

**Request and Order for Appointed Counsel**

Cause No. \_\_\_\_\_

THE STATE OF TEXAS § IN THE COUNTY CRIMINAL  
V. § COURT AT LAW NO. \_\_\_\_\_  
§ HARRIS COUNTY, TEXAS

**REQUEST AND ORDER FOR APPOINTMENT OR WAIVER OF COUNSEL**

My name is \_\_\_\_\_. I am  the defendant  a witness in this case. Today the judge presiding advised me of my right to be represented by a lawyer, either one that I hire, or if I am indigent or the interests of justice require, a lawyer appointed by the judge as well as the procedure for making this request; and the right to represent myself.

I believe that I am indigent and I am requesting the Court appoint counsel to represent me. I understand that if there is a material change in my financial circumstances after a determination of my indigence is made, that I, my counsel, or the Assistant District Attorney representing the State may ask the judge to reconsider the judge's decision. In support of this request I am giving sworn testimony before the judge about my personal and financial circumstances. I understand this information **may not** be used for any purpose except to determine my indigency or to impeach any future testimony I may give in this case.

I received assistance in completing this request from \_\_\_\_\_

a court services officer,  a court clerk,  other \_\_\_\_\_

I understand my right to counsel and the procedure for hiring or requesting appointed counsel and I choose to waive counsel and represent myself.

Signature of Defendant: \_\_\_\_\_

Sworn to before me on \_\_\_\_\_

Personal Bond Office Employee/Deputy District Clerk, Harris County, Texas

**ORDER DETERMINING RIGHT TO APPOINTMENT OF COUNSEL**

Today Defendant's request for appointment of counsel was heard in open court and evidence presented concerning the defendant's financial resources.

**The Court FINDS**  Defendant indigent  . appointment of counsel is in the interests of justice. The Court **FURTHER FINDS** Defendant  **IS**  **IS NOT** financially able to pay all or part of the cost of legal services and related expenses.

The **Court APPOINTS** the attorney named below to represent Defendant until charges are dismissed, the defendant is acquitted, judgment is entered and sentence pronounced, or the attorney is relieved of his duties by the court or replaced by other counsel

Attorney \_\_\_\_\_ SPN/State Bar# \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Texas (Zip Code) \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

**The Court FINDS** Defendant has the financial resources to employ counsel and the appointment of counsel in the interests of justice is not necessary; accordingly, the request is **DENIED**. The Court immediately advised Defendant of the right to a reasonable opportunity to hire a lawyer, or that Defendant could waive that right and speak with a prosecutor immediately after this hearing.

Defendant knowingly and voluntarily waived a reasonable opportunity to hire a lawyer and after reading the following, and having it explained to him by the Court, sign his name. *I have been advised by the judge of my right to representation by counsel in the case pending against me. I have been further advised that if I am unable to afford counsel, one will be appointed for me free of charge. Understanding my right to have counsel appointed for me free of charge if I am not financially able to employ counsel, I wish to waive that right and request the court to proceed with my case without an attorney being appointed for me. I hereby waive my right to counsel.*

Date: \_\_\_\_\_ Defendant Signature: \_\_\_\_\_

Defendant refused to sign the waiver.

Thereafter, I informed Defendant of the nature of the charge contained in the information and permitted him to speak with a prosecutor.

Defendant's request for a reasonable opportunity to hire a lawyer was **GRANTED**.

Date Signed: \_\_\_\_\_ Judge Presiding: \_\_\_\_\_