

Texas takes significant step in indigent defense

The effort to bring quality representation to poor people accused of crimes in Texas is a marathon, not a sprint.

We already have taken some much-needed strides toward ensuring that all Texans get qualified legal representation in the criminal justice system in a fair and timely manner.

Last year, lawmakers passed the Texas Fair Defense Act, the most important piece of indigent legislation in the state in the past 25 years. Getting the law passed was the first step, but we still have a long way to go to ensure its effectiveness.

Until the law was passed, the Texas system for public defense

**RAMAN GILL
& ANNETTE LOVOI**

was widely criticized. Mounting evidence demonstrated that the quality of representation for the poor often was woefully inadequate. Many defendants languished in jail for weeks and even months before seeing a lawyer.

Once they did get attorneys, there was no guarantee that the lawyers would be qualified to handle their cases. The quality of justice varied from county to county and, in many instances, from court to court within a single county because there was no consistent and fair method for selecting lawyers.

The Texas Fair Defense Act, which went into effect in January, brings long-overdue change. The law sets out basic requirements for each county's system, providing immediate improvements of swifter and fairer justice.

Judges in all Texas counties are responsible for ensuring the speedy appointment of qualified lawyers through a fair procedure. To achieve those goals, all counties were required to submit plans to the state by Jan. 1.

A report by Texas Applesseed and the Equal Justice Center indicates that Texas counties are off to a good start. The two groups found that many county plans met the law's basic requirements and that

some even went beyond them.

For instance, counties with populations of at least 250,000 have four working days to appoint an attorney for an indigent defendant, while smaller counties have six working days. But, as the two organizations discovered, a number of county plans have included procedures that can result in even faster appointments.

The fact that so many counties have made a good-faith start indicates that we can arrive at a system that we can be proud of. But we must stay focused on the goal of bringing quality representation for all indigent defendants.

A statewide task force of legislators, judges and practitioners now


is reviewing the county plans, issuing additional statewide standards and distributing about \$20 million of supplemental funding to counties during the biennium.

The task force must pursue its responsibilities vigorously. It must help counties meet their plan requirements and create standards and policies that promote improved representation for the poor. It also should develop specific statewide standards for lawyers who want to represent populations that are particularly vulnerable in the criminal justice system, such as people with mental illness or mental retardation and juveniles.


Keeping us on the road to justice is the responsibility of not only lawmakers, county officials and advocates. It also is the responsibility of every Texan who cares about having a criminal justice system that is fair. Everyone suffers when our system isn't fair.

Raman Gill is an attorney fellow and Annette LoVoi is the executive director of Texas Applesseed.


DOONESBURY by Garry Trudeau




LARRY, I'M LOOKING FOR A NINE-PICTURE DEAL HERE, OKAY?



WE WANT TWO HUNDRED PACKS - ART HOUSE STUFF - AND SEVEN BIG FAT SUMMER FLICKS!



I'D RATHER SEE I'M GETTING A LOT OF BSES - SURE NOT TO USE THEM



FROM WHO? THE MILLIONS OF TEXANS WHO THINK HE'S BORN AND COOL AND WHO CAN'T GET ENOUGH OF HIM? I DON'T THINK SO!