

# COUNTY OF GAINES

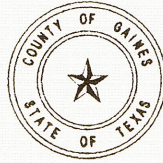
**Tom N. Keyes**

*County Judge*

P.O. Box 847

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September 22, 2017

Mr. Joel Lieurance  
Texas Indigent Defense Commission  
209 West 14<sup>th</sup> Street, Room 202  
Austin, Texas 78701

Dear Mr. Lieurance

I've attached Gaines County's response to the findings of the May 2017 onsite review. I appreciate your forbearance as we worked on getting answers that we think will address the issues raised by the review.

Sincerely,

A handwritten signature in blue ink that reads "Tom N. Keyes". The signature is written in a cursive style.

Tom N. Keyes  
County Judge  
Gaines County



Gaines County, Texas

Response to May 2017 recommendations.

Core Requirement 1. Conduct prompt and accurate magistration proceedings.

May 2017 Recommendation 1. The two Justices of the Peace and the County Judge provide magistration using a common form. We will add language to the form that will tell a defendant how to get assistance in filling out the request for appointment of counsel, if he chooses to fill out the form while he is in jail. The language will also direct the defendant where to turn in the form, or get assistance if he/she chooses to wait to fill out the form until they are out of jail. The second part of this recommendation is dealt with in detail in the next recommendations.

Core Requirement 4. Appoint counsel promptly.

May 2017 Recommendation 2: The County Judge, working with the County Sheriff, has arranged to have each completed application for appointment of counsel to be scanned into a .pdf format by a jailer, and emailed to the appropriate appointing authority. For legibility reasons, the District Judge prefers to receive the original applications, and we are looking for someone to transport those daily to her office in Dawson County instead of depending on the US Mail.

May 2017 Recommendation 3: The County Judge, working with the County Sheriff, has arranged to have each completed application for appointment of counsel to be scanned into a .pdf format by a jailer, and emailed to the appropriate appointing authority. To date, on misdemeanor cases, the County Judge has been able to demonstrate the ability to receive and act on applications in less than 24 hours, except when applications are completed on Friday or Saturday. If the application is denied, a response can be emailed thru the jailers to immediately inform the defendant of the denial and the reason for the denial.

May 2017 Recommendation 4: The new procedure of using email to send the applications provides an easily retrieved documentation of every application sent from the jail. Each application is being marked with the date sent and received, and is marked with the date when the appointment of counsel is made or indigence is denied. This should allow Gaines County to rule upon all requests for counsel prior to procuring a waiver of counsel for the purpose of speaking with the prosecutor.