



# **Policy Monitoring Review of Harris County's Felony Indigent Defense Systems**

**October 7, 2016**



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## **Introduction**

The Texas Indigent Defense Commission (“Commission”) monitors local jurisdictions’ compliance with the Fair Defense Act (“FDA”) through on-site reviews.<sup>1</sup> These reviews seek to promote local compliance and accountability with the requirements of the FDA and to provide technical assistance to improve county indigent defense processes where needed. The review process also aims to assist local jurisdictions in developing procedures to monitor their own compliance with their indigent defense plans and the FDA.

The FDA provides a statutory framework for the appointment of counsel and mandates specific timeframes for taking, transmitting, and ruling upon requests for counsel. Jurisdictions retain latitude to develop the standard by which they determine indigence and their procedures for appointing counsel.<sup>2</sup> In the following assessment, the monitor compared the FDA’s core requirements to the county’s practices in each of the following areas:

- 1: Conduct prompt and accurate Article 15.17 proceedings
- 2: Determine indigence according to standards directed by the indigent defense plan
- 3: Establish minimum attorney qualifications
- 4: Appoint counsel promptly
- 5: Institute a fair, neutral, and nondiscriminatory attorney selection process
- 6: Promulgate standard attorney fee schedule and payment process
- 7: Statutory data reporting.<sup>3</sup>

On September 8, 2015, the Texas Indigent Defense Commission began a full monitoring assessment of Harris County’s indigent defense processes. Executive Director Jim Bethke held a kick-off meeting for the assessment on September 8, 2015. The review team consisted of Deputy Director/Special Counsel Wesley Shackelford; policy analysts Joel Lieurance, Jamie Dickson, and Brandon Bellows; fiscal monitor

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<sup>1</sup> TEX. GOV’T CODE § 79.037(a)–(b).

<sup>2</sup> TEX. GOV’T CODE § 79.036(a)(1). In odd-numbered years, counties submit their local formal and informal rules related to the appointment of counsel to the Commission.

<sup>3</sup> This comparison is based upon the template used in the Commission’s biennial examination of indigent defense plans. See TEX. INDIGENT DEF. COMM’N, 2015 BIENNIAL INDIGENT DEFENSE COUNTYWIDE PLAN INSTRUCTIONS, at 9 – 13 (Sept. 4, 2015, as amended Oct. 5, 2015), [http://tidc.texas.gov/media/41822/2015-biennial-idp-submission-instructions\\_amended.pdf](http://tidc.texas.gov/media/41822/2015-biennial-idp-submission-instructions_amended.pdf). Harris County’s local plans are found in the District Court Defense Plan, available at <https://tidc.tamu.edu/IDPlan/ViewPlan.aspx?PlanID=294> (last visited June 8, 2016), and County Court Defense Plan, available at <https://tidc.tamu.edu/IDPlan/ViewPlan.aspx?PlanID=442> (last visited June 8, 2016).

Debra Stewart; and Office of Court Administration Court Services Consultant Aurora Zamora.<sup>4</sup>

The review team made site visits to Harris County September 8 – 18, 2015 and November 4, 2015. Commission staff examined clerk and case management records,<sup>5</sup> county auditor records, and appointment list records maintained by court administration. Staff also observed Article 15.17 hearings and felony dockets. Staff interviewed judges overseeing felony cases, court coordinators in district courts, as well as defense attorneys, members of the public defender’s office, and personnel from court administration. The Commission also conducted a survey of defense attorneys taking appointed cases in Harris County. The resulting report includes a program assessment, a summary of recommendations, and appendices providing details on matters raised in the report.

The monitor found that Harris County’s indigent defense system has several outstanding features. The county’s direct filing system is an efficient and effective process to review cases and file charges. Magistrates provide timely Article 15.17 hearings to arrestees, who generally understand and are properly advised of their right to appointed counsel. The county has an excellent process in place for maintaining attorney CLE records and applications. Additionally, the county has implemented a system that provides counsel to indigent defendants, resulting in few uncounseled pleas.

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<sup>4</sup> Throughout this report, references to Commission staff will use the term “monitor.”

<sup>5</sup> Records examined were for FY2014 (October 2013-September 2014). Records examined by the monitor included district clerk case files, auditor’s office files, and JIMS case management data. The monitor’s conclusions are based on these records, and the records’ quality may affect the monitor’s conclusions.

## **Program Assessment**

### **REQUIREMENT 1: CONDUCT PROMPT AND ACCURATE ARTICLE 15.17 PROCEEDINGS**

Harris County uses a direct filing system to prosecute criminal cases. Following arrest, officers take arrestees to substations for identification and background checks. Officers then generate field reports that are reviewed on an around-the-clock basis by prosecutors. Prosecutors reviewing cases decide whether to file a case and with what charge, in addition to recommending an initial bail amount. The prosecutor's recommendation of a pre-set bond allows some defendants to post a cash or surety bond prior to the Article 15.17 hearing.<sup>6</sup> Defendants posting bond prior to the Article 15.17 hearing are set for their first appearance within seven days, at which time the judge will make a probable cause determination. Harris County Criminal Law Hearing Officers act as magistrates and conduct Article 15.17 hearings for all other arrestees around the clock by videoconference from the Harris County Criminal Courthouse.

On September 17, 2015, the monitor observed Article 15.17 hearings for nineteen arrestees. The magistrate informed the arrestees as a group of their rights, including the right to counsel and the procedures for requesting counsel. The magistrate told arrestees they could request counsel at their first appearance and would be required to bring documentation of their financial status to the hearing. The magistrate found probable cause, set bond, and asked each arrestee if he/she wanted to request counsel.

A prosecutor is present at the hearing to establish probable cause, ask for emergency protection orders, and make motions to depart from the bail schedule. Interviews with court coordinators in both the county and district courts indicated that requests for counsel at the Article 15.17 hearing are logged into the Harris County Justice Information System (JIMS) and are viewable by the courts, but no action is taken by the assigned court until the initial appearance. At the initial appearance, courts make a fresh inquiry into indigence determinations.

#### ***Timeliness of Warnings***

Article 15.17(a) of the Code of Criminal Procedure requires that warnings occur within 48 hours of arrest. To analyze the timeliness of warnings, the monitor calculated the number of days between arrest and the Article 15.17 hearing for 376 cases.<sup>7</sup> If the Article 15.17 hearing occurred within two days of arrest, the monitor

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<sup>6</sup> *Roberson v. Richardson* mandated Harris County maintain an initial bail schedule. See *Agreed Final Judgment dated Nov. 25, 1987, at Pg. 4, Roberson v. Richardson*, No. H-84-2974 (S.D.Tex. 1987). Articles 17.20 and 17.22 of the Code of Criminal Procedure allow for bail to be taken by the sheriff or other peace officer prior to an appearance before a magistrate.

<sup>7</sup> The monitor reviewed 534 combined felony and misdemeanor cases. Both the date of arrest and the magistrate warning form were present in 376 of these cases.

presumed the warnings were timely.<sup>8</sup> Of the 376 cases reviewed, 375 had Article 15.17 hearings occurring within two days of arrest. This sample was 99.7% timely and within the Commission’s threshold for presuming processes are in place to promptly magistrate arrestees.

**Table 1: Timeliness of Article 15.17 Hearings**

	Sample Size	Percent
Number of records examined	376	
Article 15.17 hearing occurs x days after arrest:		
0 days	76	20.2%
1 day	230	61.2%
2 days	69	18.4%
<b>Timely Hearings</b>	<b>375</b>	<b>99.7%</b>
More than 2 days	1	0.3%

***Ability of Arrestees to Request Counsel***

Articles 15.17 (a) and (e) of the Code of Criminal Procedure require the magistrate to ask the arrestee whether he/she would like to request counsel and to make a record of the request. The monitor analyzed the percentage of arrestees who requested counsel at Article 15.17 hearings. Based on the magistrate warning sample, over 70% of felony arrestees and over 85% of misdemeanor arrestees requested counsel at the Article 15.17 hearing. Harris County’s high request rate indicates that arrestees generally understand and are properly advised of their right to appointed counsel.

**Table 2: Percent of Arrestees Requesting Counsel at Article 15.17 Hearing**

	Felony Sample	Misdemeanor Sample
Number of records showing whether counsel requested at Article 15.17 hearing	170	196
Requested counsel	120	168
Did not request counsel	50	28
<b>Percent Requesting Counsel</b>	<b>70.6%</b>	<b>85.7%</b>

***Reasonable Assistance in Completing Forms for Requesting Counsel***

Article 15.17(a) requires the magistrate ensure reasonable assistance to arrestees in completing the necessary forms for requesting appointment of counsel at the time of the Article 15.17 hearing. The magistrate must then transmit the forms to the appointing authority within 24 hours of the request. Observation of Article 15.17 hearings and court dockets, as well as court coordinator interviews, indicated that the

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<sup>8</sup> 1 TEX. ADMIN. CODE § 174.28. A county is presumed to be in substantial compliance with the prompt magistration requirement if at least 98% of Article 15.17 hearings sampled are conducted within 48 hours of arrest.

magistrate is marking an arrestee’s request for counsel in the JIMS system. However, the financial data used for appointing counsel is not gathered until the defendant appears in the court of dispositive jurisdiction. Harris County must ensure that all arrestees who request counsel at magistration are provided the required assistance under Article 15.17(a), even if the arrestee posts bond shortly after the hearing.<sup>9</sup> The magistrate then has 24 hours to transmit the forms to the appointing authority within the county. This issue could be addressed if data collected by the Harris County Pretrial Services Department is promptly transmitted and used by the courts to determine indigence.

RECOMMENDATION FOR REQUIREMENT 1

**Conduct prompt and accurate magistration proceedings.**

**RECOMMENDATION 1:** Article 15.17 requires Harris County magistrates ensure reasonable assistance in completing forms necessary to obtain appointed counsel, so that all arrestees who request counsel can have the request ruled upon within statutorily required timeframes.

**REQUIREMENT 2: DETERMINE INDIGENCE ACCORDING TO STANDARDS DIRECTED BY THE INDIGENT DEFENSE PLAN.**

Under Article 26.04(l) of the Code of Criminal Procedure, counties must adopt procedures and financial standards for determining whether a defendant is indigent. The district courts’ indigent defense plan states: “There shall be a presumption of indigency if the income of the defendant is below 125 percent of the Federal Poverty Guidelines.”<sup>10</sup> Observations and interviews revealed that the district courts do not have a uniform method to determine whether a defendant meets the standard in the indigent defense plan. Standards and processes for determining indigence vary by court and depend on whether a defendant is bonded or jailed.

Jailed Defendants

The district courts consistently appoint counsel for defendants who are in custody at first appearance. Interviews indicated that courts do not typically screen jailed defendants in order to determine whether the defendant qualifies as indigent under the plan’s standard. Rather, defendants are presumed to be indigent because they are incarcerated (a standard not listed in the plan). While this practice assists in the timely appointment of counsel, the lack of indigence screening means that courts do not generally accept these appointments as legitimate if the defendant later posts

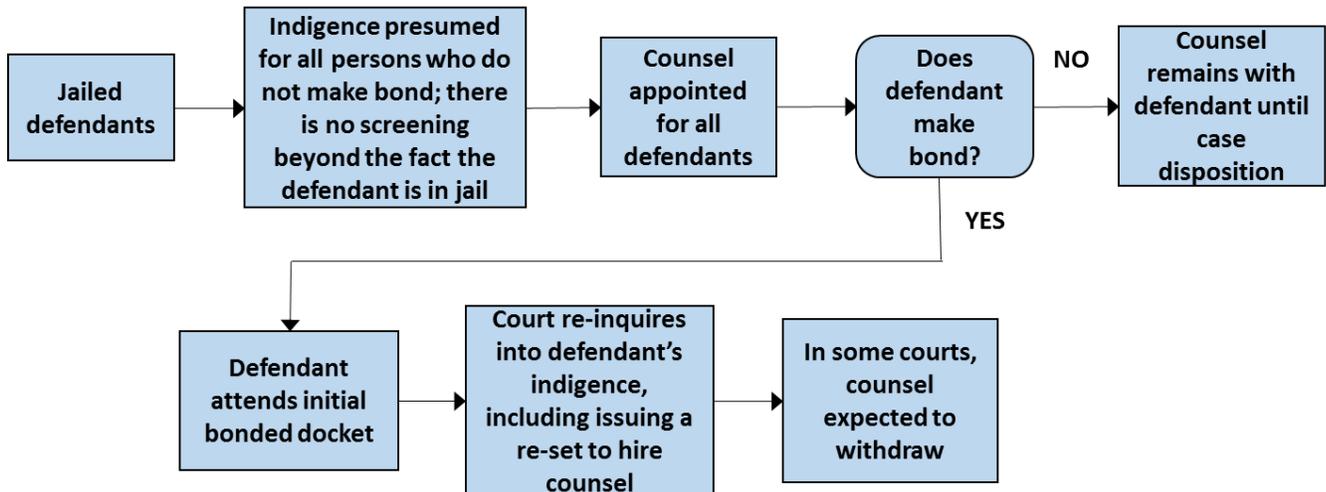
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<sup>9</sup> If an arrestee posts bond prior to the Article 15.17 hearing, under *Rothgery v. Gillespie County*, 554 U.S. 991 (2008), the right to counsel has not attached. Counsel need not be appointed until after the defendant requests counsel.

<sup>10</sup> JUDGES OF THE DIST. CTS. OF HARRIS COUNTY (TEX.), HARRIS COUNTY DISTRICT COURT INDIGENT DEFENSE PLAN, at R.1.4.4, available at <http://tidc.tamu.edu/IDPlan/ViewPlan.aspx?PlanID=294>.

bond. If a defendant receives appointed counsel while in jail and later makes bond, courts re-inquire into indigence and encourage defendants to hire counsel. In some courts, the appointed attorney is expected to withdraw.<sup>11</sup>

**Fig. 1: Indigence Determination Process for Jailed Defendants**



Articles 26.04(l) and (p) prohibit revisiting an indigence determination based solely on whether or not a defendant made bail. Article 26.04(p) permits re-inquiry into indigence determinations in the limited circumstance of “a material change in the defendant’s financial circumstances.” Otherwise, a defendant is presumed to remain indigent throughout the proceedings. Article 26.04(l) requires the procedures for appointing counsel to “apply to each defendant in the county equally, regardless of whether the defendant is in custody or has been released on bail.”

According to interviews, if a defendant receives appointed counsel while incarcerated and shortly afterward makes bond, some courts interrupt the attorney-client relationship by resetting the defendant to retain counsel or having the appointed attorney withdraw from the case. Article 26.04(j)(2) prohibits this practice and requires an appointed attorney represent the defendant through the disposition of the case, unless permitted or ordered by the court to withdraw and only after a finding of good cause on the record.<sup>12</sup>

### Bonded Defendants

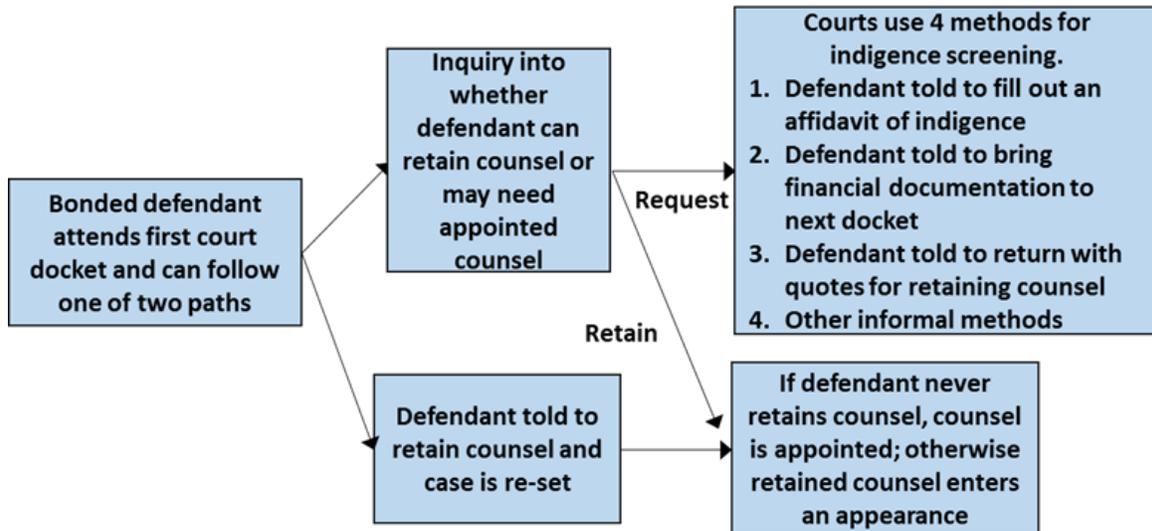
At the initial appearance, procedures for requesting counsel in court are not clearly available to all persons who made bail, as required by Article 1.051(f-2). Interviews and docket observations indicated that practices for assigning counsel when

<sup>11</sup> This description is based on observations of court dockets and interviews with court coordinators.

<sup>12</sup> Once established, the attorney-client relationship between an accused and his attorney should be protected by the courts regardless of whether the attorney is retained or appointed. *Stearnes v. Clinton*, 780 S.W.2d 216, 221 – 22 (Tex. Crim. App. 1989) (orig. proceeding) (granting conditional mandamus relief).

bonded defendants attend their first appearance vary among the courts (see Figure 2). The standard practice in some courts is to initially provide all defendants who are without counsel a “reset to hire.” The practice encourages defendants to hire counsel before applying for court appointed counsel.

**Fig. 2: Options for Bonded Defendants at the First Court Appearance**



Once a defendant requests counsel, standards and procedures are not uniform across courts when determining whether a bonded defendant qualifies as indigent. Some courts provide an affidavit of indigence and rule upon the financial information. Other courts use informal procedures unique to a court such as a \$1200 monthly income test or the judge’s opinion (based on special considerations such as whether a defendant is in high school or college or is disabled or otherwise unable to work). Some courts immediately make determinations of indigence by ruling on an application, while others ask defendants to come back to the next docket with financial documentation.

When making a determination of indigence, courts may consider the factors in Article 26.04(m):

*[t]he defendant’s income, source of income, assets property owned, outstanding obligations, necessary expenses, the number and ages of dependents, and spousal income that is available to the defendant. ...*

A court may consider bail only “to the extent that it reflects the defendant’s financial circumstances,” as measured by the above considerations.<sup>13</sup> Many courts are not inquiring into the manner in which a defendant posted bail but are using bail as an initial presumption against indigence. To determine indigence under the approved

<sup>13</sup> TEX. CODE CRIM. PROC. art. 26.04(m).

standard in the plan, Harris County needs to standardize its screening and appointment procedures.

RECOMMENDATIONS FOR REQUIREMENT 2

**Determination of Indigence.**

**RECOMMENDATION 2:** The district courts must follow the indigence standard set in the local indigent defense plan.

**RECOMMENDATION 3:** Per Article 26.04(p), determinations of indigence may only be reconsidered if there is a material change in the defendant’s financial circumstances.

**RECOMMENDATION 4:** As required by Article 26.04(j)(2), unless there is a finding of good cause entered on the record, the attorney-client relationship cannot be disturbed.

**RECOMMENDATION 5:** In accordance with Article 26.04(m), when making indigence determinations, the appointing authority may not consider whether a defendant has posted bail, except to the extent that it reflects the defendant’s financial circumstances.

