



# Texas Task Force on Indigent Defense

May 2005

Volume 3, Number 2

## Inside:

- Chair's Message
- Director's Report
- Policies and Standards Update
  - Review of Alternative Appointment Plans
  - Attorney Fee Schedules
  - Attorney Qualifications for Representation in Death Penalty Cases
- Grants and Reporting Update
  - Distribution of FY2005 Formula Grant Payments
  - Planning for FY2006 Discretionary Grants
  - 2006 Program Eligibility for Formula and Discretionary Grants
  - FY2006 Formula Adopted
  - Successful Discretionary Grants
  - Monitor Summary of Findings
  - Summary of Monitoring Site Visits
  - Recent Presentations and Technical Assistant Site Visits
  - Grant Information Available On-Line



Carl Reynolds

## Office of Court Administration Hires New Administrative Director

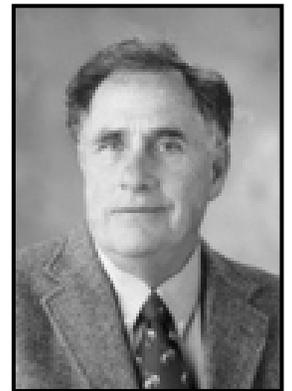
**Terri Tuttle, Executive Assistant**

Carl Reynolds took over responsibilities as Administrative Director of the Office of Court Administration (and Executive Director of the Texas Judicial Council) in April. He replaces Alicia Key who left last December to join the Office of Attorney General Child Support program. Carl comes to us after being General Counsel to the Texas Department of Criminal Justice for 11 years. He has extensive experience in the Texas criminal justice community and has worked closely with the Texas legislature for many years. Carl will be an outstanding asset and provide excellent leadership to the Office of Court Administration, as well as to the Task Force. We welcome Carl and wanted to introduce him to all of you.

## Message from the Chair

**Sharon Keller, Presiding Judge, Court of Criminal Appeals**

The Task Force mourns the recent passing of Professor Robert O. Dawson. Professor Dawson helped during the early formation of the Task Force on Indigent Defense and was a great champion of this mission. He pioneered juvenile law in Texas and the 79<sup>th</sup> Legislature of the



Professor Robert O. Dawson

State of Texas House [Concurrent Resolution No. 90](#) honors him and states: "His real-world experience with criminal law imbued him with a keen understanding of the legal system's effect on the lives of average people, and he sought to ground his students in a practical awareness of the law's workings by co-founding the University of Texas School of Law Criminal Defense Clinic, which he led as director for 24 years; in that capacity, he and his fellow supervisors worked with more than 1,200 third-year law students in handling over 7,200 criminal

## Task Force Members:

### Chair:

Sharon Keller  
Presiding Judge, Court of  
Criminal Appeals

### Vice Chair:

Olen Underwood, Presiding  
Judge, 2<sup>nd</sup> Administrative  
Judicial Region of Texas

Jon Burrows  
Bell County Judge

Chris Harris,  
State Senator

Knox Fitzpatrick  
Dallas Attorney, Fitzpatrick,  
Hagood, Smith & Uhl, L.L.P.

Terry Keel  
State Representative

Ann McClure  
Justice, 8<sup>th</sup> Court of Appeals

Orlinda Naranjo  
Travis County Court at Law  
#2

Wallace Jefferson  
Chief Justice, Supreme  
Court

Todd Smith  
State Representative

Glen Whitley  
Tarrant County  
Commissioner

John Whitmire  
State Senator

defendants' cases..." To say the least, this wonderful and brilliant man will be missed by countless others. However, the Task Force's mission is part of his legacy. At the April meeting, the Task Force adopted the **Robert O. Dawson Indigent Defense Distinguished Service Award** to honor Professor Dawson and to acknowledge his many contributions to the improvement of indigent defense in Texas. The members also voted to give the first award to him posthumously. Beginning next year, there will be an annual application process to recognize an individual or group in the criminal justice field who has done outstanding service in indigent defense. The award will be presented each year. Details concerning the award process will be published later this year.

