



**DONNA KING**  
**District Judge**  
**26<sup>th</sup> Judicial District**  
**Williamson County**

September 26, 2018

Dear Attorney:

On behalf of Judges Kennon, Mathews and myself, I am writing to remind you of your annual reporting obligation and advise you of an important change to the Felony Court Appointment List ("the List").

All attorneys approved to serve on the List must file a certificate with the district courts each year attesting to completion of the required CLE or submit documentation showing that the attorney is certified as a specialist in criminal law. Art. 26.04(j) of the Code of Criminal Procedure also requires you to submit a practice reporting form to each county in which you accept a criminal appointment. To fulfill these requirements, please complete the enclosed CLE certificate of compliance for fiscal year 2018 (October 1, 2017 to September 30, 2018) and the Indigent Defense Commission attorney reporting form. You may submit these forms in person to Amber Norton, Office Administrator for District Courts, or via email to [amber.norton@wilco.org](mailto:amber.norton@wilco.org). The forms must be received no later than October 15, 2018. Late submissions will not be accepted and will result in removal from the felony court appointment list. Instructions for the attorney reporting form are found at: <http://www.tidc.texas.gov/media/2157/DefenseAttyReportingInstructionsFormv3.pdf>.

Additionally, please be advised that the District Judges have amended the IDC Plan to require all attorneys to "Personally interview the defendant as soon as practicable after the attorney is appointed but not later than 7 calendar days if the defendant is incarcerated in the Williamson County Jail." This changes the old 14 day requirement for in person contact to 7 days. Attorneys are required to check in for jail visits as required by jail policy and may either, request that the visit be documented in Odyssey by jail personnel, or utilize the electronic portal located at the jail reception area. It is the attorney's responsibility to ensure that the visit is documented. Failure to make in person contact with an incarcerated client within 7 calendar days of appointment may result in removal from the case or removal from the appointment list for subsequent violations.

The Plan states in pertinent parts:

**STANDARDS AND RESPONSIBILITIES FOR ATTORNEYS**

1. Notify the court within 72 hours of the receipt of appointment;
2. Make every reasonable effort to:
  - A. Contact the defendant by the end of the first working day after the date on which the attorney is appointed; and
  - B. Personally interview the defendant as soon as practicable after the attorney is appointed but no later than 7 calendar days if the defendant is incarcerated in the Williamson County Jail for a misdemeanor offense or felony offense.

**REMOVAL FROM COURT APPOINTED ATTORNEY LIST**

1. A judge may replace an appointed attorney if the appointed attorney does not make an effort to contact the defendant by the end of the first working day, and/or does not interview the defendant within 7 days, and/or for any other suitable reason, as determined by the judge. An attorney may notify the judge and obtain an exception for good cause.
2. An attorney may be removed from the appointment misdemeanor or felony appointment lists, if a majority of the judges hearing misdemeanor or felony matters, respectively, determine that good cause exists for removal. Good cause may include but is not limited to:
  - A. Intentionally or repeatedly failing to fulfill the duties required by law or local rules;
  - B. Failing to provide reasonable assistance of counsel as determined by a Texas Appellate Court;
  - C. Failing on two or more occasions to contact or interview clients in a timely manner as required herein;
  - D. Submitting a claim for legal services not performed as specified in Article 26.05(e), Code of Criminal Procedure;
  - E. Having been found to have violated a rule of professional conduct by the State Bar of Texas;
  - F. After having been placed on the appointment list, being convicted of or receiving deferred adjudication for any offense, other than an offense punishable by a fine only;
  - G. Being under indictment or charged with an offense, other than an offense punishable by a fine only; or
  - H. Failing to comply with the requirements for continued inclusion on the appointment lists.
3. Reinstatement to Appointment Lists
  - C. An attorney who has been removed from the appointment list for any other reason and who wishes to be reinstated must apply through the original application process.

Prior to any penalty being imposed, the attorney will be given an opportunity to provide proof that he/she has complied with the Plan. The entire Plan may be reviewed at:

<http://tidc.tamu.edu/IDPlan/ViewPlan.aspx?PlanID=380>.

Feel free to contact me if you have any questions or concerns. Thank you for your continued service to indigent defendants in Williamson County.

Respectfully,

*/s/ Donna King*

Judge, 26<sup>th</sup> Judicial District Court  
Williamson County, Texas

**CERTIFICATE OF COMPLIANCE**

In compliance with annual reporting requirement for fiscal year 2018, I,

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have reviewed the qualifications for adult felony criminal appointments as set out in the Williamson District Court Plan and certify to the District Courts that I have maintained my eligibility for appointment at this level. My most recent CLE Annual Verification Report is attached hereto.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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Attorney Signature

Please update your current contact information.

Address: \_\_\_\_\_

E-mail: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

TEXAS INDIGENT DEFENSE COMMISSION

ATTORNEY REPORTING FORM

**Williamson County, Texas**

*Under Article 26.04(j), Code of Criminal Procedure, attorneys are required to report to each county in which they accept appointments the percentage of their total practice time that is dedicated to appointed adult criminal cases and juvenile delinquency cases in that county. This form must be submitted annually to each county no later than October 15. Please see the Attorney Reporting Instructions published by the Commission for additional information about this form.*

1. During the preceding fiscal year (October 1 – September 30), \_\_\_% of my total practice time was dedicated to work on adult criminal cases in which I was appointed to represent the defendant in \_\_\_\_\_ County, Texas.
  
2. During the preceding fiscal year (October 1 – September 30), \_\_\_% of my total practice time was dedicated to work on juvenile delinquency cases (cases alleging delinquent conduct or conduct indicating a need for supervision) in which I was appointed to represent the juvenile in \_\_\_\_\_ County, Texas.
  
3. The percentage of practice time reported was determined primarily by:

- |              |                          |                                  |
|--------------|--------------------------|----------------------------------|
| Case counts; | <input type="checkbox"/> | Time records;                    |
| Combination  | <input type="checkbox"/> | of time records and case counts. |
| Other        | <input type="checkbox"/> | _____                            |
|              | <input type="checkbox"/> |                                  |

\_\_\_\_\_  
Attorney Name

\_\_\_\_\_  
State Bar of Texas No.

\_\_\_\_\_  
Attorney Signature

\_\_\_\_\_  
Date