unless exceptional circumstances are proven and approved by the trial judge in writing.
Frio	Yes	see Atascosa	
Gaines	No	See Dawson	

Galveston	Yes, buy only for capital murder cases	boilerplate	Capital Murder: Representation of defendant during trial before a jury on issue of guilt/innocence or punishment is paid at a rate set at the discretion of the trial court, but not less than \$100 per hour.
Garza	No	See Dawson	
Gillespie	No	See Bandera	
Glasscock, Howard, and Martin	Yes	boilerplate	For good cause shown and upon prior approval of the Court, counsel may make application for payment for services and expenses in excess of the standards promulgated herein as the interests of justice and the circumstances of the particular case require.
Goliad	Yes	See Calhoun	
Gonzales	No	boilerplate	Large state range in fee schedule, but no language about deviating from it
Gray	Yes	boilerplate	Maximum hourly rate, except for unusual cases or appeals, with advance approval of estimated fee by the Presiding Judge, \$100.00 per hour with maximum daily rate of \$750.00.
Grayson	No	boilerplate	none
Gregg	Yes	boilerplate	This schedule shall be followed in all cases, except when the judge determines that the charges are excessive or, at their discretion, payment should be awarded at an increased rate due to the nature of the case.

Grimes	Yes	The guidelines may be modified by the Court as required by the circumstances and facts of each case.	Each judge 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.
Guadalupe	No	boilerplate	none
Hale	No	boilerplate	Only for capital, and not very explicit
Hall	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Carson	
Hamilton	Yes	See Bosque	
Hansford	No	boilerplate	none
Hardeman	No	See Foard	
Hardin	No	boilerplate	none
Harris	No	boilerplate	none
Harrison	No	none	none
Hartley	No	boilerplate	none
Haskell, Kent, Stonewall, and Throckmorton	Yes	Total compensation for pre-trial, trial, post-trial, and appellate Court services by appointed counsel, shall not exceed the preceding amounts unless the Court finds exceptional circumstances or good cause for exceeding said amount.	same
Hays	No	boilerplate	none
Hemphill, Lipscomb, Roberts, and Wheeler	Yes	boilerplate	Maximum hourly rate, except for unusual cases or appeals, with advance approval of estimated fee by the Presiding Judge, \$100.00 per hour with maximum daily rate of \$750.00.

Henderson	No	boilerplate	none
Hidalgo	Yes	For good cause or exceptional circumstances, an appointed attorney may request payment at an hourly rate above the rates specified in subsections (a) and (b) of this Rule, subject to review and approval by the judge presiding over the case as specified in Rule 8.02.	For good cause or exceptional circumstances, an appointed attorney may request payment at an hourly rate above the rates specified in subsections (a) and (b) of this Rule, subject to review and approval by the judge presiding over the case as specified in Rule 8.02.
Hill	Yes	Lots of language like "a reasonable fee, but in no event less than \$XX"	Same
Hockley	Yes	See Cochran	
Hood	Yes	The Court reserves the right in all cases to modify this fee schedule based on the nature or complexity of a given case and the number of hours of professional time reasonably necessary to accomplish the services actually rendered.	none
Hopkins	Yes	Due to the wide variety of circumstances that may be encountered in cases, total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall be determined by the judge upon the circumstances and complexity of each case. The fees set out below may be adjusted as reasonably determined by the judge.	none
Houston	Yes	boilerplate	Fees shall be paid according to the schedule listed hereafter unless exceptional circumstances are proven and approved by the trial judge in writing.
Howard	Yes	See Glasscock	
Hudspeth	Yes	See Brewster	
Hunt	No	none	none
Hutchinson	No	boilerplate	none

Irion	Yes	See Coke	
Jack and Wise	Yes	boilerplate	For good cause or exceptional circumstances, an appointed attorney may request payment at an hourly rate above the rates specified herein, subject to review and approval by the judge presiding over the case; and
Jackson	Yes	See Calhoun	
Jasper, Newton, Sabine, and San Augustine	Yes	boilerplate	Fees shall be paid according to the schedule listed hereafter except in circumstances shown to and approved by the trial judge. Payment may then be adjusted up or down to meet these circumstances.
Jeff Davis	Yes	See Brewster	
Jefferson	No	boilerplate	none
Jim Hogg	Yes	See Duval	
Jim Wells	Yes	See Brooks	
Johnson	Yes	boilerplate	Total compensation for all pretrial, trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Jones and Shackelford	Yes	boilerplate	JUDGE'S DISCRETION FOR FEES NOT LISTED ABOVE. Judge may deviate from above schedule at judge's discretion.
Karnes	Yes	See Atascosa	
Kaufman	No	boilerplate	none