## Director's Report

### James D. Bethke, Director

Twenty-four days to *Sine Die* and counting.

As of this writing, the Senate and House have recommended to fund the Task Force at \$28,734,184 or 105.4 percent of 2004-05 levels to administer and distribute grants to counties for improved standards and services for indigent defendants. The legislature has also recommended adding a "plan compliance monitor" to the Task Force staff. This person's function will be to review the programmatic and legal aspects of the local indigent defense plans to promote compliance by counties with the substantive requirements of state law and its written plans relating to indigent defense.

In addition, a rider has been attached to the Task Force's appropriation designating \$400,000 annually for state law school innocence projects. The rider specifies that the public law schools at the University of Houston, the University of Texas, Texas Southern University, and Texas Tech University would each receive \$100,000 a year through the Task Force. The purpose of this rider as explained to me is to provide a centralized infrastructure to assist the four public law schools in Texas with case management to assure no duplication of efforts and to provide support services performed through the law schools for innocence projects. The law schools would be required to report to the Task Force on how the money was spent and what work was performed. Then in turn, the Task Force would report this information to the legislature.

Three other significant bills to put on your watch list for the remainder of this month are:

**SB 368** by Duncan – This bill provides for pay raises for state judges. It also as passed out of the Senate included an increase in funding for indigent defense services. The comptroller prepared a fiscal note that estimated the bill would generate new revenue for the Fair Defense Account of \$8,966,000 in fiscal year 2006 and \$13,065,000 in fiscal year 2007. Note, however, this funding was removed in the House Committee on Judicial Affairs. The bill now awaits action by the full House. Stay tuned.

**HB 268** by Keel – This bill transfers the responsibility for adopting attorney

 *Policies and Standards:*  
**Chair: Knox  
Fitzpatrick  
Terry Keel  
Orlinda Naranjo  
Olen Underwood**

standards for attorneys to be appointed to represent indigent defendants in habeas corpus proceedings in death penalty cases from the Court of Criminal Appeals to the Task Force on Indigent Defense. The bill also sets out revised minimum qualifications for attorneys to be appointed to represent indigent defendants in death penalty cases at trial and on direct appeal.

**HB 1701** by Keel – This bill implements the clarifying amendments to the Fair Defense Act recommended by the Task Force.

To follow these bills and other legislative initiatives related to indigent defense, go to the Task Force’s legislative page at: <http://www.courts.state.tx.us/oca/tfid/Legislative.htm>.

May 30, 2005 marks the last day of 79th Regular Legislative Session. A special legislative E-newsletter will be forthcoming immediately following June 19, 2005 – the last day the governor can sign or veto bills passed this session.

---

## *Policies and Standards Update*

---

**Wesley Shackelford, Special Counsel**

# Review of Alternative Appointment Plans

Task Force staff is completing the process of assisting the regional presiding judges by reviewing all plans currently submitted to determine which ones appear to use alternative appointment methods. The review also verifies whether each alternative plan has been approved by the regional presiding judge. We are providing regional presiding judges our opinion of whether the alternative appointment plans meet the requirements of the Fair Defense Act. The regional presiding judges are in some cases recommending changes to local indigent defense plan based on our recommendations. Feel free to contact me or Laura Smith, our legal intern, who has conducted the review process if you have any questions.

## Attorney Fee Schedules

Monet Clarke, a legal intern with the Task Force, created new files containing the attorney fee schedules from each indigent defense plan. The extracted files are now posted on the Task Force website [here](#) and may be sorted by county name, administrative judicial region, and county population. Attorney fee schedules appear to be the most reviewed portions of the plans and we hope having direct access to the schedules is helpful to you.

