

EXHIBIT A - FEE SCHEDULE

Santa Cruz County Criminal Defense
Conflicts Program

Effective FY 2025-2026

ADULT CRIMINAL CASES

CLASS 1

MISDEMEANOR

DESCRIPTION: Cases where only misdemeanor crimes are charged.

FEES:

Initial Case Fee	\$575.00
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Standard Motion

Drafting and filing	\$100.00
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Hearing on Motion per ½ session	\$200.00
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“Standard written motions” refers to boiler plate written motions, which include bail motions, discovery motions, motions for a continuance, motions to reduce a felony to a misdemeanor, and standard *in limine* motions. All motions must be in writing. A copy of the written motion must be submitted with the invoice or payment may be denied.

Substantial Motion

Drafting and filing	\$300.00
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Hearing on Motion per ½ day session	\$200.00
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Substantial written motions involve more research and complex or novel arguments. This fee applies to all substantial written motions such as Penal Code section 1538.5 motions, motions for a speedy trial, demurrers, severance motions, motions to dismiss, non-standard *in limine* motions, and trial briefs. When novel and complex issues arise in drafting *in limine* motions, and trial briefs, requiring more time and attention than anticipated, an hourly rate of \$100 per hour in lieu of the \$300 flat rate fee may apply upon written request and with approval of the Administrator. A copy of the written briefing must be submitted with the invoice or payment may be denied.

Hearings on motion per ½ day session include hearings where disputed motions are litigated or preparation is needed for potential argument at the hearing. If a motion is undisputed, no preparation is needed, and the motion is heard and decided without

argument from either party, then no hearing fee may be billed.

Trial Fee per ½ day session \$200.00

Review Hearings

Up to a maximum of three \$100.00

NOTE: The Administrator has the discretion to compensate panel attorneys for discovery review, multiple court appearances, client contact, and witness interviews at the rate of \$90.00 per hour not to exceed \$900.00, when the facts of the case warrant it.

CLASS 2
NON-SERIOUS FELONY

DESCRIPTION: Cases where the most serious crime charged is a non-"serious" felony, including extradition cases. "Serious" felonies are listed in Penal Code Section 1192.7.

FEES:

Initial Case Fee \$1,125.00

Preliminary Hearing Fee

Per Session (1/2 day= 1 session) \$200.00

Post-preliminary hearing case fee \$450.00

Motion Fee: No separate fee is paid for motions for continuances, *in limine* motions or other similar matters; compensation for these matters falls within the case fee.

Standard Motion

Drafting and filing \$100.00

Hearing on motion per ½ day session \$275.00

Standard written motions refer to boilerplate written motions, which include bail motions, discovery motions, joinders, and motions to reduce a felony to a misdemeanor. All motions must be in writing. A copy of the written motion must be submitted with the invoice or payment may be denied.

Substantial Motion

Drafting and filing \$400.00

Hearing on motion per ½ day session \$275.00

Substantial written motions involve more research and complex or novel arguments. This fee applies to all substantial written motions such as Penal Code section 1538.5 motions, motions for a speedy trial, demurrers, severance motions, motions to dismiss, non-standard *in limine* motions, and trial briefs. When novel and complex issues arise in

drafting *in limine* motions, and trial briefs, requiring more time and attention than anticipated, an hourly rate of \$100 per hour may apply upon written request and with approval of the Administrator. A copy of the written briefing must be submitted with the invoice or payment will be denied.

Hearings on motion per ½ day session include hearings where disputed motions are litigated or preparation is needed for potential argument at the hearing. If a motion is undisputed, no preparation is needed, and the motion is heard and decided without argument from either party, no hearing fee may be billed.

Trial Fee per ½ day session \$275.00

Review Hearings

Up to a maximum of three \$100.00

NOTE: The Administrator has the discretion to compensate panel attorneys for discovery review, multiple court appearances, client contact, and witness interviews at the rate of \$100.00 per hour not to exceed \$2,500.00, when the facts of the case warrant it.

