

ERATH COUNTY COURT AT LAW

100 W. Washington
Stephenville, Texas 76401
(254) 965-1417
Fax (254) 965-1402



BART McDOUGAL
Judge

Susy Warren
Court Administrator

July 29, 2013

Joel Lieurance
Policy Monitor
Texas Indigent Defense Commission
209 West 14th Street, Room 202
Austin, Texas 78701

RECEIVED
AUG 05 2013

Dear Mr. Lieurance:

Erath County has corrected the problem described in the June 25, 2013, follow-up review if such problems existed.

There were four cases reviewed by Erath County Chief Juvenile Probation Officer Dale E. Warren which failed to have attorneys appointed upon detention. One was a Texas Juvenile Justice Department parole case, two retained attorneys, and one was disposed by counsel and release without facing charges.

The policy implemented to assure juveniles receive timely appointment of counsel is to provide parents with an application for court appointed attorney upon detention. Parents are instructed to present the completed application to the County Court at Law Judge on the first working day after detention. The Juvenile Probation Department also calls on the first working day after detention to assure the application is received and if not asks the Court to appoint counsel without the application.

I am sure any indigent juveniles will receive timely appointment of counsel with these procedures in place.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink that reads "Bart McDougal".

Bart McDougal
County Court at Law Judge

c: Mr. James D. Bethke, Director, Texas Indigent Defense Commission
The Honorable Jason Cashon, 266th District Court Judge
The Honorable Tab Thompson, County Judge
Dale Warren, Chief Juvenile Probation Officer
Mickie Bell, Indigent Defense Program Director

SW

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BART McDOUGAL
Judge

Susy Warren
Court Administrator

August 27, 2013

RECEIVED
SEP 03 2013

Joel Lieurance, Policy Monitor
Texas Indigent Defense Commission
209 West 14th Street, Room 202
Austin, Texas 78701

Dear Mr. Lieurance:

Thank you for your response to my July 29, 2013 correspondence. I believe we can make a slight modification to address your concern for detention hearings after normal business hours.

Rather than appoint counsel in such cases on the first business day we will simply ask any magistrate conducting a juvenile detention hearing to appoint counsel prior to the hearing.

Should the juvenile or the juvenile's family retain an attorney we will allow appointed counsel to withdraw.

Thank you for your continued assistance in this regard.

Very truly yours,

A handwritten signature in black ink that reads "Bart McDougal".

Bart McDougal
Court at Law Judge

- c: Judge Tab Thompson, County Judge
Judge Jason Cashon, 266th District Court
Judge Shawnee Bass, Justice of the Peace, Precinct #1
Judge Bart Greenway, Justice of the Peace, Precinct #2
Dale Warren, Chief Juvenile Probation Officer
Micki Bell, Indigent Defense Program Director
James D. Bethke, Director TIDC