**REQUIREMENT 3: ESTABLISH MINIMUM ATTORNEY QUALIFICATIONS.**

In accordance with the adult indigent defense plan, the county has created misdemeanor, felony, and post-conviction lists for appointing counsel in criminal cases. The master felony list is divided into three graduated lists: first, second, and third degree. At the time of the monitor’s review, Harris County had 298 felony attorneys on the respective appointment lists. Attorneys on any list must be approved by a majority of judges trying felony cases and must obtain at least ten hours of continuing legal education (CLE) training annually in criminal law. This minimum CLE standard exceeds the six-hour standard set by the Commission. The district courts have procedures to verify that all attorneys on the lists met their annual CLE requirements, as described in the indigent defense plan. All public defenders received at least 15 criminal CLE hours in FY14, which is tracked within the office. The office provides CLE training for the defense bar that is often mandatory for in-house attorneys. This method of tracking CLE hours within the office and providing in-house training helps ensure a level of competence among public defender attorneys.

RECOMMENDATIONS FOR REQUIREMENT 3

**Establish Minimum Attorney Qualifications.**

Requirement satisfied. No recommendations.

**REQUIREMENT 4: APPOINT COUNSEL PROMPTLY.**

The first opportunity to request counsel is typically at the Article 15.17 hearing, which is conducted by a criminal law hearing officer via video-conference between the

courthouse and the jail. Under Article 15.17(a), once an arrestee requests counsel at the Article 15.17 hearing, the county has 24 hours to transmit the request to the appointing authority. Article 1.051(c) of the Code of Criminal Procedure requires the court or its designee to appoint counsel by the end of the first working day following receipt of the request for counsel made at the Article 15.17 hearing.<sup>14</sup>

In Harris County, appointments are made in the court of dispositive jurisdiction.<sup>15</sup> If an arrestee remains in jail, the judges in the district courts appoint counsel for the defendant. If an arrestee posts bond, the courts address the appointment of counsel during the defendant's first court appearance. Delaying the appointment of counsel until the defendant appears in the court of dispositive jurisdiction results in appointments for bonded defendants later than the one working day standard set in Article 1.051(c).

### ***Timeliness of Appointments in Felony Cases***

To assess the timeliness of Harris County's appointment procedures in felony cases, the monitor examined the time from request for counsel until appointment or denial of indigence. Under the Commission's monitoring rules, a county is presumed to be in compliance with the prompt appointment of counsel requirement if at least 90% of indigence determinations in the monitor's sample are timely.<sup>16</sup> The monitor examined 247 felony cases filed in FY14. Of the felony case files examined, the monitor found 169 requests for counsel. Counsel was appointed in a timely manner in just over 85% of cases. This falls below the monitor's threshold for presuming a jurisdiction's practices ensure timely appointment of counsel.<sup>17</sup>

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<sup>14</sup> *Rothgery v. Gillespie County*, 554 U.S. 991 (2008), held that the Sixth Amendment right to counsel attaches when a defendant appears before a magistrate and learns of the charges against him and his liberty is subject to restriction (i.e., the Article 15.17 hearing which was held to be the initiation of adversarial judicial proceedings). Article 1.051(j) of the Code of Criminal Procedure then sets the timing of counsel appointments for persons who make bond:

*...if an indigent defendant is released from custody prior to the appointment of counsel under this section, appointment of counsel is not required until the defendant's first court appearance or when adversarial judicial proceedings are initiated, whichever comes first.*

Since the *Rothgery* decision, the meaning of the language from Article 1.051(j) cannot be construed to allow for a ruling on a request for counsel to be delayed because the defendant makes bond.

<sup>15</sup> See, e.g., RULES OF THE JUD. DIST. CTS. OF HARRIS CNTY (TEX.) LOC. R. 6.13, available at <https://www.justex.net/courts/criminal/LocalRules.aspx> (last visited June 8, 2016).

Judicial District Court Rule 6.13 states:

*The appointment of counsel for indigent defendants is handled individually in each of the District Courts. The procedure for the appointments should be checked with each District Court Coordinator.*

<sup>16</sup> 1 TEX. ADMIN. CODE § 174.28.

<sup>17</sup> The monitor's conclusion is based on the quality of records examined. If an appointment of counsel or denial of indigence was not contained in a case file, the lack of a record affected the monitor's finding.

Some cases had either no ruling or a ruling much later than the request. Five sample cases received a ruling more than twenty workdays after the original request. These defendants requested counsel at the Article 15.17 hearing, but the courts did not rule on the request until the defendant made a second request at first appearance. An additional eleven cases included a request for counsel with no corresponding ruling in the case file. In order to meet the 90% timeliness threshold in felony cases, a system must be developed to promptly rule upon all counsel requests made at the Article 15.17 hearing.

**Table 3: Times from Request to Appointment in Felony Cases**

	Number from Sample	Percent of Sample
Total cases in which defendants requested counsel	169	
Request for counsel ruled upon in 'x' workdays		
0 workdays	60	35.5%
1 workday + 24 hours allowed to transmit a request	84	49.7%
<b>Timely Rulings on Requests</b>	<b>144</b>	<b>85.2%</b>
2 workdays + 24 hours allowed to transmit a request	3	1.8%
More than 2 workdays	11	6.5%
No ruling on request	11	6.5%
<b>Untimely / No Rulings on Requests</b>	<b>25</b>	<b>14.8%</b>

In counties using a centralized appointment process, a pre-trial services department receives requests for counsel (rather than the court of dispositive jurisdiction), performs an intake interview, and compares the arrestee's financial affidavit with the county's financial indigence standard. If the arrestee meets the standard, counsel is appointed. Utilizing a centralized appointment process helps assure timely appointments of counsel before a defendant's first appearance in his or her assigned court.

**RECOMMENDATION FOR REQUIREMENT 4**

**Appoint Counsel Promptly.**

**RECOMMENDATION 6:** Article 1.051(c)(2) requires felony requests for counsel be ruled upon within one working day (plus 24 hours allowed for transferring requests to the courts) of the request being made. The county must implement practices that satisfy Article 1.051(c)(2)'s timeline.

**REQUIREMENT 5: INSTITUTE A FAIR, NEUTRAL, AND NONDISCRIMINATORY ATTORNEY SELECTION PROCESS.**

***Term Assignment Method for Appointing Counsel***

Harris County's felony courts are comprised of twenty-two districts courts with daily dockets. The courts use a combination of public defender, individual

appointments, daily, and term assignments for appointed cases. Harris County operates a multitude of specialty courts, including mental health, veterans, drug, DWI, and prostitution courts. The 351<sup>st</sup> District Court also operates a competency restoration docket.

The primary method of appointing counsel in the district courts is through the term assignment system. The term assignment method definitions (according to the District Courts' Indigent Defense Plan) include:

*Term Assignment Method. A private attorney acting as an independent contractor and compensated with public funds is assigned to provide legal representation and services to indigent defendants for a specified period of time lasting more than one week but no more than one year.*

*Limited Term Assignment Method. A private attorney, acting as an independent contractor and compensated with public funds, is appointed to provide legal representation to indigent defendants who appear before a court for a period of one (1) day or one (1) week.*

In the term assignment system, attorneys make themselves available for periods of work. If a court selects an attorney, the attorney is required to appear in his or her designated court and may not take new term assignment appointments in any other courts during that term. Attorneys are paid on a weekly basis, according to the number of dockets the attorney attends. No formal written contract governs this process. Once an attorney is appointed to a case, the attorney represents the defendant until the case is disposed or the attorney is replaced.

Term assignments appear to most closely follow the contract defender program definition in Section 79.001 of the Texas Government Code:

*(4) “**Contract defender program**” means 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.*

For purposes of this review, the monitor considers term assignments with a duration of one week or less to be assigned counsel cases and term assignments with a duration lasting more than a week to be contract counsel cases.<sup>18</sup>

### ***Attorney Selection in Felony Cases***

The district courts appoint attorneys through both individual case assignments and the term assignment system. The district courts distinguish between longer (30-day terms and year-long terms) and shorter (limited term assignments lasting a week

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<sup>18</sup> At the December 2015 TIDC board meeting, it was determined that term assignments longer than one week in duration are considered contract cases and those less than one week assigned counsel cases.

or less) term assignments. For long-term assignments, each interested district court uses an application process to select an attorney for the assignment. For shorter “limited term” assignments, court administration generates a random list of available attorneys for each court, and each court selects attorneys from this randomly generated list.

### Term Assignments for More than One Week

In contract systems, the monitor analyzes whether all requirements in the Commission’s Contract Defender Rules are met. The Contract Defender Rules require an open application process and executed contracts between the county and defense attorneys. Contract terms must address minimum attorney qualifications, maximum caseloads, and the availability of investigators and expert witnesses.<sup>19</sup> The district courts met the open application process requirement with an online application process for long term assignments. However, no contract exists between the county and defense attorneys.<sup>20</sup> For attorneys with assignments longer than a week, the district courts need to implement a system that meets the Contract Defender Rules. See Appendix D1 for details of this analysis.

Harris County should carefully consider the maximum contract caseloads for felony attorneys. In 2015, the Commission published the Weighted Caseload Guidelines in partnership with the Public Policy Research Institute at Texas A&M University. The Guidelines recommend a maximum caseload of 128 felony cases.<sup>21</sup> The number of felony cases disposed in FY14 by term assignment attorneys ranged from a low of 51 to a high of 553, with a median of 230 felony cases. All but one of the 22 attorneys had term assignment caseloads that exceeded the recommended maximum. Several attorneys disposed other types of appointed cases in Harris County (other than felony term assignments), and including these cases, all of these attorneys had appointed caseloads exceeding the Weighted Caseload Guidelines.

### Assigned Counsel Appointments

Under the Commission’s Policy Monitoring Rules, a county with an assigned counsel system is presumed to be in substantial compliance with the fair, neutral, and non-discriminatory attorney appointment system requirement if the top 10% of attorneys accepting appointments receive less than three times their respective share of cases.<sup>22</sup> The monitor examined the distribution of felony cases for a total of 251 private attorneys who disposed felony appointed cases during FY14 (assigned counsel

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<sup>19</sup> 1 TEX. ADMIN. CODE §§ 174.10 –.25.

<sup>20</sup> Some term assignments have reportedly lasted over a decade with no formal contract in place.

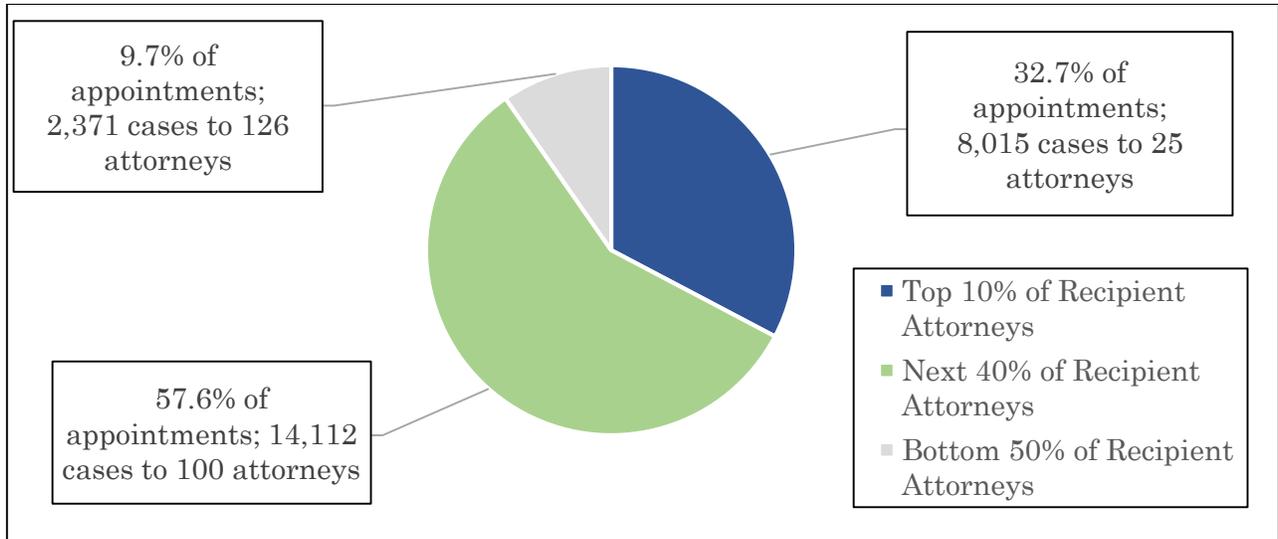
<sup>21</sup> The Weighted Caseload Guidelines are recommended maximum caseloads, which are not binding on a county. PUB. POLICY RESEARCH INST. AT TEXAS A&M UNIV., GUIDELINES FOR INDIGENT DEFENSE CASELOADS: A REPORT TO THE TEXAS INDIGENT DEFENSE COMMISSION 30–31 (2015), *available at* [http://www.tidc.texas.gov/media/31818/150122\\_weightedcl\\_final.pdf](http://www.tidc.texas.gov/media/31818/150122_weightedcl_final.pdf) (last visited June 8, 2016).

<sup>22</sup> 1 TEX. ADMIN. CODE § 174.28(c)(5)(D).

appointments and limited term assignments).<sup>23</sup> The top 25 attorneys (top 10.0% of recipient attorneys) received 3.3 times their representative share of cases, which is outside the Commission’s threshold. Each of these attorneys disposed of appointed felony cases ranging from two to four times the maximum recommended by the Weighted Caseload Guidelines.

The monitor made the attorney appointment distribution analysis based upon data provided by the auditor’s office. This data did not break out appointments according to appointment wheel. It is possible that a further refinement of information may be obtained under the new Attorney Voucher Processing System (ViPS). In the future, the monitor will examine appointments according to each appointment list if the county is able to provide the data.

**Fig. 3: Distribution of Felony Appointments for Limited Term Assignments and Individual Case Assignments**



Public Defender Appointments

The public defender’s 2014 plan<sup>24</sup> included maximum caseloads consistent with the National Advisory Commission (NAC) standards of 150 felony cases.<sup>25</sup> In FY14, the public defender office disposed 2,079 felony cases among seventeen attorneys. The

<sup>23</sup> The monitor excluded attorneys who had long-term assignments and attorneys who were not on both the November 2014 and the September 2015 appointment lists. Public defender cases were also excluded.

<sup>24</sup> Under Articles 26.044(b-1) and (c-1), the public defender must have a written plan of operation. The plan must include a budget, personnel descriptions, maximum caseload thresholds, training provisions, policies for using investigators and expert witnesses, and a conflict of interest policy.

<sup>25</sup> See NAT’L ADVISORY COMM’N ON CRIM. JUSTICE STANDARDS AND GOALS, TASK FORCE ON COURTS Standard 13.12 (1973).

highest number of felony cases disposed by an attorney was 156. Caseloads were consistent with the standards adopted under the written plan.

**RECOMMENDATION FOR REQUIREMENT 5**

**Attorney Selection Process (District Courts in Felony Cases)**

**RECOMMENDATION 7:** The district courts must implement a system meeting the Commission's Contract Defender Rules for all term assignments exceeding one week. A notification for application is currently used, but the courts need to formalize contracts with defense attorneys.

**RECOMMENDATION 8:** For assigned counsel cases, the distribution of attorney appointments fell outside of the Commission's threshold for presuming an appointment system is fair, neutral, and nondiscriminatory. The district courts need to put in place a system to assure the percentage of timely appointments meets this threshold.

**REQUIREMENT 6: PROMULGATE STANDARD ATTORNEY FEE SCHEDULE AND PAYMENT PROCESS.**

The matters addressed by Requirement 6 relate to payment methods; therefore, the Harris County Auditor's Office should respond to report recommendations.

Under Article 26.05(c), a defense attorney must submit a voucher to the judge presiding in the case in order to receive payment for an appointed case. The voucher documents the services rendered and lists a requested amount of payment. The judge may sign off on the voucher and approve payment or may approve a different amount. Under Article 26.05(c) of the Code of Criminal Procedure, the judge must make written findings for disapproving a requested payment amount. No payment may be made to the attorney until the judge signs the voucher approving the payment.

In Harris County, attorneys may be paid for representation on an individual case or a term assignment. Term assignment attorneys submit vouchers on a weekly basis and are paid according to the number of dockets attended during the week. Harris County's past difficulties providing accurate data occurred because term assignment vouchers reflected the number of cases worked on, not the number of cases disposed.<sup>26</sup>

In FY14, the Commission awarded Harris County a \$578,000 grant to create the Attorney Voucher Processing System (ViPS), a project designed to automate processing and tracking of attorney fee vouchers. When an attorney submits an electronic fee voucher, ViPS cross-references fee voucher data with the courts' case management

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<sup>26</sup> The attorney fee voucher lists the date of the docket and cases in which the attorney provided representation, but does not distinguish between active cases and disposed cases.

system. All cases associated with an attorney's representation are listed on the voucher, and the judge must approve or reject the voucher based on the work done by the attorney. Since ViPS payment information is cross-referenced with the case management system, the auditor's office can compile an accurate list of cases disposed by each attorney appointed to represent defendants. The monitor examined 134 FY14 fee vouchers to determine if payments met the requirements of Article 26.05 and the local fee schedule.<sup>27</sup> Of the 134 sample vouchers, one invoice did not contain a judge's signature. Eight sample vouchers contained an order for payment different from the amount requested, but the vouchers did not contain a written finding stating the reason for variance.

### RECOMMENDATIONS FOR REQUIREMENT 6

#### **Promulgate standard attorney fee schedule and payment process.**

**RECOMMENDATION 9:** Per Article 26.05(c), Harris County must implement a method to ensure that no payment is made without the proper judge authorizing payment. The ViPS payment system may provide safeguards to prevent unallowable payments.

**RECOMMENDATION 10:** In accordance with Article 26.05(c), Harris County must implement a method for judges to document reasons for disapproving a requested amount of payment. This practice appears to have been successfully implemented with the new ViPS payment system.

### **REQUIREMENT 7: STATUTORY DATA REPORTING.**

The matters addressed by Requirement 7 relate to payment methods; therefore, the Harris County Auditor's Office should respond to report recommendations.

Under Section 79.036(e) of the Texas Government Code, the county auditor (or other person designated by the commissioners court) must annually prepare and send indigent defense data to the Commission. This data must include total expenses for cases in which an attorney was appointed for an indigent defendant or juvenile in each district court, county court, statutory county court, and appellate court. In FY14, the financial data reports expanded to include attorney-level information.<sup>28</sup>

As previously noted, Harris County has been unable to identify cases disposed by an attorney in a given term assignment, which has affected the accuracy of data

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<sup>27</sup> Vouchers were selected to include each object code reported by the auditor and each court reporting indigent defense cases.

<sup>28</sup> Section 79.036(a-1) of the Texas Government Code states:

*(a-1) Not later than November 1 of each year and in the form and manner prescribed by the commission, each county shall prepare and provide to the commission information that describes for the preceding fiscal year the number of appointments under Article 26.04, Code of Criminal Procedure, and Title 3, Family Code, made to each attorney accepting appointments in the county, and information provided to the county by those attorneys under Article 26.04(j) (4), Code of Criminal Procedure.*

reported to the Commission on the Indigent Defense Expenditure Report (IDER). Harris County's FY14 IDER reported 71,661 indigent cases disposed across all courts, but the sum of cases disposed across all attorneys was 77,063.<sup>29</sup> ViPS is expected to address these data reporting shortcomings.

### ***Unallowable Expenses Reported on the IDER***

To understand local reporting procedures, the monitor interviewed personnel in the county auditor's office and reviewed pertinent records. The auditor's office provided the general ledger of activities, including all the expenses reported on the FY14 IDER. General ledger data included costs for 40 criminal and juvenile courts, with expenses allocated to 87 available object codes.<sup>30</sup> Object codes distinguish between relevant attributes of a court expense, such as case level, offense level, type of activity, or type of appointment. For example, object codes could specify whether a case was a felony or misdemeanor, and whether an appointment was for an individual case assignment or for a specific term assignment.

