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Select lawyers get bulk of juvenile cases

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HOUSTON — A relatively small number of lawyers regularly receive nearly half the tax-funded appointments to represent poor defendants in juvenile court in Houston, and many of the attorneys are contributors to the judges making the appointments, a newspaper analysis shows.

Criticized as cronyism by some, the appointments have made several attorneys between \$100,000 and \$200,000 a year, according to payment records from January 2005 to February 2008 reviewed by the Houston Chronicle.

The system also has saddled some lawyers with heavy caseloads. Nearly half of all juvenile delinquency appointments have gone to about two dozen of the nearly 165 attorneys vying to represent young offenders, payment records show.

Parents have complained of lawyers who don't return phone calls, continually reset hearings or pressure their children to plead guilty to crimes they say they didn't commit.

Falicia Stroud said she tried several times a few years ago to reach a court-appointed lawyer who advised her son to plead guilty to a crime he said he didn't do. Her son, now 18, got sent to the Texas Youth Commission.

"Once they sign the paper, the lawyer doesn't want to talk to you," Stroud said.

Court-appointed attorneys given the most cases say talent and tenacity get them more work. The three judges in the juvenile courts defend the system and deny playing favorites.

"All the people who practice in these courts, everybody has known each other for years and years," said state District Judge Mike Schneider. "And you have a feeling of who does what."

In March, state Sen. Rodney Ellis, D-Houston, called for a public defender officer for all the courts in Harris County, noting Houston is the only major urban area in the nation without one. Harris County Commissioners Court agreed to study the issue.

When a child welfare case is on the docket, as many as six attorneys are involved: one for the child, one for the mother, one to represent Child Protective Services, and, depending on the number of children involved, one or more to represent the fathers.

Each of the lawyers, except the state attorney, are usually appointed by a judge. Depending on the docket, some attorneys may be on their 20th client that day, county records show.

The CPS cases are not subject to state indigent defense laws, meaning judges can pick whichever lawyers they want.

Under the Texas Fair Defense Act, a law passed in 2001, courts should randomly choose attorneys from a preapproved list of qualified lawyers. But the law also lets judges develop more flexible appointment plans, which the juvenile courts in Houston have done.

All three juvenile court judges have been criticized for favoring longtime friends or campaign contributors when appointing lawyers to represent the poor.

Judges Pat Shelton and John Phillips receive much of the criticism. Both received more than 90 percent of their campaign contributions from those they appoint; Schneider took in about 74 percent from these lawyers, according to a Chronicle analysis of contributions since 2005.

All three judges deny any correlation between contributions and appointments.