

Appointment of Counsel on Out of County Warrant Arrests/

SB 1517 Implementation

- At the Article 15.17 hearing (“magistration”), the magistrate must inform a person arrested on an out-of-county warrant of the procedures for requesting counsel and must ensure reasonable assistance in completing the necessary forms.
 - If possible, the magistrate should provide the arrestee with the financial form from the county where the warrant originates. Financial forms of individual counties may be obtained from the TIDC website as a form at the end of the respective jurisdiction’ indigent defense plan: <http://tidc.tamu.edu/public.net/Reports/IDPlanNarrative.aspx?cid=255>
- A magistrate must transmit requests for counsel to the person authorized to appoint counsel in the warrant issuing county. TIDC maintains a list of these contacts as submitted by each county at: <http://tidc.tamu.edu/public.net/Reports/OutOfCountyArrestContacts.aspx>
- The warrant issuing county must appoint counsel for those determined to be indigent within:
 - 1 working day (counties with a census population of 250,000 or more)
 - 3 working days (counties with a census population under 250,000)
- For the arresting county, counsel must be appointed 11 days after the arrest date for matters under Chapter 11 (Habeas Corpus) or 17 (Bail), Code of Criminal Procedure, if a defendant is still in the local jail and the defendant has no counsel in the arresting county.
 - The arresting county may seek reimbursement from the warrant issuing county for the actual costs paid to appointed counsel.
- Text of SB1517 may be found at: <http://www.capitol.state.tx.us/tlodocs/84R/billtext/html/SB01517F.htm>

SB 1517 Requirements