Only indigent defense expenses for criminal or juvenile delinquency/children in need of supervision (CINS) cases may be claimed on the IDER.<sup>31</sup> General court, probation, or prosecutorial expenditures may not be included in the IDER. The monitor found the following instances of unallowable expenses reported on the FY14 IDER:

- (1) Two object codes associated with indigent defense were for prosecutorial expenses: "Attorney Pro Tem" and "Attorney Pro Tem Investigation." Attorney pro tem cases occur when defense attorneys step into the role of the prosecuting attorney. These costs totaled \$400,812.20.
- (2) An object code titled "Other Non-Capital Trial" for the juvenile courts contained some payments for mediation in child protection (CPS) cases. These costs totaled \$48,911.00.

CPS cases are civil matters, which are not allowable indigent defense expenses. Likewise, general court, probation, or prosecutorial expenditures are unallowable. The inclusion of these costs on the IDER overstated the county's criminal indigent defense

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<sup>29</sup> While some cases may have had multiple appointed attorneys, the county should be able to identify those cases in which multiple attorneys represented a defendant, so accurate case totals can be resolved.

<sup>30</sup> The Harris County Auditor's Office classifies expenses into different categories and then enters these categories into its software system under distinct object codes. All object codes associated with the defense function of indigent criminal or juvenile delinquency cases are reported on the IDER.

<sup>31</sup> TEX. GOV'T CODE § 79.036(e) directs counties to prepare and send to the commission "in the form and manner prescribed by the commission" information showing the amount expended by the county to provide indigent defense services. The Commission publishes the IDER Manual annually to provide guidance to counties regarding allowable and unallowable indigent defense expenses. *See generally* TEX. INDIGENT DEF. COMM'N, PROCEDURE MANUAL FOR THE INDIGENT DEFENSE EXPENDITURE REPORT FISCAL YEAR 2014, *available at*

<http://www.tidc.texas.gov/media/25884/FY2014IDERManualFinalRevised0912.pdf>.

expenditures by \$449,723.20 and resulted in a FY15 formula grant greater than would have been authorized if reported without these ineligible expenses.<sup>32</sup>

Because the county's formula grant is determined in part by reported indigent defense expenditures, staff re-calculated the FY15 formula grant and determined the unallowable costs reported resulted in an overpayment to Harris County in the amount of \$18,984. The Commission will address this issue at the first quarterly meeting following the county's response. The policy of the Commission to remedy this issue is to reduce future formula grant payments to correct overpayments that resulted from the inclusion of unallowable costs on the IDER.

Statement of Facts (SOF) expenses were costs incurred for court transcripts but reported as indigent defense expenses without clear documentation of the source of the request. Vouchers related to the SOF object codes were archived at the time of the review, and supporting documentation did not reveal whether the transcripts were requested by the defense, the court, or the prosecutor. Harris County should examine its procedures for reporting transcript costs on the IDER, and if necessary, revise procedures to only allow for the reporting of defense expenditures. While the monitor is not making a recommendation on this particular issue, the monitor asks the county to provide the Commission with documentation regarding the source of SOF expenses. The monitor will conduct a follow-up fiscal review within 12 months of the date issuance to address this issue.

#### ***Incorrect Categorization of Expenses on the IDER***

Statement of Facts expenses were reported as trial level expenses rather than appellate expenses. Transcript fees for appeals cases are appellate expenses and should have been reported as 'other litigation expenses' for felony appeals cases rather than 'other litigation expenses' for trial-level felony cases.<sup>33</sup> Harris County must implement procedures to ensure that transcript fees for appeals cases are correctly reported.

### **RECOMMENDATIONS FOR REQUIREMENT 7**

#### **Statutory Data Reporting.**

**RECOMMENDATION 11:** Harris County must implement procedures to ensure that unallowable expenses are not reported on the IDER.

**RECOMMENDATION 12:** Harris County must implement procedures to ensure that transcript fees for appeals cases are reported as appellate expenses.

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<sup>32</sup> For more information on IDER procedures, *see generally* TEX. INDIGENT DEF. COMM'N, PROCEDURE MANUAL FOR THE INDIGENT DEFENSE EXPENDITURE REPORT FISCAL YEAR 2014, *available at* <http://www.tidc.texas.gov/media/25884/FY2014IDERManualFinalRevised0912.pdf>.

<sup>33</sup> These expenses totaled \$1,083,113.23, while the amount paid to attorneys to handle appellate cases was reported as \$607,742.70.

## **Conclusion**

The monitor thanks Harris County officials and staff for their professionalism and assistance during the review. Harris County officials appear willing to make necessary changes to improve the indigent defense system. As mandated by statute, we will monitor the county's transition and adjustments to the Commission's findings.

## **Summary of Recommendations**

The county must respond in writing as to how it will address each of these recommendations.

### **REQUIREMENT 1: CONDUCT PROMPT AND ACCURATE MAGISTRATION PROCEEDINGS.**

**RECOMMENDATION 1:** Article 15.17 requires Harris County magistrates ensure reasonable assistance in completing forms necessary to obtain appointed counsel, so that all arrestees who request counsel can have the request ruled upon within statutorily required timeframes.

### **REQUIREMENT 2: DETERMINE INDIGENCE ACCORDING TO STANDARDS DIRECTED BY THE INDIGENT DEFENSE PLAN.**

**RECOMMENDATION 2:** The district courts must follow the indigence standard set in the local indigent defense plans.

**RECOMMENDATION 3:** Per Article 26.04(p), determinations of indigence may only be reconsidered if there is a material change in the defendant's financial circumstances.

**RECOMMENDATION 4:** As required by Article 26.04(j)(2), unless there is a finding of good cause entered on the record the attorney-client relationship cannot be disturbed.

**RECOMMENDATION 5:** In accordance with Article 26.04(m), when making indigence determinations, the appointing authority may not consider whether a defendant has posted bail, except to the extent that it reflects the defendant's financial circumstances.

### **REQUIREMENT 3: ESTABLISH MINIMUM ATTORNEY QUALIFICATIONS.**

No recommendations. County practices and procedures meet statutory requirements.

### **REQUIREMENT 4: APPOINT COUNSEL PROMPTLY.**

**RECOMMENDATION 6:** Article 1.051(c)(2) requires felony requests for counsel be ruled upon within one working day (plus 24 hours allowed for transferring requests to the courts) of the request being made. The county must implement practices that satisfy Article 1.051(c)(2)'s timeline.

### **REQUIREMENT 5: INSTITUTE A FAIR, NEUTRAL, AND NONDISCRIMINATORY ATTORNEY SELECTION PROCESS.**

**RECOMMENDATION 7:** The district courts must implement a system meeting the Commission's Contract Defender Rules for all term assignments exceeding one week.

A notification for application is currently used, but the courts will also need to formalize contracts with defense attorneys.

RECOMMENDATION 8: For assigned counsel cases, the distribution of attorney appointments fell outside of the Commission’s threshold for presuming an appointment system is fair, neutral, and nondiscriminatory. The district courts need to put in place a system that meets this threshold.

**REQUIREMENT 6: PROMULGATE STANDARD ATTORNEY FEE SCHEDULE AND PAYMENT PROCESS.**

RECOMMENDATION 9: Per Article 26.05(c), Harris County must implement a method to ensure that no payment is made without the proper judge authorizing payment. The ViPS payment system may provide safeguards to prevent unallowable payments.

RECOMMENDATION 10: In accordance with Article 26.05(c), Harris County must implement a method for judges to document reasons for disapproving a requested amount of payment. This practice appears to have been successfully implemented with the new ViPS payment system.

**REQUIREMENT 7: STATUTORY DATA REPORTING.**

RECOMMENDATION 11: Harris County must implement procedures to ensure that unallowable expenses are not reported on the IDER.

RECOMMENDATION 12: Harris County must implement procedures to ensure that transcript fees for appeals cases are reported as appellate expenses.

**Appendix A - Harris County Indigent Defense Statistics**

Harris County	2011	2012	2013	2014	2015	Texas 2015
Population (Non-Census years are estimates)	4,092,459	4,209,769	4,279,430	4,365,601	4,503,245	27,213,214
Non-Capital Felony Charges Added (from OCA report)	45,919	43,935	43,704	42,516	40,972	271,744
Non-capital Felony Cases Paid	28,649	26,612	27,820	28,669	27,173	193,560
% Felony Charges Defended with Appointed Counsel	62%	61%	64%	67%	66%	71%
Non-Capital Felony Private Counsel Attorney Fees	\$12,982,328	\$12,453,243	\$12,508,067	\$13,722,953	\$14,536,184	\$101,106,716
Total Non-Capital Felony Private Counsel Expenditures	\$15,058,417	\$13,512,354	\$13,704,947	\$16,499,795	\$16,327,359	\$112,645,365
Non-Capital Felony Public Defender Attorney Expenditures	\$47,773	\$1,742,201	\$2,039,797	\$2,555,407	\$2,649,210	\$12,540,555
Total Felony Public Defender Expenditures	\$47,773	\$2,102,927	\$2,701,954	\$3,412,359	\$3,490,810	\$15,787,858
Misdemeanor Charges Added (from OCA report)	77,912	73,970	71,588	68,527	67,284	503,299
Misdemeanor Cases Paid	38,406	36,994	36,900	36,024	35,972	222,408
% Misdemeanor Charges Defended with Appointed Counsel	49%	50%	52%	53%	53%	44%
Misdemeanor Private Counsel Attorney Fees	\$3,084,244	\$2,975,547	\$3,098,552	\$3,311,278	\$3,353,274	\$39,141,724
Total Misdemeanor Private Counsel Expenditures	\$3,097,980	\$2,999,293	\$3,118,144	\$3,370,671	\$3,367,198	\$40,061,131
Misdemeanor Public Defender Attorney Expenditures	\$356,142	\$727,288	\$745,878	\$856,181	\$1,224,879	\$7,440,816
Total Misdemeanor Public Defender Expenditures	\$970,558	\$1,835,848	\$1,829,312	\$1,236,175	\$1,548,864	\$10,009,373
Juvenile Charges Added (from OCA report)	9,991	9,722	8,206	8,344	8,415	31,813
Juvenile Cases Paid	7,521	7,874	6,646	6,438	6,225	41,068
Juvenile Private Counsel Attorney Fees	\$2,028,198	\$2,052,779	\$2,278,071	\$2,317,833	\$2,479,487	\$11,072,434
Total Juvenile Private Counsel Expenditures	\$2,111,490	\$2,188,406	\$2,381,775	\$2,456,660	\$2,654,579	\$11,747,908
Juvenile Public Defender Attorney Expenditures		\$1,068,817	\$1,177,328	\$989,506	\$1,076,137	\$3,947,447
Total Juvenile Public Defender Expenditures		\$1,239,488	\$1,408,299	\$1,328,115	\$1,520,061	\$5,326,741
Total ID Expenditures	\$26,706,584	\$30,246,013	\$31,654,468	\$35,425,781	\$36,018,642	\$238,029,838
Total ID Expenditures per Population	\$6.53	\$7.18	\$7.40	\$8.11	\$8.00	\$8.75
Commission Formula-Type Grant Disbursements	\$4,236,250	\$1,760,329	\$2,720,662	\$5,522,894	\$3,611,531	\$23,931,689
Commission Discretionary Grant Disbursements	\$3,246,970	\$5,942,005	\$1,619,916	\$2,026,776	n/a	\$4,653,880
Costs Recouped from Defendants	\$75,840	\$69,495	\$62,660	\$53,595	\$49,979	\$11,530,419

\* Capital murder and appeals cases and expenses are not itemized, but are included in total ID expenses.

## **Appendix B**

### District and County Court Bail Schedules

## District Court Bail Schedule

<i><b>Offense</b></i>	<i><b>Bail</b></i>
All capital felonies	No Bond
All murders not particularly specified below	\$50,000.00
All first degree felonies not particularly specified below	\$20,000.00
All second degree felonies not particularly specified below	\$10,000.00
All felony DWI's not particularly specified below	\$10,000.00
All third degree felonies not particularly specified below	\$5,000.00
All fourth degree felonies not particularly specified below	\$2,000.00

<i><b>Repeat Offenders</b></i>	<i><b>Bail</b></i>
Habitual	No Bond
First degree felony with previous conviction	\$30,000.00
Second degree felony with previous conviction	\$20,000.00
Felony DWI with previous felony DWI conviction	Double bound amount for each previous felony DWI conviction
Third degree felony with previous conviction	\$10,000.00
Fourth degree (State Jail) felony with previous conviction	\$5,000.00
Fourth degree (State Jail) felony with more than one previous conviction	\$15,000.00

<i><b>Defendant on Bail for any Felony Charge with:</b></i>	<i><b>Bail</b></i>
First degree felony	No Bond
Second degree felony	No Bond
Third degree felony	No Bond
Fourth degree (State Jail) felony	No Bond

<i><b>Particular Situations</b></i>	<i><b>Bail</b></i>
Multiple Count	Separate standard bail for each offense in the transaction
Person on felony probation for any grade of felony	No Bond
Any 3g offense or where deadly weapon alleged	\$30,000.00
Person with deportation history or undocumented presence in United States	\$35,000.00
Motion to Revoke Probation	No Bond
Motion to Adjudicate Guilt	At the Judge's Discretion
Large quantities of controlled substance or the quantities of stolen property	Double the value of large controlled substance or property

Established: 4/2/79			
Amended: 2/4/82		Amended: 9/11/96	Effective: 9/16/96
Amended: 7/13/94	Effective: 9/1/94	Amended: 1/7/98	Effective: 2/1/98
Amended: 9/7/94	Effective: 9/8/94	Amended: 12/6/06	Effective: 1/1/07

# HARRIS COUNTY CRIMINAL COURTS AT LAW

## RULE 9. SETTING AND MODIFYING BAIL

### SCHEDULE OF BAIL AMOUNTS

Pursuant to the agreed final judgment and order of the federal court in *Roberson v. Richardson* (No. H-84-2974), Southern District of Texas [1987]), the Harris County Criminal Court at Law Judges promulgate this initial bail schedule. The district attorney shall affix an initial bail amount at the time a complaint is filed in a county criminal court at law. The initial bail amount shall be determined by either presenting relevant information in the possession of the district attorney to a county criminal court at law judge, or Harris County Hearing Officer, or by applying the initial bail schedule. The district clerk shall record the bail amount set by the judicial officer or applied by the district attorney from the initial bail schedule in the case file. This shall be the exclusive means of setting the initial amount of bail, unless otherwise directed by the Judges of the Harris County Criminal Courts at Law.

#### Misdemeanor Bail Schedule

Class:	B, Standard Offense	
	1st Offense	\$500
	2nd Offense	\$500, plus \$500 for each prior misdemeanor conviction plus \$1,000 for each prior felony conviction Not to exceed \$5,000
Class:	A, Standard Offense	
	1st Offense	\$1,000
	2nd Offense	\$1,000, plus \$500 for each prior misdemeanor conviction \$1,000 plus \$1,000 for each prior felony conviction not to exceed \$5,000
Class:	Family Violence or Threat of Violence	
	1st Offense	\$1,500
	2nd Offense	Plus \$2,000 for each prior conviction for a violent offense or threat of violence
Class:	DWI	
	First Offense	\$500
	Subsequent Offense	\$2,500 plus \$1,000 for each prior conviction not to exceed \$5,000
Class:	Any offense committed while on bond, community supervision, intervention, or parole.	\$5,000
	Any motion to adjudicate or revoke community supervision.	\$5,000

The initial bail amount shall be determined by application of the bail schedule.

In any case where the district attorney desires a bond higher than that on the bail schedule, the district attorney shall make a request to a judge of the county criminal court at law or a criminal law hearing officer. The order, when signed by the judge or hearing officer shall be provided to the district clerk along with the complaint and information for filing.

The district clerk shall apply the amount of bond from the bail schedule except in cases where the district attorney has provided the clerk with an order setting bail signed by a judge a county criminal court at law or a criminal law hearing officer, in which case the clerk will apply the amount of bail provided for in the order setting bail.

If the clerk does not receive an order setting bail or if the amount of bail exceeds the amount provided for in the bail schedule, the clerk shall make an entry in the bail field as provided by Rule 2D, and bail will then be set by a judicial officer.

## Appendix C

### HARRIS COUNTY APPOINTED ATTORNEY SURVEY

#### INTRODUCTION

As part of its monitoring review of Harris County's indigent defense system, in late 2015 the Texas Indigent Defense Commission (TIDC) conducted an online survey of attorneys who represent indigent defendants in Harris County. The survey was distributed to the Harris County indigent defense appointment lists and the public defender's office, and received a total of 176 responses.

#### SURVEY METHODOLOGY

The 33-question survey, designed by TIDC staff and administered through SurveyMonkey, contained a mix of multiple choice, matrix, "check the box," and open-ended questions. The questions covered a wide range of appointment, representation, and indigent client services issues in Harris County. The survey did not require that all questions be answered, and survey data show that respondents did skip questions. In the interest of transparency, the survey analysis is attached in full to this summary.<sup>1</sup>

#### SUMMARY

Although the survey's open-ended questions prevent absolute uniformity in answers, several conclusions can be taken from the survey.

- 1) **While a majority of attorney-respondents believe the appointment distribution process is fair, a sizeable minority feel otherwise.** Approximately 37% of the 172 respondents that answered the question "Do you believe appointments are distributed in a fair manner?" answered "No." When asked to explain why they believed distribution was not fair, respondents commonly pointed to judicial favoritism of certain attorneys, judicial disregard of the wheel, and court preference to move dockets quickly. Consider the following comments:
  - "Most courts use the same few attorneys the majority of the time."
  - "Courts in general are more about moving cases than about justice for individuals, therefore they seek to appoint lawyers that will move cases at all cost, usually to the detriment of the client!"
  - "[T]he fact that the Judges are prior [H]arris [C]ounty prosecutors appointing their co[-]workers is obvious to all attorneys in [the] court room[.]"
- 2) **Many attorneys expressed concern that the term assignment system produces poor outcomes for clients. Nevertheless, a large majority of**

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<sup>1</sup> For the Summary section, TIDC staff edited respondent answers for clarity and readability. In the text boxes following each individual question in the Survey Analysis Data section, however, staff modified only the format and paragraph settings of the responses. Respondent spelling and grammatical errors remain intact.

**respondents believe indigent clients receive quality representation through the system.** Of the 162 attorneys who answered “Do you feel that clients receive quality representation through the term assignment system?” approximately 80% answered “Yes.” But throughout the survey, respondents connected heavy caseloads to poor quality of representation and warned of pressure to plea clients to meet caseload numbers. Consider the following comments:

- “Attorneys are generally selected for their efficiency with moving the court's docket. This rarely translates to quality representation.”
- “[Appointed attorneys] are heavily pressured to plead a volume of cases. They do not have time to perform adequate investigation.”
- “Although many appointed lawyers do provide quality representation by virtue of the fact that they are good lawyers, the appointment system in general is so corrupt that the majority of cases cannot receive individual attention due to overworked, unmotivated, and underpaid counsel.”

