

QUALIFICATIONS FOR ATTORNEYS SEEKING APPOINTMENTS IN MISDEMEANOR CASES

1. The attorney must be a member in good standing of the State Bar of Texas and the Williamson County Bar Association.
2. The attorney must have a functioning fax machine available 24 hours a day.
3. The attorney must have the ability to produce typed motions or orders.
4. The attorney must have completed and filed a sworn application for misdemeanor court appointments with the Local Administrative County Court Judge (LACCCJ) and approved by a majority of the County Court judges trying misdemeanor cases for placement on the appointment list.
5. An attorney shall promptly notify, in writing, the LACCCJ of any changes to the information contained in the application for misdemeanor appointments.
6. An attorney shall promptly notify, in writing, the LACCCJ of any matter that would disqualify the attorney by law, regulation, and rules or under these guidelines from receiving appointments to represent indigent defendants.
7. An attorney must demonstrate compliance with the CLE requirements which includes 10 hours of criminal law CLE in accordance with Williamson County Supplemental Plan for Continuing Legal Education Requirements.

Specific Minimum Qualifications for all Class A and Class B Misdemeanors:

1. An attorney must have been licensed to practice law in the State of Texas for at least six (6) months, and
2. An attorney must have participated as the lead or first chair in two (2) jury trials for a Class A or Class B misdemeanor or any degree of felony, or
3. An attorney must have participated in the Williamson County Bar Association Attorney Mentor/Mentee program and must have actively participated in three (3) jury trials with the Mentor attorney or another qualified attorney.

Specific Minimum Qualifications for Misdemeanor Appeals:

1. An attorney qualified for trial appointment for Class A and Class B misdemeanor cases may receive appellate appointments for Class A and Class B misdemeanor if
2. An attorney must have complete six (6) hours of appellate CLE or 15 hours of criminal law CLE in the preceding reporting year and in each CLE reporting year thereafter, or

3. An attorney may be found by the County Court Judges trying misdemeanor cases in the county to have, by virtue of previous appearances before the said courts or by virtue of relevant curriculum vitae, to possess skills adequate to the performance of responsibilities in representing misdemeanor defendants of these grades on appeal.

Grounds for Removal from Misdemeanor Attorney List:

An attorney may be removed from the misdemeanor court appointment or from a case to which the attorney has been appointed for the following:

- 1.. if the attorney becomes ineligible for such appointment under these rules;
- 2.. has failed to perform the attorney's duty owed to a defendant in timely manner;
3. is under indictment or other legal accusation, or has been convicted or placed on deferred adjudication for any felony, theft, or a crime of moral turpitude,
4. upon a finding by a court that the attorney provided ineffective assistance of counsel; or
5. for good cause at the discretion of the County Court judges.

An attorney who was removed from the public appointment list for reasons stated in 3. above may be immediately reinstated upon providing proof that the charges were dismissed or that the attorney was acquitted, as long as the attorney meets the qualifications.

Voluntary Removal for Special Circumstances

Because of special circumstances, the attorney can request in writing that his/her name be temporarily removed from the public appointment list for the specified period of days. At the end of the specified period of days, the attorney will be returned to the public appointment list if he/she is in compliance with the qualification requirements.

Distribution of Cases from Public Appointment List for Criminal Misdemeanors, Probation Revocations and Appeals:

1. An attorney will receive one appointment to a defendant per rotation on the appointment list.
2. Appointments will be made from a rotating list of the names of eligible attorneys, arranged alphabetically.
3. New attorneys will be added from time to time following approval by a majority vote of County Court Judges hearing misdemeanor criminal cases.

Effective October 2011 with approval of all Judges of County Courts-at-Law