REVISED

ACCUSED'S INSTRUCTIONS REGARDING COURT-APPOINTED ATIORNEY

The taxpayers of Ellis County are required to pay for services of the attorney appointed to represent you and you will be required to reimburse Ellis County for that expense. In the event you receive a suspended sentence and are placed on community supervision, you will be required to reimburse those expenses as a condition of supervision. In the event you are sentenced to imprisonment, you will be required to reimburse those expenses as court cost in the judgment.

If you requested appointment of an attorney through the magistrate, your request will be forwarded to the Judge of the 40th District Court or the Judge of the 443rd District Court not later than the next working day after your request. That judge will make the appointment within three working days after receiving the request.

The attorney appointed by the judge will be notified the day the appointment is made either in person, by telephone or by fax. A copy of the order appointing your attorney will be forwarded to the detention facility and given to you. Your attorney is then required to contact you.

**If you post bond after you have requested an appointment of an attorney, it is your responsibility to contact the office of the 40th District Court or the 443rd District Court for the name, address and phone number of the attorney appointed to represent you.**

In the event you retain an attorney of your own choosing after you have requested an appointed attorney, you will be required to reimburse Ellis County for those expenses incurred for the services rendered by your court-appointed attorney until relieved by your retained attorney. Your court-appointed attorney will not be relieved until the Court has received a letter of representation from your retained attorney.

The attorney appointed by the Court meets all legal criteria for representing you in this matter. Your attorney controls the case and you can only decide (1) what your plea should be; (2) whether or not to waive a jury trial; and (3) whether or not to testify. You do not have a legal right to try the case with your attorney or to file legal motions or documents in the case. All motions, oral or written, must be prepared and filed by your attorney in order to be considered by the Court.

The attorney appointed by the Court will not be relieved just because you are dissatisfied. You are not entitled to appointment of different counsel as long as present appointed counsel is providing legally effective representation. The judge is the sole person to make that determination.

JUDGE PRESIDING

40TH DISTRICT COURT

443RD DISTRICT COURT

(Rev. Oct. 2016)