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Juvenile Sex Offender Registration

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Biographical Information

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PRETRIAL PROCEEDINGS

I. Some Ways in Which the Adult and Juvenile Systems Differ.

A. Arraignment procedures under the Texas Code of Criminal Procedure do not apply to juvenile cases.[i] This includes all things that are supposed to happen at the arraignment including:

1. Reading the indictment to the accused.
2. Hearing the plea.
3. Fixing identity;[ii] and
4. Determining indigency.[iii]

1. Indigency is determined at the detention hearing.[iv] In the adult system, arraignment procedures must be observed following indictment in felony cases and certain misdemeanors. In the juvenile system you will move straight to a detention hearing, and the procedures normally associated with arraignment usually take place at the adjudication hearing.

B. Discovery Procedures are different.

1. The Family Code requires that prior to detention, disposition, modification of disposition, or discretionary transfer hearings, the court must provide the attorney for the child with access to all written matter to be considered in the hearing.[v] That might include written reports from probation officers, professional court employees, or professional consultants, in addition to the testimony of witnesses.

2. When the court provides these materials, it is also authorized by the Family Code to require you to keep some or all of the information it contains secret from the child, the parents/guardians of the child, and/or the guardian ad litem if in the court's discretion the court believes that disclosure would materially harm the treatment and rehabilitation of the child or substantially decrease the likelihood of receiving information from the same or similar sources in the future.

3. At detention hearings and disposition hearings, these materials need only be provided to the defense, "prior to the hearing."[vi] At discretionary transfer hearings, these materials must be provided to the defense at least one day prior to the hearing.[vii]

4. The child's attorney is entitled to copies of all written statements made by the child.[viii]

5. At present, discovery in juvenile cases is governed by the Code of Criminal Procedure, criminal caselaw, and the rules of criminal evidence.[ix]

6. The usual rules with regard to exculpatory evidence apply to juvenile proceedings under Brady v. Maryland, 373 U.S. 83 (1963).

C. Pretrial Motions

1. The Family Code indicates that the provisions relation to pretrial motions contained in Art. 28, Code Crim. Proc., do not apply to juvenile proceedings.[x] Still…

a. Juveniles still have the same due process rights as those possessed by adults.[xi] Therefore, the argument is available that the kinds of pretrial motions indicated in Art. 28, Tex. Code Crim. Proc., may still be filed and that the court has the presumptive discretion to schedule a pre-trial hearing to consider them. Such motions could include:

1. Exceptions to the petition.
2. Suppression of evidence.
3. Discovery.
4. Entrapment.
5. Continuance
6. Appointment of an interpreter. (This is specifically addressed in Fam. Code sec. 51.17(d).

II. Requirements relating to notice

A. In re Gault, 387 U.S. 1, 87 S.Ct. 1428, 18 L.Ed. 527 (1967).

1. Established that the child must be adequately notified of the charges against him.
In proceedings in which a child's freedom or his parents' right to custody are at stake, timely notice must be given to the child and his parents/guardians.
Constitutionally, this notice must meet two critera:

   a. The notice must specifically allege in writing the misconduct that the state will attempt to prove; and
   b. It must be given sufficiently in advance to permit preparation for the hearing.

B. The Texas Family Code requires the filing of a petition which states:

1. With reasonable particularity the acts alleged and the penal law or standard of conduct allegedly violated by the acts;
2. The name, age, and residence address, if known, of the child who is the subject of the petition;
3. The names, residence addressed, if known, of the parent, guardian, or custodian of the child and of the child's spouse, if any;
4. If the parent or guardian does not live in the state or cannot be found there, or if their residence is unknown, the name and address of any known adult relative residing in the county. If that fails, then the name and residence address of the known adult relative living nearest the court; and
5. If the child is alleged to be an habitual felon, the previous felony adjudications.[xii]

The Family Code also provides that an oral or written answer may be filed at or before the hearing, but if one is not made, a general denial will be presumed.[xiii]

C. A summons must also be served on:
   1. The child;
   2. The parent, guardian, or custodian;
   3. The guardian ad litem;
   4. Any person deemed a proper or necessary party by the court.[xiv]

1. The summons has to require the person served to appear before the court at the time set.[xv]

2. A party other than the child may waive service of the summons either in writing or by voluntary appearance.[xvi]

3. The Family Code sec 53.07(a) requires that the summons provide at least two days notice of the hearing.

4. The summons can be used as a kind of detention order, in that the court can endorse it with an order directing that a law enforcement officer serving the summons immediately take the child into custody and bring him before the court.[xvii]

BUT - The attorney has a right to 10 days notice of adjudication or transfer hearings.[xviii] this means that two days may not be sufficient to meet the due process standard enunciated in Gault.