3) **The logistics of getting to and meeting with a court-appointed client pose an increasing challenge to appointed counsel.** Throughout the survey, respondents who addressed problems faced by counsel in visiting jailed clients commonly highlighted client access and parking issues. Consider the following comments:

- “When they reduced our rates, parking was about \$2.50 per day[.] [N]ow those same lots are charging \$10-\$12 per day...yet we are still getting the same rates.”
- “Wish it was easier to get into the jail, especially if we have a court access badge, after passing criminal background check. Also, wish easier to get a computer into [the] jail to effectively review a case with client, without having to get a court order to do so.”
- “I would like to see the HCSO streamline our visits so they are less time consuming. I have waited for a client for over 45 minutes only to have to leave due to other appointments without ever seeing the client. [. . .] Driving to the jail, paying for parking, and then spending an hour with your client can be financially challenging.”

4) **When respondents seek personal recognizance bonds for jailed clients with mental illness, they have encountered resistance from the judiciary.** Court concern over continuity of care and potential threats to public safety (with political repercussions) were frequently cited by the 73 respondents who elaborated on why they thought personal recognizance bonds were or were not being granted to mentally ill clients. Consider the following comments:

- “I think that Judges generally feel that they are more likely to get evaluated and helped if they remain in the system. A compelling case would have to be made that the client's family will seek help and ensure client would make court dates and get help.”
- “It's rare, but the court has given them on some cases. I think the judge is afraid a defendant will commit a new offense while on bond.”

- “I don't think the judiciary views mental illness as a reason for PR bonds. I think most judges feel such illnesses are a good reason to keep defendants in jail where, the judges believe, the defendant will have better access to treatment.”

5) **Common respondent feedback regarding the Harris County appointment system included the need to address low attorney and investigator fees, move to an independent selection system, and reduce caseload counts.** Respondents emphasized the need for increased appointment fees, both for counsel and investigators. A handful of respondents suggested the fee structure was the reason why they were considering withdrawing from appointment lists. Moreover, many expressed concern over the connection between the current appointment system, case outcomes, and attorney fees. Many respondents noted that the current system puts clients at risk. Consider the following comments:

- “The day rate pay is not enough for the amount of time and effort that you put forth to represent these clients. Often times you end up spending a lot of out of court hours explaining [ . . . ] the situation that your client is in to concerned family members of the defendant. Many judges do not pay for out of court hours. This leaves an attorney with only \$50 per reset after the initial day rate of \$250, which you can have up to 5 clients which you represent in that day.”
- “I am displeased with our fee arrangements. [ . . . ] I am perplexed why we are not paid for two law violations that happen to be out of the same transaction. That may mean that I do less ‘out of court hours’ but when preparing for two separate defenses, which is often the case, it seems only fair to pay us for our time, skill level and work. I am not impressed with so many of my colleges [sic] who rarely try cases, and with whom take hundreds of court appointed cases, most frighteningly, felony cases. I do not think it is possible to be an effective voice for our client's [sic] when you are spread so thin.”
- “I believe the rate for investigators should be increased because there are so few investigators will [sic] to work for court-appointed rates.”
- “The system cannot begin to have even the appearance of propriety until you remove the ability to appoint counsel from the judges or judges' staff, and move to an independent appointed counsel system.”
- “Sometimes, innocent people go to prison. Puts a knot in my chest.”

SURVEY ANALYSIS DATA

1. About how many retained criminal cases do you handle in a year?				
Answer Options	0-5	6-25	26-50	More than 50
Misdemeanor	76	43	24	20
Felony	72	54	15	15
<i>answered question</i>				<b>171</b>
<i>skipped question</i>				<b>5</b>

2. About how many appointed criminal cases do you receive in a year?				
Answer Options	0-25	26-100	101-200	More than 200
Misdemeanor	74	26	18	22
Felony	59	43	42	12
<i>answered question</i>				<b>172</b>
<i>skipped question</i>				<b>4</b>

3. For appointed counsel cases, in what capacities do you provide representation? Select all that apply.		
Answer Options	Response Percent	Response Count
Public Defender	17.4%	30
Appointment to an individual case	66.9%	115
Term Assignment	63.4%	109
Other (please specify)	4.7%	8
<i>answered question</i>		<b>172</b>
<i>skipped question</i>		<b>4</b>
Other (please specify)		
Appeal only		
I am not taking cases at this time. I am on a sabbatical.		
I only represent juveniles in Juvenile Court		
appeal		
Contract term assignment		
Drug Court counsel		
None... I've never been contacted or called		
The appointment system in Harris County is terrible. All the same lawyers get the court appointments in all the courts. I wasted my time by applying and taking the exam over a year ago and I still am waiting for my first appointment.		

4. Do you offer bonding services in addition to your practice?		
Answer Options	Response Percent	Response Count
Yes	4.6%	8
No	95.4%	165
<i>answered question</i>		<b>173</b>
<i>skipped question</i>		<b>3</b>

5. Have you had any difficulties receiving admission to the panel for either individual or term assignments?		
Answer Options	Response Percent	Response Count
Yes	7.0%	12
No	73.8%	127
Not Applicable	19.2%	33
<i>answered question</i>		<b>172</b>
<i>skipped question</i>		<b>4</b>

6. Please explain any difficulties you had receiving admission to the panel.	
Answer Options	Response Count
	10
<i>answered question</i>	<b>10</b>
<i>skipped question</i>	<b>166</b>
Response Text	
I never get appointments consistently on "the wheel". It is always hand-picked by the judge.	
Harris County does not appoint me because I have sued them in the past.	
Not sure of this question. I sign up for every day, am qualified for all felonies from capital murder lead counsel on down, yet in the last 16 weeks I have received all of 4 cases and one attorney of the day. I have gone 8 weeks and now six weeks without and appointment in that time period. Meanwhile, the same favorites and cronies receive up to several hundred appointments a year.	
Not listed for 2nd or 1st degree felonies, although qualified.	
Passing the test; only called for misd appts for 2 (3 month) terms	
No calls misdemeanors.	
I did not know enough judges to get appointed to the felony panel in Harris County.	
Have never been contacted	
The judges held up my application because they wanted to question me about the circumstances of my departure from an employer	
My difficulties are that all of the appointments go to the same people.	

7. Do you believe appointments are distributed in a fair manner?		
Answer Options	Response Percent	Response Count
Yes	62.8%	108
No	37.2%	64
<i>answered question</i>		<b>172</b>
<i>skipped question</i>		<b>4</b>

8. Please explain why you do not believe appointments are distributed in a fair manner.	
Answer Options	Response Count
	61
<i>answered question</i>	<b>61</b>
<i>skipped question</i>	<b>115</b>
Response Text	

courts can pick individual attorneys
There are certain courts that never call certain people.
The wheels are not used in a systemic and equitable manner. Certain people are on lists that they should not be (ie - attorneys on appellate lists who do not do appeals or use ghost writers)
Judges select individual attorneys who are required to move the maximum amount of cases which does not best serve the clients. In addition, judges give favor to former prosecutors with very little if any defense experience who do little more than plea out every case because they have never been trained to do defense work.
harris county judges play favorites game.
I believe Judges want specific attorneys to be in their courts and I don't have a problem with that.
Too many courts where never been called or appointed
Because judges control who gets the appointments
I think that some judges appoint their friends only
Generally they are but some courts recycle a small amount of lawyers or purposely exclude certain lawyers. This might be merit based so I'm not sure that it's necessarily unfair.
Anecdotally, it seems that appeals are not evenly distributed. Hard to know if this actually reflects reality.
The "wheel" (random selection) is simply ignored by many Courts.
All of the courts are not using the wheel
For appointment of cases for individuals on bond, most judges take a defendant's word as to their financial resources without regard to proof. The amount of appointed cases we are receiving is absolutely absurd. We need a system to ferret out the persons who would truly qualify for court appointed counsel and not just because judges would like to reduce their docket and appoint counsel because they are tired of resetting individuals that refuse to hire an attorney.
Most of the trial courts have abandoned the wheel as a selection tool, accept as a screening device. if you are on the wheel and they like you, they will just call you instead of going to the wheel.
at the whim of judge/coordinator
Judges appoint the same campaign contributors time after time
I only question the distribution because I'm not aware of what the actual policy is in terms of how the appointments actually are distributed
I said they were.
I can see how many cases other people are getting.
My own experience. I have been signed up for every day of the year. I am qualified for every class of felony up to capital murder and on the Spanish speaking list. Yet I have had only 50 cases in the last year. During that year I have twice gone as long as 2 months without a single appointment. As I write it has been 6 weeks since my last appointment. By contrast there are a few favored attorneys who literally receive 200, 300, even 400 appointments a year. I watch the district clerk's list and see these same attorneys receive multiple appointments per week while I am all but shut out for weeks even months at a time.
Some attorneys receive more appointments than other
News articles and informed blogs regarding inequities, and individual court policies that, due to the extreme level of trial experience required, effectively limit appointments to former prosecutors.
grossly unqualified people are deemed "qualified" while actually qualified people are not so deemed.
Many courts do distribute appointments fairly but there are a number of courts that do not. I believe the courts that do not distribute cases fairly have a handful of lawyers they like to use and assign them to cases as long as they are "on the wheel" on the date of appointment.
As a Spanish speaking attorney, I seem to get passed over when new term assignments are being handed out.
I was on the misdemeanor list for more than a year before receiving one appointment.
This is not a belief. It is factually based that certain attorneys receive a disproportionate amount of cases based on many factors, such as relationships with judges or court staff, judicial campaign contributions, reputation as someone who can "move" cases quickly, etc.
The power to appoint lies with elected judges, not a non-partisan organization. Many judges operate small fiefdoms
Most courts use the same few attorneys the majority of the time.

It appears that same lawyers are always appointed in particular courts and the fact that the Judges are prior harris county prosecutors appointing their prior co workers is obvious to all attorneys in court room. I've been on the list for appointments for appeals for a few years and I have only received one appointment on such cases.
Judges have a lot of discretion to choose their favorite attorneys to work their courts.
I believe Judges want specific attorneys to be in their courts and I don't have a problem with that.
some misdemeanor courts use their own attorneys & not the wheel system
Some lawyers are appointed regularly in some courts and others rarely. The courts have a way to manipulate the system to get a particular lawyer then want to work with, I believe.
It depends on the county, but it can be improved
I've never been contacted and no reason exists
I think many incompetent attorneys are on the appointment list and are given cases despite being ineffective.
Courts in general are more about moving cases than about justice for individuals, therefore they seek to appoint lawyers that will move cases at all cost, usually to the detriment of the client!
some judges only use certain lawyers and exclude others
It is incomprehensible how some court appointed lawyer handled hundreds and hundreds of cases each year. There is no possible way that they could be effective and it is a shame that this practice is tolerated.
"The wheel" is not used uniformly
Same reason as previously stated. All of the same attorneys get the benefit of receiving court appointments. The system is broke and crooked. I find it hard to believe that the same group of lawyers are lucky enough to get picked for appointments every single day. I have received zero appointments in the year that I have been on the list. And I'm sure nobody is going to do anything at all about it.
I'm somewhat skeptical that the appointments are distributed in a random or systematic fashion based on the disparity in cases received by one attorney compared to another.
I believe under the wheel system the judges still appoint their friends most of the time. I don't know if the judge doesn't use the wheel or it is manipulated but it does not make sense to me how the same attorneys are the ones appointed in the same court all the time.
Judges have sole discretion on who to appoint
Lawyers who routinely engage in unprofessional behavior continue to receive many appointments and many appointed lawyers are so overloaded with cases that they cannot possibly provide effective assistance.
Pay for play. Good ole boy system.
Privileges extended to personal friends and contributors
The same people are repeatedly appointed in certain courts although the courts are theoretically utilizing a random appointment system.
due to the volume of cases some lawyers (not that go either) have and those good one have a lot less.
favortism
Some judges refuse to use the public defender's office
I still believe that there are "favorites" in each court that get a larger number of cases.
Judges can bypass systems in place and appoint whomever they wish to
the appointments are controlled by the judges. They should be independent. Appointments should not be based on political contributions or on making the judge happy.
A few judges do not use the wheel. I believe appointments that are not handled via the wheel are not distributed fairly.
I work in the Juvenile courts and the Judges do not follow the wheel for appointing attorneys all the time
Judges have the option of selecting whom to appoint. If a judge is upset with you, they can decide not to appoint you to any cases out of their court.
The same attorneys seem to work in the felony courts of Harris County despite the Fair Defense Act "wheel" system. I believe the court coordinators may manipulate the wheel to choose the attorneys they want.
Judges often do not follow the Plan or the Fair Defense Act.

<b>9. Do you feel that clients receive quality representation through the term assignment system (e.g., daily/weekly/month terms/yearly)?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Yes	80.9%	131
No	19.1%	31
<i>answered question</i>		<b>162</b>
<i>skipped question</i>		<b>14</b>

<b>10. Please explain why you do not think clients receive quality representation through the term assignment system and to which type of term assignment you refer.</b>	
<b>Answer Options</b>	<b>Response Count</b>
	32
<i>answered question</i>	<b>32</b>
<i>skipped question</i>	<b>144</b>
<b>Response Text</b>	
I have never worked a term assignment	
The contract attorney system some courts employ is unfair.	
Term assignments are too much work for an individual lawyer over time. It wears down ever the best and well intentioned lawyers. In addition, it tends to create an environment where conformity with the system is required. I mean that the lawyer is left to stop pushing back against the system because they are worn down and instead utilize the path of least resistance. That path tends to start to align itself with the judge and prosecutor who move cases with negotiated pleas with little determination of guilt or innocence and no investigation.	
because they play favorites and they should not have the power to appoint, but should be done by an administrator.	
I do not know the answer since I don't have term assignments and don't know the outcomes for others that are represented by them.	
Sometimes they do, it depends on who is appointed to represent them.	
The same reasons the gave rise to the Fair Defense Act only to a lesser degree are applicable to the term assignment system.	
They are heavily pressured to plead a volume of cases. They do not have time to perform adequate investigation.	
I think term assignments limit the amount of time counsel can work on each client's case	
not applicable	
I said they do.	
B/c they call me asking to represent them on retainer, because their attorney won't call back or let them know what's going on	
It would be unnatural to think that a term lawyer is not influenced in some manner by the judge or ADA when their livelihood depends on the job in the courtroom. The sooner the pleas are done, the sooner the term lawyer gets to leave. There does not seem to be much personal attention when they have sometimes double digit indigents in one morning.	
Relatively short term assignments are okay, long term (monthly and yearly) necessarily overload an individual attorney to the point that ineffective assistance becomes difficult to avoid.	
Really I do not know but that answer was not available	
I do not know anything about term assignments. I work capital murder cases and have no idea how the rest of it is managed.	
Attorneys are generally selected for their efficiency with moving the court's docket. This rarely translates to quality representation.	
Numbers. An attorney simply cannot provide quality representation in those numbers.	

Some clients receive quality representation, but many do not because poor lawyers are permitted to receive appointments
Lawyers become lazy and do not offer innovated approaches to their representation of indigent clients, they just do what the court /judge likes or is used to!
I think that those lawyers who handle a high volume of cases do not have the time to be effective, to communicate with their clients, to investigate the State's allegations and act nearly as a plea- mill.
Because all the same lawyers receive appointments by kissing up to the judge or court staff and they receive appointments no matter what their performance as a lawyer is like. Most of those people have probably never even tried a case to a jury, unless it was when they were a prosecutor, which is completely different than trying a case as a defense attorney. If they were good lawyers then they would get retained by people instead of being forced upon some poor individual stuck in jail. Half the time all they do is yell at their clients and tell them they need to take the offer being given cause it's not going to get any better.
Too many cases, too many lawyers that are beholden to the court before their clients
I think it depends on the court. Some of the term attorneys are very good but others are just met them and plea them. One particular court comes to mind where the contract attorneys are rude to the clients and treat very badly.
Although many appointed lawyers do provide quality representation by virtue of the fact that they are good lawyers, the appointment system in general is so corrupt that the majority of cases cannot receive individual attention due to overworked, unmotivated, and underpaid counsel
Judges want their dockets moved, not cases tried.
I don't have first-hand knowledge. But the choices were limited to Yes or No and if I'm forced to guess, my guess is no.
Attorneys that do not care about the clients.
It depends on the court--some judges will remove term assignment employees if cases are set for trial, and this is unfair to a defendant
lawyers should be assigned individual cases so that they may investigate those cases and provide sufficient representation. Also term assignments give rise to a lot of conflicts when co-defendants are in the same court. Lawyers should not represent co-defendants.
Attorneys on term assignment can have too many cases and too much pressure to adequately investigate and prepare cases, and advise clients.
In all term assignments, expediency requires the lawyers only do limited work and expend limited resources per case.

11. On average, how often do you visit the jail each month?		
Answer Options	Response Percent	Response Count
0-1 times	20.4%	33
2-4 times	54.3%	88
5 times or greater	25.3%	41
<i>answered question</i>		<b>162</b>
<i>skipped question</i>		<b>14</b>

12. Do you typically visit court-appointed clients in jail?		
Answer Options	Response Percent	Response Count
Yes	77.2%	122
No	22.8%	36
<i>answered question</i>		<b>158</b>
<i>skipped question</i>		<b>18</b>

13. Have you had any of the following issues visiting jailed clients?		
Answer Options	Response Percent	Response Count
Parking	52.9%	55
Client Access	55.8%	58
Locating Client Facility	6.7%	7
Secure Communication	32.7%	34
Other	25.0%	26
Please explain.		61
<b>answered question</b>		<b>104</b>
<b>skipped question</b>		<b>72</b>
<b>Please explain.</b>		
I have not had any of those problems in visiting clients in jail. It can be a tedious situation, but I have always gotten access.		
The jailers are too slow and some are very rude. Most of the parking meters are bagged near the jail. Now the parking area near Baker St. is gone for the construction of the new processing facility.		
It is very difficult to 1. get into the jail and 2. to communicate privately with your client. Both parties are yelling at each other thru a dirty glass. It is not a good environment to establish a trusting relationship. In addition, it is impossible to maintain privacy.		
Impossible to talk via secure collect phone calls and they are recorded. Not private.		
Being able to show clients videos and digital evidence has been a problem.		
Length of wait for prisoner to be pulled for visit		
Waits to see clients are unreasonably long.		
No		
Bringing the laptop is often problematical.		
I only represent juveniles in Juvenile Court in Harris County		
No notaries or witnesses provided at the jail to obtain voluntary relinquishments.		
Promptly bringing the clients to visit me in the attorney booth. I've waited up to an hour for a client to be brought out.		
Spend a lot of time waiting on clients to be brought to a visitation room. Also the new phones they have installed do not always work, and I have to talk loudly through the plexi glass. If anyone else is in a visitation room I can hear everything they say to their client as they can hear my conversation as well.		
bringing my laptop in is a b****.		
At the 1307 Baker Street facility, there have been no attorney rooms available, and the phones have been out of order.		
The Harris County Sheriffs on the "wings" are callous, unprofessional, consumed by personal affairs and thereby distracted, and treat lawyers with scant more civility than their charges (the inmates). The delays are ATROCIOUS.		
Inefficient wait times		
Long waits		
Privacy and passing documents		
Long wait		
Excessive waiting time!		
Have to wait a long time for them to be brought to the visitation room		
None.		
Wait times and no place in or out of court to show video		

Regarding secure communication, I've been able to overhear the conversations between attorneys and their clients in adjoining attorney visitation rooms, and I assume others have been able to hear me and mine. "Other" is closely related; due to bad acoustics, background noise, and the attorney conference room set-up, I often have trouble understanding my clients, and they occasionally have trouble hearing me, making it necessary to yell to be understood; also, the physical setup makes it difficult to exchange, examine and mark up documents (exhibits, sketches, maps, etc.) in conference with a client.
I make it a practice to see ALL clients in the jail. I often spend more time waiting for the client to be produced than the actual visit.
Takes so long to get client
Long waits.
Depending on the jail, there can be a lengthy delay in bringing out the client.
Entry to the jail is very time consuming Due to security concerns
Parking cost money. Sheriff can't get clients to attorney booth in a timely manner. I often wait 45 minutes or more for client to be brought to attorney booth.
It was not a problem before, but parking close to the jails is a problem now. I will only speak to clients in person. I do not trust the telephone system being utilized at the jail - I do not want to risk having confidential communication breached.
It's no one's fault but I hate getting stuck on the floor waiting for a lock down to end or for a booth to open. Visiting through glass is always hard.
Sometimes you wait a long time to visit your client.
I am currently confined to a wheelchair or access is often times difficult though not impossible
There are sometimes delays in bringing clients to the attorney booths and occasionally they are unable to bring them at all due to one reason or another.
Long time waiting for client.
Wait times can be lengthy.
The wait time is way too long.
Average wait time for a client is 10-15 minutes, and I make a point to visit clients during non-visiting hours for the general public.
The wait time when visiting clients averages 10-15 minutes, which is ridiculous since I make a point to visit my clients during non-visiting hours for the general public. I also have issues bringing in my cell phone or iPad, which I use for calendaring purposes and to reference emails, even though the new sheriff's policy allows defense attorneys to now bring these devices into the jail.
long wait
Ability to how video evidence in private manner
All of these.
I have heard voices and radio broadcasts coming from the wall of supposedly a secured Attorney/client visitation designation.
The jail staff on the housing floors are often very slow to come to the window to get the visitation slip and very slow to bring inmates to the visitation room. This translates to the County paying unnecessary out-of-court hours.
Sometimes I wait a very long time because I'm told the shift is changing.
I am reluctant to share privileged information with clients, especially at 1307 San Jacinto where we are required to converse in an open room, that is designed for family visitations, over a telephone. It is also frustrating trying to visit with clients at the other jails where there are long waits to have the client brought over and it is often difficult to have to scream between the glass barrier in the attorney booths.
The jail staff is lazy and they love to take advantage of the microscopic amount of power they have been forcing you to wait a half hour or more to see your client.
Unconscionable delays
Clients are not always brought to me when I go to the jail.
The jail often takes forever to bring out clients
Parking is a big issue in Harris County because of the limited number of spaces in close proximity to the jail but also the cost is high.

