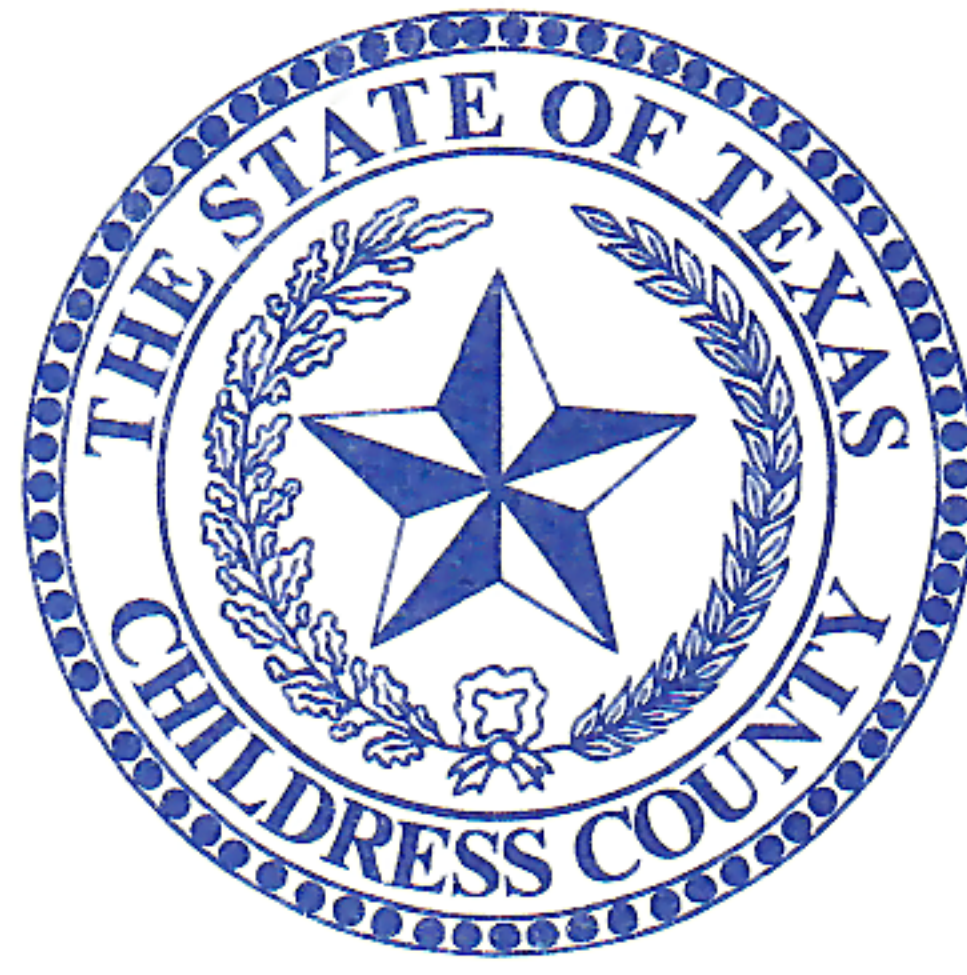




Kimberly Jones
County Judge

January 14, 2026

Mr. Joel Lieurance
Senior Policy Monitor
Texas Indigent Defense Commission
209 West 14th Street, Room 202
Austin, Texas 78701