BUT - Some courts have held that violating this notice requirement may not constitute fundamental error. See; McBride v. State, 655 S.W. 2d 280 (Tex App-Houston [14th dist.] 1983), holding that one day notice is not fundamental error justifying a collateral attack on a criminal conviction. Note that this case involved a collateral attack on a conviction following a discretionary transfer. The child in that case may have done better to have attacked the transfer itself.

D. No notice of disposition hearings is required by the Family Code.

E. Notice of modification hearings and detention hearings is required per Family Code sec. 54.05(d) and 54.01(b), but these statutes do not speak to any time constraints. They only require that "reasonable notice" be given. In the case of detention hearings, this notice may be given orally.

   1. What does "Reasonable" mean? Well, whatever else there is to be said, the mandate of Gault must be met. At a minimum, this requires that:

      a. The petition must be served on the child and other interested parties; and
      b. It must be served sufficiently in advance to allow for preparation.

F. Finally, take a look at Family Code sec. 61.003. It requires a juvenile court that is contemplating issuing an order against a parent, guardian, or custodian to give sufficient notice either in writing or orally in a recorded court hearing of the proposed order, and to provide sufficient opportunity to be heard.

G. The Ten Day Rule relating to counsel.

   1. The attorney representing the child is entitled to ten days notice of any adjudication or transfer hearing.[xix]

   2. This right may be waived by complying with the terms of Family code sec. 51.09, which states in relevant part that the waiver must be made either in writing or in recorded court proceedings.
      However, sec. 51.09 also implies that the concurrence of the child is necessary for such waiver to be effective.

      a. Most recent caselaw on this subject holds that this right belongs solely to the attorney and may be waived by the attorney alone without the agreement of the child.[xx]
      b. Additionally, failure to object to a violation of the ten day rule may result in an implied waiver.[xxi]

   3. Is the attorney entitled to 10 days notice for modification hearings?

      a. The Family Code only requires "reasonable notice", so this question implicates exactly what "reasonable" means.

      b. The caselaw is split with regard to this subject.

         1. In the Matter of J.C., 566 S.W. 2d 119 (Tex.Civ. App - Waco 1977) holds that eight days notice is "reasonable".

         2. Then there is In the Matter of M.L.S., 590 S.W. 2d 626 (Tex. Civ. App. - San Antonio 1979), which applied the ten day notice rule to a revocation proceeding.

c. The late Dr. Dawson recommended providing counsel with ten days notice as the only safe course until the conflict is finally resolved.

III. Time Limitations Relating to Hearings

A. Depending on the nature of the offense, the state has a limited amount of time in which to file a petition when the child is detained.

1. The state must file its petition no later than 30 working days following the initial detention hearing if the charged offense is a felony of the first degree, an aggravated drug offense, or a capital felony.

2. For any other kind of charged offense the state must file its petition no later than 15 days following the initial detention hearing.

3. If the petition has not been filed by the deadline, the court must release the child from detention.[xxii]

B. If the child is in detention or if he is to be taken into custody per Family Code sec. 53.06(d), the Family Code requires that the hearing be set no later than 10 working days after the filing of the petition.[xxiii]

1. The terms of 53.06 apply not only to adjudication hearings, but discretionary transfer hearings as well.[xxiv]

2. BUT - In cases in which there is good cause for a delay, the failure to set a hearing within the ten days has been approved by the courts.[xxv]

C. Enter the Texas Supreme Court

1. In 1984 the Supreme court of Texas promulgated "nonmandatory guidelines"[xxvi] for disposing of juvenile cases. These guidelines state:

a. The first detention hearing should take place on the next business day following the admission of the child to a detention facility.

b. If the juvenile is in detention, the transfer or adjudication hearing should be conducted no later than ten days following admission to the detention facility, except for good cause shown of record.

c. If the child is not detained, the adjudication or transfer hearing should be held no later than 30 days following the filing of the petition except for good cause shown of record.

d. A disposition hearing should be held no more than 15 days following the adjudication hearing.

e. The guidelines allow for the juvenile judge or referee to recess a hearing at any point when the parties agree or when it would serve the best interests of the child or of society.

