

County of Jim Wells



OFFICE OF THE COUNTY ATTORNEY

JESUSA SANCHEZ-VERA
COUNTY ATTORNEY

(512) 668-5700

200 NORTH ALMOND
P. O. DRAWER 2080
ALICE, TEXAS 78333

RD-650

September 9, 1993

MBJ

RD-00650-DM
FILE # AL 22249-93

RECEIVED

SEP 13 1993

I.D.# 24015

Attorney General
P. O. Box 12548
Austin, Texas 78711-2548

Opinion

Attention: Legal Opinions

Dear Staff:

Enclosed please find a copy of a letter addressed to Mrs. Jesusa Sanchez-Vera, County Attorney from Commissioner Zenaida Sanchez. Commissioner Sanchez, has requested an opinion on each of the six issues presented.

Some background information: Mrs. Jesusa Sanchez-Vera and Commissioner Zenaida Sanchez are sisters who are both elected officials in the same county. Both are also attorneys. Mrs. Sanchez-Vera is also married to Mr. Antonio Vera, who is employed by the District Attorney's Office as an Investigator. Therefore, by marriage, Mr. Antonio Vera and Commissioner Zenaida Sanchez are in-laws. In addition, Commissioner Zenaida Sanchez also maintains a "part-time" law practice. She maintains an office in Jim Wells County and shares office space with Mrs. Tamara Cochran-May, a newly appointed Assistant District Attorney serving Jim Wells and Brooks Counties.

Without reiterating the issues raised by Commissioner Zenaida Sanchez, please issue an opinion to each of the six issues raised.

Thank you for your attention to this matter. If you have any questions, feel free to call on me.

Sincerely,

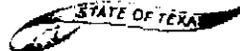
Valentin P. Colmenero

VPC/br

Enclosures



COUNTY OF JIM WELLS



ZENAIDA SANCHEZ
JIM WELLS COUNTY COMMISSIONER
PRECINCT 1
1203 So. Hwy 281

ALICE, TEXAS 78002

512 664-3588

FLORENTINO RIVERA
FOREMAN
SANDRA HUNTER
ADMINISTRATIVE ASST.

January 28, 1993

HAND DELIVERED

Mrs. Jesusa Sanchez-Vera
Jim Wells County Attorney
200 N. Almond Street
Alice, Texas 78332

Dear Jesusa:

Please consider this my formal request that your offices obtain an Attorney General's opinion to resolve the following issues which we have previously discussed:

- 1] Whether I may continue to accept court-appointments here in Jim Wells County representing indigent defendants while also serving in my new capacity as Precinct One County Commissioner for Jim Wells County where one of my duties would be to approve payments of bills such as from court-appointed lawyers which may include my own bills/vouchers as a court-appointed lawyer?
- 2] If the answer to the foregoing question is in the affirmative, there still remains in my opinion a question of an appearance of impropriety that concerns me with my dual roles as a court-appointed attorney and county commissioner.
- 3] Whether in continuing to share office space with Ms. Tamara Cochran-May, a newly appointed Assistant District Attorney serving both Jim Wells and Brooks County, there may be a conflict of interest or an appearance of impropriety if we are in engaged adversarial proceedings in my capacity as either a retained or court-appointed defense lawyer? This question is as to my practice both in Jim Wells County and Brooks County.
- 4] Should Ms. Cochran-May and I continue to share office space, will that necessarily mean that she and I can not or may not

handle any type of criminal cases against one another? If we may handle cases against one another, is there some form of

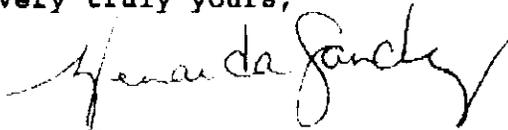
disclaimer that we must make the defendant (my retained and/or court-appointed clients) aware of before proceeding?

5) Additionally, whether the fact that you are my sister elected as Jim Wells County Attorney and my similarly being recently elected as Jim Wells County Commissioner Precinct One will cause certain conflict of interests to arise in my official capacity as County Commissioner? I would be seeking guidance from the Attorney General as to the proper method for dealing with this situation. (As has been my practice since being licensed as an attorney from November, 1989, to the present time, I will not take any case against you directly on matters that you handle in your office including driving while intoxicated, public intoxication, theft by check and criminal trespass offenses.)

6) Finally, the fact that your husband (my brother-in-law) Antonio Vera, as the District Attorney's investigator may be affected by my decisions as a County Commissioner (as it may affect the entire District Attorney's office as well), what measures should I take to avoid a conflict when I am making decisions pertaining to the District Attorney's Office?

Should you have any questions or need clarification of these various questions, please contact my offices at your earliest convenience. Thank you for your prompt attention to this matter.

Very truly yours,



Zenaida Sanchez
County Commissioner
Precinct One

ZS/sah