



**The Texas
Prosecutor:
justice
in action**

Texas' Code of Criminal Procedure dictates that the primary duty of all prosecuting attorneys is not to convict but to see that justice is done. What a powerful charge! It's one that Texas prosecutors take seriously and perform with honor.

No attorney in any other type of practice has the duty only to seek justice. Prosecutors do this duty for many: the innocent victims of crime, the people of the state of Texas, and even those charged with an offense. It is the prosecutor's job to do good in the purest, simplest sense: to right a wrong, protect those who can't protect themselves, hold the guilty accountable, free the innocent, and make our communities safer.

"In law school, I was bright-eyed and bushy-tailed and thought about going into environmental law and changing the world," says Jarvis Parsons, an assistant district attorney in Brazos County. "And I realized I could make a difference a lot faster by becoming a prosecutor. I just thought that people who were guilty should go to jail and people who were innocent should not be prosecuted. That's the best way to seek justice on a daily basis. We get to wear the white hat and we get to be the good guys."



"As a prosecutor, you get to do the right thing

every day," says Jarvis Parsons, an assistant district attorney in Brazos County for eleven years. "I come home and sleep well at night."

"I really like the notion that as attorneys, we have an obligation to protect our client's interests, and as prosecutors, our client is the State," adds Jaime Esparza, the district attorney in El Paso. "I think of the State as a living, breathing organism whose No. 1 interest is justice, and she requires that we be just to the accused, to the victim, and to our community."

Unlike most attorneys, the venue for a prosecutor's work is most often the courtroom, not the office. Prosecutors do not have to glean their trial skills from taking endless depositions, laboring over pre-trial discovery, or watching a more senior lawyer try a case. Rather, they learn by trying cases right out of the gate. It is common for a prosecutor with just one year of experience to have tried a dozen or more jury trials as

first chair. Plus, criminal prosecution is more interesting compared to most other work. Prosecutors try cases that matter, are in the courtroom often, and have great discretion and responsibility compared to other new attorneys.

And there is nothing quite like a hard-fought guilty verdict and the heartfelt thank-you from a victim to make the job worthwhile.

“My proudest moment as a prosecutor came after a tough trial where two children—sisters—were sexually abused by a nephew,” says Timothy Salley, an assistant district attorney in Moore, Dallam, Hartley, and Sherman Counties. “The jury had returned several life sentences against the defendant, and I had gotten to know the family well. Six months after the trial, I was grocery shopping when I felt a big squeeze on my leg. I looked down and saw one of the girls with a huge smile giving me the biggest hug she had. At that moment I realized who I am and what I do, and partly because of that special hug in the middle of the grocery store, any child victim that I encounter will get the best that this prosecutor can deliver.”

Betty Arvin, a longtime assistant criminal district attorney in Tarrant County, remembers two very different cases with similarly heartening outcomes. “Ben was a young man charged with theft. This was one of many bad decisions he had made following his mom’s unexpected divorce. In spite of his recent troubles, however, Ben had the opportunity to go to college. I gave him my best school-marm stare and told him and his attorney that I had decided to take a chance on him. I was dismissing his case—and I expected an invitation to his graduation. A few years ago, I received that invitation; Ben graduated from the United States Military Academy at West Point.



and must use that power judiciously," says Betty Arvin, a career prosecutor in Tarrant County.

“In an unrelated case, Britney’s boyfriend had committed a capital murder. She was my witness at trial and reluctantly agreed to testify. During our relationship, I encouraged her to aspire for more from life than associating with criminals. After the trial, she gave me a school picture and said that I motivated her to keep pushing herself to achieve her goals. Her picture is on my bulletin board, next to Ben’s graduation invitation.

“A prosecutor has power and must use that power judiciously. I relish the opportunity to take cruel and vicious people off of the streets of Tarrant County. What I like best about my job, however, is the positive impact we

can have on individual lives. I am proud of both Britney and Ben, the case I prosecuted and the case I did not.”

What does a career in prosecution look like?

Many people think that criminal prosecution resembles “Law and Order”—and to some extent, it does. Prosecutors read through stacks of case files, meet with tearful victims, and question witnesses on the stand, but that’s not all we do. Within prosecutors’ offices are many options to suit different skill sets and personalities.

