



**Jay Mayden**  
County Judge

March 6, 2020

Mr. Joel Lieurance  
Senior Policy Analyst  
209 W. 14<sup>th</sup> Street, Room 202 (Price Daniel Building)  
Austin, Texas 78701

**Re: Summary of Findings and Recommendations Remaining to be addressed;**

Mr. Joel Lieurance

**Finding and Recommendation 1: Successfully addressed in the 2020 review**

**Finding and Recommendation 2 Childress County must implement procedures to make prompt determination of indigence:** The end of the third working day after the date on which the court or the courts' designee receives the defendant's request for appointment of counsel, if the defendant is arrested in a county with a population of less than 250,000 (CCP 1.051). There were some paperwork issues that have been addressed and the court is receiving the request for counsel now from the Sheriff's Department.

**Finding and Recommendation 3 Childress County must ensure that its procedure for ruling on counsel requests meet the requirements of both Article 1.051(c) and 1.051(f-2).** In a rural community almost everyone could be considered indigent by the standards set forth in the determination of indigence. The cost of a routine DWI defense in our area ranges from \$2000-\$5000. That would impose a hardship on many, many people. If TIDC has a better form of questions or a form you feel would make it easier on the court to determine indigence then this court would be very grateful to receive that. As for 1.051(f-2) there are several times people will ask for court appointed counsel and before a determination is given they on their own contact our County Attorney wanting to discuss options. I have advised our County Attorney that he can no longer discuss cases with defendants who have asked for court appointed attorney until they have contacted the court to sign a waiver stating they understand what they are doing and this is the action they wish to take. At NO time is the defendant encouraged by this court to discuss options with the States attorney.

Thank you,

Jay Mayden  
Childress County Judge