



Jay Mayden
County Judge

July 31, 2017

TIDC
Texas Indigent Defense Commission
209 West 14th Street, Room 202
Austin, Texas 78701

Re: Recommendations from the last onsite visit to Childress County June 7, 2017;

Mr. Lieurance:

I will respond to both recommendations in one paragraph or statement. This office has set up a time everyday same time and same place including Saturdays and Sundays within a 24hour period that the defendant is brought before me. During this time the defendant is given a form that lists the charge(s) for which they are arrested and in that form they are given an opportunity to ask for counsel or refuse and must be initialed by the defendant. After explanation of every line item on the form the defendant is asked if they want a court appointed attorney. If the defendant requests an attorney, I will hand the court appointed attorney form to them at that time and will help them fill it out. After reviewing the form I will appoint the attorney at that time if defendant is eligible all while the defendant is present. At no will the prosecution be present in the room while this is being done. Many, many times the defendant is not sure if they want an attorney or not and they are advised they can decide at any time during the court process to ask for court appointed council. Also, at no time will prosecution get to speak to anyone who asks for court appointed council. You have to understand that this is rural Texas and many times we know the defendant and they ask to speak to the prosecutor themselves which is granted after they are told several times and have to acknowledge that they are speaking to the states attorney without representation. I believe this should resolve the recommendations. If not please contact this office to insure that everyone's constitutional rights are being followed to the letter.

Thank you,

Jay Mayden
Childress County Judge