2. One should bear in mind that these guidelines are advisory only and there are at present no existing sanctions for failure to follow them.

BOTTOM LINE: The courts have approved delays beyond the statutorily required ten days and are generally treating the mandatory language of sec. 53.05 as merely directory in nature. An appellate court can be expected to look to the reason for the delay and to intervene only upon a finding of abuse of discretion, deprivation of due process, or deprivation of speedy trial.

THE CHILD'S RIGHT TO LEGAL COUNSEL

I. Back to In re Gault

A. Gault held that due process requires that juveniles be represented by counsel. (This was in response to an argument to the effect that a probation officer or judge could adequately represent a child in a proceeding before a juvenile court.) More specifically, SCOTUS held that the right to counsel applies in any proceeding which may result in a commitment of the child to an institution in which his freedom may be curtailed.

B. Justice Fortas worte that "neither the 14th Amendment nor the Bill of Rights is for adults only." Not only are juveniles entitled to be represented by counsel, but they are entitled to effective assistance of counsel.[xxvii]

II. Right to Counsel Under the Texas Family Code

A. The Texas Family Code provides somewhat better protection than Gault.

1. The Family Code provides that a child is to be represented by an attorney at all stages of a proceeding under Title 3, absent a waiver.[xxviii]

   This includes:

   a. Subsequent detention hearings;
   b. Adjudication hearings;
   c. Transfer hearings;
   d. Disposition hearings;
   e. Hearings seeking modifications of disposition;
   f. Mental competence hearings under Chapter 55.
   g. Habeas corpus hearings which challenge the legality of a juvenile detention; and
   h. Appeals.

2. The responsibility to provide counsel in proceedings in representation is mandatory falls on the judge or referee/master. Counsel must be appointed when:

   a. The child is not represented by counsel;
   b. The parent, guardian or custodian is financially unable to employ an attorney for the child;
   c. There has been no waiver or the child may not waive his right to counsel.[xxix]

3. The juvenile court has the authority to appoint counsel whenever it is deemed necessary to protect the interests of the child.[xxx]

B. Indigency Under the Texas Family Code

1. The Family Code does not impose any standards for determining when a parent/guardian is indigent. It simply places the responsibility for doing so on the juvenile court.

2. Under the Family Code, indigency is determined by the financial status of the parent/guardian.[xxxi] However, under the Code of Criminal Procedure, indigency is usually determined according to the financial status of the defendant. So, what about the situation in which a child is transferred to a criminal court?

a. Texas Code of Criminal Procedure, Art. 26.057 provides that if a child has been transferred to a criminal court and if a court appoints counsel, the county paying the defense counsel has a cause of action against the person responsible for the support of the child in cases in which that person is not indigent but nevertheless refuses to engage counsel or pay for the appointed counsel. The county can recover the cost of payment to the defense counsel as well as the attorney's fees necessarily incurred in the prosecution of the claim against the parent/guardian.

C. When is Counsel Appointed?

1. Before the first detention hearing, the juvenile court must inform the child and the parents/guardian that the child has a right to be represented by counsel.[xxxii] Because of the two day deadline for holding that initial detention hearing, it may be held without counsel, but things start to happen if the child gets detained.

2. If a child is not yet represented by an attorney at his first detention hearing and the child is detained at that time, he is entitled immediately to representation by an attorney and the juvenile court must either order the parent/guardian to retain one or must appoint counsel.[xxxiii] Additionally, the newly appointed attorney is entitled to a de novo detention hearing. He must request this hearing de novo within 10 work days from the date of his appointment, and the hearing must take place not later than the second working day following the request.[xxxiv]

3. If the child is not detained, then counsel should be appointed prior to the adjudication hearing.[xxxv]

4. Appointments of Counsel are governed by Family Code sec. 51.101.

   a. If the attorney is appointed at the initial detention hearing or afterwards and the child is detained, the attorney must continue the representation until:

      1. The case terminates;
      2. Different counsel is retained; or
      3. The juvenile court appoints new counsel.

   b. Release from detention does not terminate the representation.[xxxvi]

   c. If the child is released or otherwise not in custody, the juvenile court, on filing of a petition, must determine whether or not the family is indigent.[xxxvii] If indigency is found, the juvenile court must appoint an attorney on or before the fifth working day following service on the child of the petition or motion for discretionary transfer. That attorney must continue the representation until:

      1. The case terminates;
      2. Other counsel is retained; or
      3. The juvenile court appoints new counsel.[xxxviii]

   d. The same applies to proceedings under motions and petitions to modify disposition by committing the child to the Texas youth commission or placing the child in a secure correctional facility. The attorney must be appointed on or before the fifth working day following the date of filing of the motion or petition.[xxxix]

BOTTOM LINE - If you are appointed to represent a child in a detention hearing in a complicated juvenile case, pack a lunch. You are likely to be there until the case is finished.