# Attorney Qualifications for Representation in Death Penalty Cases

Art. 26.052 of the Code of Criminal Procedure establishes procedures in death penalty cases for appointment and payment of counsel to represent indigent defendants at trial and on direct appeal and to apply for writ of certiorari in the United States Supreme Court. Each of the nine Administrative Judicial Regions' plans and attorney appointment lists has been collected and posted on the Task Force website at [www.courts.state.tx.us/tfid](http://www.courts.state.tx.us/tfid). Publishing all the plans and appointment lists in one location will make them easily accessible to judges, attorneys interested in death penalty appointments, and the public. The website information will be kept up-to-date and plans and appointment lists will be updated as frequently as regions revise their plans or lists.

 Grants and Reporting:  
**Chair: Glen Whitley**  
Jon Burrows  
Sharon Keller  
Knox Fitzpatrick

## *Grants and Reporting Update*

---

## Distribution of FY05 Formula Grant Payments

**Sharon Whitfield, Budget and Accounting Analyst**

Of the two hundred fifteen counties awarded \$11 million in FY05 formula grants, one hundred seventy-eight counties have received their 1<sup>st</sup> and 2<sup>nd</sup> quarter payments totaling \$5,348,248 in distribution. The remaining thirty-seven counties have not received a quarterly payment because they have not expended any of their FY04 formula grant or expended less than 75% of their FY04 formula grant. Each of these counties must submit a Mid-Year Expenditure Report before they are eligible to receive quarterly payments.

The Mid-Year Expenditure Report covers a county's expenditures from October 1, 2004 thru March 30, 2005. The submission date for this report was May 2, 2005. If the mid-year report shows expenditures over the county's FY01 baseline, the county will begin receiving their quarterly payments, the first of those payments will be sent out by May 31<sup>st</sup>. If the mid-year report shows expenditures less than the county's FY01 baseline, the county must wait until after the Indigent Defense Annual Expenditure Report is submitted in November before receiving a grant payment.

As a reminder, the distribution schedule for 3<sup>rd</sup> quarter payment is by July 15 and 4<sup>th</sup> quarter payment will be distributed in November shortly after receipt of the FY05 Indigent Defense Annual Expenditure Report.

# Distribution of Grant Funds by Direct Deposit

**Sharon Whitfield, Budget and Accounting Analyst**

For counties still receiving their grant payments by warrant (check), you may want to consider direct deposit as the main source for receiving your payments. There are several advantages to receiving your payments by direct deposit versus by warrant such as the ability to trace your payments, no deposit delays, prompt availability of funds and no worry about a lost or stolen warrant.

To begin receiving your payments by direct deposit, simply complete the Vendor Direct Deposit Authorization, Form 74-176(Rev. 12-02/03) and return the completed form back to us. This form is available on the Comptroller's Window on State Government Website at: <http://www.window.state.tx.us/taxinfo/taxforms/74-176.pdf>. If assistance is needed in filling out the form or you have additional questions a customer service representative is available Monday thru Friday, 8:00 a.m. to 5:00 p.m. by calling 1-800-531-5441, ext. 3-3600 (toll-free) or 512-463-3660 (in Austin) or by email at [www.claims.pin@cpa.state.tx.us](mailto:www.claims.pin@cpa.state.tx.us).

For a complete listing of all currently scheduled meetings please go to the website [calendar](#).

## Planning for FY06 Discretionary Grants

**Bryan Wilson,  
Grants  
Administrator**

The Task Force voted in its April 8, 2005 meeting to continue the same program priorities that were published in FY05. The Task Force will release FY06 Requests for Applications for grant funding after its August meeting to instruct counties how to apply. Counties will receive this information in the mail at that time.

### **FY2006 Discretionary Grant Program Priority Funding**

#### **New Single-Year Discretionary Grants**

The following application characteristics shall be given priority in deciding funding:

- Applications for creating programs or processes to improve indigent defense services.
- Applications that demonstrate a good likelihood the proposed activity will be a model program or can be duplicated in other jurisdictions.
- Applications that involve multiple counties coordinating their submission.
- Applications that demonstrate a county's (ies') long term commitment to the program. For instance a seed program that requests funds from the Task Force to start a program the county will maintain over time.
- Applications that contain cash match from the county or other non- governmental source.
- Applications that have minimal or no indirect costs requirements.

