

Application Process for Misdemeanor Court Appointments

Fill out the attached application completely and attach all supporting documentation.

The completed application must be presented to each of the County Court at Law Judges in person. In order for the application to be approved, it must contain at least four of the six County Court at Law Judges' signatures.

Upon approval of the application, you will need to submit it to:

Tracye Sparks
Indigent Defense Specialist
1800 N. Graves Street, Suite 162
McKinney, TX 75069

You will also need to complete and return the attached W-9 form to the Collin County Auditor's Office either by fax, regular mail or in person at the address provided on the form.

Attorney Fee Schedule

Counsel shall be paid an hourly rate of between \$75 and \$125 for services performed under the Plan, not to exceed:

\$450 for a plea on a driving while intoxicated case, plus \$100 each for additional cases pled on the same day, at the discretion of the judge.

\$350 for a dismissal or for all non-driving while intoxicated pleas plus \$100 each for additional cases pled on the same day, at the discretion of the judge.

\$2500 for the trial of any case, including a motion for new trial.

\$2500 for the appeal of any case, including motions for rehearing.

In unusually difficult, complex or time consuming cases, an attorney may request a fee which exceeds the foregoing schedule.

APPLICATION TO RECEIVE MISDEMEANOR COURT APPOINTMENTS

I, the undersigned attorney, hereby apply to the Judges of the County Courts at Law of Collin County, Texas to receive appointments to represent indigent persons charged with criminal offenses in misdemeanor cases.

I am applying for the following types of adult misdemeanor appointments:

Class A/B Appeals Foreign Language(s): _____

I certify that I meet the following residency requirement established by the Judges to receive appointments in misdemeanor cases (check one):

I reside in and maintain my principal office in Collin County, Texas;
or

I have attached an affidavit showing the total number of criminal cases I have appeared in as attorney of record during the preceding twelve month period and eighty percent of those were cases filed in Collin County, Texas.

I further certify that I meet the following competency standards established by the Judges to receive appointments in misdemeanor cases (check one):

I am a licensed attorney in good standing with the State Bar of Texas and I am Board Certified in Criminal Law by the Texas Board of Legal Specialization;
or

I am a licensed attorney in good standing with the State Bar of Texas, I have been practicing law for at least two years, I have tried three criminal cases during my career to a jury either as the first or second chair attorney and I have completed at least sixteen hours of CLE in criminal law during the twenty four month period preceding the date of this application;
or

I am applying under the "other criteria" section of The Interim Collin County Misdemeanor Indigent Defense Plan.

I further certify that I am familiar with the requirements of Texas Senate Bill 7 (The Fair Defense Act) and that I will comply with all of the duties and requirements of the Act in representing my clients in the cases in which I am appointed.

Signed this _____ day of _____, 20_____.

Signature

APPLICATION TO RECEIVE COURT APPOINTMENTS

Printed Name: _____

Address: _____

City, State and Zip: _____

Office Telephone Number: _____

Office Fax Number: _____

Email Address: _____

State Bar No.: _____

Date Licensed: _____

COMPLETE ONE OF THE FOLLOWING:

1. Date of Board Certification in Criminal: _____
or
2. Style and Cause numbers of three criminal jury trials tried as first or second chair in a county or district court during your legal career. And provide a copy of the criminal law CLE courses completed during the preceding twenty four months totaling at least sixteen hours:

Jury Trials:

a. _____

b. _____

c. _____

3. If you do not meet the foregoing criteria, please list other criteria which should be considered, including but not limited to, years of legal experience, board certification in fields of law other than criminal law, number of civil and criminal trials completed, hours of continuing legal education completed and professional reputation for handling criminal cases.

ORDER APPROVING APPLICATION

After considering the foregoing application the County Court at Law Judges of Collin County, whose signatures appear below, are of the opinion that it should be granted, that the applicant is qualified to receive appointments in county court cases, and that the applicant's name shall be added to the list from which selection of appointed counsel is to occur in misdemeanor cases.

Judge, County Court at Law No. 1

Judge, County Court at Law No. 2

Judge, County Court at Law No. 3

Judge, County Court at Law No. 4

Judge, County Court at Law No. 5

Judge, County Court at Law No. 6

Request for Taxpayer Identification Number and Certification

Give form to the
 requester. Do not
 send to the IRS.

Print or type
 See Specific Instructions on page 2.

Name (as shown on your income tax return)	
Business name, if different from above	
Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ <input type="checkbox"/> Exempt payee <input type="checkbox"/> Other (see instructions) ▶	
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	COLLIN COUNTY GOVERNMENT 2300 Bloomdale Road, Suite 3100 McKinney TX 75071
List account number(s) here (optional)	Off: 972.548-4731 ~ Fax: 972.548.4696

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number
OR
Employer identification number

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out Item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, Item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here

Signature of
 U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,