

## INFORMATION ABOUT YOUR RIGHT TO A COURT APPOINTED ATTORNEY

### HOW DO I KNOW IF I AM ELIGIBLE FOR A COURT APPOINTED ATTORNEY?

1. You will have to provide the magistrate/indigent defense coordinator or the trial court judge with information pertaining to your financial situation under oath.
2. The trial court judge will make the decision as to your eligibility for a court appointed attorney.
3. Many factors are considered in this decision. In general, if you and your family's income fall under the following income ranges you **may** be eligible for a court appointed attorney.

PERSONS IN FAMILY UNIT	125% OF THE FEDERAL POVERTY GUIDELINES
1	\$ 16,100
2	\$ 21,775
3	\$ 27,450
4	\$ 33,125
5	\$ 38,800
6	\$ 44,475
7	\$ 50,150
8	\$ 55,825
FOR EACH ADDITIONAL PERSON, ADD	\$ 4,540

4. Other factors, such as savings, bank account balances, investments, and the existence of property which you may be able to sell or borrow against may impact your eligibility for a court appointed attorney. To be eligible for a court appointed attorney, your available liquid assets (cash you have on-hand or property you can sell) need to be under \$2,500 for a misdemeanor offense and under \$5,000 for a felony offense.
5. You **may** be eligible for a court appointed attorney if you and your family are currently experiencing extraordinary difficulties such as medical emergencies, divorce, recent job loss or reduction in income or the recent death of a person who contributes to your family's financial needs.
6. If you are released from jail on bail **you should attempt to hire your own attorney**. If you are unable to hire your own attorney, you should apply for a Court Appointed attorney using the online Indigent Defense Portal (instructions below). If you are unable to use the Indigent Defense Application Portal, you may apply in person at your first Court Date. When you appear in court you should bring copies of any documents you believe support your eligibility for a court appointed attorney to court with you. Such documents may include, but are not limited to, payroll stubs, tax returns, and proof that you are receiving public assistancesuch as food stamps, SSI, etc.

### HOW DO I ASK FOR A COURT APPOINTED ATTORNEY?

1. You can request a court appointed attorney at the time you meet with the Magistrate shortly after your arrest. If, at this time, you do not know whether you will be able to hire your own attorney, you may wait and make this decision at a later time.
2. If you choose to wait, and it turns out you are unable to hire your own attorney, you can request a court appointed attorney through the online Indigent Defense Portal before your first court date (link below) OR at any subsequent court appearance.
3. If you remain in jail and would like to request a court appointed attorney, you may submit a **REQUEST FOR COURT APPOINTED ATTORNEY** using the kiosk located within the jail (contact your pod officer for help) or submit a written request.

### IS THE ATTORNEY FREE?

In some cases, you **may** be required to reimburse the county for the expense of your court appointed attorney.

### WILL THE ATTORNEY ASSIST ME ON CASES PENDING IN OTHER COUNTIES?

No, your attorney is only appointed to represent you on Class A and Class B misdemeanors and felony charges pending in Williamson County. If you have charges pending against you in other counties, you will have to make a request to those counties for the assistance of counsel on those charges.

**IF YOU BELIEVE THAT YOU ARE ELIGIBLE AND WOULD LIKE TO REQUEST A COURT APPOINTED ATTORNEY, PLEASE GO TO <https://www.wilco.org/Departments/Pretrial-Services/Indigent-Defense>**

For more information, contact the Williamson County Office of Indigent Defense at 512-943-1959.

Guidelines:

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