

**Waller County
State of Texas**

**NOTIFICATION OF OPPORTUNITY AND APPLICATION
FOR FELONY APPOINTMENTS**

For: Contract Indigent Defense Attorney for Felony Appointments
Period: January 1, 2023 through December 31, 2023

Sealed applications shall be submitted no later than Noon, Monday, November 14, 2022.

Mark Envelopes: Indigent Attorney Application.

All applications are to be delivered to Gary W. Chaney, Judge, 506th Judicial District Court, 400 Sheriff R. Glenn Smith Drive, Hempstead, Texas 77445.

Attached is an instruction sheet for Application For Contract Indigent Defense Attorney for felony cases. Please use a form that you may locally produce in substantially that format. Waller County appreciates your time and effort in preparing an application. Please note that all applications must be received at the designated location by the deadline shown. Applications received after the deadline will not be considered for award of the contract. Applications will be awarded in Open Court on Monday, November 21, 2022, at 9:00 a.m., in the District Courtroom of the Waller County Justice Center Courthouse Annex located at 400 Sheriff R. Glenn Smith Drive, Hempstead, Texas 77445. You are invited to attend, but attendance is not necessary. You will be notified of the status of your application in writing.

Applications may be withdrawn by the attorney at any time prior to the official opening, but must be withdrawn in person from the Judge of the 506th District Court. Alterations may not be made to an application once submitted, or a new application may be submitted if the substitution occurs before the submission deadline. After the official opening, applications may not be amended or altered and may not be withdrawn without the approval of the Judge of the 506th District Court.

Applications will be opened and reviewed by the Judge of the 506th District Court, on the date above. They will be evaluated on:

1. experience and qualifications of applicant;
2. applicant's past performance in representing defendants in criminal cases;
3. applicant's disciplinary history with the state bar;
4. applicant's ability to comply with the terms of the contract; and
5. cost of the services under the contract

Applications filed with the 506th District Court shall be for Felony cases only. Anyone applying for Misdemeanor/Juvenile cases needs to contact the County Court at Law of Waller County and submit an application through that Court.

An Applicant may apply for both Felony cases and Misdemeanor/Juvenile cases in the appropriate Court in Waller County. However, an applicant is only eligible for appointments on either Felony cases through application and contract with the 506th District Court or on Misdemeanor/Juvenile cases through the County Court at Law Court of Waller County, but not for both. An attorney cannot be under contract in Waller County for both Felony cases and Misdemeanor/Juvenile cases in the same year.

Capital Murder cases, whether or not the death penalty is sought, will not be handled under the contract. Appeals and other post-conviction remedies are not included under the contract. Those cases will be appointed by the Trial Judges as they arise. Other matters requiring special expertise or extensive forensic training may be assigned outside the contract.

Applications shall address the matters listed in the Application instructions, experience and costs of services along with any other relevant information.

Attorneys awarded a contract must have access to an office equipped with modern technology and the Attorney must be willing to work with the District Attorney on assigned cases. As a condition of contract award, attorneys are expected to make contact with assigned clients within 72 hours of their appointment, either at the jail, in person or in writing. In addition, attorneys will be required to coordinate office visits with the District Attorney's office to discuss trial preparation and discovery compliance.

Attorneys must meet the minimum attorney qualification requirements of the local indigent defense plan for felony cases, and as set out in the Sample Contract available through the office of the Judge of the 506th District Court. Therefore, the attorney shall:

1. Be a member in good standing with the State Bar of Texas;
2. Professionally perform duties and responsibilities of a licensed attorney for the State of Texas;
3. Complete annually such Continuing Legal Education programs as required by the Texas Judicial Counsel and the Waller County District Court Plan filed with the Texas Indigent Defense Commission for attorneys representing indigent accused persons, which shall include at least 6 hours of Continuing Legal Education in handling criminal cases.

A Sample Contract is available for your review and can be emailed directly to you on request. Please contact the Judge of the 506th District Court with any questions.

GARY W. CHANEY
Judge of the 506th Judicial District Court