CLASS 3

SERIOUS FELONY

DESCRIPTION: Cases where the most serious crime charged is a "serious" felony as defined by Penal Code Section 1192.7, except those falling into the specific definition of Class 4 or Death Penalty.

FEES:

Initial Case Fee \$1,350.00

Preliminary Hearing Fee

Per Session (1/2 day= 1 session) \$250.00

Post-preliminary hearing case fee \$600.00

Motion Fee: No separate fee is paid for motions for continuances, in limine motions or other similar matters; compensation for these matters falls within the case fee.

Standard Motion

Drafting and filing \$100.00

Hearing on motion per ½ day session \$300.00

Standard written motions refer to boilerplate written motions, which include bail motions, discovery motions, joinders, and motions to reduce a felony to a misdemeanor. All motions must be in writing. A copy of the written motion must be submitted with the invoice or payment may be denied.

Substantial Motion

Drafting and filing \$400.00

Hearing on motion per ½ day session \$300.00

Substantial written motions involve more research and complex or novel arguments. This fee applies to all substantial written motions such as Penal Code section 1538.5 motions, motions for a speedy trial, demurrers, severance motions, motions to dismiss, non-standard *in limine* motions, and trial briefs. When novel and complex issues arise in drafting *in limine* motions, and trial briefs, requiring more time and attention than anticipated, an hourly rate of \$100 per hour may apply upon written request and with

approval of the Administrator. A copy of the written briefing must be submitted with the invoice or payment will be denied.

Hearings on motion per ½ day session include hearings where disputed motions are litigated or preparation is needed for potential argument at the hearing. If a motion is undisputed, no preparation is needed, and the motion is heard and decided without argument from either party, no hearing fee may be billed.

Trial Fee per 1/2 day session \$350.00

Review Hearings:

Up to a maximum of three. \$100.00

NOTE: The Administrator has the discretion to compensate panel attorneys for discovery review, multiple court appearances, client contact, and witness interviews at the rate of \$100.00 per hour not to exceed \$2,500.00, when the facts of the case warrant it.

CLASS 4

HOMICIDES/COMPLEX SERIOUS FELONIES/ LIFE WITHOUT THE POSSIBILITY OF PAROLE

A. HOMICIDE/COMPLEX SERIOUS FELONIES WITH LIFE EXPOSURE/LIFE WITHOUT THE POSSIBILITY OF PAROLE

DESCRIPTION: Cases where the most serious crime charged is murder and the death penalty will not be sought or determined not to be likely by current practices and status of the law. This rate also applies to three-strikes life cases and cases that include a charge for which life imprisonment is highly likely to be imposed.

The assigned attorney shall provide a case cost estimate when the matter is assigned, and is obligated to monitor any and all spending, including ancillary costs, associated with the case to prevent waste and duplication of services. The case estimate and revisions are subject to Administrator approval. The Administrator may deny any claims for fees outside the approved case estimate.

Failure to monitor spending will not justify approval of additional funds for attorney fees or ancillary costs.

FEES: **\$140.00/hour**

B. NON-LIFE COMPLEX FELONY

DESCRIPTION: Cases involving a high degree of complexity due to various factors and serious felony charges, including but not limited to, manslaughter, attempted murder, gang cases involving three or more co-defendants, novel legal issues, and high volume of discovery (i.e., thousands of pages of documents and extensive digital data).

The assigned attorney shall provide a case cost estimate when the matter is assigned, and is obligated to monitor any and all spending, including ancillary costs, associated with the case to prevent waste and duplication of services. The case estimate and revisions are subject to Administrator approval. The Administrator may deny any claims for fees outside the approved case estimate.

Failure to monitor spending will not justify approval of additional funds for attorney fees or ancillary costs.

FEES: **\$130.00/hour**

CIVIL PROCEEDINGS / OSC-CONTEMPT CASE:

FEES:

Initial Case Fee:	\$575.00
Post-disposition Reviews	\$100.00 ea.