It frequently takes up to an hour before a client is brought out for a meeting. Sometimes much longer. Occasionally there are no attorney booths available.
n/a
takes unreasonable amount of time to get the inmates
Waiting in excess of 45 minutes for one client to be brought out at the 1200 Baker jail is common.
None
Length of waiting time for Clients to be brought to interview room.
Long waits at 1200 Baker. Waiting for a Client for 30-45 minutes is ridiculous and a waste of resources.
Inconsistent application of policies on what can be brought in.

14. Where do you typically first meet with a court-appointed client who has posted bond?		
Answer Options	Response Percent	Response Count
Your office	24.7%	38
The courtroom	67.5%	104
Other	7.8%	12
<i>answered question</i>		<b>154</b>
<i>skipped question</i>		<b>22</b>

15. If you first meet court-appointed clients somewhere other than your office or the courtroom, please explain.	
Answer Options	Response Count
	14
<i>answered question</i>	
<b>14</b>	
<i>skipped question</i>	
<b>162</b>	
Response Text	
Conference room at courthouse.	
CORT HOUSE, EITHER THE CAFETERIA OR THE SEVENTH FLOOR IN ATTY ROOM	
I usually meet with the client either at a neutral location or at the courthouse away from the courtroom. I prefer to explain a few things before court.	
not applicable	
If they make bond they usually hire their own lawyers.	
Juvenile detention	
At a location that is most practical for both client and me.	
I meet with them on the seventh floor of the courthouse in one of the offices.	
I only take appointments in appeals; the clients are generally jailed.	
My court appointed client's do not have a bond generally speaking so I first meet them in the holdover and then jail.	
In one of the private meeting rooms in the courtroom area	
In court	
I've never received any appointments	
My clients are juveniles, the do not have bonds.	

16. Please describe any differences between how you handle your retained and appointed cases.	
Answer Options	Response Count
	119
<i>answered question</i>	<b>119</b>
<i>skipped question</i>	<b>57</b>
Response Text	
None.	
None	
none	
There is none.	
no difference	
My appointed cases tend to involves clients who are jailed. The only difference involves where we meet and how we communicate.	
They are handled completely differently. The main difference is that bond cases give you time to work with the D, family, prosecutor and any witnesses to do a thorough investigation. Jail cases are always on a clock where the D just wants to get out of custody at any cost.	
None	
no difference	
none	
None.	
None. Have more resouces in ct appointed cases	
none	
I will go to the jail more often upon request if it's a retained client	
No difference	
Not a whole lot.	
No difference. Stupid question	
None	
none	
No difference	
I may not see my appointed clients as often; however, I try my hardest to visit and update my appointed clients as much as possible.	
None!	
None	
Most defendants in appointed cases are in custody. While I meet with them at the jails regularly, it is much more challenging to prepare their cases. Generally, I try to minimize the differences between appointed and retained cases.	
No differences.	
No difference	
All get 100% effort	
None.	
None	
none	
I normally have retained clients do more leg work than appointed ones. They are generally more capable of same and have the means to assist in their own defense to a larger degree than appointed cases. Conversely, I will normally secure a court appointed investigator for appointed cases at an earlier juncture than for retained cases., for the same reasons.	
None	
Meetings with client on appointed case is in jail	

I would require strict proof as to indigence for appointed cases that are on bond. I would also make it a strict requirement that if a person is on bond and they are appointed a lawyer, they must pay back the county for the appointment of counsel. Most defendants know that if they request a court appointed lawyer, they will receive it. They only way to prevent someone from re-offending is to hit them where it hurts, in the pocketbook.
Mome
None
None
None
appointed clients on bond less likely to phone, keep in contact.
handle the same way
None
Retained clients call and come to office for meetings more. More involved in their cases.
None
Other than the fact that I first meet them in court, none.
no substantive difference
None
None. Absolutely none.
No difference
no difference
None
No difference except that appointed cases are usually assigned in the court at the appearance so there is no opportunity to meet the client before court
None, excepting that appointed clients are more likely to be jailed, making meeting with them and information exchange more problematic.
None. Appointed clients are much more difficult to work with because they believe all appointed lawyers are not as good as retained lawyers or that they are working with the State to convict them. They tend to be more disrespectful and hostile and distrustful of appointed lawyers. For these reasons I work very hard to obtain the best outcome for my appointed clients as I do for my retained clients.
No difference
Absolutely none.
no difference
Try not to have any differences
None
None
After 18 years of private practice, I am no longer accepting retained cases. I have devoted the last 3 years to the exclusive representation of my indigent clients. The difference I see is there was a lot more time to communicate with my retained clients beofore setting foot in court. Now, I meet them for the first time n court.
None
They are handled the same.
None
None
Investigation funds are limited.
Absolutely no difference.
appointed cases are typically in jail and cannot bond out.
Securing payment
I take great pride in treating them exactly the same perhaps more family contact with those in jail
None
None
None.
N/A

I am often able to dispose of the appointed cases more quickly since payment plans are never an issue.
Retained typically have no record or less of a record and are more likely to be eligible for probation.
no differently
None
The only difference is how I receive the client which dictates how I first meet with them.
Don't currently handle retained cases. For 9 years, I handled both court appointed and primarily retained cases. I can't think of a tangible difference in the representation.
I have no retained clients.
For retained clients, I go to their court before court-appointed clients.
For retained clients, I make my appearance to their court room first, and then I take care of my court appointed clients. This is the main difference in the way I handle those cases.
N/A
none
None
None. However appointed cases usually bond out so they are more willing to fight the case versus appointed cases that are typically still in jail, unable to bond out, so they just want time to served to go home. Also, many of the appointed cases have priors so the court will not grant PR bonds so they my clients are less inclined to fight and just want to go home.
no difference
None.
n/a
I handle them the same
None
None whatsoever, other than financial arrangements.
Haven't had any appointed, so n/a
not applicable
there are none accept clearly access to client is much easier.
Only difference is that if the client is in jail and not out on bond is that if we have to meet before a court setting, I visit the client at the jail, this is so always before trial when preparing for trial. My retained cases or appointed clients who are on bond meet with me at my office.
no difference
More frequent communication via telephone and in person with retained clients. I write my court appointed clients and visit them as needed.
There is not a difference.
Never received any appointments
None except making sure the retained pays
None
There is no difference, other than I have phone access to bonded clients that I do not have with appointed defendants.
Retained clients call more and come to office to meet more
None
n/a
methods of communicating with clients
n/a
I don't have retained cases.
No difference.
n\
Not applicable at this time. I have no retained cases.
I see jailed clients more often. I usually meet with bond clients on court dates only.
All appointed work

All of my cases are appointed. When i was in private practice, i would often have the opportunity to meet with a client prior to going to court. I often receive court appointments now only a short time before the court date. I even get appointed to clients on the day they have court. Makes meeting clients prior to court impossible.
Not applicable.
None
Not applicable. I have no retained clients.
N/A

<b>17. How do you advise clients of possible collateral consequences with regard to immigration (Padilla issues)?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Seek Opinion from Outside Counsel	77.2%	112
Provide Standard Admonishment Form	57.9%	84
Advise as a Result of Personal Legal Research	53.1%	77
Other	11.7%	17
Other (please specify)		28
	<b><i>answered question</i></b>	<b>145</b>
	<b><i>skipped question</i></b>	<b>31</b>
<b>Other (please specify)</b>		
not applicable		
In felony cases I tell the client that if convicted he or she will be deported		
I always refer to an immigration attorney for consultation or consult myself with a colleague who specializes in immigration.		
All of these.		
Always tell them to seek the advise of immigration atty. I know the offenses which trigger deportation but always advise them to talk to atty that specialize in immigration		
If not a citizen, I tell them to expect deportation and an inability to return because immigration laws can change at any time.		
A combination of the above depending on the charge and the defendant's status.		
I advise them to also seek counsel from an immigration attorney		
I don't take cases cases with immigration implications.		
I tell them what the Supreme Court said to say		
Do additional research.		
p.d.'s office		
Advise generally as to the law, then, if issue, advise to see immigration expert.		
Not Applicable		
I also advise clients to seek the advice of an immigration specialist.		
Depends on the type of case and their status		
In addition, I will often either seek an opinion from an immigration expert or give referrals to the client.		
I make a point to research the issue the client has questions about and consult immigration lawyers when possible for guidance.		
I also tell them that any criminal conviction could have negative consequences, unless they are citizens. The best they can hope for is that a conviction will have no impact, but depending on the crime it will some impact on their immigration status so it is very important that they consider fighting the case.		
All of these.		

depending on crime and time here legally.
Have them seek outside counsel after I tell them certain pleas will end in their deportation or denial of entry back into the US. I have on occasion sought the advice of outside counsel when I was unsure of the likelihood of deportation
Depends on the case.
I will at times seek the opinion of an immigration attorney on certain issues that I am not comfortable with.
tell client I am not immigration lawyer
I send many clients a list of Unseen Consequences relevant to their charge, found in the TCDLA book, "Texas Punishment".
Experts in the PDO
Not applicable to appellate practice.

<b>18. In your opinion, what obstacles do defendants face in successfully completing a term of probation in misdemeanor cases?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Length of Term	24.4%	30
Fees	56.1%	69
Failed Drug/Alcohol Test	69.9%	86
Missed Meeting with Probation	55.3%	68
Other	33.3%	41
Other (please specify)		57
	<i>answered question</i>	<b>123</b>
	<i>skipped question</i>	<b>53</b>
<b>Other (please specify)</b>		
not applicable		
Having to comply with conditions that have nothing to do with the underlying offense and high fees.		
They are not well-equipped to handle probation and are given very little guidance to be successful. Many of the conditions including the length, fees and location are extremely difficult for indigent defendants without adequate support systems in place.		
Most have transportation issues		
I don't do misdemeanors		
Do not do enough cases to form an opinion		
New case		
All of the above/none of the above. Economics is the biggest obstacle		
I only represent juveniles in Juvenile Courts in Harris County, Texas		
Too many requirements. And it's indigent has to work but they can't work if they're doing every part of their probation.		
too many additional considerations that interfere with 40 hour work		
Overbearing and expensive conditions. In some instances harder than Felony probation so insofar as downright abusive bond conditions and the like. A cottage industry.		
New offenses		
most of my motions to revoke are due to defendant's picking up new law violations		
intolerant judges and lack of drug rehab programs		
transportation		
transportation to probation related requirements		
Probation officers have too many cases		
failed to attend school (juveniles)		

New cases.
lack of motivation
I don't know.
I do not handle appointed misd. cases.
lack of understanding of conditions
Not Applicable
There are way too many reasons why clients do not successfully complete probation. Including they do not make it the most important thing in their life and make bad choices in the process
Transportation to prob officer
Generally speaking these are young folks that have a hard time with structure. POs need to be a little more tolerant. Who really cares what a misdemeanor probationer does or doesn't do?
All of the above.
Additional referral/charges
driving to and from
transportation, interfering with job hours
So many meetings for probation, classes, community service, random drug tests that it interferes with their job. Also, some have unreliable transportation.
Jail time as a condition causes loss of jobs.
The costs for indigent defendants are overwhelming for probation, and it is difficult for them to be successful when everything requires payment of money from completion of classes to taking a drug test.
Not all judges equally committed to keeping a person on probation
transportation issues
To many requirements for low level offenses, I sometimes feel that probation is designed to make them fail and prosecutors offer probation when they know the case is weak.
Who they are assigned to as a probation officer also greatly affects their ability to successfully complete probation
Transportation and conflicts with work schedules
All of the above.
community service
pick up a new case
I think many clients need mental health assessments and treatment.
System is designed to extract fees and make them fail
Inability to get community service hours completed because the location does not have enough work for the probationer
Transportation, license often suspended
transportation issues.
Probation is rarely chosen, preferring time served
I don't have misdemeanor cases.
Don't handle misd. cases
just set up to fail people; really not in business of helping people with problems and issues around poverty
I don't know. I do not handle misdemeanor cases.
Not applicable to me
Transportation can often be an issue. Clients often do not have the funds for food much less transportation costs.
For indigent clients, transportation is a common problem.
New offense

<b>19. In your opinion, what obstacles do defendants face in successfully completing a term of probation in felony cases?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Length of Term	55.1%	75
Fees	61.0%	83
Failed Drug/Alcohol Test	77.9%	106
Missed Meeting with Probation	70.6%	96
Other	27.9%	38
Other (please specify)		56
	<b><i>answered question</i></b>	<b>136</b>
	<b><i>skipped question</i></b>	<b>40</b>
<b>Other (please specify)</b>		
Generally, probations are too onerous. Many probationers have trouble with transportation, missing work, etc. . . Also, probation officers are often difficult to get a hold of for a probationer to reach if there is a problem.		
New law violation		
Clients are often faced with the choice between work and an appointment. I am often told that the officers will tell the client that they will be arrested the next time they show. At that point, the client gives up and doesn't show for further appointments.		
Same as above. Modifications always include extending period of probation which leaves little incentive to complete program successfully.		
Transportation and inability to find work		
employment opportunities are very limited for probationers. no one seems to understand that simple fact.		
New case		
Same answer as question 15		
I only represent juveniles in Juvenile Courts in Harris County, Texas		
transportation bad attitude lazy		
An indigent needs to work. It is almost impossible to work full-time if you want to successfully complete all the terms of probation.		
same as above		
community service		
Employability (lack thereof) for many of them		
New offenses		
Same as above, also lack of mental health treatment		
transportation and employment		
Probation officers have too many cases		
failed to attend school (juveniles)		
New cases.		
lack of motivation		
They face trying to find a job and place to live.		
Defendants face many obstacles, not the least of which are their own poor judgment and decision-making skills. However, my experience is that most probation officers are not interested in helping defendants succeed and are quick to recommend revocation. Defendants often do not have reliable transportation or any transportation at all, they have difficulty finding employment due to their criminal histories, classes required during probation often conflict with defendants' work schedules and they often have to make a decision between keeping their jobs or going to a class or meeting. Drug testing is and has been questionable in Harris County and has caused many defendants to get revoked. Probation is not designed for defendants to succeed.		

I would like to see a probation system that does not overload the client with duties. This, added on to the expectation that they get jobs and take care of their families makes it much more difficult for a successful completion. Many of the programs added on are not worth the tax dollars that it costs. For example, anti-theft (or equivalent) classes. Don't hit your wife classes. These types of classes along with community service set the client up to fail.
lack of understanding of conditions
Not Applicable
See number 14
These are the ones that need more help. They are the ones we have a chance to save. Instead they wind up with a footprint of the government on their back side. In the old days jail therapy was used to get their attention: 30 days the first time; 45 or 60 days the 2d time. Usually we didn't get serious about prison until the 3d or 4th time. I wish we would return to that. It's cumbersome but I think it serves society better.
All of the above.
Trouble completing lock down programs.
So many meetings for probation, classes, community service, random drug tests that it interferes with their job. Also, some have unreliable transportation.
Same as above.
Not all judges equally committed to keeping a person on probation
transportation issues
new law violations
Depending on the felony, I think some of the requirements are to stringent and overall they are designed for clients to fail.
Who they are assigned to as a probation officer also greatly affects their ability to successfully complete probation
Transportation and conflicts with work schedules
All of the above.
lack of empathy in the probation dept
pick up a new case
Same as above regarding so many defendant's with little resources and for those with mental health issues or drug dependancy issues.
System is designed to extract fees and make them fail
Same as for misdemeanor answer above
All of the above. There seems to be an attitude that probation comes before everything else. Yet they are expected to work but have problems with work schedules that allow for community service and probation meetings
Transportation
transportation
Poverty. New law violations.
same as above: they want them to fail
not following rules of probation
picking up new charges.
Lack of skill set to complete probation in the first place.
Transportation can often be an issue. Clients often do not have the funds for food much less transportation costs.
Programs that are supposed to help them - like YMAC or WHO - that may require certain things upon release. Clients tend to not follow up well with those conditions (to live in a halfway house) or the program did not help them control their substance abuse issues.
For indigent clients, transportation is a common problem.
New offense

20. How many times did you request an investigator in a misdemeanor case in the last year?		
Answer Options	Response Percent	Response Count
N/A-Public Defender	20.3%	29
0	59.4%	85
1	3.5%	5
2 or more	16.8%	24
<i>answered question</i>		<b>143</b>
<i>skipped question</i>		<b>33</b>

21. If any of your requests were not granted, please explain why not.	
Answer Options	Response Count
	11
<i>answered question</i>	<b>11</b>
<i>skipped question</i>	<b>165</b>
Response Text	
never turned down	
I don't do misd appts	
Judge refused	
No	
I do not recall.	
NA	
All were granted.	
n/a	
Requests are granted but sometimes limited too much in amount.	
N/A	
N/A	

22. How many times did you request an investigator in a felony case in the last year?		
Answer Options	Response Percent	Response Count
N/A-Public Defender	18.2%	27
0	20.9%	31
1-4	18.2%	27
5 or more	42.6%	63
<i>answered question</i>		<b>148</b>
<i>skipped question</i>		<b>28</b>

23. If any of your requests were not granted, please explain why not.	
Answer Options	Response Count
	27
<i>answered question</i>	27
<i>skipped question</i>	149
Response Text	
n/a	
not applicable	
Judge wanted to wait until we determined it was absolutely necessary. In the mean time, there was an unnecessary delay and my client was the victim of a homicide.	
NA	
never denied an investigator	
All granted	
All requests granted	
never rejected	
All were granted	
n/a	
All granted	
They were granted	
Answer was -0- for last year but historically requests for investigators never denied.	
all of my investigator requests were granted, experts not so much	
All were granted.	
All were granted.	
All were granted	
Money! TIDC should send 10 or 20 million dollars to Harris County for investigators.	
All of my requests were granted.	
All were granted	
All were granted.	
n/a	
n/a	
None	
courts unwilling to pay for adequate investigative services	
N/A	
N/A	

25. If you answered no, please explain why you think those requests were denied.	
Answer Options	Response Count
	12
<i>answered question</i>	12
<i>skipped question</i>	164
Response Text	
n/a	
No requests were denied	
I don't do felony appointments as I refuse to play the game. Misdemeanors are term appointments and only done for one or two courts per year as most HARRIS county Courts do not appoint me due to prior litigation.	

