

Val Verde District Court and County Court Plan

Operation Lone Star Addendum

Adopted: July 29, 2021

The district and county court at law judges hearing criminal cases in Val Verde County adopt this addendum to the indigent defense plan to provide for the appointment of counsel providing representation for defendants arrested and charged with jailable misdemeanors as part of Operation Lone Star (OLS). The existing indigent defense plan remains in effect for cases charged under OLS to the extent it is unchanged by this addendum, and it applies fully to all other cases.

The judges designate to determine indigence any magistrate presiding at a hearing held under Article 15.17, Code of Criminal Procedure, at the special magistration facility established for OLS cases.

The judge of the statutory county court trying misdemeanor cases in the county delegates its authority to the Lubbock Private Defender Office (LPDO) to:

- (a) specify the objective qualifications necessary for an attorney to be included on the list or more than one list graduated according to the degree of seriousness of the offense, the attorneys' qualifications, and whether representation will be provided in trial court proceedings, appellate proceedings, or both;
- (b) establish a public appointment list of attorneys qualified to provide representation in the county in misdemeanor cases punishable by confinement; and
- (c) appoint counsel in misdemeanor OLS cases.

The magistrates may also appoint counsel in misdemeanor OLS cases. Appointments in felony OLS cases will continue to be made by the district courts.

The LPDO may appoint a private attorney from the attorney list created above, Texas Rio Grande Legal Aid, and public defender offices to represent defendants in OLS cases. LPDO will also support appointed counsel with the provision of investigative services and interpreters needed for representation.

Fee vouchers will be submitted to LPDO for review. After review, LPDO will forward the vouchers to the judge presiding in the respective case. The judge is responsible for approving payments for indigent defense services provided pursuant to the fee schedule adopted by the district and statutory county court judges of Val Verde County. Approved fee vouchers will continue to be paid by Val Verde County.

Expenses related to the administration of the appointment system by LPDO and representation provided by Texas Rio Grande Legal Aid will be paid by TIDC.