Up to a maximum of four.

No further payment unless approved by the Administrator on a showing of extraordinary circumstances.

Motion Fee: No separate fee is paid for motions for continuances, in limine motions or other similar matters; compensation for these matters falls within the case fee.

Standard Motion	\$100.00
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Standard boilerplate type motions such routine joinder motions that are filed and argued, are compensated at the \$100.00 rate. A copy of the written motion must be included with the invoice.

Substantial Motion	\$350.00
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Substantial motions that are filed and argued are compensated at the \$350.00 rate. A copy of the written motion must be included with the invoice.

Trial Fee per ½ day session	\$250.00
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LANTERMAN-PETRIS-SHORT (LPS)

DESCRIPTION: Cases involving mental health (LPS) conservatorships in which panel attorneys may be appointed to represent a conservatee who disputes the legal necessity for a temporary or permanent conservatorship as described in the Lanterman-Petris-Short Act and Welfare and Institutions Code sections 5000, et seq.

FEES:

Initial Case Fee:	\$1,250.00
Evidentiary Hearing:	\$250.00
Trial Fee per ½ day session:	\$250.00

PC 2603 PETITIONS

DESCRIPTION: Civil proceedings brought pursuant to Penal Code 2603 seeking administration of psychiatric medication without consent.

FEES: \$120.00/hour

Attorneys must provide a case estimate at time of assignment, and periodically update and revise the estimate as the case progresses. The case estimate and revisions are subject to Administrator approval. The Administrator may deny any claims for fees outside the approved case estimate.

JUVENILE DELINQUENCY CASES

EARLY INTAKE/REPRESENTATION [Welfare and Institutions Code 627(c) (AB 2644)]

DESCRIPTION: Intake and/or representation of youth from booking notification through the day before the first set court date on the arrest consistent with Welfare and Institutions Code 627(c), effective January 1, 2023.

This category covers early representation work completed from the date of booking to the day prior to the first court appearance on the arrest and does not include work within the scope of regular representation on a petition or charging document, such as case preparation after case assignment on the eve of the initial hearing, detentions for electronic monitoring violations, or post disposition returns from a commitment or placement.

Early representation bills must include an hourly invoice detailing the work completed during the early representation period with date and time spent on the work and demonstrating that the work is outside the scope of the regular representation provided on the petition.

FEES: \$115.00/hour

CLASS 1
JUVENILE MISDEMEANOR

DESCRIPTION: Cases where only misdemeanor crimes are charged or a Section 777 petition is filed and not consolidated with another petition.

FEES:

Initial Case Fee	\$400.00
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Motion Fee: No separate fee is paid for motions for continuances, *in limine* motions or other similar matters; compensation for these matters falls within the case fee.

Standard Motion

Drafting and filing:	\$100.00
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Hearing on motion per ½ day session:	\$250.00
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Standard boilerplate type motions such as routine joinder motions.
All motions must be in writing. A copy of the written motion must be submitted with the invoice or payment may be denied.

Substantial Motion

Drafting and filing:	\$300.00
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Hearing on motion per ½ day session:	\$250.00
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Substantial written motions involve more research and complex or novel arguments. This fee applies to all substantial written motions such as motions under Welfare and Institutions Code section 782, Penal Code section 1538.5, motions for a speedy trial, demurrers, severance motions, motions to dismiss, non-standard *in limine* motions, and trial briefs. A copy of the written briefing must be submitted with the invoice or payment may be denied.

Post-disposition review hearing	\$125.00
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Trial Fee per ½ day session	\$250.00
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CLASS 2

JUVENILE NON-SERIOUS FELONY

DESCRIPTION: Cases where the most serious crime charged is a "non-serious" felony and not listed in Welfare and Institutions Code section 707(b).

FEES:

Initial Case Fee	\$800.00
Probable Cause/<i>Dennis H.</i> hearing per ½ day session	\$200.00

(This fee may be billed in contested detention hearings when a witness is called to testify.)