Some judges pay too little. Hard to find good investigators within financial constraints
N/a
Judges do not want to spend the money on investigators and think lawyers should do both always
Not Applicable
NA
I answered that way because I have not requested additional funds.
Not applicable
N/A
N/A

26. Have you represented clients with mental illness in Harris County?		
Answer Options	Response Percent	Response Count
Yes	93.2%	136
No	6.8%	10
<i>answered question</i>		<b>146</b>
<i>skipped question</i>		<b>30</b>

27. Are outpatient services generally available for clients with mental illness (i.e., services for treatment outside of the jail)?		
Answer Options	Response Percent	Response Count
Yes	48.1%	63
No	51.9%	68
<i>answered question</i>		<b>131</b>
<i>skipped question</i>		<b>45</b>

28. Please describe what outpatient services are available to clients and how you utilize them.	
Answer Options	Response Count
	46
<i>answered question</i>	<b>46</b>
<i>skipped question</i>	<b>130</b>
Response Text	
I often recommend clients who are on bond to seek services at MHMRA in Harris County.	
Substance abuse counseling; assistance in obtaining medications for mental health issues; by referring client.	
Ask assistance from probation officers	
MHMRA (will contact them when need arises)	
They are handled by the probation dept. I hardly handle those cases.	
Drug counseling psychological counseling	
I only represent juveniles in Juvenile Courts in Harris County, Texas but we have MHMRA and outpatient services for juveniles.	
Referral	
MHMRA. Refer client to center for services.	
fact	
Mhmr	
problem is clients don't have resources, time, transportation to use services available.	

Peden
Through mental health court
I consult with the CLO and PD's office on a case by case basis
Probation department outpatient services
Mhmra
outpatient services are directly related to whether the client has insurance and/or ability to pay for the services. However, I have had assistance from MHMRA.
I only represent juveniles so there are services which my client and family use for counseling.
MHMRA
None of my mentally ill patients in the past five years made bond, so they were unable to utilize outpatient services during the time in which I represented them.
Harris County MHMRA.
MHMRA, Harris County Jail Diversion Program, Harris County has a list of treatment centers for drug, alcohol, and mental health treatment. Most clients are anxious to take advantage of these services.
MHMRA provides services
Mhmra
Manta counseling. VA counselors
Most are INpatient, proed by HC.
They can be evaluated while on bond but the process takes longer. Mental Health Court and the Mental Health Caseload offer outpatient treatment as well.
I have not utilized outpatient services for clients, but I know they are available.
MHMRA /not great
Mhmra,
Referral to MHMRA. Referral to private practice
Make a phone call or give the phone number to mental health client and or his/her family. Whether they follow up with calling them is unknown
MHMRA
MHMRA services are the most user friendly
Contact MHMR and arrange an appointment for client at their facility
MHMRA
Therapists
Evaluations and follow ups...though scheduling is generally several months in the future and this has a negative impact on docket scheduling
juvenile probation helps coordinate services
MHMRA has FACT team; there's Healthcare for the Homeless; there's the 1185 program; there's the Felony Mental Health Court with links to various resources.
MHMRA is used to continue on medications.
can refer clients to outpatient treatment for drug abuse
MHMRA and other facilities
When a client gets on probation, counseling and outpatient services are generally available through the probation department.
MHMRA. Generally I only make Clients aware of help through MHMRA.

<b>29. Have you been successful in securing personal recognizance bonds for jailed clients with mental illness?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response Count</b>
Yes	30.2%	35
No	69.8%	81
<i>answered question</i>		<b>116</b>
<i>skipped question</i>		<b>60</b>

<b>30. If you sought personal recognizance bonds for your clients with mental illness, please explain why you think the court is or is not granting them.</b>	
<b>Answer Options</b>	<b>Response Count</b>
	73
<i>answered question</i>	<b>73</b>
<i>skipped question</i>	<b>103</b>
<b>Response Text</b>	
Courts do not want to deviate from the bond scheduling order.	
n/a	
not applicable	
Attorneys aren't asking for them. Sometimes the clients aren't stable enough at the initial interview to provide good reference information to the interviewer or their attorney.	
The court was not assured that the client would seek treatment on the outside and did not want to take the risk.	
It is generally believed that indigent defendants without support are safer in jail than on the street or out in public without assistance. Sadly they are left in jail because of safety concerns.	
Courts are reluctant to grant them because they feel that if on bond, they will not make appointments with doctors.	
They will have problems locating the defendant for future court appearances. The client is often non-compliant with medication.	
Is very case dependant, I will not ask if the client is not a good candidate with appropriate support.	
Concerns for safety without treatment	
courts in my county, Harris, very very rarely grant any pr bonds and especially not in cases involving clients with mental health issues. there are no out of custody mental health services available for clients on bond	
Must protect the public	
Stupid question. Criteria for granting PR bonds is saying	
I only represent juveniles in Juvenile Courts in Harris County, Texas so that is not applicable to me.	
Normal course of business	
It seems that judges perceive there is a lack of resources and supervision for such defendants.	
I work with j. Ellis in the CR docket	
Family support and lack of the degree of culpability that unchallenged defendants have	
Don't know	
The courts have a concern that releasing mentally ill folks without a plan for housing and continuity of care is dangerous for the client	
criminal history, perception of need to protect community	
This line of questioning is not clear. "Clients with mental illness" can mean people that have a condition and are stable on medication and those that are not. I not remember a request for PR bond in the last 5 years denied for mental illness, just prior and/or facts of the offense.	
N/A	
Usually too many priors no verifiable address or contacts	
Prior record	

I haven't had to for clients with mental illness
not applicable
Haven't.
They don't think they will come back or get treatment
I don't know. My cases are usually very serious felony or capital cases and mental health is one of many issues
Seems courts are too afraid of risk in allowing almost anyone with a felony a PR bond
The courts consider the offense and whether a PR bond is appropriate. In my experience, Harris County judges grant PR bonds infrequently.
I have not sought such a bond. The majority of those who need appointed counsel who suffer from mental illness have no where else to go. That being said, after 17 years as a prosecutor and now as a defense attorney I have never heard of anyone asking for a PR bond due to mental illness.
Clients criminal history and type of charge
Many of my clients are alleged probation violators. They usually come in with no bond status and when I get bond set, it is very high.
No criminal history, no money, family support
Not Applicable
Fear of not returning to court
Violent criminal history.
Risk aversion and protest from prosecution
Have not asked often because previous record often makes it inappropriate when I have asked it has been granted
Judge is fearful of violence.
Fear that they won't receive the treatment they receive in the jail.
For many mentally ill clients, pretrial services is unable to verify the information provided by the defendant.
Generally, I deal with appeal/post-conviction cases. N/A
prior criminal history
These bonds are granted when there is an agreement for services and a place for them to reside. I have found that these bonds are not granted when offended cannot give us any references and we cannot get them to agree to go to a location for more services
The court is concerned that my client will not come back to court and will get out of jail and disappear. If I have family support in court, it will not be granted.
Is very case dependant, I will not ask if the client is not a good candidate with appropriate support.
May not grant based on lack of references or criminal history
Prior criminal history or lack of local references
Fear
I don't think the judiciary views mental illness as a reason for PR bonds. I think most judges feel such illnesses are a good reason to keep defendants in jail where, the judges believe, the defendant will have better access to treatment.
Expectation client won't come to court.
I do not see any difference between a client with or without a mental illness. If the client meets the criteria they will get a p.r. bond. The major problem is that most clients do not have any contact information to verify their information.
concern for the safety of the community
Many of those clients have extensive criminal histories.
Most people in general do not get a PR bond
Politics, incredible fear of granting PR bond and defendnt committing serious offense while out on that bond
They prefer keeping the client in jail rather than letting them out...they are more concerned with any possible negative media from something that might happen if the defendant is out on bond.
The judges feel that the jail is the mental health system, and they are right
Have had them granted by judges who are understanding of mental illness
Not applicable

It's rare, but the court has given them on some cases. I think the judge is afraid a defendant will commit a new offense while on bond.
I think that Judges generally feel that they are more likely to get evaluated and helped if they remain in the system. A compelling case would have to be made that the client's family will seek help and ensure client would make court dates and get help.
Nature of crime/homeless issues
Fear of reprisal at election time
usually they have previous criminal cases
Too many priors
Belief that Client will not return to court based on mental illness.
N/A
Judges would rather put defendants in jail than give bonds. It's the habit in Harris County, and the false claims of "public" or "personal" safety are always used.
They will grant them if they are stable and there is a place for them to go.

31. Do you feel that adequate training for representing clients with mental illness is readily available?		
Answer Options	Response Percent	Response Count
Yes	55.8%	72
No	44.2%	57
<i>answered question</i>		<b>129</b>
<i>skipped question</i>		<b>47</b>

32. Please explain why you think training is or is not adequate.	
Answer Options	Response Count
	76
<i>answered question</i>	<b>76</b>
<i>skipped question</i>	<b>100</b>
Response Text	
There should be more online resources available. Currently, there is yearly training, but if you miss the training, you can't find it elsewhere.	
Its is not readily available or could be more so.	
The training is ok, but not enough attorneys participate.	
There are several sources available to consult and the mental health court staff especially Pete Zama are particularly helpful	
Many lawyers do not know the signs to look for, or simply ignore them. This is especially true in misdemeanor cases where the ADAs will offer a very low offer to get the conviction. At that point, the client will take the offer so as not to stay in custody.	
There is no training for mental assistance unless sought out by attorneys who specialize in these clients. one seminar to qualify for appointments is not enough really and is not in depth.	
I feel unequiooed to handle these issues	
training is not the problem. Mental health resources for the Defendant is the problem.	
mental health court is available	
Training will not help, you can either do it or not.	
Not enough free seminars and frequency of availability	
There are many CLE programs in this area and the small group of lawyers that practice in the Harris County Mental Health Court are always available for consultation.	

The Mental Health Court is an available option although they have strict rules regarding qualifications for being admitted into Mental Health Court
Plenty of resources out there.
I only represent juveniles in Juvenile Courts in Harris County, Texas and the HBA Juvenile Law Section covers Mental Health Issues in Juvenile Courts at our annual Juvenile Law Conference each year in Houston each September.
It simply isn't. These cases are complicated, and involve an intersection of legal and medical/social issues that very few CLEs address.
Specialized courts
it is not required and should be
More CLE on the topic and the resources available should be publicized at least to the bar
It is out there, but it is not standard for every criminal CLE. It should be. All of our clients have issues, from retardation to traumatic brain injury to mental illness such as bi-polar disorder.
the need is more services for mentally ill.
The ability to consult the PD's office or hand the case over if it is too complicated makes moot the issue of adequate training, in my opinion.
I don't know of any.
Cle is a offered every year regarding mental health
We have the public defender's office available for any all assistance as needed.
Courses concerning these types of clients are not readily available
There is not enough information or training for anyone representing clients with mental illness. Lack of funds.
the question didn't allow for a not sure answer and "no" seemed more accurate. however there are people staffed to help I'm just not sure with the different types of mental disorders and the large numbers of people that have mental disorders that "yes" wouldn't also be correct. my observations are that the numbers are growing at exponential rates and that the system in Harris County is continuing to be trying to catch up to the needs of the mentally ill.
Said yes.
Constant CLEs available
several cles are offered as well as training locally
Rarely offered and if offered it is only once a year which may not be convenient time
I've done a couple of good CLE programs, and there's lots of written material available for self-study.
The courses are few and far between.
The mental health court as well as the ADA's who work in the mental health division at the DA's office are always available to answer/help with any issue that arises. I would like to see them loosen the standards that are currently in place for those eligible for the mental health court. I have had several turned down due to these limitations who I believe would have been perfect for the program.
There are available cle courses for attorneys to attend
The public Defender's Office provided good training through their in-house Dr. Floyd Jennings which I attended and passed the exam.
Police officers should not be arresting people with clear mental health issues for misdemeanors. There needs to be some other mechanism readily available to police where safety of the citizens as well as accused well being is considered
Not Applicable
Haven't seen any offered.
Can be found but you have to seek it out pretty vigorously
There doesn't seem to be any.
NONE is available.
Have not been made aware of availability of training.
The public defender's office provides adequate training for non-PDO attorneys.
I attended a CLE this past year regarding representation of mentally ill clients provided by the public defender's office.

I don't think there is a strong enough effort to educate/include/seek probate attorney assistance/appointments in serious mental health cases
CLE offered
I feel that I could use more in-depth understanding of how to handle and the escalate the negotiations with these defendants I do not have a background for this kind of consultation
There are many experienced lawyers to seek advice from on the issue
Mental health training is limited to CLEs which is completely voluntary. So the knowledge is there, but not everyone chooses to go out and get it.
the harris county public defenders' office is available for consult
Public Defenders Office has resources, but private practice attorneys do not
We seem to do our part in the courts with addressing mental health. Outside of the courts is where the majority of the problems are. The courts cannot fix mental health problems. Its bigger than criminal justice
We need more training regarding services available.
SSA and MHMRA step in well
In many cases it is obvious when a client has a mental issue, but this is not always ture. However there are flags that are often times raised that alert us to look for certain things with clients who have had prior contact with MHMR. It might be more difficult for some who have had limited experience or contact with clients with mental issues. I know that the county has provided seminars dealing with representing clients with mental issues which have provided a good insight as to what to look for.
As a public defender, we have lots of in house training available.
It is available by seeking the proper resources within the county psychiatric structure
I would welcome more training. I handle a lot of these types of cases and have had to teach myself how to get my client's evaluated. I am not impressed with the current medical staff at the HCJ as far as their responsiveness to my emails regarding my client's with mental health issues. It is a shame that they let go of Dr. Seale. He was always very helpful and responsive. Very recently, my emails and calls regarind a suicidal client in the HCJ were ignored.
There is minimal training and the mentally ill are not high on the priority list!
Not widely understood by counsel yet without having personal experience.
Not offered frequent enough
Pd office handles mental illness cases
there is no training
Our office put on some good CLEs, and there are others. There's always room for more. Bring it.
I can't think of anything offhand being offered.
PD's office has mental health division with knowledgeable people.
Is there any real formal training?
not that many available
There should be more specialized training available. Most lawyers are not properly trained to handle mental health issues in cases. Same goes for Judges and prosecutors.
The permutations are too many, and the courts are not interested in providing guidance.
It's a system that prefers known faces who are there regularly.
Outside the PD's office, I am unaware that there is any training available.
The PDO provides training and assistance

<b>33. Please share with us any additional thoughts you have on taking criminal defense appointments in Harris County.</b>	
<b>Answer Options</b>	<b>Response Count</b>
	64
<i>answered question</i>	<b>64</b>
<i>skipped question</i>	<b>112</b>
<b>Response Text</b>	
The compensation is frankly inadequate. Both that and the payment regulations should be reviewed and revised from the ground up.	
I think the process works very well for the Juvenile Respondents and their parents.	
more funds need to be allotted for mental illness to cut down on the recidivism rate and therefore spending more indigent funds on repeat individuals	
They need yo increase the pay and make sure attorneys get paid quicker.	
Payment is sub par and that is a huge issue!	
The misd system is completely broken. More PR bonds need to be approved so that the attny has more time to properly investigate the case. Also, only allowing payment for two cases outside of the term assignment is deplorable.	
The appointment system is flawed because it depends on a system that is not functioning consistently or fairly. Good lawyers are pushed too far and bad lawyers are given too many cases. There is no accountability for anyone in the system including the judges who appoint lawyers, the lawyers who take cases but do nothing, and the lawyers who take too many cases and do nothing. The system is also set up so that good lawyers cannot join the group of lawyers who are overworked because of unnecessary hurdles like 2 month appointments that would not permit an attorney with a retained practice to do appointments in addition to a regular practice.	
political game and should not be appointed by the Judge of the particular court	
The sheer number can be overwhelming. I at times have a hard time balancing the work and my private paying clients	
not a perfect system but works well most of the time.	
Compensation too low for complexity snd difficulty if cases and clients. Have to almost compromise attorney client privilege to request higher oay	
If the judges keep cutting the pay for appointed cases, I will soon stop taking them. The majority of our elected judges went straight from the DA's office onto the bench without ever trying to run the business side of a law office. Some of them seem oblivious to the cost involved just to buy paper. The attitude is they will continue to pay as little as possible because there will always be lawyers out there willing to work for very low wages. The result will be many lawyers with pride in what they do will simply stop taking these cases and others will just retire. Result: a lot of inexperienced lawyers trying murder cases.	
The system for appointing attorneys should be changed where an attorney's name does not drop from the list just because he or she is not selected on any given day. It should rollover until he or she is selected. Furthermore the amount of fees granted to appointed attorneys has not changed in at least the last ten years although every other agency or department connected to the criminal justice system has been given pay increases. The last change that appointed attorneys had in pay was a decrease in the amount we were paid on cases other than capital murder cases.	
Attorneys fees are very low. Yet we try very hard to give the best representation	
Sometimes, innocent people go to prison. Puts a knot in my chest.	