#### **New and Continued Multi-Year Discretionary Grants**

In addition to all of the application characteristics listed above for the single-year discretionary grants, the following application characteristics shall be given priority in deciding funding:

- Programs that provide direct services to indigent defendants.
- Establishment of public defender offices.
- Establishment of regional public defender offices.
- Establishment of mental health defender services.

Counties may confirm if the programs they are considering meet the priorities now instead of waiting for the Request for Applications to be published in August 2005.

Counties need time to plan so they can implement effective programs. Knowing early on what priorities will be funded allows counties to move into designing programs. This avoids hard work and planning being wasted because counties did not know what elements in grant programs are desired.

Some county officials have expressed that the program priorities do not tell them what kind of program to write. The Task Force has purposely set the priorities in very broad terms so that the courts and counties may have wide latitude in developing programs that meet local needs yet still meet the priorities of the Task Force.

Many kinds of programs have been developed with discretionary grants. Basically the grants fall into three categories: 1) **Direct client services** - public defender offices, contract defender systems, and mental health defender services; 2) **Technology** – these grants include software, video-teleconferencing, and computer systems; and 3) **Court Coordination** – indigent defense coordinators and magistration related projects.

The Task Force encourages you to begin planning now to improve your local indigent defense services.

## 2006 Program Eligibility for Formula and Discretionary Grants

**Bryan Wilson,  
Grants  
Administrator**

Eligibility requirements have been set by the Task Force for both formula and discretionary grants. Only Texas counties are eligible to apply for funds disbursed by the Task Force. For counties to

### **FY2006 Formula and Discretionary Grant Eligibility**

- **Only counties are eligible to apply for funds**
- **Indigent Defense Information (Countywide Plans) must be in compliance with applicable statutes and standards** – Local Administrative District Judges, Local Statutory County Court Judges (or County Judge as applicable) and the Chairs of Juvenile Boards must submit their countywide indigent defense plans, procedures and forms submitted to the Office of Court Administration as required in Government Code Section 71.0351. The plans must meet the following minimum plan eligibility requirements set by the Task Force:
  - The plan(s) specify that each accused person will be brought before a magistrate within 48 hours of arrest for proceedings under Article 15.17 of the Code of Criminal Procedure
  - The plan(s) specify that when an eligible defendant submits the required documents for the appointment of counsel, the request and documents required will be transmitted to the appointing authority within 24 hours of the request.
  - The plan(s) specify that the appointing authority will appoint counsel for eligible defendants within one working day of receiving the request (counties with population of 250,000 and above) or within three working days of receiving the request (counties with population under 250,000).

(continued on next page)

receive any funds they must first meet the eligibility criteria set by the Task Force.

The Task Force has worked to maintain a balance between program consistency and improving the statewide indigent defense system with the use of grant funds.

The distribution of funds is based on the courts within the counties submitting an indigent defense plan that meets the eligibility criteria set by the Task Force. When the plans are reviewed by the Task Force staff attorney and legal interns, they report to the grant administrator whether the criteria have been met. The grant administrator and the attorney then contact local administrative judges to address plan issues. Since all current eligibility requirements are statutory or rules adopted by the Task Force, the judges have always made adjustments to meet the requirements. Task Force staff has been overwhelmed by the graciousness and cooperation of judges and court staff in improving the indigent defense systems. The Task Force is expected to add new requirements for eligibility in the FY07 grant cycle. The Task Force will release FY06 Requests for Applications after its August meeting to instruct counties how to apply for FY06 grant cycle funding. Counties will receive this information in the mail at that time.