Motion Fee: No separate fee is paid for motions for continuances, *in limine* motions or other similar matters; compensation for these matters falls within the case fee.

Standard Written Motion

Drafting and filing	\$100.00
Hearing on motion per ½ day session:	\$250.00

Standard written motions refer to boilerplate written motions, which include bail motions, discovery motions, joinders, and motions to reduce a felony to a misdemeanor. All motions must be in writing. A copy of the written motion must be submitted with the invoice or payment may be denied.

Substantial Written Motion

Drafting and filing	\$350.00
Hearing on motion per ½ day session	\$250.00

Substantial written motions involve more research and complex or novel arguments. This fee applies to all substantial written motions such as motions under Welfare and Institutions Code section 782, Penal Code section 1538.5, motions for a speedy trial, demurrers, severance motions, motions to dismiss, non-standard *in limine* motions, and trial briefs. A copy of the written briefing must be submitted with the invoice or payment

may be denied.

Post-disposition review hearing \$125.00

Trial Fee per ½ day session \$300.00

CLASS 3
JUVENILE SERIOUS FELONY

DESCRIPTION: Cases where the most serious crime charged is a “serious” felony as defined by Welfare and Institutions Code section 707(b).

FEES:

Initial Case Fee \$1,100.00

Motion Fee: No separate fee is paid for motions for continuances, in limine motions or other similar matters; compensation for these matters falls within the case fee.

Probable Cause/Dennis H. hearing per ½ day session \$250.00

(This fee may be billed in contested detention hearings when a witness is called to testify.)

Standard Written Motion

Drafting and filing \$100.00

Hearing on Motion per ½ day session \$350.00

Standard written motions refer to boilerplate written motions, which include bail motions, discovery motions, joinders, and motions to reduce a felony to a misdemeanor. All motions must be in writing. A copy of the written motion must be submitted with the invoice or payment may be denied.

Substantial Written Motion

Drafting and filing \$400.00

Hearing on Motion per ½ day session \$350.00

Substantial written motions involve more research and complex or novel arguments. This fee applies to all substantial written motions such as motions under Welfare and Institutions Code section 782, Penal Code section 1538.5, motions for a speedy trial, demurrers, severance motions, motions to dismiss, *in limine* motions, and trial briefs. A copy of the written briefing must be submitted with the invoice or payment may be

denied.

Post-disposition review hearing: \$125.00

Trial Fee per ½ day session \$350.00

CLASS 4

JUVENILE HOMICIDES/COMPLEX SERIOUS FELONIES

A. JUVENILE HOMICIDE/COMPLEX SERIOUS FELONIES WITH LIFE/LWOP EXPOSURE

DESCRIPTION: Transfer cases, or where the most serious crime charged is murder, or the case involves a serious and/or complex felony or multiple felonies with life/life without possibility of parole exposure as determined by the Administrator in their sole discretion following a written request by assigned attorney.

Attorneys must provide a case estimate at time of assignment, and periodically update and revise the estimate as the case progresses. The case estimate and revisions are subject to Administrator approval. The Administrator may deny any claims for fees outside the approved case estimate. Assigned attorney is obligated to monitor any and all spending, including ancillary costs, associated with the case to prevent waste and duplication of services. Failure to monitor spending or ancillary costs will not justify approval of additional funds for attorney fees or ancillary costs.

FEES: \$140.00/hour

B. NON-LIFE JUVENILE COMPLEX FELONY

DESCRIPTION: Cases involving a high degree of complexity due to various factors and serious felony charges, including but not limited to, manslaughter, attempted murder, gang cases involving three or more co-defendants, novel legal issues, and high volume of discovery (i.e., thousands of pages of documents and extensive digital data).