III. Waiver of the Right to Counsel in Juvenile Court

A. The child's right to legal counsel may be waived in any proceedings under Title 3 except that he may not waive his right to counsel in the following circumstances:

   a. Transfer hearings;
   b. Adjudication hearings;
   c. Disposition hearings;
   d. Hearings seeking modifications of disposition where a commitment to the Texas Youth Commission is sought;
   e. Mental competence hearings under Chapter 55.[xl]

B. The statutory authorization for a child to waive his right to counsel otherwise may be found in Family Code sec. 51.09, which states that absent a clearly expressed contrary intent appearing elsewhere in Title 3, any right granted to the child may be waived in proceedings under Title 3 if:

   1. The waiver is made by the child and his attorney;
   2. Both the child and the attorney are informed of the right and understand it and the consequences of waiver;
   3. The waiver is voluntary; and
   4. The waiver is made in writing or recorded court proceedings.

BOTTOM LINE - The child has to have an attorney in order to waive his right to an attorney.

THE GUARDIAN AD LITEM

I. Who is This Person and Why is He Talking to My Client?

A. The guardian ad litem is an adult appointed by the juvenile court to represent the interests of the child. Prior to the enactment of Title 3, the law required the appointment of a guardian ad litem in all juvenile cases whether or not the juvenile had counsel or had a parent in court with him.

B. Today, the appointment of a guardian ad litem is governed by Family code sec. 51.11.

   1. The juvenile court is required to appoint a guardian ad litem when the child is unaccompanied in court by a parent/guardian.[xli]

   2. The juvenile court may appoint a guardian ad litem when it appears to the court that the parent/guardian is unable or unwilling to make decisions in the best interest of the child.[xlii]

   3. Who can be guardian ad litem? Really, almost anybody.

      a. The attorney for the child can be appointed guardian ad litem.[xliii]
      b. The best people to appoint as guardian ad litem are relatives of the child and other attorneys.

   4. Who may NOT be appointed guardian ad litem?

      a. law enforcement officers;
      b. probation officers; and
      c. employees of the juvenile court.[xliv]

5. SHOULD the defense attorney be the guardian ad litem? Absolutely not. There is too much potential for a conflict of interest between the roles played by the attorney and the guardian ad litem. The guardian ad litem is under a statutory mandate to represent the best interests of the child. The attorney, on the other hand, is there to represent the legal interests of his client. A conflict will arise in the event that the guardian ad litem perceives the best interests of the child differently than the child perceives his own legal interests.

   If the attorney/guardian ad litem perceives a conflict between the two roles, the attorney should seek appointment of a new guardian ad litem by filing an appropriate motion with the juvenile court.[xlv]

   BOTTOM LINE - If you are representing a child in a juvenile proceeding, do not allow yourself to be appointed guardian ad litem as well.

C. De Facto Guardians Ad Litem

1. There are times when the failure of a juvenile court to appoint a guardian ad litem can be excused or, at worst, be held to be harmless error.[xlvi]

   When the person who appears on behalf of the juvenile is not a parent or legal guardian, but is still someone who performs that function, it may not be necessary for a juvenile court to appoint a guardian ad litem.

2. The principle that governs this is that children appearing before a juvenile court must have the assistance of some friendly, competent adult who can supply support and guidance.

D. BUT - Suppose the de facto guardian ad litem has some conflict of interest or is a victim of the offense? At least one court has made the intuitively obvious decision and held that the juvenile court should appoint someone else in that circumstance.[xlvii]

1. The tendency of the courts since In the Matter of A.G.G. has been to attempt to distinguish that decision and limit it to its facts.[xlviii]

TEXAS FAIR DEFENSE ACT

I. A Seed Bears Fruit

A. The story of the Texas Fair Defense Act really begins in the year 2000 with the publication of a document titled, Selling Justice Short, Juvenile Indigent Defense in Texas.[xlix] It is usually called the Appleseed Report. It was an indictment of the juvenile justice system in Texas generally. It made a number of embarrassing findings including:

1. There was no uniform and consistent system in Texas for providing indigent defense to juveniles;

2. The systems that are in place seem designed to discourage effective representation and advocacy on the part of juvenile defense attorneys.