#### **FY2006 Formula and Discretionary Grant Eligibility - continued from previous page**

- A copy of all formal and informal rules and forms that describe the procedures used in the county to provide indigent juvenile respondents with counsel in accordance with the Code of Criminal Procedure and Family Code Chapter 51 have been adopted by the courts and juvenile boards and have been submitted or will be submitted to the Office of Court Administration on or before January 1, 2004.
- The county has adopted an attorney fee schedule in accordance with Article 26.05, Code of Criminal Procedure that addresses the following issues:
  - The plan(s) specify a schedule of attorney fees that covers all criminal cases for which punishment by incarceration may be imposed.
  - The plan(s) specify procedures for payment of expenses, including expert and investigator fees, incurred with prior court approval.
  - The plan(s) specify procedures for payment of expenses, including expert and investigator fees, incurred without prior court approval.
  - The plan(s) specifies that no payment shall be made until the form for itemizing the services performed is submitted to the judge presiding over the proceedings and the judge approves the payment.
  - The plan(s) specify procedures and documentation to meet minimum attorney Continuing Legal Education (CLE) standards set by the Task Force (1 TAC §§174.1 - 174.4).

## **FY2006 Formula Adopted**

### **Bryan Wilson, Grants Administrator**

After much discussion and consideration, the Task Force at its April meeting voted not to change the current formula methodology. The formula will be \$5,000 for each Texas county (“the floor”) per grant and the remainder of funds distributed based on a county’s percent of total state population (Texas State Data Center population estimate data) multiplied by the Task Force’s remaining budgeted amount for formula grant. Counties must meet minimum spending

requirements to qualify.

One major change, however, this year is moving from the 2000 Census to the Texas State Data Center estimates. Some counties will be affected by this change. The change could be positive or negative. The smaller the county the greater percent of the grant is made up of the “floor.” Therefore, smaller counties are less likely to be affected. It was considered that waiting until the next census would more dramatically affect counties. If a change was made, now was better than later.

The formula consideration began in the spring of 2004 when the Task Force sent out a survey asking judges, county officials, attorneys and many other stakeholders for their opinion regarding funding methods and other indigent defense issues. The Task Force published in the Texas Register a request for comments in February 2005. A workgroup was formed to discuss the different funding possibilities. Invitees included county association representatives, advocate group representatives, judges, commissioners, court personnel, legislative staff, and others. The group met and discussed the various options. Other methods considered to change the formula, involved using: 1) poverty rates, tax values, or increased costs in the formula; 2) removing or changing the floor; 3) change the population numbers used to calculate the grant from the US Census to Texas Data Center; and 4) using combinations of the above items.

Most representatives agreed that the issue was complex and needed further study. Based on the analysis of the workgroup, the Task Force will only update the population numbers from the US Census to the Texas Data Center population estimates. The Task Force will continue to consider options over this next year.

Allocations for counties will be posted after the August 2005 Task Force meeting. Since counties are currently beginning their budget cycle, they should budget the amount they received last year unless they know they could be impacted by extreme population growth or decline. The legislative session may also affect the amount of funds available.

## Successful Discretionary Grants

**Bryan Wilson, Grants Administrator**

What are the characteristics of successful grants? The Task Force is charged with providing funds to counties so that they may improve their indigent systems. So a truly successful program is one in which the local indigent defense system is improved and there is documentation that the improvement occurs. Having laid the foundation, here are six characteristics that support successful grants.

- 1) **Well developed plan and strategy** – successful grant programs have thought and purpose. Judges are responsible for the implementation of indigent defense systems. Counties are responsible for funding the system. Successful programs come out of planning and strategies arising from the two independent bodies sharing their visions, priorities and responsibilities to improve the indigent defense system.