Kendall	No	See Bandera	
Kenedy and Kleberg	Yes	A court may vary from the foregoing schedule to fairly compensate counsel in a particular case.	none
Kent	Yes	See Haskell	
Kerr	No	See Bandera	
Kimble	Yes	See Edwards	
King	No	See Baylor	
Kinney	Yes	boilerplate	Each judge of their respective court reserves the right to deviate from these guidelines in particular cases where the amount or quality of work performed is substantially above or below the norm.
Kleberg	Yes	See Kenedy	
Knox	No	See Baylor	
La Salle	Yes	See Atascosa	
Lamar	Yes	For all other fees for appointed counsel for procedures not mentioned above (as, for example, a writ of mandamus or for reasonable compensation where the attorney is removed in favor of an earlier appointed counsel for representation of a defendant who has multiple cases), the court shall set a fee based upon the complexity and seriousness of the procedure of not less than \$25.00 per hour nor more than \$100.00 per hour in the sole discretion of the trial judge.	The Judge of the trial court shall award trial fees based upon personal knowledge and experience for the preparation and time in court, complexity of the trial and post-trial proceedings.
Lamb	Yes	boilerplate	Judges may vary from the standard fee if in that Judge's opinion the variance is warranted.

Lampasas	Yes	boilerplate	For good cause or exceptional circumstances, an appointed attorney may request payment at an hourly rate above the rates specified in subsection (a) and (b) of this Rule, subject to review and approval by the Judge presiding over the case as specified in Rule 8.02.
Lavaca	No	boilerplate	none
Lee	No	See Bastrop	
Leon	No	boilerplate	none
Liberty	No	boilerplate	none
Limestone	Yes	boilerplate	Fees shall be paid according to the schedule listed hereafter unless exceptional circumstances are proven and approved by the trial judge in writing.
Lipscomb	Yes	See Hemphill	
Live Oak	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Bee	
Llano	Yes	See Blanco	

Loving, Reeves, and Ward	Yes	boilerplate	In each case where compensation is sought in excess of the minimum amounts provided above, and in all cases of appeal, and in connection with each request for the approval of expenses for investigation and expert testimony, the court shall take into account the time and labor required, the complexity of the case, and the experience and ability of the appointed attorney. The Court shall determine in its discretion the reasonableness and necessity of the time claimed in each request for payment. In considering the above factors and the time claimed in each case, the Court shall pay for each hour determined reasonable and necessary, a rate between \$110 and \$175
Lubbock	No	boilerplate	bottom of fee schedule says "Min 5.8 hrs for Special." Unclear what that means
Lynn	No	See Dawson	
Madison and Walker	Yes	The courts reserve the right to vary the guidelines in complex cases.	Each judge reserves the right to deviate from these guidelines in particular cases where the amount or quality of work performed is substantially above or below the norm
Marion	Yes	boilerplate	Total compensation for appointed counsel services in the below listed misdemeanor, felony, and juvenile cases shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Martin	Yes	See Glasscock	

Mason	Yes	See Edwards	
Matagorda	No	boilerplate	none
Maverick	Yes	See Dimmit	
McCulloch	Yes	See Edwards	
McLennan	Yes	No provision of this plan may be construed to divest any individual Judge of the ability to take any action the Judge believes is immediately necessary in the interest of justice, to protect the rights of the accused, or to protect the public.	none
McMullen	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Bee	
Medina	Yes	boilerplate	The court may make exception to the above rates upon a showing that the rate would be unfair in a given case.
Menard	Yes	See Edwards	
Midland	No	none	boilerplate
Milam	Yes	boilerplate	Any departure from the fee structure provided herein requires pre-approval from the Court
Mills	Yes	See Brown	

