

TEXAS INDIGENT DEFENSE COMMISSION

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MONTGOMERY COUNTY BEGINS OPERATION OF DISCRETIONARY GRANT PROGRAM

AUSTIN – This week Montgomery County begins operation of a Discretionary Grant program funded by the Texas Indigent Defense Commission (TIDC). The project, known as a mental health managed assigned counsel program, will help pair specialized attorneys with mentally ill defendants who cannot afford to retain counsel.

Montgomery County is only the second county in Texas to adopt the managed assigned counsel program—a new model of indigent defense authorized by the Legislature during the 82nd session. Managed assigned counsel programs consist of a managing attorney who oversees everything from legal education requirements, court appearances, and performance evaluation for a group of private attorneys that represent the poor in criminal cases. This in turn provides relief to judges who are often forced to provide this type of oversight from the bench.

The Montgomery County program is unique in several respects, beginning with its emphasis of service to those with mental illness, a population the County identified as one with unique criminal justice needs. To help program attorneys meet those needs, they are provided the assistance of case workers to help attorneys connect to defendants' families, doctors, and community services.

TIDC Chair and Court of Criminal Appeals Presiding Judge Sharon Keller stated, "I applaud Montgomery County for creating the mental health managed assigned counsel program, which we hope will serve as a new model for indigent defense services in Texas." She believes that this program and others like it "will provide the services indigent defendants with serious mental health issues need to be successful in the community."

The Montgomery County program is also unique because it operates as a county department. Similar programs in Lubbock County and other states operates through a contract between the county and the local bar association. Sara Forlano, Managing Attorney of the Montgomery County program, believes "it will be nice to have both perspectives" for others counties who may consider the managed assigned counsel system. She stated, "We will get a better understanding of how the two models of managed assigned counsel programs work in counties.

"Change is never easy, so I congratulate the Montgomery County Commissioner's Court in its support of this significant judicial initiative," said TIDC Vice-Chair and Presiding Judge Olen Underwood, Second Administrative Judicial Region.

Earlier this year TIDC awarded a \$500,000 Discretionary Grant to Montgomery County to help the county establish this program. Lubbock County also received a TIDC grant to create its program, which began accepting appointments earlier this month.

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