

Office of Court Administration Texas Judicial Council



APPOINTMENTS AND FEES REPORT INSTRUCTIONS FOR APPELLATE, JUSTICE AND MUNICIPAL COURTS

Statutes and Rules

Chapter 36, Texas Government Code

Requires the **clerk of each court in the state** to prepare a report every month on court appointments made and any fees paid for an

- attorney ad litem
- guardian ad litem
- guardian
- mediator or
- competency evaluator^a

in any case with the following exceptions:

- a mediation conducted by an **alternative dispute resolution** system established under Ch. 152, Civil Practice and Remedies Code
- information made confidential under **state or federal law**, including applicable rules (e.g., judicial bypass cases)
- a guardian ad litem or other person appointed under a program authorized by Sec. 107.031, Family Code (**volunteer advocates in child protection cases**)
- an attorney ad litem, guardian ad litem, amicus attorney, or mediator appointed under a **domestic relations office** established under Ch. 203, Family Code.

Monthly reports must be submitted for each court **whether or not there was activity** to report for the month.

Other requirements:

- The report is due to the Office of Court Administration (OCA) **no later than 15 days** following the end of the month reported.
- A copy of the report must be posted at the courthouse and on the court's website.

^a A physician or psychologist who performs examinations to determine whether an individual is incapacitated or has an intellectual disability for **purposes of appointing a guardian** for the individual.

If a court fails to provide the information necessary for the clerk to submit the required report, the court is ineligible for any grant money awarded by the state or a state agency for the next state fiscal biennium.

What to Submit to OCA

For each court

1. All appointments made during the month **OR** report of no appointments made during the month

AND

2. All payments approved during the month **OR** report of no payments made during the month

WHEN TO REPORT THE FEE

- If the amount of the fee is specified in the order, report the fee for the **month in which the approval order was signed** (for example, a fee for a specific amount that is approved in September, but not actually paid until October would be included in the report for September).
- If the amount of the fee is not specified in the order, report the fee for the **month it is paid** (when the amount of the fee becomes known to the court/clerk).

1. Appointments

➤ ***NO APPOINTMENTS MADE DURING MONTH***

Submit No Activity report indicating that there was no activity for the month for the court.

➤ ***REPORTABLE ACTIVITY FOR THE MONTH***

For each appointment, report:

1. **NAME OF COURT**
2. **NAME OF JUDGE ORDERING APPOINTMENT**
3. **CASE NUMBER AND STYLE OF CASE**

The style may be abbreviated to include, for example, just the last names of the parties. *In matters where confidentiality of the parties is required, judges and clerks should use their discretion regarding the style of the case.*

4. **STATE BAR CARD NUMBER OF APPOINTEE IF AN ATTORNEY**
5. **NAME OF PERSON APPOINTED**
6. **POSITION TO WHICH APPOINTED**
7. **RELATIONSHIP TO WARD OR DECEASED, IF RELEVANT**

Select "Not Applicable."

8. **DATE OF APPOINTMENT**

2. Payments

➤ ***NO FEES APPROVED DURING MONTH***

Submit a No Activity report indicating that there was no activity for the month for the court.

➤ ***REPORTABLE ACTIVITY FOR THE MONTH***

For each fee approved, report:

1. **NAME OF COURT**
2. **NAME OF JUDGE APPROVING PAYMENT**
3. **CASE NUMBER AND STYLE OF CASE**

The style may be abbreviated to include, for example, just the last names of the parties. *In matters where confidentiality of the parties is required, judges and clerks should use their discretion regarding the style of the case.*

4. **STATE BAR CARD NUMBER OF APPOINTEE IF AN ATTORNEY**
5. **NAME OF PERSON APPOINTED**
6. **POSITION TO WHICH APPOINTED**
7. **RELATIONSHIP TO WARD OR DECEASED, IF RELEVANT**

Select "Not Applicable."

8. DATE OF APPROVAL OF FEE

Date the approval order was signed (or the date the payment was made if the amount of compensation was not specified when the approval order was signed).

9. SOURCE OF FEE

A sample list of sources is included at the end of this document for reference.

10. AMOUNT APPROVED

Dollar amount approved for payment. The **entire amount** should be reported, not the rate approved (i.e., not \$15 per hour).

Each payment reported must include any and all fees occurring as a result of the appointment. It shall include attorneys' fees and related expenses resulting from the appointment.

CASES IN WHICH TOTAL COMPENSATION EXCEEDS \$1,000

If the total amount of compensation paid to an appointee for 1 case exceeds \$1,000 for the month, report:

11. NUMBER OF HOURS BILLED

The number of hours billed to the court for the work performed by the appointee or the appointee's employees, including paralegals.

12. TOTAL BILLED EXPENSES

The total dollar amount of expenses billed to the court for the work performed by the appointee or the appointee's employees, including paralegals.

How to Submit Reports

All reports must be entered into the reporting database at <http://card.txcourts.gov/> beginning with the report for September 2016 (due by October 15, 2016). Please refer to **Instructions for Reporting Database** posted at <http://www.txcourts.gov/reporting-to-oca/appointments-and-fees/justice-municipal-appellate/> for more information.

The sample list of fee sources are included below to aid you in preparing your monthly report. These are partial lists only—there may be additional sources.

SOURCE OF FEES

Applicant
County
Defendant
Estate
General Fund
Insurance
Managing Conservator
Municipality
Named Person (*i.e., individual identified by name*)
Parent or Guardian
The Parties
Plaintiff
Possessory Conservator
Registry of the Court
State
Trust
Trustee

If additional selections need to be added to the database for the **Fee Source** fields, contact the Judicial Information Section.

JudInfo@txcourts.gov