



JOHN PAUL SCHUSTER
KINNEY COUNTY JUDGE

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March 24, 2026

Joel Lieurance
Senior Policy Monitor
Texas Indigent Defense Commission

Re: Response to TIDC Findings – February 2026

In reference to the timely appointment of counsel Art. 1.051(c)(1) – Kinney County magistrates inform the defendants that they have the right to request appointed counsel if the defendants cannot afford counsel. This warning occurs during the Art. 15.17 magistration. The defendants are provided with a written request form for appointment of counsel. They are also given reasonable assistance completing the form.

The Justice of the Peace sitting as magistrate does not appoint counsel, however, the request for appointment of counsel is forwarded by the Justice of the Peace to the appointing authority electronically within 24 hours of the request. This plan also follows weekends and holidays to avoid delays. If the County Judge is sitting as magistrate, the Judge appoints counsel upon determination of eligibility for the misdemeanor cases.

Corrective Action Plan. To comply with timely appointment of counsel, counsel request form will continue to be provided to the defendants, reasonable assistance will be provided in completing the form and transmitted to the appointing authority within 24 hours. Additionally, appointments of counsel will be made timely in accordance with Art. 1.051 (c)(1) using the appropriate court attorney appointment lists, documentation of arrest date, request date, appointment date and appointment logs will be kept on file. To ensure that counsel is appointed within three days of the appointing authority receiving the magistration paperwork, the paperwork will be logged and reviewed immediately to confirm eligibility and the date received, each court will utilize a tracking system to monitor the three-day deadline to help with compliance. In addition, the list of attorneys eligible for appointments will be reviewed and updated, and efforts will be made to increase the number of qualified attorneys for misdemeanors. These steps will help improve efficiency, reduce delays and ensure continued compliance with the requirements to appoint counsel within three days.

A handwritten signature in blue ink, reading "John Paul Schuster", is positioned above a horizontal line.

John Paul Schuster
Kinney County Judge