<p>Think would be helpful if your organization consulted with court-appointed counsel before you impose changes. Since court-appointed attorneys still do the bulk of indigent defense work. It seems a reasonable that you would talk to this group of fine dedicated lawyers. You initiated a new voucher system before all the problems were worked out in the system. Then when the system failed, your response is oh well. No effort was made to make sure that the court-appointed attorneys were compensated within a reasonable time. No explanation was given to the court-appointed attorneys as to why the system has failed to compensate them for four weeks of work. Instead of always looking for a fix for something that's not broken. Maybe you should consult with the lawyers in the trenches to help you make changes, which, which affects them.</p>
<p>I only represent juveniles in Juvenile Courts in Harris County, Texas so I cannot address the issues in the Criminal Courts.</p>
<p>Appointed lawyers can often do a better job than the public defenders, and at a cost-savings to the County. They (we) deserve a rais commensurate with the raises which Judges have enjoyed since 1990. We deserve health care benefits and courthouse badges as well.</p>
<p>Hourly Rates are too low for appeals and more serious cases</p>
<p>The pay should be hourly without a presumptive cap. The pay is too low, and the caseloads too high. The private defender system is a problem as there is little quality control.</p>
<p>Wish it was easier to get into the jail, especially if we have a court access badge, after passing criminal background check. Also, wish easier to get a computer into jail to effectively review a case with client, without having to get a court order to do so.</p>
<p>These questions are cannot begin to adequately encompass what we encounter on a day to day bases. To be blunt, the questions are stupid.</p>
<p>I think the daily non term appointment rates should be higher for Spanish certified attorneys. Let's say 75.00 instead of 50.00.</p>
<p>I think incarcerating a human isn't going to make the human better. if we decide to be proactive in making our lives better we go to the park jog exercise eat healthy foods read avoid toxic people all the opposite of sitting in a cell with sick. seems like there are better ways to help humans in need and the appointed clients often are in need of medical, dental, psychoatric, financial kinds crises. sometimes representing appointed clients is like being a social worker in the context of even if you win their legal issues they still are in lifestyle struggle.</p>
<p>I only represent juvenile clients. I believe that the attorneys appointed have the training needed to represent their juvenile clients.</p>
<p>None.</p>
<p>The only good thing term appts do is like a triage for an emergency room when they first come in and many clients do want to work out their cases and the evidence is there to do so. An attorney with experience knows the difference. However, often the courts only use certain attorneys as favorites and many courts never appoint anyone who doesn't give them money for election time and so term appts is a system that becomes abused. Also inadequate funding is provided for investigators and experts. It is hard to find experts who will work for court appted rates now and the way Harris County pays and much evidence is now provided in a digital format and there is no secure place provided to show clients these videos. Also, the jails lack safe parking spaces and the attorneys at certain hours are treated like dirt at the jail and the parole board takes up all of the booths during the day so we don't have enough booths to see our clients at the jail and at night when visitors are present, you can't hear your clients in the booth. The parking lots are dangerous too and poorly lit.</p>
<p>There are clearly good lawyers and bad. There are many more good and even great lawyers than not but the few give the system a bad rap</p>
<p>I am not a big proponent of lawyer for the week or month. It varies with the courts. It works in 209th. Not sure about the other situations. I am told it leads to lots of pleas down in the misdemeanor courts. The criminal justice system must have warriors in the trenches in order to work effectively. Young lawyers need to be in trial in misdemeanor courts on something other than DWIs. We have to train young lawyers on how to speak to juries, how to examine witnesses and etc. They should not be learning those lessons in felony cases.</p>

I have been a prosecutor or defense attorney since 1986. I have committed myself to representing indigent clients for the last three years. I like what I am doing and get a lot of satisfaction from representing these clients. I am amazed at the number of clients I have represented who have mental health issues - although only a few have been adjudged incompetent. on a side note, the defense bar has become much better at doing its job in the last 30 years. I attribute this to several factors: (1) the defense bar has strong support through various defense organizations such as HCCLA and TCDLA; (2) laws have evolved that require prosecutors to disclose more information; and (3) significant changes in the law in 1994 help us in dealing with the least serious felonies. All this levels the playing field more.
The system is rife with cronyism and favoritism. Some of us are all but shut out of work while the chosen few attorneys get all the work they want.
One of my biggest concerns as a prosecutor was that attorneys were not going to the jail to visit their clients. It's not fun but it needs to be done at least once (or more depending on how long the case takes to resolve). I would like to see the HCSO streamline our visits so they are less time consuming. I have waited for a client for over 45 minutes only to have to leave due to other appointments without ever seeing the client. In addition, the pay for felony cases at the S.J. and 3rd degree level is abysmal. Driving to the jail, paying for parking, and then spending an hour with your client can be financially challenging. Overall, as a new court appointed attorney, I am impressed with the quality of work I see in the majority of the attorneys I see.
The core problem as an appellate attorney is how to deal with a new trial motion as a new attorney who knows nothing of what happened during the trial.
Police are abusing the law of criminal trespass to deal with homelessness and mental health issues. Jail is not helping these part of Harris county citizens.
A lawyer who is qualified to take first chair capital murder cases but not passed a test is deemed "not qualified" to take misdemeanor or felony appointments. Ridiculous.
This survey is stupid! You cannot get a fair or accurate idea of what is going on with simplistic questions like this. Don't you think your information ought to be more in depth than something you got from SurveyMonkey?
Would like to see a more uniform policy for judges to decide who qualifies for court appointed lawyer. Some judges grant court appointments very liberally, while others are very conservative.
The day rate pay is not enough for the amount of time and effort that you put forth to represent these clients. Often times you end up spending a lot of out of court hours explaining to the situation that your client is in to concerned family members of the defendant. Many judges do not pay for out of court hours. This leaves an attorney with only \$50 per reset after the initial day rate of \$250, which you can have up to 5 clients which you represent in that day.
Need more training on all of the available programs and resources Harris County offers for clients.
I think the process is fair, and provides excellent representation for defendants and juvenile respondents.
Seen and done it in other counties as well Harris County is clearly the most professional and most concerned with getting it right
The pay is low. We may not get paid due to client limitations. It is difficult to manage. So far the new billing system has created a huge backlog in payments and some are related to trials...trials create a loss of income.
The system cannot begin to have even the appearance of propriety until you remove the ability to appoint counsel from the judges or judges' staff, and move to an independent appointed counsel system.
I believe the rate for investigators should be increased because there are so few investigators willing to work for court-appointed rates. I also feel that more bond clients should be required to make more attempts to hire lawyers or at least provide proof that attempts were made to hire a lawyer by providing the rates and information for lawyers spoken to before applying for court-appointed lawyer services.
Take the power to determine the list of appointment-eligible attorneys away from the judges. Create a panel of
I find helping indigent clients in Harris County to be very rewarding There are times when I feel that I am under a lot of stress with the number of cases that I am asked to handle When that has happened to me I have mentioned it to the court and found a way to resolve the issue
I think the misdemeanor appointments work well for the most part, but felony seems to favor the judge's favorite attorneys.
the pay

<p>7 new clients in one day in misdemeanor courts is too much to give full attention and fair representation. On those days, clients complain that they feel rushed. The case limit should take into account the number of resets for appointed cases.</p>
<p>I do many pro bono cases on my own for indigent. Not sure why I've not been contacted. I've been ready, willing and able. Thought courts had their favorites.</p>
<p>Despite being a public defender, I am very familiar with the district court appointment system. The two largest failings I see are: 1) the under investigation of cases by the indigent defense bar; and 2) the failure of all sides to recognize that the vast majority of incarcerated defendants should be out on bond. I think Harris County should make it easier for appointed counsel to retain investigators. Drafting and filing motions, approaching busy judges, locating busy investigators, and completing the ensuing vouchers make the process of using an investigator almost Byzantine in nature. The county should employ a fleet of full time investigators and provide offices for them in the courthouse-- perhaps through the PDO. And appointed attorneys should have access to them without having to get permission and approval from a judge. Additionally, appointed attorneys should be present at PC court and, instead of the current bond schedule existing as a de facto bond ruling, the courts should expect all cases (besides a specified list of serious felonies-- like murder and sex abuse) will be provided PR bonds unless the DA can establish a good reason to hold the person (e.g. D is on parole, or a specific complainant is at risk).</p>
<p>A 5 minute survey is a joke! If TIDC wanted a clear idea about these issues they would come to Harris County and talk to attorneys directly, one on one.</p>
<p>The system is still too inhuman for my taste and it lacks compassion for people who are very undereducated or addicted</p>
<p>I am displeased with our fee arrangements. I take court appointed cases to help those who need good representation but cannot afford to take many cases each year. I am perplexed why we are not paid for two law violations that happen to be out of the same transaction. That may mean that I do less "out of court hours" but when preparing for two separate defenses, which is often the case, it seems only fair to pay us for our time, skill level and work. I am not impressed with so many of my colleges who rarely try cases, and with whom take hundreds of court appointed cases, most frighteningly, felony cases. I do not think it is possible to be an effective voice for our client's when you are spread so thin.</p>
<p>I'd be happy to take them, but have never received one.</p>
<p>We are not paid enough. Several years ago pay was reduced because of budget concerns...across the board. Every other agency has gotten those reductions replaced. When they reduced our rates, parking was about \$2.50 per day, as an example...now those same lots are charging \$10-\$12 per day...yet we are still getting the same rates. Rent has increased, insurance premiums, a gallon of milk...yet our rates have gone down in the past 10 years! Hourly is based upon the type of case and not the experience of the attorney. Why does an attorney who has been practicing 35 years receive \$40 per hour for out of court hours? Minimum wages are going up, but not the rates for the Harris County indigent defense. We have to take cases well over the national recommended caseloads because if we just accepted what the recommended caseloads are, we would not make enough money to pay for office space or secretarial fees. Some days in accepting individual cases in misdemeanor court it is cheaper to stay home than accept the maximum 2 cases and pay for gas, parking, lunch, etc! Our caseloads are heavier than those of the PD's office, yet they are paid a higher wage, have support staff covered, office rental covered and insurance premiums offset. Simply put, court appointed attorneys are overworked and underpaid.</p>
<p>Harris County Jail is a cesspool. Clients immediately antagonistic. Ft Bend is completely different story leading to much better relationships with court appointed clients.</p>
<p>Concerning Harris County misdemeanor appointments specifically, for those defendants who are on bond, I think the county should consider appointing counsel outside of people that serve as "attorney of the day." In the present system, the attorneys of the day have to deal with 3-4 clients in custody and then deal with the on bond client which makes it difficult to devote enough attention to both sets of clients.</p>
<p>I have decided to stop taking appointments. There is widespread violation of the Fair Defense Act. Too few PR bonds, too many people pleading to get out. The system is a joke. What's worse, as a bilingual attorney I am often expected to translate pleas and the hearing of probable cause. This is manifestly wrong.</p>

There are a lot of excellent court appointed attorneys in Harris County. However there are also some who need to do something else for a living. They do not care about the client. A problem that court appointed attorneys who do misdemeanors face in Harris County is clients are locked up and plea just to get out of jail. An attorney has to convey the offer and allow the client to plea even if the attorney disagrees. As a result misdemeanor attorneys often get disparaged when it is not really their fault. There also needs to be a neutral way to remove attorneys from the appointment list if they are not very good. Some attorneys who should have quit are still getting appointments. It should not be the judge who determines qualifications.

Well, I think some indigent clients benefit from being able to get a second opinion from a different lawyer about their case, a "luxury" that clients with money are able to afford if they want one.

The power of appointments should be taken away from Judges. Like many other counties, the appointment of attorneys should be independent of the political "scratch my back and i scratch yours" process. It is sad when you see an attorney who gets a number of appointments doesn't even open the DA file or read on offense report before they get their client to plea guilty. Folks who are charged with crimes deserve to get an attorney who at least kind of cares and has read a criminal statute or case in the past 10 years.

It is not enjoyable.

There need to be reasonable caseload standard set for appointed counsel. Private assigned counsel should have access to investigation and experts without judicial micromanagement.

## Appendix D1 -- Term Assignments in Felony Cases

Attorney Name	Courts	Term Assignment Felony Cases Paid	Total Paid through Term Assignment
AZZO, ALEX G.	337th	144	\$75,840
BECK, MICHELLE E.	176th, 180th, 185th, 230th, 232nd, 248th, 338th	203	\$67,165
BENKEN, BRIAN A.	208th	198	\$91,640
BISHOP, SUSAN M.	176th, 178th, 178th, 182nd, 185th, 230th, 248th, 263rd	276	\$70,705
BRISTOW, RACHEL CAPOTE	228th	331	\$66,755
CLARK, JOHN ARTHUR	208th	553	\$96,380
CLOUD, CARVANA HICKS	209th	257	\$86,800
CRAFT, E. ROSS	178th	51	\$12,655
DEANE, SAMUEL HENRY	178th	201	\$45,715
DICKEY, JEANIE L.	337th	439	\$78,720
GARRETT, CASEY	209th	219	\$98,355
GOODE, KENNETH E.	209th	179	\$103,605
GUERINOT, GERARD W.	208th	553	\$97,565
GUMBERGER, KURT	262nd	309	\$86,450
HINTON, CHARLES	209th	157	\$103,305
KEYSER, DEBORAH A.	262nd	192	\$61,600
KHAWAJA, IBRAHIM ELIAS	176th, 177th, 178th, 179th, 185th	167	\$40,200
MCCRACKEN, KERRY HOLLINGSWORTH	228th	424	\$89,270
MILLER, SHERRA DIANN	208th	240	\$95,195
ROLL, RANDOLPH EARL	174th, 176th, 178th, 182nd, 184th, 263rd	294	\$71,380
SINCLAIR, NATASHA A.	209th	273	\$86,100
STONE, MICHAEL JOHN	209th	184	\$97,170

## Appendix D2 – Assigned Counsel Felony Cases

Attorney	Assigned Counsel Felony Cases	Group	Attorney	Assigned Counsel Felony Cases	Group
SHANNON, HATTIE SEWELL	499	Top 10%	GIFFORD, WILLIAM R.	229	Next 40%
GONZALEZ, RICARDO N.	428	Top 10%	MARTIN, STEPHANIE LYNN	217	Next 40%
GUERINOT, EILEEN MARIE	398	Top 10%	OWMBY, JOSEPH S.	215	Next 40%
GARZA, DAVID LAWRENCE	367	Top 10%	TURNBULL, EDWARD RANDOLPH	215	Next 40%
MCCOY, KENNETH EUGENE	361	Top 10%	LEWIS, THOMAS JOSEPH	211	Next 40%
SCOTT, ROBERT R.	353	Top 10%	WISNER, VICTOR JAY	209	Next 40%
GIFFORD, JACQUELINE MOORE	347	Top 10%	RUZZO, PATRICK J.	207	Next 40%
SEDERIS, STACY ALLEN	339	Top 10%	JANIK, PAGE E.	199	Next 40%
GODINICH, JEROME	330	Top 10%	VINAS, JOSEPH FRANCIS	198	Next 40%
TREJO, HUMBERTO RENE	320	Top 10%	BACKERS, BEVERLY J.	196	Next 40%
TRENT, MICHAEL E.	318	Top 10%	JOHNSON, KYLE B.	188	Next 40%
DOEBBLER, TED R.	317	Top 10%	CONTRERAS, JUAN MANUEL	187	Next 40%
BURTON, RUTH YVONNE	309	Top 10%	CRAWFORD, DENISE MARIA	186	Next 40%
BROOKS, JAMES M.	303	Top 10%	ANDREWS, LISA KAY	184	Next 40%
BARR, JAMES L.	302	Top 10%	HIGGINBOTHAM, CARY LYNN	184	Next 40%
COTLAR, DORIAN CLAUDE	288	Top 10%	GRAHAM, SPENCE DOUGLAS	181	Next 40%
FLEMING, MARCUS JUSTIN	284	Top 10%	AYERS, RANDALL J.	180	Next 40%
SAVOY, BRYAN K.	277	Top 10%	BARNEY, KAREN A.	178	Next 40%
ACOSTA, GERALDO G.	274	Top 10%	DEVLIN, ERIC HEADEN	178	Next 40%
AITKEN, LUCIENNE E.	273	Top 10%	MARTIN, THOMAS ALLAN	178	Next 40%
AGUIRRE, JUAN JOSE	271	Top 10%	WARREN, BRIAN E	177	Next 40%
PETRUZZI, JOHN MICHAEL	269	Top 10%	BAKER, WENDY	176	Next 40%
GREENLEE, STEVEN	268	Top 10%	SALAZAR, JOEL EDWARD	175	Next 40%
MOSELEY, ANN LEE DULEVITZ	264	Top 10%	CASTRO, RAY ANTHONY	166	Next 40%
DESAI, RIDDHI	256	Top 10%	BUNDICK, CRAIG	163	Next 40%
BRUEGGER, ALEXIS GILBERT	252	Next 40%	NEEDHAM, JESSICA NICOLE	163	Next 40%
HUBBARD, LATREECIA	248	Next 40%	MADRID, MARIO	161	Next 40%
MARSHALL, LUCINDA KAY	243	Next 40%	RAFIEE, PARI	157	Next 40%
MARTINEZ, HERMAN	233	Next 40%	DOUGLAS, LARRY B.	156	Next 40%
NOLL, CHARLES A.	233	Next 40%	MAIDA, SAM A.	150	Next 40%
FOSHER, MICHAEL P.	231	Next 40%	MIRANDA, SERGIO T.	149	Next 40%
SALINAS, J. A.	229	Next 40%	MOORE, MARY C. A.	149	Next 40%

Attorney	Assigned Counsel Felony Cases	Group	Attorney	Assigned Counsel Felony Cases	Group
ONCKEN, KIRK J.	149	Next 40%	GAISER, TERRENCE A.	96	Next 40%
LEITNER, CAROL MICHELLE	148	Next 40%	WENTZ, KURT BUDD	95	Next 40%
BROWN, CHARLES ALLEN	147	Next 40%	BROWN, ADAM BANKS	93	Next 40%
DODIER, ELIHU H.	147	Next 40%	RICHARDSON, DAN WILLIAM	93	Next 40%
ORTIZ, JIMMY JOE	146	Next 40%	DUARTE, RUDY MORIN	92	Next 40%
ACOSTA, JAIME GARCIA	145	Next 40%	ESCOBEDO, SYLVIA YVONNE	92	Next 40%
SEGURA, PATRICIA	145	Next 40%	MORTON, CHRISTOPHER DEAN	89	Next 40%
SMITH, KEISHA L.	145	Next 40%	LAFON, TOMMY L.	86	Next 40%
ESTRADA, JESSICA REBEKAH BETTS	142	Next 40%	VIJ, VIKRAM	86	Next 40%
CORNELIUS, R. P.	141	Next 40%	MILLER, MANDY GOLDMAN	85	Next 40%
NUNNERY, A. E.	140	Next 40%	CLINE, CYNTHIA JEAN-MARIE	84	Next 40%
PRESS, DIONNE SUSAN	140	Next 40%	ISELL, ALLEN C.	84	Next 40%
WELLS, JOE DAVID	140	Next 40%	SLOPIS, SHARON ELIZABETH	84	Next 40%
ANDERSON, WILFORD A.	138	Next 40%	SMITH, JAMES DENNIS	84	Next 40%
SULLA, JAMIE M.	137	Next 40%	LARSON, KEITH DANIEL	81	Next 40%
SUMMERS, DEBORAH D.	137	Next 40%	MERCHANT, FERAZ FAROOK	81	Next 40%
ST. JULIAN, COURTNEY	134	Next 40%	GRAVES, JAMES TUCKER	80	Next 40%
KISLUK, BRET STEVEN	132	Next 40%	JORDAN, OLIVIA LIANE	80	Next 40%
DIXON, WOODROW WILSON I	128	Next 40%	RAMIREZ, ENRIQUE C.	76	Next 40%
ROBERTS, BRIAN MARC	127	Next 40%	CROWLEY, JAMES SIDNEY	75	Next 40%
VILLARREAL, GILBERTO A.	126	Next 40%	RODRIGUEZ, LOURDES	75	Next 40%
LUONG, JASON	123	Next 40%	CANTU, JORGE A.	74	Next 40%
KOMORN, JANET ELIZABETH	122	Next 40%	WOOD, HARRIS S.	74	Next 40%
LOPEZ, BLANCA E.	122	Next 40%	HAYNES, GEMAYEL LOCHON	73	Next 40%
ABBEY, KIMBERLY DAWN	119	Next 40%	TANNER, ALLEN MARK	73	Next 40%
PUBCHARA, SILVIA V.	116	Next 40%	HALE, JEFFREY KARL	72	Next 40%
RODRIGUEZ, GILBERTO	111	Next 40%	CLEMENTS, MARTHA JANE	70	Next 40%
LIPKIN, MARK G.	108	Next 40%	HAYES, RONALD NELSON	70	Bottom 50%
MULDROW, LORETTA JOHNSON	102	Next 40%	PODOLSKY, BRETT A.	70	Bottom 50%
DUPONT, THOMAS B.	101	Next 40%	GULAMALI, SHREYA	68	Bottom 50%
BALDERAS, ANTONIO	100	Next 40%	MCCULLOUGH, ELLIS C.	68	Bottom 50%
BROUSSARD, ARLAN J.	99	Next 40%	VARELA, JOSEPH WILLIAM	67	Bottom 50%
YOUNGBLOOD, GLENN J.	99	Next 40%	FISHER, DENA	65	Bottom 50%
ZAMIR, SHAHIN	98	Next 40%	ROGERS, ALVIS O.	65	Bottom 50%

