

ORDER - COURT APPOINTMENTS

Certain attorneys have been approved by the Ector County Board of Judges to be included on the list of attorneys who may be appointed to represent indigent defendants.

Each attorney that is subject to appointment is reminded of the significance of their responsibility in each case in which they have been court-appointed. As stated in *Gideon v. Wainwright*, 372 U.S. 335, 344 (1963):

“From the very beginning, our state and national constitutions and laws have laid great emphasis on procedural and substantive safeguards designed to assure fair trials before impartial tribunals in which every defendant stands equal before the law. This noble ideal cannot be realized if the poor man charged with a crime has to face his accusers without a lawyer to assist him. A defendant’s need for a lawyer is nowhere better stated than in the moving words of Mr. Justice Sutherland in *Powell v. Alabama*: ‘The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with a crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel he may be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he has a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence.’ 287 U.S. at 68-69.”

In order to satisfy the standards required by the United States and Texas Constitutions, the State Bar of Texas, and Ector County’s Indigent Defense Plan for the appointment of counsel for indigent defendants, on or before the deadline for reporting one’s annual mandatory CLE compliance to the State Bar of Texas, **each attorney shall provide** in writing to the Court Coordinator of the 358th District Court evidence of said attorney’s compliance with the CLE requirements identified in Ector County Indigent Defense Plan (10 hours of CLE in the area of criminal law and/or criminal procedure).

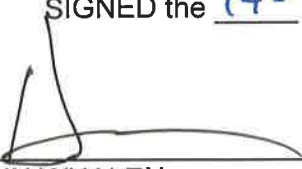
Each attorney shall contact his or her new client by the end of the first working day after receipt of the appointment. The attorney shall personally meet with the client no later than 5 days after the receipt of the appointment.

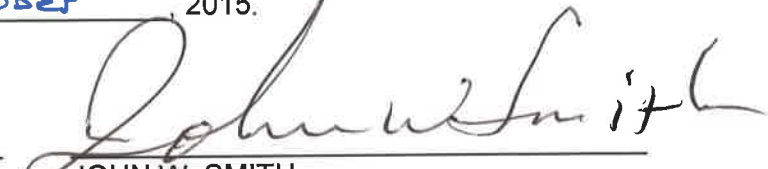
Attorneys who fail to comply with the requirements and rules for Court Appointments **may be removed** from the appointment list for a period of six (6) months. After reinstatement, attorneys who thereafter fail to comply with the requirements and rules for Court Appointments may be permanently removed from the appointment list.

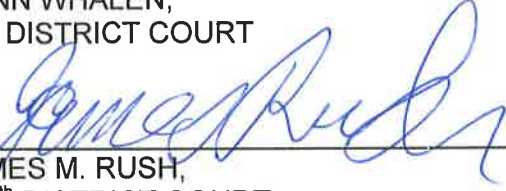
The professional service as a court-appointed attorney is crucial to the prompt and proper administration of justice.

IT IS SO ORDERED.

SIGNED the 14th day of October, 2015.



DENN WHALEN,
70th DISTRICT COURT


JOHN W. SMITH,
161st DISTRICT COURT


JAMES M. RUSH,
244th DISTRICT COURT


W. STACY TROTTER,
358th DISTRICT COURT


SARA KATE BILLINGSLEY,
446th DISTRICT COURT


J.A. (JIM) BOBO,
COUNTY COURT AT LAW #1


M. SCOTT LAYH,
COUNTY COURT AT LAW #2


RON ECKERT,
COUNTY JUDGE