



Judge Betsy Lambeth
425th District Court
Williamson County, Texas
405 Martin Luther King St.
Georgetown, Texas 78626

September 7, 2022

VIA ELECTRONIC MAIL

Joel Lieurance
Texas Indigent Defense Commission

Re: Response to Policy Monitoring Review of Williamson County's Indigent Defense Systems

Dear Mr. Lieurance,

Thank you for the opportunity to respond to the Monitoring Review conducted by the Texas Indigent Defense Commission (TIDC). We appreciated the very positive comments that you and your team made during the virtual meeting conducted with the Judiciary, and are, rightly, proud of the investment that Williamson County has made in providing indigent defense to individuals facing criminal charges. We believe that this report reflects our continued success in striking the appropriate balance between our obligation to ensure that indigent persons' Sixth Amendment rights are preserved and our obligation to be effective stewards of taxpayer dollars.

In the Policy Monitoring Review, TIDC made two findings, both of which we respond to below.

"1) The local indigence standard allows for the consideration of non-spousal income..."

This finding reflects an older version of the Williamson County Indigent Defense Plan. As TIDC observed in our virtual meeting, Williamson County engaged in a significant revision to our Indigent Defense Plan. The revised plan was approved by the Judges on October 14, 2021, and TIDC has validated that this revised plan addresses the above finding. To the extent that the finding accurately reflects the state of the Indigent Defense Plan at the time the Review began, we CONCUR with the finding. However, we note for the record that the finding has been RESOLVED through the 2021 revision to the Indigent Defense Plan.

"2) For juveniles who were not detained, the court sometimes failed to timely appoint counsel or order the retention of counsel."

This finding reflects the reality that the policies and procedures for appointment of counsel in juvenile matters necessarily differ from policies and procedures for appointment in adult matters, particularly due to the very compressed time schedule in juvenile matters. Our intent, in Williamson County, is to address juvenile cases with the lowest, but most effective level of intervention possible. This has complicated the process for appointment of counsel. We CONCUR with the finding, noting, for the record, that we believe that it is this complication which led to the finding. Furthermore, we greatly appreciate the guidance and suggestions your team provided during our recent virtual meeting. We propose the following resolution:

When a summons is issued, the Court will also appoint counsel. The parent will be notified of this via the letter attached hereto as Exhibit A. When the juvenile/family appear at Court, they will have to complete

the financial assessment, which will either confirm the Court's appointment or result in the removal of appointed counsel and the direction that the family retain counsel.

Please allow me to reiterate our gratitude for the leadership of the TIDC board in this very important area, as well as the courtesies that you and your team have shown to the Wilco team during the Monitoring Review. Feel free to contact me if you have any questions or need any further information.

Sincerely,



Betsy Lambeth
Local Administrative District Judge

CC: Williamson County District Judges
Williamson County Court at Law Judges
The Honorable Bill Gravell, Williamson County Judge
Members of the Williamson County Commissioners Court
Jerri Jones, Williamson County Auditor
Scott Matthews, Executive Director, Juvenile Services
Jamie Carrillo, Director, Williamson County Pretrial Services
The Honorable Alexandra Gauthier, Senior Associate Judge
Ronald S. Morgan, Jr., Director, District Court Administration

Juvenile Letter Notifying of Attorney Appointment



STACEY MATHEWS
277th District Judge
Williamson County, Texas

Board Certified-Criminal Law
Texas Board Legal Specialization

Notice of Appointment of Attorney

Date: _____

The County Attorney's Office has filed a petition on your pending case. In accordance with the Texas Family Code, the Court is appointing an attorney to your case. This attorney will remain on your case until further action from the Court. You will be required to complete the Application for Appointment of Council that has been attached for your review, should you be requesting a court appointed attorney. If you are retaining an attorney, they will need to file a letter of representation with the District Clerk. The attorney appointed will be able to answer any questions you may have regarding court proceedings.

Attorney: _____

Phone Number: _____






TIDC Monitoring Review Response Memo

Final Audit Report

2022-09-09

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