In each office, the attorneys’ duties vary widely. Larger offices, such as those in Dallas, Houston, San Antonio, Fort Worth, and El Paso, have separate divisions focused on specific offenses: white collar, domestic violence, crimes against children, mortgage fraud, or gang violence, for example. Mid-sized offices usually parse out the duties by more general categories: misdemeanors, felonies, appeals, juvenile cases, and civil work (which includes representation of the county as a government entity), while smaller offices handle the gamut too, just with fewer staff attorneys.

Many prosecutors choose public service as their career path; they say that job satisfaction, predictable hours, and superior health care and retirement benefits are hard to pass up in favor of higher-paying jobs at private firms. Mentoring opportunities, especially in medium and large offices, mean that young prosecutors are never left to fend for themselves. Not only are knowledgeable coworkers eager to pitch in, but new prosecutors can also turn to the Texas District and County Attorneys Association as well as prosecutors in other offices statewide. Texas prosecutors are a tight-knit bunch who are willing to help out a comrade with a question, attend conferences for CLE together, and gather in the courtroom for a verdict.



“Most of us are not getting paid what we could make somewhere else, but the lack of financial reward is offset by the enjoyment of doing what we do.” —Ted Wilson, retired from the Harris County DA’s Office and an expert on search and seizure

Also, it's relatively easy to move from office to office, as experience in one jurisdiction will carry over to another. In fact, that's how many prosecutors move up the food chain and earn more money while maintaining their health and retirement benefits.

"I still enjoy my work today as much as I did in 1974," declares Ted Wilson, a now-retired assistant district attorney in Harris County who still travels the state training prosecutors. "What we do is important to society. We have a lot of power, authority, and responsibility: We can initiate a criminal charge, upgrade or reduce a charge, or dismiss it altogether. We should never take our responsibility lightly.

"Most of us are not getting paid what we could make somewhere else, but the lack of financial reward is offset by the enjoyment of doing what we do. If you believe in what you are doing, you feel it is incumbent on you to do the right thing, whatever the right thing is. It is an honor to have a job that gives me that opportunity."

What do the different prosecutors' offices look like?

There are more than 330 criminal prosecutor offices in Texas. Each is run by a locally elected county attorney, district attorney, or criminal district attorney who has the authority to prosecute criminal (and some civil) cases on behalf of the State of Texas.

A **county attorney's office** usually handles misdemeanor offenses such as DWI, domestic violence, weapons offenses, low-grade thefts, and simple assaults; many county attorney's offices also handle juvenile cases and civil issues for the county. These are great places to get one's foot in the door; these offices will often hire a new graduate right out of law school (while many other prosecutors' offices require a few years of experience first).

A **district attorney's office** typically handles all of the felony cases in that jurisdiction, which is sometimes one county (though in rural areas, a single jurisdiction can consist of several counties).

A **criminal district attorney's office** handles everything in a single jurisdiction; this type of office merges the duties of a county attorney and a district attorney. (Examples include Tarrant, Bexar, Lubbock, and Dallas Counties.) There are also a few **county and district attorney's offices** (Cameron County is one example) that are essentially the same as a CDA's office—they handle all criminal and some civil cases.

What if I don't want to be a career prosecutor?

Even those who decide not to stay in prosecution for the duration find that it's a stepping stone to many other options: elected office, a court bench, other areas of public service, or a position at a private firm. The trial experience a prosecutor gains early in her career is quite valuable in the private sector, and a few years' experience in a criminal courtroom can distinguish a prosecutor from others competing for the same jobs.

"Thirty years in our judicial system as a uniformed police officer, narcotics agent, homicide detective, police administrator, district attorney's investigator, law student, complex civil litigator, assistant DA, special prosecutor, and defense attorney collectively gives me a unique perspective with which to view our judicial system," says Jim Skinner, a Collin County lawyer in private practice.

"Through this lens, I have come to believe that those aspiring to be litigators and trial lawyers can find no better starting point in their legal career than becoming a prosecutor. The skills learned when forged in the fire of a prosecution unit are unique and unavailable from any other source. Integrity, discretion, teamwork, persistence, responsibility, service, and leadership are among the many invaluable characteristics one takes from this experience. Nothing substitutes for building the solid foundation of the professional advocate you seek to be."

How much can I expect to earn as a prosecutor?

