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HIDALGO COUNTY COURTHOUSE

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Texas Indigent Defense Commission
209 W. 14th Street, Room 202
Austin, Texas 78701

RE: Policy Monitor Report Response II

Dear Commission:

Hidalgo County has implemented new processes to address the Commission's concern regarding the attorney case distribution in all felony, misdemeanor and juvenile.

We reviewed our attorney appointment process for pre-indictment, pre-complaint, as well as in-court bench appointments. We identified issues that would allow for the uneven case distribution among attorneys.

The attorney application appointments made pre-indictment and pre-complaint are now being processed through the Hidalgo County Indigent Defense Office. In the past these applications had been submitted to the appointing judge on a rotation basis so that the judge could assign an attorney on the application. This would allow the judge to appoint from the top five attorneys on the respective appointment wheel. The appointed attorneys at times would fail to contact their client and/or fail to appear at their scheduled hearing.

On October 2, 2014, the Board of Judges met and voted to allow the Indigent Defense Office to enter the attorney's name from the respective appointment wheel on the application for the judge's signature. This would provide for the fair and neutral appointment of attorneys.

Secondly, we organized and held a meeting in conjunction with the Hidalgo County Bar Association where lawyers, judges and staff were given an opportunity to discuss and address the concerns they had about the implementation of the new appointment process. The meeting was well-attended. These changes have benefitted the attorneys and provide a fair appointment process.

Judge Aida Salinas Flores called for the creation of a committee of both district and misdemeanor judges and lawyers to address and discuss issues and amendments to the bylaws. The committee met and agreed that the bylaws will be amended, modified and adopted before the end of the year to be effective January 1, 2005

The Indigent Defense Office is now contacting defendants released on bond prior to a determination of indigence. When they arrive at our office, if they are found to be indigent, an attorney will be appointed. This will result in defendants appearing in court with appointed counsel. This will also reduce the number of in-court appointments by judges.

The majority of the court staff are reviewing their criminal docket the day before court is scheduled to identify those unrepresented defendant. The Indigent Defense Office contacts the attorneys that are next on the respective appointment wheel and asks them to be present at the particular court to receive the appointment. This also eliminates in-court appointment by judges.

Four benefits are gained by this method:

- 1) the judges do not make in-court appointments;
- 2) attorneys know in advance about their scheduled appearance;
- 3) judges are able to move forward with their dockets without delay;
- 4) defendants are afforded a speedy trial.

We believe that these changes, in fact, solve our non-compliance issues. We are committed to providing the best indigent defense services possible, not just in our county by in the State of Texas.

We continue to be open to reevaluate our plan and develop new solutions.

We invite the Commission to visit us to review, assess and make recommendations at any time.

Should you have any questions, please contact me at (956) 318-2367.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Isidro Sepulveda, Jr.', written in a cursive style.

Isidro Sepulveda, Jr.
Indigent Defense Program Director