Mr. Joel Lieurance,

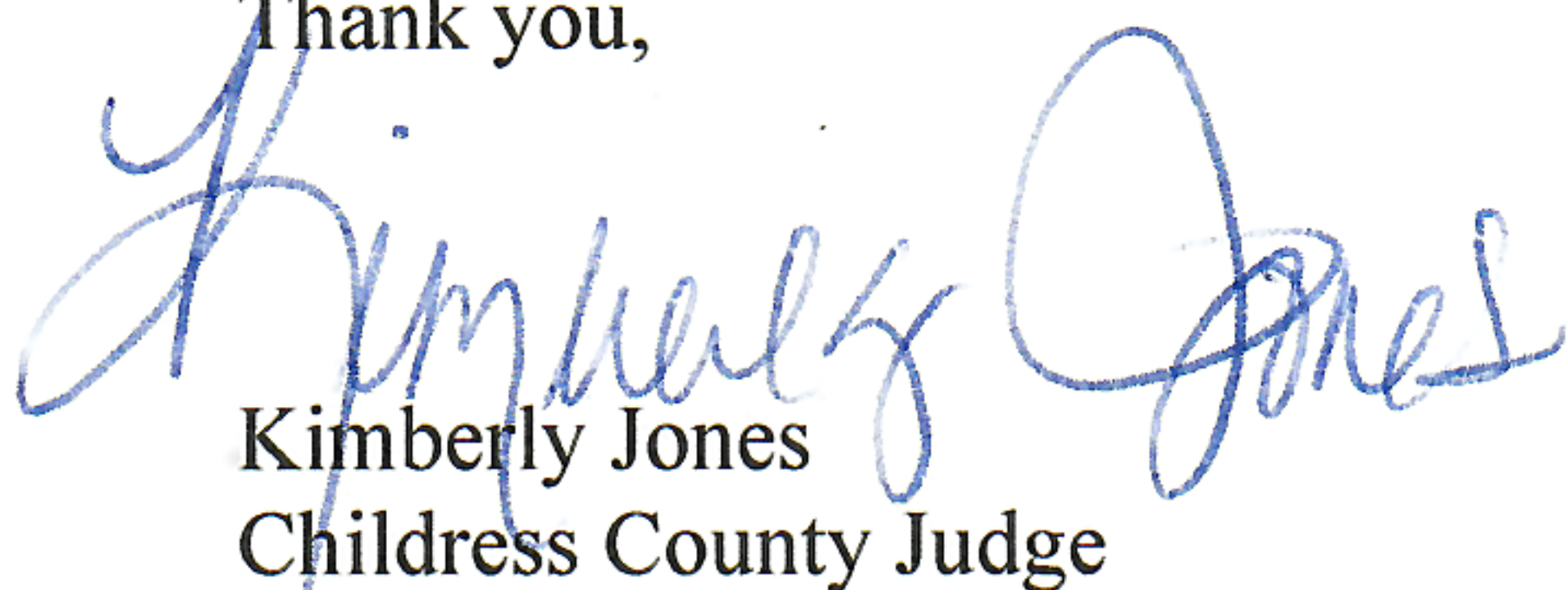
Finding and Recommendations for Requirement 1: Conduct Prompt and Accurate Magistration

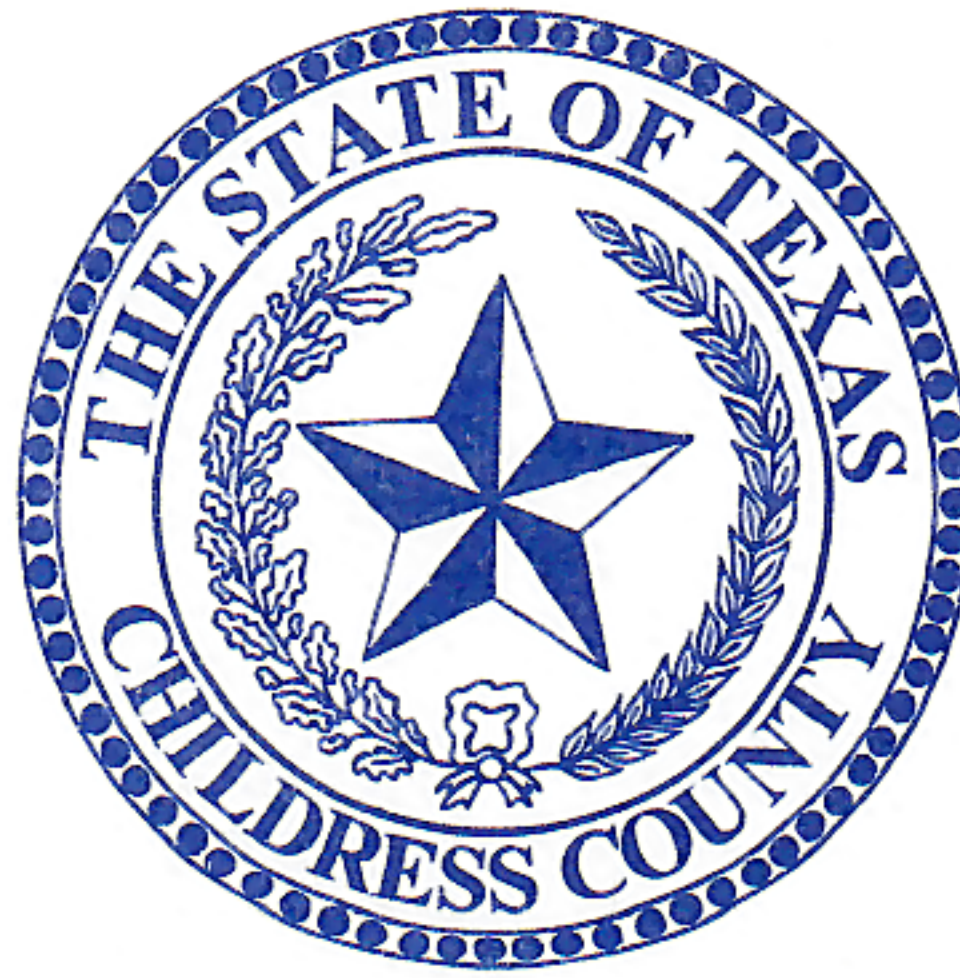
Proceedings; Childress County Court has updated the Magistrate's Warning form which asks and marks whether the defendant requests appointed counsel. If the defendant is also charged with a felony offense, I will have the defendant brought before the county court to be magistrated on the misdemeanor offense. Once the paperwork has been signed our office will take all paperwork to the District/County Clerk office to be filed and held in that office. All original magistrate warnings, waiver of right to counsel and request for court appointed attorney forms are being held in the District/County Clerk's office. Copies are kept at the Childress Law Enforcement Center and the County Attorney's office.