Task Force on Indigent  
Defense  
P.O. Box 12066  
Austin, TX 78701

Phone:  
(512) 936-6994  
toll free:  
(866) 499-0656

Fax:  
(512) 475-3450

E-mail:  
[fairdefense@courts.state.tx.us](mailto:fairdefense@courts.state.tx.us)

We're on the Web!  
[www.courts.state.tx.us/tfid](http://www.courts.state.tx.us/tfid)

- 2) **A responsible person (report and execution)** – successful programs have a responsible person ensuring coordination and execution of the program. The domain of the indigent defense system lies between the judiciary and the county administration. Having an artful and skilled person to bridge these systems is critical for the execution of the program and the corresponding data collection that must occur to measure program success.
- 3) **Meaningful collaboration** – collaboration in this context means that stakeholders bring their authority and resources to the grant program design, implementation, and reporting.
- 4) **Effective communications** – people bring issues, concerns, and ideas together to improve the indigent defense system. Not every comment considered will improve the system. When meaningful and effective communications occur then the stakeholders together can sort through it all for the best ideas.
- 5) **Shared vision** – the courts and the county administration are powerful allies for change in the arena of indigent defense when both share a common vision of improving the system. Counties whose vision of reducing attorney costs for criminals is a stark contrast to counties working to provide constitutional effective assistance of counsel. The common vision is the catalyst for positive change and successful grant.
- 6) **Culture of learning** – open and honest learning is the foundation for a grant program. Most Task Force funds are provided in formula grants. The discretionary grants are intended to allow the state and county to experiment with new ideas and processes. Intending to learn from successful and unsuccessful programs is crucial to understanding the “big picture.”

Courts were notified on April 14, 2005 that planning for program related grants needs to begin early. This is especially true if the county intends to apply for a multi-year direct client service grant. Contact the grant administrator if you need technical support in developing programs.

## 2005 Summer/Fall Regional Trainings for FY06 Grants and Expenditure Reporting

**Terri Tuttle, Executive Assistant**

For each grant cycle, staff provides regional training to county personnel relating to the Task Force's grant application process and indigent defense expenditure reporting. Again beginning this summer, Bryan Wilson will begin making his rounds to the various regions in the great State of Texas. Listed below (next page) are the locations and dates. Please mark your calendars now to plan to attend the most convenient location for you. There is no registration fee for this training. To register, simply email [terri.tuttle@courts.state.tx.us](mailto:terri.tuttle@courts.state.tx.us) indicating

**Regional Trainings for FY06 Grant programs and FY05 Indigent Defense Expense Reporting**

**To register please email:**

**[terri.tuttle@courts.state.tx.us](mailto:terri.tuttle@courts.state.tx.us)**

**(please include the names of those attending, county name, phone number and location)**

- **Austin** (Travis Co.), Texas Law Center, 1414 Colorado, Room 101 – **August 25**, 1-4 p.m.
- **Graham** (Young Co.), room, address to be announced, - **August 30**, 8:30 – noon
- **Abilene** (Taylor Co.), room, address to be announced – **August 31**, 8:30-noon
- **Plainview** (Hale Co.), Ollie Liner Center – **September 1**, 8:30-noon
- **Odessa** (Ector Co.), room, address to be announced – **September 8**, 8:30-noon
- **Richmond** (Fort Bend Co.), room, address to be announced – **September 14**, 8:30-noon
- **Edinburg** (Hidalgo Co.), 100 North Closner – **September 16**, 8:30-noon
- **Livingston** (Polk Co.), Courthouse, **September 22**, 2p.m.-5p.m.
- **Longview** (Gregg Co.), room, address to be announced – **September 23**, 8:30-noon

which location you would like to attend. E-mail registration is preferred so that exact meeting room location can be given to you as that information becomes available. However, if email is not available, you may also call, toll-free (866)499-0656. If prompted to leave a message, please leave the names of those attending, county name, phone number and city location of training.

## Monitor Summary of Findings

**Carol Conner, Program Monitor**

The main benefit of monitoring is to increase the knowledge base and share ideas to improve the system. While a monitoring visit may require corrective actions by the county, sharing major findings allows other counties to avoid the same issues.

Some areas that needed improvement are as follows:

### **Incomplete Attorney Fee Voucher**

The [attorney fee voucher](#) was at times incomplete for adult and juvenile cases. The attorney fee voucher form has a designated place for the presiding judge signature. However, the presiding judge signature was often missing from the attorney fee voucher. The statute and corresponding grant eligibility condition requires that *“no payment shall be made until the form for itemizing the services performed is submitted to the judge presiding over the proceedings and the judge approves the payment.”* Since the statutory report is built on the payment orders or instruments a county uses, it is crucial that counties institute payment procedures that allow for the correct collection of fiscal and case data for each court.