Compensation and benefits vary in each office, of course. Smaller jurisdictions generally pay less than offices in big cities, but the cost of living in small towns is lower, and assistant prosecutors in these places may be able to maintain a private law practice that does not conflict with their duties.

"You can make a very good living as a prosecutor—that's a little known secret," says Jarvis Parsons of Brazos County. "I can provide for my family, go on vacation, and do what I want. People need to know that."

Here is a sample of what new hires and prosecutors with five, 10, and 15-plus years of experience earn in small, medium, and large offices:

Starting salaries for recent law school graduates

In offices with fewer than 12 attorneys

Anderson County Criminal District Attorney's Office	\$56,000
Atascosa County District Attorney's Office	\$47,000
Ector County District Attorney's Office	\$46,200
Grayson County Criminal District Attorney's Office	\$51,000–58,000
Polk County Criminal District Attorney's Office	\$47,000

In offices with 12–18 attorneys

Brazos County District Attorney's Office	\$62,000
Hays County Criminal District Attorney's Office	\$51,700
Potter County Attorney's Office	\$48,000
Potter County District Attorney's Office	\$61,000

In offices with more than 18 attorneys

Bexar County Criminal District Attorney's Office	\$49,500
El Paso County District Attorney's Office	\$53,400
Tarrant County Criminal District Attorney's Office	\$59,000

With five years of experience

In offices with fewer than 12 attorneys

Anderson County Criminal District Attorney's Office	\$62,000
Atascosa County District Attorney's Office	\$54,000
Ector County District Attorney's Office	\$56,200
Grayson County Criminal District Attorney's Office	\$70,000
Polk County Criminal District Attorney's Office	\$58,000

In offices with 12–18 attorneys:

Brazos County District Attorney's Office	\$72,000
Hays County Criminal District Attorney's Office	\$60,700
Potter County Attorney's Office	\$59,000
Potter County District Attorney's Office	\$69,000

In offices with more than 18 attorneys:

Bexar County Criminal District Attorney's Office	\$63,000
El Paso County District Attorney's Office	\$65,800
Tarrant County Criminal District Attorney's Office	\$80,000

With 10 years of experience

In offices with fewer than 12 attorneys:

Atascosa County District Attorney's Office	\$65,000
Colorado County District Attorney's Office	\$56,000
Ector County District Attorney's Office	\$65,000
Polk County Criminal District Attorney's Office	\$75,000

In offices with 12–18 attorneys

Brazos County District Attorney's Office	\$85,000
Hays County Criminal District Attorney's Office	\$77,600
Potter County Attorney's Office	\$75,000

In offices with more than 18 attorneys

Bexar County Criminal District Attorney's Office	\$74,000
Tarrant County Criminal District Attorney's Office	\$106,000

With 15+ years of experience

In offices with fewer than 12 attorneys

Ector County District Attorney's Office	\$71,700
Grayson County Criminal District Attorney's Office	\$100,000
Hays County Criminal District Attorney's Office	\$86,000
Polk County Criminal District Attorney's Office	\$87,000

In offices with 12–18 attorneys

Brazos County District Attorney's Office	\$100,000
Potter County Attorney's Office	\$75,000
Potter County District Attorney's Office	\$88,000

In offices with more than 18 attorneys

Harris County District Attorney's Office	\$91,000–131,500
Tarrant County Criminal District Attorney's Office	\$139,000

Considering that elected district attorneys earn \$125,000 annually, it's pretty amazing that an assistant with 15 years of experience can bump up against that salary.

Additionally, other benefits promise to make a job as a prosecutor even more financially rewarding. These include:

Student loan assistance: The federal John R. Justice Student Loan Repayment Program was passed in 2010 and provides loan assistance to attorneys employed in a prosecutors' office for at least three years. Repayment benefits per Texas prosecutor were \$1,210 in 2012 and \$2,500 in 2011; all recipients are eligible to renew their benefits each year.

Two other options for loan assistance are income-based repayment (IBR), whereby monthly student loan payments are capped based on income and family size, and the Public Service Loan Forgiveness program (PSLF), which forgives the outstanding balance for those who have made 120 months of payments while employed in a public service organization (prosecution is included). For more information on either program, visit <http://ibrinfo.org>.

