

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-2.1.8

DATE: 09/03/18

PAGE: 1 of 3

SUPERSEDES: 12/13/06

SUBJECT: ATTORNEY REGISTRATIONS, FEE AFFIDAVITS AND REPRESENTATION SUMMARY REPORTS

AUTHORITY: Texas Government Code Ann. §§ 508.083, 508.084, 508.085

PURPOSE: To establish guidelines for processing attorney registrations, fee affidavits, and representation summary reports when an offender has legal representation before the Texas Board of Pardons and Paroles (BPP).

PROCEDURE: Attorneys who represent offenders for compensation in parole matters are required by law to register with the Parole Division using the Registration Form for Representation of Offender (RRP-110). Attorneys must file a Fee Affidavit Form (RRP-12) for each offender represented. Additionally, all attorneys who have represented offenders in parole matters during the previous calendar year must file the Attorney Summary Report for Offender Representation (RRP-120) annually by January 31. Designated Central File Coordination Unit (CFCU) staff is responsible for verifying that each document is complete and includes the information required by statute.

An attorney must file a fee affidavit with the Texas Department of Criminal Justice (TDCJ) before contacting a member of the BPP or an employee of the BPP or TDCJ on behalf of an offender.

I. RECEIVING FEE AFFIDAVITS AND REGISTRATION FORMS

- A. The RRP-110 form and the RRP-12 form shall be submitted to the BPP during the hearing process. The forms shall be forwarded for processing to:

CFCU-Fee Affidavit Desk
8712 Shoal Creek Blvd.
Austin, TX 78757

- B. If other TDCJ or BPP departments receive any of the forms, the form shall be forwarded to the CFCU Fee Affidavit Desk no later than the next business day after receipt.

- C. Documents received at the CFCU shall be processed within three (3) business days after receipt.

II. PROCESSING FEE AFFIDAVITS AND REGISTRATION FORMS

- A. The RRP-12 form and the RRP-110 form shall be reviewed for accuracy and completeness. Incomplete forms shall be returned to the attorney with a letter explaining the areas that need to be completed or corrected. The letter shall be suspended for 30 calendar days. If the corrections are not received within 30 calendar days, CFCU staff shall contact the attorney and inquire about the status. Contact with the attorney will be documented in the attorney representation file maintained in the CFCU.
- B. Once the RRP-12 form and the RRP-110 are complete and correct, attorney information shall be verified to ensure that the attorney is licensed by the State. Verification is found on the State Bar of Texas website at www.texasbar.com.

The completed RRP-12 form shall be imaged into the OnBase.

III. MAINFRAME DATA ENTRY

- A. CFCU staff shall enter all registered attorney information in the Attorney Fee Affidavit screen located on the TDCJ Mainframe menu.
- B. If an attorney sends notification that he no longer desires to represent a specific offender, documentation from the attorney shall be imaged into OnBase for the offender and the document shall be filed in the attorney representation file maintained in the CFCU.

IV. MAINTAINING FORMS AND CORRESPONDENCE

The RRP-12 form shall be placed in the attorney's case file maintained at the CFCU Fee Affidavit Desk after confirming the document was imaged into OnBase. This shall be done within three (3) business days of receipt. Attorney case files are maintained by calendar year.

V. PROCESSING ATTORNEY SUMMARY REPORTS FOR OFFENDER REPRESENTATION

- A. An attorney registered with the Parole Division is required to submit an RRP-120 form to the TDCJ each year. The RRP-120 form must be submitted no later than January 31 and must list each offender represented for compensation during the previous calendar year.
- B. Notification that the Attorney Summary Report is due by January 31 shall be sent to all attorneys registered with the Parole Division. Information Technology Division staff provides a list of all attorneys in the Fee Affidavit database that were active the previous year. This list is used to prepare the notification letters for bulk distribution by CFCU staff.

The notification letter and an Attorney Summary Report form shall be mailed no later than December 15.

- C. A reminder notice shall be sent by February 1 to any attorney who failed to provide an RRP-120 form. The response shall be suspended for 30 calendar days.
- D. If an attorney fails to respond to the reminder notice, a second reminder notice shall be sent by March 1, and the response suspended for an additional 30 calendar days. If the RRP-120 form is not received by March 31, a final notice is sent to the attorney on April 1 with notification that the matter is being referred to the Office of Inspector General for further action. The BPP Board Administrator is also notified of all attorneys not in compliance.
- E. When the RRP-120 form is received, the information shall be cross-checked against the information in the Attorney Fee Affidavit database and OnBase to ensure each offender appearing on the form is also on the offender master list. Any corrections needed to the form shall be noted and verification will be made that a current RRP-12 form is on file for every offender appearing on the RRP-120 form. If an RRP-120 form is received with no RRP-12 on file, or an offender was omitted from the RRP-120 form, a correction letter shall be sent to the attorney requesting an updated report. If the corrections are not received within 30 calendar days, CFCU staff will contact the attorney and inquire about the status. Contact with the attorney shall be documented in the attorney representation file and maintained in the CFCU.

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Director, Parole Division