Finding and Recommendations for Requirement 4: Appoint Counsel Promptly; Defendants are asked several times while being magistrated if they would like to have counsel appointed to them. If they choose to have a court appointed council to represent them, they will check and sign the magistrate's warning and the waiver of right to counsel form as well as filling out the requests for court appointed attorney form. The defendant is assigned an attorney that day. Due to Childress County having a population of less than 6,000 individuals that are arrested on a misdemeanor charge those individuals will often times deny court appointed counsel and ask to speak with the county attorney. I advise them if they choose to speak to the county attorney they are doing so without representation. Once, I have made this clear to them and they have to respond to me that they understand that, then I will contact the county attorney allowing him to speak with the defendant. At no time during the magistration procedure is the county attorney present. Before they speak with the county attorney, I ask them again if they would like to have council representation. Again, often time's the individuals continue to deny the opportunity for representation. I do let them know that I will be present while they are speaking with the county attorney and if they change their mind about representation then the conversation with the county attorney ends immediately. Defendants are never denied bonds and given many opportunities to have court appointed counsel to represent them. All paperwork reflects this.

I have attached with this letter a copy of the revised Magistration Warning, Waiver of Right to Counsel and Request for Court Appointed Attorney forms that Childress County court will be using moving forward. In determining if a defendant is indigent would TIDC prefer that Childress County court use the Affidavit of Indigence form that is found on the TIDC website be used, instead of the form that Childress County court has used in the past.

Thank you,


Kimberly Jones
Childress County Judge



Kimberly Jones
County Judge

February 9, 2026

Mr. Joel Lieurance
Senior Policy Monitor
Texas Indigent Defense Commission
209 West 14th Street, Room 202
Austin, Texas 78701

Mr. Joel Lieurance,

Requirement 1: CONDUCT PROMPT AND ACCURATE MAGISTRATION PROCEEDINGS

2025 Finding and Recommendation 1: *Magistrates did not consistently record if the arrestee requested counsel:* For all jailable offenses, the magistrate will and currently asks each arrestee if the defendant would like to request counsel. The magistrate will and currently mark the defendant's answer on the magistrate warning form.

2025 Finding and Recommendation 2: *Defendants charged with both a felony offense and misdemeanor offense did not always receive Article 15.17 hearings for the misdemeanor offense;* Defendants charged with both felony and misdemeanor offenses will and have currently received the complete Article 15.17 hearings for each misdemeanor charge.

2025 Finding and Recommendation 3: *The County was unable to produce magistrate warning forms for several sample misdemeanor cases in which there was no accompanying felony case;* The District and County Clerk will and currently receive and maintain all original magistration forms along with copies of the magistration forms kept in the Childress County Attorney Office and the Childress Law Enforcement Office.

2025 Finding and Recommendation 4: *Magistrates did not set bail for misdemeanor cases disposed on the same day as the Article 15.17 hearing;* For all jailable offenses, magistrate will and currently does set or deny bail and records the amount/conditions on the magistrate form and does report the information through the PSRS portal.

Requirement 4: APPOINT COUNSEL PROMPTLY

2025 Finding and Recommendation 5: *TIDC's sample review of misdemeanor cases did not meet the agency's 90% timeliness threshold*; The County Court will rule and currently does rule upon all counsel requests within three working days of the receipt.

2025 Finding and Recommendation 6: *The absence of a ruling in sample misdemeanor requests for counsel raises the possibility of several statutory violations, including untimeliness and invalid waiver*; Childress County will and currently does rule upon all counsel requests within three working days of the receipt. No defendant is withheld the right to appointed counsel.

2025 Finding and Recommendation 7: *Sample defendants waived counsel and entered uncounseled pleas in lieu of a complete Article 15.17 hearing, at which counsel could be requested*; Defendants for all jailable offenses will and currently does receive complete Article 15.17 hearings in which the defendants are informed of the procedures for requesting counsel, and they have and will continue to be asked repeatedly if they would like to request counsel along with guidance on completing the relevant financial forms. Defendants are repeatedly given the opportunity to have a Court Appointed Counsel to represent them.

Thank you,



Kimberly Jones
Childress County Judge