



What To Do If You Can't Afford A Lawyer in Texas

If you think you may be accused of a crime and you want your court-appointed attorney to represent you as well as possible, then do all of these 4 things:

1. **Be Polite and Respectful.** You'll only make a bad situation worse by arguing, bad mouthing, or physically interfering with police. You still don't have to say anything, and you don't have to give police permission to search you.
2. **Remain Silent.** Even if you believe you have done nothing wrong, don't talk to anyone, not even family or friends, about anything connected to an alleged crime. Give only basic information to police, like your name and address. Don't give police any denial, explanation, or excuse. The only response you should give anyone is: *"I want to speak to an attorney before I talk with you."* This statement can never be used against you, and it is accurate—you certainly do need a lawyer.
3. **Request a Lawyer.** Just as you would never perform surgery on yourself, you should never represent yourself in any part of a criminal case.
 - a. To request a court appointed lawyer, you must fill out some forms that describe what money you have and then give those forms to the correct person in your county.
 - b. To learn where you can get the forms you need and what to do with those forms, ask any of these people:
 - Any judge, especially the judge who sets your bail;
 - Each judge's "court coordinator" (the person who helps the judge with scheduling);
 - "Pretrial services officers" or "indigent defense coordinators" who some counties have hired to help people get lawyers;
 - People who work in county or district clerks' offices; and
 - Guards in the jail.
 - c. You should ask in person, write, call, and have your family call as many people as necessary until you get the forms you need and learn who to give them to.
 - d. Ask if you need help filling out the forms. You have a right to have someone help you.
 - e. A lawyer appointed to represent you should contact you within a week after you submit your request.
4. **Help Your Lawyer Help You.** Expect your lawyer to be busy and to need your help in defending you. The law requires your lawyer to keep everything you say secret, and to defend you no matter what. You help your lawyer present your best defense by providing complete and accurate information about the incident, and what happened during and after your arrest. Be observant about what happened, how it happened, when it happened, and who was there. Tell your lawyer the details.

Expect your lawyer to do all of these things in your case:

- Keep you reasonably informed about what is happening in your case;
- Ask a judge to reduce your bail to an amount that enables you to be free before trial;
- In felony cases, evaluate whether a preliminary "examining" trial could help you;
- Investigate the facts of the case using any information you provide;
- Interview witnesses in the case, including people you recommend; and
- Advise you of the benefits and risks of going to trial. (Remember, you are the one who decides whether to exercise your right to a jury trial. The lawyer should not decide for you.)

Requesting a lawyer while in jail:

1. Get your family and friends involved in seeking a court appointed lawyer for you.
2. Most jails have forms for requesting things from guards, like medical care and supplies. Get the request form and give it to a guard. Write on this form: ***“I cannot afford a lawyer and I request that a lawyer be appointed to represent me. Please tell me who to contact for this, and please send me any necessary forms for this.”*** Keep a copy of the form that you gave to a guard.
3. If the jail’s request form doesn’t work, then tell a guard that you need an envelope, stamp, paper, and the address of a criminal court judge. Then write the text underlined above to a judge, sign your name and jail address, and mail the letter. Guards know that you have a constitutional right to communicate with a court, and they’ll help you if you ask them politely.
4. If you haven’t been contacted by a lawyer by your next court date, the first thing you should say in court is that you need an appointed lawyer.

Requesting a lawyer while on bail:

1. Call your bondsman or the judge’s court coordinator so that you are sure when your next court date is. Don’t miss any court dates or you may be jailed again.
2. If you haven’t been contacted by a lawyer before your next court date, the first thing you should say in court is that you need an appointed lawyer.
3. Texas law says that you are not disqualified for an appointed lawyer just because you are released on bail. Still, some judges don’t like to appoint lawyers for people who bond out of jail. So, you must prepare before going to court in case the judge does not want to appoint a lawyer for you by doing all of these things:
 - Bring with you to court with all documents you can find that show that you and your spouse can’t pay for living expenses and a lawyer, including any proof that you receive public benefits, pay check stubs, tax returns, recent bills you’ve paid, documents showing that you support children, and proof of your debts for loans, credit cards, cars, house, etc.;
 - Before going to court, call 2 criminal defense lawyers and ask them how much they would charge to represent you, and bring with you to court the name, address, and phone of each lawyer, and how much they requested to begin work on the case;
 - Be firm but also be polite, respectful, and clear in responding to judge’s questions about whether you can afford to hire your own attorney; and
 - Bring a friend or family member to court and ask them to write down everything that is said between you and the judge, and then take this paper to a civil rights lawyer if the judge refuses to appoint counsel for you.

If you are not a U.S. Citizen:

Any kind of criminal case can keep you from getting or keeping a legal immigration status in the U.S. and can even result in your deportation. So if you are not a U.S. citizen, be sure that you ask your lawyer or your consulate or both about how a criminal case will affect your immigration status.