



**HONORABLE KIRSTEN B. COHOON**  
**451<sup>ST</sup> Judicial District Court**  
**Kendall County Courthouse**  
**201 E. San Antonio Ave., Suite 218**  
**Boerne, Texas 78006**

Office: (830) 249-9343

Fax (830) 249-9340

***Via Electronic and Regular Mail***

June 13, 2024

Mr. Joel Lieurance  
Senior Policy Analyst  
Texas Indigent Defense Commission  
209 West 14<sup>th</sup> Street  
Room 202  
Austin, Texas 78701  
JLieurance@tidc.texas.gov

Re: February 2024, Policy Monitoring Review of Kendall County's Indigent Defense System (the "Correspondence")

Dear Mr. Lieurance,

Please allow this letter to serve as a response to the above referenced Correspondence. This letter will attempt to address the issues raised.

**REQUIREMENT 1: PROMPT MAGISTRATION**

1. The Spanish language magistrate warning form did not include a space to mark whether a defendant requested counsel (2018). Kendall County ensures that all magistrate forms allow council requests to be recorded.  
**REQUIREMENT SATISFIED:** TIDC staff found this requirement satisfied after the 2024 Review.
2. Defendants who requested counsel at the Article 15.17 hearing did not receive assistance in completing affidavits of indigence. Those affidavits were not transmitted to the courts within 24 hours. (2018)  
**REQUIREMENT SATISFIED:** TIDC staff found this requirement satisfied after the 2024 Review.

### **REQUIREMENT 3: MINIMUM ATTORNEY QUALIFICATIONS**

The County did not track whether attorneys on the appointment list met their required criminal / juvenile CLE requirements.

**REQUIREMENT SATISFIED:** TIDC staff found this requirement satisfied after the 2024 Review.

### **REQUIREMENT 4: APPOINT COUNSEL PROMPTLY**

1. The timeliness of felony counsel appointments did not meet TIDC'S administrative threshold (90% of sample cases receiving timely rulings). (2018).

**REQUIREMENT SATISFIED:** TIDC staff found this requirement satisfied after the 2024 Review.

2. The timeliness of misdemeanor counsel appointments did not meet TIDC'S administrative threshold (90% of sample cases receiving timely rulings). (2018).

**REQUIREMENT SATISFIED:** TIDC staff found this requirement satisfied after the 2024 Review.

3. The timeliness of juvenile counsel appointments for detained youth did not meet TIDC'S administrative threshold (90% of sample cases receiving timely rulings). (2018).

**REQUIREMENT SATISFIED:** TIDC staff found this requirement satisfied after the 2024 Review.

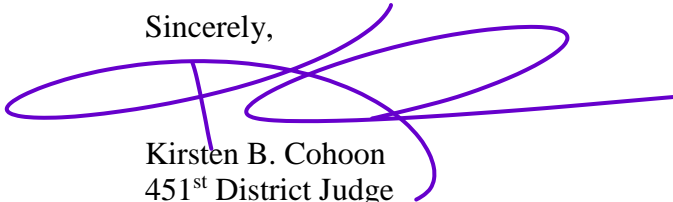
4. The timeliness of juvenile counsel appointments when a petition was served did not meet TIDC'S administrative threshold (90% of sample cases receiving timely rulings). (2018).

**REQUIREMENT PENDING**

As of January 1, 2024, when a juvenile petition is filed and citations are issued, the Kendall County Clerk immediately contacts the Juvenile Probation Office to pick up the citations. The Kendall County Juvenile Probation Office then contacts the Pre-Trial Services' Indigent Defense Coordinator to establish an acceptable time for both departments to collectively serve the petitions. Parents/Guardians are contacted by the Juvenile Probation Office to set up an appointment to serve the petition. At time of service by the Juvenile Probation Office, the Indigent Defense Coordinator meets with the parents and assists them with completing an application for the appointment of counsel, if needed.

We appreciate your assistance in seeing that our County is fully compliant with the TIDC requirements. Of course, you are welcome to contact us with any questions surrounding our response to the TIDC audit and/or the forms attached. Thank you for all you do for Kendall County!

Sincerely,



Kirsten B. Cohoon  
451<sup>st</sup> District Judge