Longevity pay: Prosecutors with at least four years of experience are eligible for longevity pay, a benefit funded by the Texas legislature to reward professional prosecutors for their service. It pads one's paycheck by \$960 a

year starting in the fifth year and increases to \$5,000 annually by the 21st year of service. Some counties also offer local longevity pay for their employees. It's a tangible demonstration of the value lawmakers and the community at large place on prosecutorial professionalism, and it helps ease the financial burden of law school loans and government salaries.

Health care: Assistant prosecutors are covered by the local county's health care plan, which is usually comprehensive. What's more, most people who retire from a prosecutor's office at the end of a career vest lifetime health care benefits, which—anyone near retirement can tell you—is invaluable.

Retirement: The Texas County and District Retirement System, in which assistant prosecutors participate, is one of the premier government retirement plans in the country. Although many new prosecutors don't think much about retirement when they first start their public service, most counties offer plans that can generate significant retirement income, even if a prosecutor leaves the office before reaching full retirement age.

Where ^{can I} find ^a job?

There are currently more than 2,400 assistant prosecutors in Texas. Many new positions are created every year; factoring in normal turnover, scores of jobs are open annually. Most of these job opportunities are in the large and mid-sized counties (that is, offices with more than 12 staff attorneys; there are 43 such offices). For those who prefer a small town, rural jurisdictions offer promising opportunities for a variety of work and quicker ascension up the ladder than might occur in a big city.

Start looking for a job during the last year of law school; the TDCAA website maintains a list of job openings across the state that is updated every day. View it at www.tdcaa.com/job_bank. Those who have an idea where they'd like to work geographically can contact the offices in that area to seek an interview.

Finally, interning at a prosecutors' office is a great way to get a foot in the door, learn more about the profession, network with staff attorneys, and procure a valuable reference upon graduation from law school. Please remember that most offices require all new hires to be licensed by the State Bar, though some urban offices might hire a graduating law student before she has actually passed the bar.

Here is a list of some offices with internships for law school students:

Office (semester)	Paid or unpaid?	Eligible students
Anderson County Criminal District Atty's Office (summer only)	Paid	1L, 2L
Austin County District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Bee County District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Bell County Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Bell County District Attorney's Office (summer only)	Paid	2L, 3L
Bexar County Criminal District Attorney's Office (all year)	Paid Unpaid	2L, 3L 1L
Bowie County Criminal District Attorney's Office (all year)	Paid & Unpaid	1L, 2L, 3L
Burnet County Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Comal County Criminal District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Denton County Criminal District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Ellis County & District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Fort Bend County District Attorney's Office (all year)	Unpaid	2L, 3L
Galveston County Criminal District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Grayson County Criminal District Attorney's Office (summer only)	Paid & Unpaid	1L, 2L, 3L
Gregg County District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Harris County Attorney's Office (all year)	Paid & Unpaid	1L, 2L, 3L
Hidalgo County Criminal District Attorney's Office (summer only)	Paid	1L, 2L, 3L
Kleberg County District Attorney's Office (all year)	Paid	1L, 2L, 3L
Limestone County District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Lubbock County Criminal District Attorney's Office (all year)	Paid & Unpaid	2L, 3L
Matagorda County District Attorney's Office Office (all year)	Unpaid	1L, 2L, 3L
McLennan County Criminal District Attorney's Office (all year)	Unpaid	2L, 3L
Montgomery County District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Nacogdoches County Attorney's Office (all year)	Unpaid	1L
Nueces County District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Orange County District Attorney's Office (summer only)	Unpaid	1L, 2L, 3L
Polk County Criminal District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Potter County District Attorney's Office (all year)	Unpaid	1L, 2L, 3L
Tarrant County Criminal District Attorney's Office (all year)	Paid Unpaid	3L 1L, 2L
Wichita County Criminal District Attorney's Office (summer only)	Paid	1L, 2L, 3L
Williamson County District Attorney's Office (all year)	Unpaid	2L, 3L

We hope this brochure has answered any questions you might have about prosecution, and we hope you consider such a career, which might be the most rewarding type of public service for a lawyer. “As a prosecutor, you get to do the right thing every day—I come home and sleep well at night,” says Jarvis Parsons of the Brazos County DA’s Office. “It’s the only job where your goal is to tell the truth.” ✱



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