Attorneys must provide a case estimate at time of assignment, and periodically update and revise the estimate as the case progresses. The case estimate and revisions are subject to Administrator approval. The Administrator may deny any claims for fees outside the approved case estimate. Assigned attorney is obligated to monitor any and all spending, including ancillary costs, associated with the case to prevent waste and duplication of services. Failure to monitor spending or ancillary costs will not justify approval of additional funds for attorney fees or ancillary costs.

FEES: \$130.00/hour

MISCELLANEOUS CASE FEES

INVESTIGATORS:

Class 1, 2, 3 Cases:	\$75.00/hour
Class 2 or 3 Special:	\$80.00-90.00/hour
Class 4 Cases:	\$90.00-\$100.00/hour

Mileage reimbursement in accordance with this Fee Schedule.

INVESTIGATOR TRAINEE: \$35.00/hour

INTERPRETERS:

\$85.00 for the first hour, and \$75.00 per hour for each additional hour, unless a higher rate is approved by the Administrator based on market conditions or other special circumstances.

PARALEGAL:

\$65.00-\$85.00 per hour at the sole discretion of the Administrator depending on the level of experience, competence, and/or the type of work being performed.

\$50.00 - \$60.00 per hour for entry level paralegals who have less than 2 years of experience with paralegal duties relevant to criminal practice.

TRANSCRIBERS: \$30.00-\$35.00/hour

LEGAL ASSISTANTS: \$25.00-\$50.00/hour

Attorneys may utilize services of Legal Assistants upon Administrator approval, to perform tasks such as: reviewing jail calls, reviewing Body Worn Camera (BWC) recordings, redacting, organizing files in preparation for trial, filing documents, and any other task authorized by the Administrator.

The rate is determined by the Administrator in their sole discretion based on the level of experience, competence, and type of work being performed.

Legal Assistants will not be eligible for compensation for performing secretarial or clerical services.

LAW STUDENTS: \$35.00/hour.

Attorneys may utilize services of law students who have been pre-approved by the

Administrator, to perform the following tasks: Legal research, drafting, redacting, and organizing files in preparation for trial, filing documents, and any other task authorized by the Administrator. Law students will not be eligible for compensation for performing secretarial or clerical services as set forth in the Policies and Procedures. Attorneys are required to review invoices prepared by law students pursuant to this section and to sign each invoice submitted for payment by the law student to verify the accuracy of the task and time claimed. Law Students will not be entitled to mileage reimbursement.

REQUEST FOR AN EXPERT WITNESS/SOCIAL WORKER/CONSULTANT OR OTHER SPECIALIST:

The Administrator has the sole discretion to approve all experts for a case and will set the maximum fee allowed. An attorney requesting an expert for a case must make the request in person, by mail or email prior to any work being performed by the expert. Once approved, the attorney handling the case is responsible for maintaining all records of work requested and completed, and monitoring the cost of the expert and investigation in the case. Expenses that were not approved in advance may be disallowed.

MILEAGE REIMBURSEMENT:

All valid mileage reimbursement claims will be reimbursed in accordance with the rates in effect at the time of travel as published by the Internal Revenue Service for optional business standard mileage, which may be modified from time to time.

FAILURE TO APPEAR (FTA):

FTA at Initial Hearing: An initial case fee may be billed in cases where the client fails to appear at the first appearance if case preparation was completed by the attorney. When case preparation was not completed, the attorney may bill one hour of the Early Intake Fee.

Re-Initiation After FTA: A subsequent case fee may be billed upon re-initiation of proceedings if one year or more has passed since the failure to appear. If no new or additional work is needed beyond the work traditionally associated with the re-initiation appearance, the appearance fee should be billed, and a subsequent case fee is not permitted. Example: If the client returns in custody, accepts the previous offer in the case and proceeds to sentencing at that first hearing based on previous preparation, the appearance fee should be billed.

Attorneys must submit documentation with relevant justification when billing an initial case fee after an FTA at the initial hearing or when billing a subsequent case fee after one year has passed from the date of the FTA.