Mitchell	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Fisher	
Montague	Yes	Total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists	same
Montgomery	No	boilerplate	none
Moore	No	boilerplate	none
Morris	Yes	boilerplate	Total compensation for appointed counsel services in the below listed misdemeanor, felony, and juvenile cases shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Motley	Yes	See Briscoe	
Nacogdoches	Yes	boilerplate	Attorneys fees shall be paid according to the schedule listed hereafter except in exceptional circumstances shown to and approved by the trial judge. Payment may then be adjusted up or down to meet these circumstances.
Navarro	Yes	boilerplate	In order to compensate for additional time spent on criminal, juvenile, and CPS cases, the Court will consider additional compensation when accompanied by an itemized statement
Newton	Yes	See Jasper	

Nolan	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Fisher	
Nueces	Yes	A court may vary from the foregoing schedule to fairly compensate counsel in a particular case.	same
Ochiltree	No	boilerplate	none
Oldham	No	See Deaf Smith	
Orange	No	none	none
Palo Pinto	Yes	The Court reserves the right in all cases to modify this fee schedule based on the nature or complexity of a given case and the number of hours of professional time reasonable necessary to accomplish the services actually rendered.	
Panola	No	boilerplate	none
Parker	Yes, but only for capital murder cases	boilerplate	Total compensation for pre-trial, trial and post-trial services in a capital (death penalty sought) jury trial shall not exceed FIFTY THOUSAND DOLLARS (\$50,000.00) without a court finding that good cause exists. Said fees shall not exceed TWO THOUSAND DOLLARS (\$2,000.00) in total investigator fees and TWO THOUSAND DOLLARS (\$2,000.00) in total expert fees unless the Court finds exceptional circumstances or that good cause exists for exceeding said total amount.
Parmer	Yes	See Bailey	

Pecos	Yes, but only for appellate briefs	boilerplate	Appellate briefs: set by court commensurate with time and complexity
Polk, San Jacinto, and Trinity	No	boilerplate	none
Potter	No	See Armstrong	
Presidio	Yes	See Brewster	
Rains	Yes	Due to the wide variety of circumstances that may be encountered in cases, total compensation for all pre-trial, trial, post-trial, and appellate court appointed counsel services shall be determined by the judge upon the circumstances and complexity of each case. The fees set out below may be adjusted as reasonably determined by the judge.	none
Randall	No	See Armstrong	
Reagan	No	See Crockett	
Real	Yes	boilerplate	Hourly fees for the preparation for and trial of a case must be reasonable in light of the complexity of the case (or cases), and the experience and ability of counsel. The court may make exception to the above rates upon a showing that the rate would be unfair in a given case.
Red River	Yes	boilerplate	There are stated ranges, but also language that says "to be set at the sole discretion of the trial judge based upon the complexity and seriousness of the criminal or juvenile charges." and "The Judge of the trial court shall award trial fees based upon personal knowledge of the time in court and complexity of the trial and post-trial proceedings."
Reeves	Yes	See Loving	
Refugio	Yes	See Calhoun	

Roberts	Yes	See Hemphill	
Robertson	Yes	See Falls	
Rockwall	Yes	Payments will not vary from the fee schedule except in extraordinary circumstances where the fee is shown to be manifestly inappropriate. Approval of variance will require counsel to file and present a motion with the Court which documents in detail the extraordinary circumstances.	none
Runnels	Yes	See Coke	
Rusk	No	boilerplate	same
Sabine	Yes	See Jasper	
San Augustine	Yes	See Jasper	
San Jacinto	No	See Polk	
San Patricio	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Aransas	
San Saba	Yes	See Blanco	
Schleicher	Yes	See Coke	
Scurry	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	See Borden	
Shackelford	yes	See Jones	
Shelby	No	boilerplate	none