3. While some courts in a few counties do manage to promptly appoint competent counsel who represent their clients effectively, there are no common standards to ensure that it is done in all courts;

4. Many appointed attorneys lack expertise in juvenile law and many counties provide insufficient training, resources, and support services;

5. Judges are often pressured by budgetary restraints to move cases too quickly and that pressure is transmitted to the attorneys;

6. In most cases, the juvenile and his attorney meet only minutes before the child is to make his first appearance before the court, often in the courtroom itself or in the hallway, and it is common for the juvenile to enter a plea of true at his first appearance before the court;

7. There is little advocacy at disposition hearings. Attorneys are not provided with experts to consult regarding the needs of the client and they are usually forced to rely on the recommendations of probation officers;

8. In most counties, the juvenile probation officers assume an exaggerated role in the process and often take on functions more appropriate to police officers, prosecutors and/or defense attorneys;

9. Insufficient services and programs exist to meet the needs of the juveniles; and

10. Children often do not understand their rights and existing procedures fail to provide them with adequate representation at critical stages of the process.

B. The Appleseed Report made a number of recommendations, including:

1. The establishment of independent oversight of juvenile indigent defense systems;

2. The creation of standardized, fair, and uniform procedures for the appointment of attorneys who represent juvenile clients;

3. The development of an independent indigent juvenile defense oversight body;

4. Adequate funding of juvenile defense by the state;

5. The development of statewide criteria to establish minimum attorney qualifications and standards of representation;

6. All children should be presumed indigent;

7. The adoption of standards to ensure the neutrality of probation officers so that they might provide information to the court without assuming inappropriate police or attorney functions.

II. The Result - the Texas Fair Defense Act

A. The Texas Fair Defense Act requires counties to adopt countywide standards in the form of a plan for indigent defense that meets basic specified criteria.

1. This plan must:

a. Specify the qualifications necessary for an attorney to be included on a juvenile appointment list.[1]

b. Establish the procedures for:

1. Including and removing attorneys from the list; and[li]

2. Appointing attorneys from the list to individual juvenile cases.[lii]

B. Where practical, the plan must comply with Code of Criminal Procedure, Art. 26.04, which imposes procedures for appointment of counsel, except that:

[xiv] Fam. Code sec. 53.06(a).

[xv] Fam. Code sec. 53.06(b).

[xvi] Fam. Code sec. 53.06(e).

[xvii] Fam. Code sec. 53.06(d).

[xviii] Fam. Code sec. 51.10(h).

[xix] Fam. Code sec. 51.10(h)

[xx] See; RXF v. State, 921 SW2d 888 (Tex. App.- Waco 1996)(alternative holding); Ryan v. State, UNPUBLISHED, No. 01-96-00592-CR, 1997 WL 187306, 1997 Tex. App. Lexis 2050, Juvenile Law Newsletter 97-2-20 (Tex. App. - Houston [1st dist] 1997, pet. Ref'd.)

[xxi] See; In the matter of R.M.M.. UNPUBLISHED, No. 04-98-00442-CV, 1999 WL 191577, 1999 Tex App. Lexis 2525; Juvenile Law Newsletter 99-2-16 (Tex. App. - San Antonio 1999); Green v. State, UNPUBLISHED, No. 05-97-01176-CR, 1999 WL 1125247, 1999 Tex. App. Lexis 9191, Juvenile Law Newsletter 99-4-14 (Tex. App. - Dallas 1999, pet. Ref'd).

[xxii] Fam. Code sec. 54.01(q).

[xxiii] Fam. Code sec. 53.05(b).

[xxiv] Fam. Code sec. 54.02 (b) and (k).

[xxv] See; In the Matter of B.V., 645 S.W.2d 334 (Tex. App. - Corpus Christi 1982), holding that the juvenile court does not lose jurisdiction of a case when it fails to have a hearing within the ten days. The standard of review is abuse of discretion, denial of due process, or denial of speedy trial.

See also; L.L.S. V. State, 565 S.W.2d 252 (Tex. Civ. App. - Dallas, 1978 writ ref'd n.r.e.), holding that the hearing only must be "set" within then days, not that it must be begun within that period of time.

See also; In the Matter of M.I.L., 601 S.W.2d 175 (Tex. Civ. App. - Corpus Christi 1980), holding that it is permissible to delay the hearing to allow for a diagnostic study to be completed.