OTHER CASE FEES

CONSOLIDATED CASES:

All cases assigned together or additional cases assigned while representing the client are considered consolidated. Only cases with completely separate appearance dates throughout the representation per client will be compensated by the rates listed in the Fee Schedule. Consolidated cases are billed as follows:

1. One case is billed at the rates in the Fee Schedule. In the event one of the cases is higher in classification than the other(s), the higher case will be paid at the regular rate and the lower case(s) will be paid at the consolidated rate.

2. Case Fee per each additional case:

Class 1:	\$200.00
Class 2:	\$300.00
Class 3:	\$400.00

3. Preliminary Examination Fee is compensated at the rate listed in the Fee Schedule.

4. Attorneys may seek to bill the cases as unconsolidated. A written request to and written approval by the Administrator is required. If approval is granted, separate compensation forms for each case will be issued and the separated case will be compensated separately consistent with the rates listed elsewhere in this Fee Schedule.

ATTORNEY OF THE DAY: \$325.00

APPEARANCE FEE: \$100.00

(Only for in-person appearances where a new client fails to appear or retains private counsel at the first appearance)

ADVICE OF WITNESS:

Class 1, 2, 3 \$300.00

Class 4 \$350.00

(Per session. ½ day = 1 session)

MISDEMEANOR APPEAL CASE: \$115/hour

(Up to \$4,000.00 per case unless the Administrator determines that the appeal is complex and grants prior approval for additional hours.)

WRITS: \$110.00/hour
(Up to \$4,000.00 per case unless prior authorization has been granted by the Administrator)

SPECIAL RATE HOURLY FEE “CLASS 1, 2, or 3” CASES

Special Rate Hourly Fee “Class 1, 2, 3” Cases \$115-130/hour

Regardless of the charges, certain cases in either adult or juvenile court present unique and significant challenges for appointed counsel. For cases that present unique challenges, including but not limited to, challenging clients with complicated mental health issues, competency issues, the need to prepare a late-referred time-not-waived trial on an expedited basis, a significant number of counts in a complaint/petition and/or a significant number of cases for a single client pending at once, the Administrator, in their sole discretion, may classify this type of case to an hourly rate within the range described above, upon request of the assigned attorney.

POST CONVICTION RESENTENCING CASE FEES

- A. SB 1437 (PC 1172.6 [superseding PC 1170.95]):** \$130.00/hr
- B. SB 775 (PC 1172.6 [superseding PC 1170.95]):** \$130.00/hr
- C. YOUTHFUL OFFENDER PAROLE (PC 3051):** \$130.00/hr
- D. Retroactive RJA (PC 745(j)(2)-(5)):** \$130/hr
- E. PC 1170(d) (PC 1172.1 [superseding PC 1170.03]):** \$120/hr
- F. SB 483 (PC 1172.7, PC 1172.75 [superseding PC 1171, PC 1171.1]):** \$120/hr
- G. PC 1473.7(a)-Vacating a Conviction:** \$120/hr

Attorneys must provide a case estimate at time of assignment, and periodically update and revise the estimate as the case progresses. The case estimate and revisions are subject to Administrator approval. The Administrator may deny any claims for fees outside the approved case estimate.

SPECIAL ASSIGNMENTS FEES: \$100.00/hour
Description: line-ups, consultation, expungements, calendar coverage, and any other matters at the request of the Administrator.

EARLY INTAKE/REPRESENTATION – ADULT COURT BOOKING NOTIFICATIONS

DESCRIPTION: Intake and/or representation of persons booked into the county jail after an arrest for an adult offense or violation of probation/parole.

This category covers early representation work completed from the date of booking to the day prior to the first court appearance on the arrest and does not include work within the scope of regular representation on a complaint or charging document, such as case preparation after case assignment on the eve of the initial hearing.

Early representation bills must include an hourly invoice detailing the work completed during the early representation period with date and time spent on the work and demonstrating that the work is outside the scope of the regular representation provided on the complaint or charging document.

FEES: \$115.00/hr
(Not-to-exceed 10 hours without Administrator’s prior written approval)