Sherman	No	boilerplate	none
Smith	Yes	The Criminal Courts Board retains authority by majority vote to waive any portion of this plan in exceptionally justified cases or when determined necessary for the fair and impartial administration of justice.	While the courts set the caps at this level for initial expenditures, the courts may increase the allowable amount upon further justification.
Somervell	Yes; total payment cap may be exceeded, but it's unclear if the discretion is for the hourly rate or the total hours	boilerplate	Total compensation for all pretrial, trial, post-trial, and appellate court appointed counsel services shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Starr	Yes	See Duval	
Stephens	Yes	boilerplate	Fee rates will be approved on a case by case basis, depending upon the time and labor required, the complexity of the case, and the experience and ability of the appointed counsel.
Sterling	Yes	See Coke	
Stonewall	Yes	See Haskell	
Sutton	No	See Crockett	
Swisher	No	boilerplate	none
Tarrant	Yes	Payment can vary from the fee schedule in unusual circumstances or where the fee would be manifestly inappropriate because of circumstances beyond the control of the appointed counsel.	n/a
Taylor	Yes	See Callahan	

Terrell	Yes	boilerplate	Each judge of their respective court reserves the right to deviate from these guidelines in particular cases where the amount or quality of work performed is substantially above or below the norm.
Terry	Yes	The judge may make payment in an amount different than that shown below for good cause.	none
Throckmorton	Yes	See Haskell	
Titus	Yes	boilerplate	Total compensation for appointed counsel services in the below listed misdemeanor, felony, and juvenile cases shall not exceed the following, unless the Court, in its discretion, deems it just and necessary to award a greater sum than the following deemed
Tom Green	Yes	See Coke	
Travis	No, but program administrator may have discretion	none, see fee schedule	"Appointed counsel will be compensated for time actually required by an appointment at an hourly rate of \$70 to \$100 for in-court time and \$60 to \$90 for out-of-court time. The exact rate will be dependent upon the complexity of the case and the experience and ability of the appointed counsel." "In an unusual case, taking into account the considerations set forth in Texas Rules of Professional Conduct Rule 1.04(b) the Program Administrator may authorize a fee that is less than or more than the one established by these guidelines."

Trinity	No	See Polk	
Tyler	Yes	boilerplate	It is further ORDERED that total compensation for appointed counsel services and expenses shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Upshur	Yes	boilerplate	It is further ORDERED that total compensation for appointed counsel services and expenses shall not exceed the following, unless the Court finds exceptional circumstances or that good cause for exceeding said total amount exists
Upton	No	See Crockett	
Uvalde	Yes	boilerplate	The court may make exception to the above rates upon a showing that the rate would be unfair in a given case.
Val Verde	Yes	boilerplate	Each judge of their respective court reserves the right to deviate from these guidelines in particular cases where the amount or quality of work performed is substantially above or below the norm.
Van Zandt	No	boilerplate	none
Victoria	Yes	See Calhoun	
Walker	Yes	See Madison	
Waller	No	none	none
Ward	Yes	See Loving	
Washington	No	See Bastrop	

Webb	Yes	If the trial court diverts from the fee schedule and an amount exceeds the amount listed in the fee schedule, the Local Administrative Judge (in felony cases) or two County Court at Law Judges (in misdemeanor cases) or two of the juvenile judges must also approve the excess payments. In order to approve excess payments, the trial court must make the following findings:	none
Wharton	No	boilerplate	none
Wheeler	Yes	See Hemphill	
Wichita	Yes	boilerplate	Compensation for court-appointed counsel will be approved on a case by case basis, depending upon the time and labor required, the complexity of the case and the experience and ability of the appointed counsel.
Wilbarger	No	See Foard	
Willacy	No	boilerplate	Request for prior approval to exceed the maximum stated out-of-court hours and/or the maximum stated investigator fees must be filed in the appropriate court and set out the need to exceed the maximum and a justification of the cost. Extraordinary circumstances must be presented in order to obtain Court approval.
Williamson	Yes	boilerplate	"Except for good cause shown, court-appointed attorney fees will be as follows"
Wilson	Yes	See Atascosa	

Winkler	Yes	boilerplate	The Court may deviate from this schedule for good cause.
Wise	Yes	See Jack	
Wood	Yes	boilerplate	The Court may adjust fees upward for extraordinary circumstances
Yoakum	Yes	The court may enter an order to compensate the attorney based upon the fee schedule described above.	Voucher has a "reasons for denial or variation"
Young	No	boilerplate	none
Zapata	No	boilerplate	none
Zavala	Yes	See Dimmit	