



# SAN PATRICIO COUNTY ATTORNEY

**JAMES O. GARDNER**  
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Investigator

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Victim Advocate

## POLICY AND PROCEDURES REGARDING SELF REPRESENTATION

Once you have decided to Waive your Right to an Attorney after you have been arraigned by the Court, the following procedures will assist you in the smooth resolution of your case.

Once the Judge has arraigned you-- informed you of your pending charge(s), the range of punishment applicable to your charge(s)--you will then be asked by the Judge, "How do you want to proceed?" The following are acceptable answers to the Court's inquiry.

- 1.) Ask the Court to apply for a court appointed attorney;
- 2.) Ask the Court for time to hire an attorney;
- 3.) Ask the Court for a "Waiver of an Attorney" so you can speak directly with a prosecutor regarding the pending criminal charge(s) that have been filed against you.

If you choose to execute a "Waiver of an Attorney," you will then be able to have a conversation with one of the prosecutors. Remember, you can withdraw the "Waiver of an Attorney" at any time for any reason. If you have a conversation with the prosecutor and then decide you want the assistance of an attorney, you can either apply for a court appointed attorney or hire your own attorney. Revoking the "Waiver of an Attorney" can be accomplished by merely saying you want the assistance of an attorney. The prosecutor will then aid you in obtaining an application for a court appointed attorney or assist you in approaching the court to ask the court for time to allow you to hire an attorney.

If you are arraigned via video conference--Lifesize/Zoom, the same options listed above apply to you. If you want to execute a "Waiver of Attorney," advise the court and a Waiver of Attorney will be emailed to you. Once you receive the waiver, you must read it carefully, fill in the blanks to include the date, sign it, and type/print your name. This waiver must be then delivered to the San Patricio County Attorney's Office. If you choose to email this document to the San Patricio County Attorney's Office the email address is: [jgardner@co.san-patricio.tx.us](mailto:jgardner@co.san-patricio.tx.us) Please be sure to include a telephone number where you can be reached so a prosecutor can contact you to discuss your case. Please be aware the prosecutor will not discuss your case with a family member or close friend, only the accused. Also, please understand a prosecutor cannot discuss your case with you unless you execute a waiver of attorney.

If an agreement is made between you and the prosecutor, the court will be so advised. You may receive a new court date; You must attend the next court date unless the court releases you from this obligation.

Sincerely,

**TAMARA L. COCHRAN-MAY**  
SAN PATRICIO COUNTY ATTORNEY