### **Continuing Legal Education (CLE) Training Requirement**

The attorneys’ continuing legal education training at times was not adequately

documented as required. An attorney appointed to represent an indigent defendant in criminal cases under the procedures developed under Article 26.04, Code of Criminal procedures. The adopted standard requires that attorneys complete a minimum of 6 hours of CLE pertaining to criminal law during each 12-month reporting period in accordance with Chapter 174, Texas Administrative Code. CLE may include activities of self-study, teaching at an accredited continuing legal education activity, attendance at a law school class or legal research-based writing. In addition, the judges in your county may require attorneys to complete more than the minimum number of hours of criminal CLE training requirements. Thus, attorneys' CLE training requirements must meet the Task Force standards and your county local plan. The link to the Texas Administrative Code is available at <http://www.sos.state.tx.us/tac/>.

### **Contract Defender Systems**

Some counties have not adequately documented their contract defender systems of appointing attorneys with a written contract. The contract defender program is defined by the Government Code as “a system under which private attorneys, acting as independent contractors and compensated with public funds, are engaged to provide legal representation and services to a group of unspecified indigent defendants who appear before a particular court or group of courts.” Although Article 26.04, Code of Criminal Procedure allows for contract systems, it requires that “appointments are reasonably and impartially allocated among qualified attorneys.” The Task Force recommends an open process for attorneys meeting the objective qualifications set forth in the indigent defense plan to apply, such as a Request for Qualifications, or some other type of open bidding process. Contract attorneys must also submit some type of fee voucher. We have modified vouchers that you may wish to consider requiring attorneys to submit that document the cases disposed of by the attorney each month. The county must also maintain adequate documentation supporting budget items for a contractor's time, services, and rates of compensation. A contract with attorneys to provide representation for indigent defendants obligated by the county with grant funds must be in writing and consistent with Texas contract law. A resource guide by the Texas Comptroller's Office of Public Accounts, Model Purchasing Manual for Texas Cities and Counties is available at <http://www.cpa.state.tx.us/lga/purchasing/index.html>.

In several jurisdictions, records were missing or incomplete as following:

- No selection method (vote of judges)
- [attorney fee voucher](#)
- [affidavits of indigency](#)
- [magistrates warning](#)

Model Forms are available at [www.courts.state.tx.us/tfid](http://www.courts.state.tx.us/tfid)

These records may consist of written forms, electronic recordings, or other documentation as authorized by procedures adopted in the county under Article 26.04(a), Code of Criminal Procedures.

# Summary of Monitoring Site Visits

**Carol Conner, Program Monitor**

## Report of monitoring visits from January 1, 2005 through April 30, 2005

This chart reflects a summary of seven monitoring site visits conducted during the above-specified timeframe.

| County            | Date of Site Visit   | Status of Report            |
|-------------------|----------------------|-----------------------------|
| McLennan County   | February 7, 2005     | Complete                    |
| Tarrant County    | February 8-10, 2005  | Complete                    |
| Dallas County     | February 22-24, 2005 | Complete                    |
| Harris County     | March 8-10, 2005     | Complete                    |
| El Paso County    | March 22-24, 2005    | Awaiting response to report |
| Washington County | April 13-14, 2005    | Report pending              |
| Burleson County   | April 26-27, 2005    | Report pending              |

## Desk Reviews of FY04 Expenditure Reports

We have completed conducting desk reviews of the 254 counties for FY04 expenditure reports. The 254 counties have submitted the statutory required FY04 Indigent Defense Expenditure Report.