See; also; D.L.H. v. State, 649 S.W. 2d 826 (Tex. App. - Ft. Worth 1983, writ ref'd n.r.e.), holding that it may be permissible to set the hearing as much as 19 days after the petition is filed. Standard in this case was abuse of discretion.

See also; Williams V. State, 834 S.W.2d 613 (Tex. App. - San Antonio 1992), upholding a 49 day delay between filing of petition and transfer hearing.

[xxvi] Rules of Judicial Administration, Rule 6(d).

[xxvii] Strickland v. Washington, 466 U.S. 668 (1984).

[xxviii] Fam. Code sec. 51.01(a).

[xxix] Fam. Code sec. 51.10(f).

[xxx] Fam. Code sec. 51.10(g).

[xxxi] Fam. Code sec. 51.10(f)(2)

[xxxii] Fam. Code sec. 54.01(b)

[xxxiii] Fam. Code sec. 51.10(c).

[xxxiv] Fam. Code sec. 54.01(n).

[xxxv] See; Fam. Code sec. 54.03(b)(5).

[xxxvi] Fam. Code sec. 51.01(a), (b).

[xxxvii] Fam. Code sec. 51.101(c).

[xxxviii] Fam. Code sec. 51.101(d).

[xxxix] Fam. Code sec. 51.101(e).

[xl] Fam. Code sec. 51.10(b).

[xli] Fam. Code sec. 51.11(a).

[xlii] Fam. Code sec. 51.11(b).

[xliii] Fam Code sec. 51.11(c).

[xliv] id.

[xlv] In the Matter of J.E.H., 972 S.W.2d 928 (Tex. App. - Beaumont 1998).

[xlvi] See; In the Matter of J.A.S., UNPUBLISHED, No. 03-99-00327-CV, 2000 WL 490717, 200 Tex. App. Lexis 2712, Juvenile Law Newsletter 00-2-20 (Tex. App. - Austin 2000) holding as harmless error the juvenile court's failure to appoint a guardian ad litem when the aunt and uncle appeared for the child in place of the parents, and holding them to be de facto guardians ad litem.
See also; Flynn v. State, 707 S.W.2d 87 (Tex. Crim. App. 1986), Holding as harmless error the failure to appoint as guardian ad litem an aunt who had raised the respondent and who was present in court because she served in that de facto capacity anyway.

[xlvii] In the matter of A.G.G., 860 S.W.2d 160 (Tex. App. - Dallas 1993), grandmother testified against Respondent , so could not be a de facto guardian ad litem. Court of appeals reversed an adjudication that resulted in a 20 year determinate sentence, partly on the grounds that the juvenile court did not appoint a guardian ad litem.

[xlviii] See; In the Matter of P.S.G., 942 S.W.2d 227 (Tex. App.-Beaumont 1997), Respondent's mother was also the mother of the victim. She testified on respondent's behalf during disposition. The court of appeals used an abuse of discretion standard and held that there was no apparent conflict.
See also; In the Matter of M.E.S., UNPUBLISHED, No. 05-96-01236-CV, 1997 WL 351240, 1997 Tex. App. Lexis 3358, Juvenile Law newsletter 97-3-17 (Tex. App. - Dallas 1997.) A somewhat bizarre ruling, which held that there was no abuse of discretion in failing to appoint a guardian ad litem when the parent who appeared in court was the victim of the alleged offense and testified for the state. The court further held that the defense attorney acted as de facto attorney ad litem. The offense was an attempted murder, by the way.

[xlix] Stewart, Cathryn, et al., Selling Justice Short, Juvenile Indigent Defense in Texas; A Report by the Texas Appleseed Fair Defense Project on Indigent Defense Practices in Texas - Juvenile chapter, October, 2000.

[l] Fam. Code sec. 51.102(a)(1).

[li] Fam. Code sec. 51.102(a)(2)(A).

[lii] Fam. Code sec. 51.102(a)(2)(B).

[liii] Fam. Code sec. 51.102(b)(1)(A).

[liv] Fam. Code sec. 51.102(b)(1)(B)

[lv] Fam. Code sec. 51.102(b)(2)(A)(i).

[lvi] Fam. Code sec. 51.102(b)(2)(A)(ii).

[lvii] Fam. Code sec. 51.102(b)(2)(B)

[lviii] Fam. Code sec. 51.10(j)