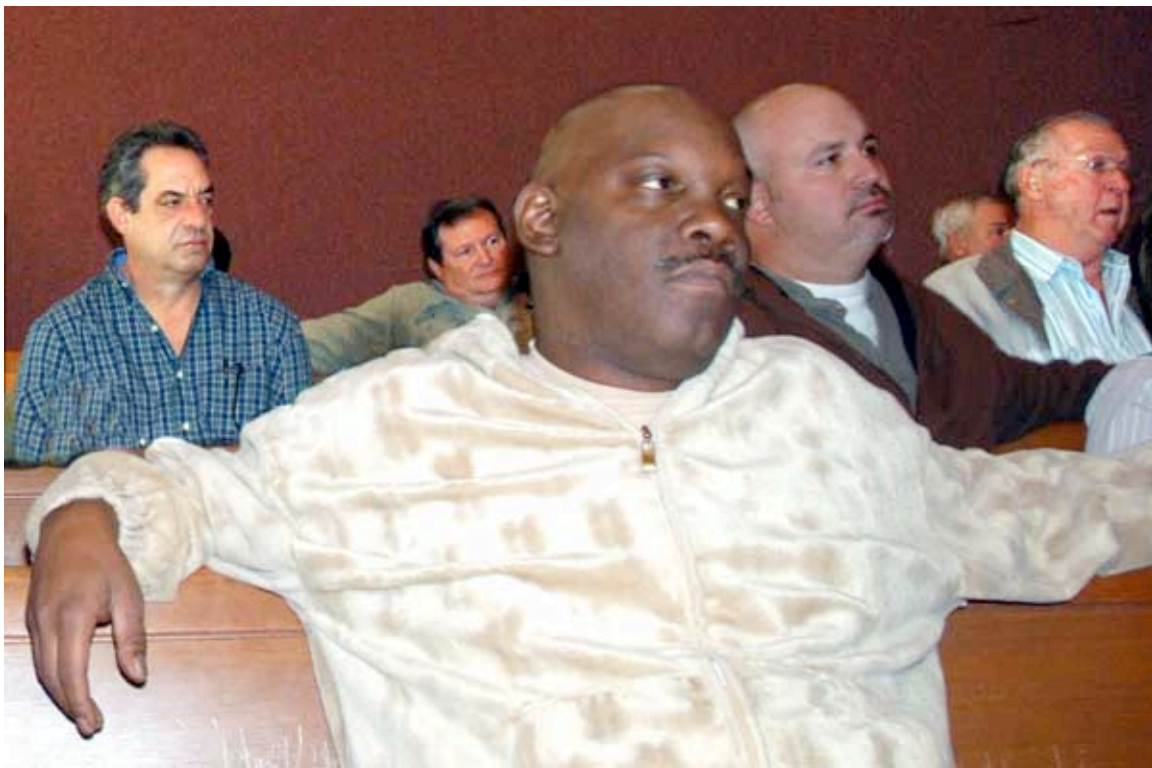


DAILY TRIBUNE

THURSDAY JANUARY 27, 2011 Last modified: Tuesday, January 4, 2011 11:26 AM CST

Brian Lee opens term, meets with trial officials

By MARCIA DAVIS-SEALE - Tribune Staff Writer



Titus County Judge Brian Lee started the New Year and his first Monday in office conducting back-to-back meetings with trial officials in the county courtroom. Lee met with about 20 county bail bondsmen greeting them with surprising candor and a frank admission, and mentioning the option of a bail bonds board; then - with about the same number of attorneys who practice in Titus County - listing the same objectives to both groups: "For every defendant to be treated fairly and receive justice; and for our county judicial system to run as efficiently as possible."

The judge told the Tribune, for now, the court would use four Wednesdays a month getting caught up. He named the primary changes for bondsmen as "More accountability for bondsmen financially, when they fail to perform."

For attorneys, he said, "We'll have court a lot more frequently and establish regular days of court. There

hasn't been a schedule everyone knew well in advance that allowed them to plan their schedules."

"It's important that I set the ground rules as early as possible," Lee said in an interview following the meeting, "so we have minimal problems down the road because I have failed to inform them. ...It's important for me to have good working relationships with everyone in the room. They will find me easy to work with. I am going to maintain parameters that will be advantageous to everyone."

To both groups, he announced regular court dates, set on the first and third Wednesdays for pleas, the second and fourth Wednesdays for jury trials and bench trials, every month, he told bondsmen, "Until we get caught up."

He qualified his conversation with bondsmen in closing, "If and when the commissioners' court votes to form a bail bonds board, everything I've just been over is subject to change."

His opening remarks to the group rang out blatant and surprisingly candid: "I realize that my election is a disappointment to nearly everyone in this room. I'm not mad at you. I don't dislike any of you. I don't want to put any of you out of business. I'm a businessman and I want to make money, too. I recognize that you have an important role in our judicial system. I respect the fact that you've chosen to be in the bonding business."

Lee told bondsmen he wanted to minimize the failure-to-appear incidents, shorten the time period required to close each case, be respectful and efficient with attorney's bondsmen, defendants and county employees' time, keep the docket current, collect appropriate fees and fines and be a good steward of the taxpayers' money.

In order to accomplish those goals, Lee told the bondsmen, he holds them responsible for having their clients in court on the specified date.

Lee told bondsmen they would be notified by email of their client's court date ten days prior to the hearing. He said roll call would be at 8:30 a.m., and that the county attorney would have one hour, or until 9:30 a.m., to visit with those defendants he had not already spoken with.

"Please be here at 8:20 a.m. so you can see if your clients are here, and, if not, you've got an hour to get them here. If your client is not here at roll call, but prior to 9:30 a.m., you will need to notify the clerk. Otherwise your bond forfeiture will stand."

Lee said if the bond forfeiture (NISI) is ordered, civil action will be taken and the bondsmen would have 20 days upon service to respond.

"If your client is dead or in jail, I will ask you for proof of death or a certified copy of proof of incarceration. In this case, I will remove the NISI, but the FTA [failure to appear] will stand and the defendant will be called back."

"If you answer within 20 days, you'll be required to pay court costs of \$206, a warrant fee of \$75, and 10 percent of the bond. The court cost of \$206 and the warrant fee will be due by day 21, and after that your bonding privileges will be denied. You will have 180 days to show cause or pay the 10 percent of the bond. If you can show cause within the 180-day period, I'll remit all monies paid back to you and withdraw the NISI, but the FTA will stand.

"If you don't answer within 20 days, 100 percent of your bond plus court and warrant fees will be assessed, and an abstract judgment will be filed. You will not be allowed to bond until all fines and fees are current.

"I will not sign off on any release of surety requests, so pick your clients carefully."

Lee said he would be researching his options on existing outstanding cases.

Following the meeting, Bobby Wilson said, "I will not bond in Titus County." Wilson said his bonding ticket had been pulled and he did not plan to renew it.

But bondsperson Nancy Leflett said she thought the meeting went well, and Barbara Hightower said she heard "nothing new."

J.T. Brison said the meeting went about like he expected.