The Task Force takes a proactive approach to provide technical assistance and support to improve indigent defense systems and promote compliance by counties with the requirements of state law relating to indigent defense. For questions or technical support, please contact: Carol Conner, Program Monitor; direct line: 512/936-7561; in Texas 866/499-0656; email: [carol.conner@courts.state.tx.us](mailto:carol.conner@courts.state.tx.us)

# Task Force Staff Are Available to Assist

**Terri Tuttle, Executive Assistant**

Ever wonder who you might call for issues concerning indigent defense in your county or for your professional group or association? Look no further. The Task Force staff is here to provide assistance. The Task Force places a high priority on communication and training and educating all stakeholders in the indigent defense process and staff is anxious to get out to the counties to assist. This assistance may be in the form of staff conducting a presentation, monitoring site visit or perhaps an informal meeting requested by a county grappling with spikes in spending, process related challenges and the like. Whatever a county's issues or needs are with indigent defense, please do not hesitate to ask for technical assistance.

The chart below lists the various technical assistance provided since our last e-Newsletter (December 2004):

| County or Sponsor of Conference   | Date(s)                                    |
|---|--|
| <b>Site Visits:</b>   |  |
| Bee   | 1/13/2005                                  |
| Bexar   | 1/20/2005, 2/22/2005, 3/15/2005, 3/21/2005 |
| Brooks  | 1/13/2005                                  |
| Burleson  | 4/26/2005-4/27/2005                        |
| Dallas  | 2/22/2005-2/24/2005                        |
| El Paso   | 2/14/2005, 3/22/2005-3/24/2005             |
| Harris  | 3/8/2005-3/10/2005                         |
| Hidalgo   | 1/14/2005, 2/13/2005-2/15/2005             |
| Kenedy  | 1/13/2005                                  |
| Kinney  | 2/14/2005                                  |
| Kleberg   | 1/13/2005                                  |
| Limestone   | 2/1/2005, 4/1/2005                         |
| McLennan  | 2/7/2005                                   |
| Tarrant   | 2/8/2005-2/10/2005                         |
| Uvalde  | 2/14/2005                                  |
| Val Verde   | 2/14/2005, 4/19/2005                       |
| Washington  | 4/13/2005-4/14/2005                        |
| Webb  | 1/28/2005, 4/1/2005                        |
| <b>Presentations:</b>   |  |
| TJCTC: One Day Magistrate Workshop in Del Lago                            | 3/9/2005                                   |
| TCDLA: 29 <sup>th</sup> Annual Texas Criminal Trial College in Huntsville | 3/20/2005                                  |
| TMCEC: Magistrate Duties Workshop in Ft. Worth                            | 3/22/2005                                  |
| TMCEC: Magistrates Workshop in Galveston                                  | 3/30/2005                                  |
| RACA: Court Administrator Conference                                      | 4/13/2005                                  |
| Val Verde: Indigent Defense Workshop                                      | 4/19/2005                                  |

### Presentations, Monitoring, Site Visits

Since January 1, 2005, staff have completed the following:

|    |   |
|----|---|
| 18 | Site Visits with Technical Assistance       |
| 5  | Site Visits with Fiscal Monitoring Research |
| 1  | Total Site Visits                           |
| 24 | Presentations/Trainings                     |

To request technical assistance, please call toll free: (866)499-0656 and speak to any staff member.

## Grant Information Available On-Line

Indigent defense grant information is available on-line at:

<http://www.courts.state.tx.us/oca/tfid/>

Texas counties can look at expense information, court plans, awards, disbursements, past discretionary grant

applications and other types of funding at: <http://tfid.tamu.edu/Public/default.asp>

Please call PPRI at 979-845-2003 for a tutorial on how to access, search, or obtain information on our website. Policy makers can sort expense data or plan data to by county, population, poverty rate, and many other characteristics.

How to write grant proposals

[http://12.46.245.173/pls/portal30/CATALOG.GRANT\\_PROPOSAL\\_DYN.show](http://12.46.245.173/pls/portal30/CATALOG.GRANT_PROPOSAL_DYN.show)

### Other helpful information on our website

Compare fees schedules by county at

<http://tfid.tamu.edu/IDPlans/Feedocuments.asp>