Attorney	Assigned Counsel Felony Cases	Group	Attorney	Assigned Counsel Felony Cases	Group
NASSIF, MICHAEL PAUL	64	Bottom 50%	DAVIDSON, CLINT PAUL ROYCE	26	Bottom 50%
NEWMAN, LOUIS MURAT	63	Bottom 50%	NACHTIGALL, DAVID ALLEN	25	Bottom 50%
LAIRD, JULES L.	61	Bottom 50%	SAMPSON, KYLE REEVES	25	Bottom 50%
GILLMAN, MICHAEL DAVID	60	Bottom 50%	HILL, CHARLES ERNEST	24	Bottom 50%
MUSICK-LONG, JOANNE MARIE	56	Bottom 50%	MONCRIFFE, TYRONE C.	24	Bottom 50%
JONES, JOLANDA F.	55	Bottom 50%	STRYKER, KEVIN BRADLEY	24	Bottom 50%
EASTERLING, DANNY KARL	52	Bottom 50%	SMITH, KELLY ANN	23	Bottom 50%
RENFRO, MICHAEL D.	49	Bottom 50%	WILLIAMS, CONNIE BROWN	23	Bottom 50%
ALEXANDER, ROBERT F.	48	Bottom 50%	HILL, JOSHUA	22	Bottom 50%
SEDITA, PATRICIA FORTNEY	48	Bottom 50%	POLLAND, GARY MICHAEL	20	Bottom 50%
CONTRERAS, JUAN M.	47	Bottom 50%	GOMMELS, PHILIP MICHAEL	19	Bottom 50%
GLASS, JAMES GREGORY	47	Bottom 50%	HUGHES, DALLAS CRAIG	18	Bottom 50%
MARTIN, ANDREW DWIGHT	47	Bottom 50%	ASH, MARK J.	12	Bottom 50%
BIGGAR, STACI DIAN	46	Bottom 50%	BROOKS, LOTT JOSEPH	12	Bottom 50%
RADOSEVICH, THOMAS A.	45	Bottom 50%	MCLAUGHLIN, TONYA ROLLAND	12	Bottom 50%
RODRIGUEZ, RAUL	42	Bottom 50%	MORAN, THOMAS DONALD	12	Bottom 50%
CANTRELL, DONALD R.	41	Bottom 50%	PONS, JAMES FRANCISCO	12	Bottom 50%
GRABER, JERALD KAPLAN	41	Bottom 50%	BALDWIN, SHANNON BRICHILLE	11	Bottom 50%
VARA, JANE SCOTT	41	Bottom 50%	BOURQUE, GERALD E.	11	Bottom 50%
ALFARO, XAVIER	37	Bottom 50%	MCKNIGHT, LINDSEY MERWIN	9	Bottom 50%
SALHAB, JOSEPH	37	Bottom 50%	OSSO, ANTHONY	9	Bottom 50%
HANSEN, R. K.	36	Bottom 50%	CORTES, EDUARDO	8	Bottom 50%
KEIRNAN, JOHN PATRICK	36	Bottom 50%	LINTON, CRESPIN MICHAEL	8	Bottom 50%
BORG, LEAH M.	35	Bottom 50%	WYBORNY, DAVID ALAN	8	Bottom 50%
LOPER, DOUGLAS BRADLEY	35	Bottom 50%	CARDENAS, ROBERT VILLAGOMEZ	7	Bottom 50%
SCHULTZ, NATALIE LYNN	32	Bottom 50%	STAFFORD, JAMES T.	6	Bottom 50%
PLAUT, BENJAMIN B.	29	Bottom 50%	JACKSON, ERIN LARENA	5	Bottom 50%
SECREST, ALLISON ANNE	29	Bottom 50%	SUHLER, DAVID ROBERT	5	Bottom 50%
LOCKLEAR, TROY SCOTT	28	Bottom 50%	WILLIAMS, QUENTIN TATE	5	Bottom 50%
CONNORS, CLAIRE TERESA	27	Bottom 50%	HORAK, MATTHEW PATRICK	4	Bottom 50%
DIGGS, CHERYL HARRIS	27	Bottom 50%	JONES, HAZEL BEATRICE	4	Bottom 50%
MILLER, GARY SCHAFFER	27	Bottom 50%	KING, VIVIAN R.	4	Bottom 50%
ST. JOHN, PAUL	27	Bottom 50%	LOPER, ROBERT KENT	4	Bottom 50%
WILLIAMS, CLYDE HILL	27	Bottom 50%	MORROW, ROBERT A.	4	Bottom 50%

Attorney	Assigned Counsel Felony Cases	Group	Attorney	Assigned Counsel Felony Cases	Group
RAMSEY, ROBERT SCOTT	4	Bottom 50%	PELTON, ROBERT	0	Bottom 50%
UNGER, HILARY DIANE	4	Bottom 50%	REAGIN, SHAWNA	0	Bottom 50%
GRAY, LORI CHAMBERS	3	Bottom 50%	ROSENBERG, ROBERT	0	Bottom 50%
MUNIER, MARIE	3	Bottom 50%	RUBAL, MARK ALLEN	0	Bottom 50%
ANINAO, V. ANTONIO	2	Bottom 50%	SCARDINO, KATHERINE	0	Bottom 50%
CAMPBELL, JAMES REESE	2	Bottom 50%	SIMS, BRANDON	0	Bottom 50%
PARKS, CALVIN DESHON	2	Bottom 50%	ST. MARTIN, STEPHEN	0	Bottom 50%
PASTORINI, WINIFRED AKINS	2	Bottom 50%	STEPHENSON, JONATHON	0	Bottom 50%
SACHDEVA, NEELU	2	Bottom 50%	SULLIVAN, JAMES	0	Bottom 50%
UHRAN, CRAIG WILLIAM	2	Bottom 50%	TAYLOR, BILL	0	Bottom 50%
COULSON, W. MICHAEL	1	Bottom 50%	TOUCHSTONE, STEPHEN	0	Bottom 50%
DURHAM, DOUGLAS M.	1	Bottom 50%	VELA, JOSE	0	Bottom 50%
HILL, WAYNE T.	1	Bottom 50%	WALKER, SEDRICK	0	Bottom 50%
JOHNSON, THOMAS LEE	1	Bottom 50%			
MCCANN, PATRICK F.	1	Bottom 50%			
BAILEY, JOE	0	Bottom 50%			
BURKHOLDER, HENRY	0	Bottom 50%			
CASTRO, LIONEL	0	Bottom 50%			
CHERNOFF, EDWARD	0	Bottom 50%			
COCHRAN, WINSTON	0	Bottom 50%			
COULSON, REBECCA	0	Bottom 50%			
DEBORDE, NICOLE	0	Bottom 50%			
DOWNEY, CHRISTOPHER	0	Bottom 50%			
EASTEPP, LARRY	0	Bottom 50%			
GORDAN, LANA	0	Bottom 50%			
GOTSCHALL, GLENN	0	Bottom 50%			
GUERRERO, YALILA	0	Bottom 50%			
HAMM, LANCE	0	Bottom 50%			
HENLEY, CYNTHIA	0	Bottom 50%			
HERSHKOWITZ, STEVEN	0	Bottom 50%			
HILL, TARYN	0	Bottom 50%			
JONES, IRA	0	Bottom 50%			
KAHN, LEORA	0	Bottom 50%			
KELBER, KATHRYN	0	Bottom 50%			
MAYR, THOMAS BRANTON	0	Bottom 50%			
MIDDLETON, BRIAN	0	Bottom 50%			
MUNOZ, EMILY	0	Bottom 50%			
PATRANO, CHEVO	0	Bottom 50%			

**Appendix D3 - Misdemeanor Term Assignments**

<b>Attorney Name</b>	<b>Misdemeanor Cases Paid</b>	<b>Total Paid</b>	<b>Assigned Court</b>	<b>Term Assignments and Approximate Time Periods as Indicated by General Ledger</b>
ACOSTA, SHELIA RIDDLE	136	\$13,800	CCL 1	90 day (Oct 13 - Dec 14)
ARREDONDO, ERNESTO	335	\$33,550	CCL 1	2 - 90 day terms (Oct 13 - Dec 14) & (Jun 14 - Sept 14)
CARPENTER, JENNIFER LEE	169	\$15,838	CCL 1	90 day (Mar 14 - Jun 14)
GUIDRY, ALLEN JOHN	284	\$20,750	CCL 1	90 day (Oct 13 - Dec 13) & term beginning Sep 14
MACIAS, ALEJANDRO	159	\$17,600	CCL 1	90 day (Dec 13 - Mar 14)
MARSHALL, LUCINDA KAY	70	\$5,050	CCL 1	90 day (Mar 14 - Jun 14)
MONTES, LUCIO ANTONIO	147	\$13,910	CCL 1	90 day (Mar 14 - Jun 14)
MORTON, CHRISTOPHER DEAN	71	\$5,900	CCL 1	90 day (Jun 14 - Sep 14)
OUGRAH, KRISHNAMURTI S.	192	\$15,750	CCL 1	90 day (Jun 14 - Sep 14)
RANDALL, STEPHEN EDWARD	72	\$9,950	CCL 1	90 day (Jun 14 - Sep 14)
RODRIGUEZ, RAUL	66	\$6,900	CCL 1	90 day (Jan 14 - Mar 14)
SAPIEN, MARCO ANTONIO	161	\$13,800	CCL 1	90 day (Mar 14 - Jun 14)
SCHULTZ, NATALIE LYNN	115	\$10,985	CCL 1	90 day (Dec 13 - Mar 14)
WISNER, VICTOR JAY	267	\$22,450	CCL 1	90 day (Jan 14 - Mar 14) & term beginning Sep 14
CANTU, JORGE A.	758	\$72,150	CCL 2	12 mos (Oct 13 - Sept 14)
HIGGINBOTHAM, CARY LYNN	645	\$54,260	CCL 2	12 mos (Oct 13 - Sept 14)
RAMIREZ, ENRIQUE C.	180	\$23,200	CCL 2	12 mos (Oct 13 - Sept 14)
WALKER, MEKISHA JANE	755	\$67,075	CCL 2	12 mos (Oct 13 - Sept 14)
ABNER, MICHAEL ANTHONY	113	\$9,000	CCL 3	90 day (Jun 14 - Aug 14)
ALFARO, XAVIER	143	\$11,600	CCL 3	90 day (Oct 13 - Dec 13)
ASH, MARK J.	67	\$8,185	CCL 3	term continuing from FY13
GUIDRY, ALLEN JOHN	128	\$7,300	CCL 3	90 day (Jun 14 - Aug 14)
LEITNER, CAROL MICHELLE	133	\$35,589	CCL 3	90 day term (Mar 14 - Jun 14) & DWI Sober Atty (for entire year)
MACIAS, ALEJANDRO	115	\$10,800	CCL 3	90 day (Jun 14 - Sept 14)
MUNIZ, MARJORIE ANN	112	\$9,325	CCL 3	90 day (Jan 14 - Mar 14)
PAPANTONAKIS, JOHN PETER	172	\$18,150	CCL 3	2 - 90 day terms (Jun 14 - Sept 14) & (Oct 13 - Dec 13)
RANDALL, STEPHEN EDWARD	108	\$11,750	CCL 3	90 day (Mar 14 - Jun 14)
SANTOS, RENATO	264	\$25,700	CCL 3	2 - 90 day terms (Oct 13 - Dec 13) & (Mar 14 - Jun 14)
SAPIEN, MARCO ANTONIO	152	\$10,300	CCL 3	90 day (Jan 14 - Mar 14)
TOUCHSTONE, STEPHEN EDWARD	140	\$10,900	CCL 3	90 day (Oct 13 - Dec 13)
TRENT, MICHAEL E.	147	\$13,180	CCL 3	90 day (Mar 14 - Jun 14)
WALKER, SEDRICK TIMOTHY	112	\$10,230	CCL 3	90 day (Jan 14 - Mar 14)
WRIGHT, ANDREW ALEXANDER	123	\$9,855	CCL 3	90 day (Jan 14 - Mar 14)
ACOSTA, SHELIA RIDDLE	353	\$37,950	CCL 4	180 day (Jan 14 - Jul 14)
ALDAPE, JUAN MANUEL	257	\$28,250	CCL 4	2 - 90 day terms (Jan 14 - Mar 14) & (Jun 14 - Sept 14)
DE VEGA, GABRIEL M.	88	\$7,850	CCL 4	90 day (Jan 14 - Mar 14)
GUIDRY, ALLEN JOHN	130	\$12,300	CCL 4	90 day (Mar 14 - Jun 14)
JIMENEZ, JOAQUIN	123	\$13,850	CCL 4	90 day (Jun 14 - Sept 14)

### Appendix D3 - Misdemeanor Term Assignments

Attorney Name	Misdemeanor Cases Paid	Total Paid	Assigned Court	Term Assignments and Approximate Time Periods as Indicated by General Ledger
KHAWAJA, IBRAHIM ELIAS	127	\$12,930	CCL 4	90 day (Oct 13 - Dec 13)
MARTIN, ANDREW DWIGHT	108	\$8,500	CCL 4	90 day (Jun 14 - Sept 14)
MONTES, LUCIO ANTONIO	182	\$22,225	CCL 4	90 day (Oct 13 - Dec 13)
MOORE, MICHAEL HARDIE	118	\$13,500	CCL 4	90 day (Mar 14 - Jun 14)
NASSIF, MICHAEL PAUL	103	\$10,350	CCL 4	90 day (Mar 14 - Jun 14)
PONS, JAMES FRANCISCO	91	\$10,000	CCL 4	90 day (Jan 14 - Mar 14)
PRESS, DIONNE SUSAN	129	\$9,850	CCL 4	90 day (Oct 13 - Dec 13)
SAMPSON, KYLE REEVES	53	\$5,250	CCL 4	90 day (Jun 14 - Sep 14)
BOTELLO, LORI ANN	166	\$16,938	CCL 5	90 day (Jun 14 - Sept 14)
CARDENAS, ROBERT VILLAGOMEZ	259	\$20,775	CCL 5	2 - 90 day terms (Oct 13 - Dec 13) & (Jun 14 - Sept 14)
DAVIS, MYRON GABRIEL	101	\$12,765	CCL 5	90 day (Oct 13 - Dec 13)
HILL, JOSHUA	331	\$27,750	CCL 5	180 day (Jan 14 - Jun 14)
JANIK, PAGE E.	159	\$13,250	CCL 5	90 day (Jun 14 - Sept 14)
KELBER, KATHRYN WHARTON	37	\$5,281	CCL 5	30 day (Oct 13)
MACIAS, ALEJANDRO	180	\$14,450	CCL 5	90 day (Oct 13 - Dec 13)
MCLAUGHLIN, TONYA ROLLAND	338	\$25,450	CCL 5	long term (Jan 14 - Aug 14)
MEDLEY, DINA A.	159	\$17,115	CCL 5	90 day (Oct 13 - Dec 13)
PARRISH, DAMON	295	\$28,390	CCL 5	180 day (Jan 14 - Jun 14)
TOUCHSTONE, STEPHEN EDWARD	241	\$20,900	CCL 5	180 day (Jan 14 - Jun 14)
BENAVIDES, ANTONIO	196	\$21,220	CCL 6	180 day term (Mar 14 - Sept 14) & 90 day term (Oct 13 - Dec 13)
BENAVIDES, KELLY DENISE	305	\$30,300	CCL 6	2 - 90 day terms (Jan 14 - Mar 14) & (Jun 14 - Aug 14)
BOTELLO, LORI ANN	120	\$14,900	CCL 6	90 day (Oct 13 - Dec 13)
CARPENTER, JENNIFER LEE	141	\$10,600	CCL 6	90 day (Jan 14 - Mar 14)
ESTRADA, JESSICA REBEKAH BETT	80	\$9,600	CCL 6	90 day (Apr 14 - Jun 14)
GILLMAN, MICHAEL DAVID	113	\$11,925	CCL 6	90 day (Oct 13 - Dec 13)
HENLEY, CYNTHIA RUSSELL	252	\$21,610	CCL 6	2 - 90 day terms (Jan 14 - Mar 14) & (Jun 14 - Aug 14)
LIMITONE, ANTHONY V.	329	\$31,900	CCL 6	180 day (Apr 14 - Sept 14)
MCLELLAN, WILLIAM RENE	195	\$18,565	CCL 6	90 day (Oct 13 - Dec 13)
RUBAL, MARK ALLEN	58	\$6,500	CCL 6	90 day (Jun 14 - Aug 14)
SUAREZ, RICHARD A.	138	\$11,900	CCL 6	90 day (Jan 14 - Mar 14)
TURNER, EQUATOR LAVETTE	87	\$8,650	CCL 6	90 day (Apr 14 - Jun 14)
ASH, MARK J.	61	\$6,800	CCL 7	2 - 30 day terms (May 14) & (Nov 13)
CORTES, EDUARDO	46	\$6,260	CCL 7	30 day (Jan 14)
DESAI, RIDDHI	30	\$3,910	CCL 7	30 day (Feb 14)
DIXON, JOHN ARTHUR	28	\$2,250	CCL 7	30 day (Mar)
HAYNES, GEMAYEL LOCHON	6	\$2,250	CCL 7	term continuing from FY13
HILL, JOSHUA	390	\$29,550	CCL 7	2 - 90 day terms (Oct 13 - Dec 13) & (Jun 14 - Aug 14)
ILLICH KENNEL, KARLI GAYLE	20	\$1,750	CCL 7	30 day (Nov 13)
JIMENEZ, JOAQUIN	107	\$10,190	CCL 7	2 - 30 day terms (Oct 13) & (Dec 13)
LEITNER, CAROL MICHELLE	27	\$2,750	CCL 7	30 day (Oct 13)

**Appendix D3 - Misdemeanor Term Assignments**

<b>Attorney Name</b>	<b>Misdemeanor Cases Paid</b>	<b>Total Paid</b>	<b>Assigned Court</b>	<b>Term Assignments and Approximate Time Periods as Indicated by General Ledger</b>
MCGEE, ANDREW G.	22	\$2,550	CCL 7	30 day (Dec 13)
MEDLEY, DINA A.	110	\$14,230	CCL7	90 day (Jan 14 - Mar 14)
MIRANDA, SERGIO T.	27	\$6,230	CCL 7	30 day (Feb 14)
MOORE, MICHAEL HARDIE	183	\$16,940	CCL 7	90 day (Jan 14 - Mar 14)
MUNIZ, MARJORIE ANN	332	\$36,500	CCL 7	180 day term (Apr 14 - Sept 14) & 90 day term (Oct 13 - Dec 13)
PIERCE, TAMI CHERI	57	\$5,090	CCL 7	90 day (Jun 14 - Sept 14)
PRESS, DIONNE SUSAN	392	\$31,800	CCL 7	180 day term (Mar 14 - Aug 14) & 30 day term (Jan 14)
SUAREZ, RICHARD A.	143	\$14,650	CCL 7	90 day (Apr 14 - Jun 14)
VARA, JANE SCOTT	77	\$7,100	CCL 7	90 day (Apr 14 - Jun 14)
ALDAPE, JUAN MANUEL	37	\$3,000	CCL 8	90 day (Apr 14 - Jun 14)
ARNOLD, KEVIN DARNELL	195	\$15,800	CCL 8	90 day (Mar 14 - Jun 14)
ARREDONDO, ERNESTO	197	\$16,800	CCL 8	90 day (Mar 14 - Jun 14)
BEEDLE, NATHAN NATHANIEL	13	\$1,050	CCL 8	term continuing from FY13
BENAVIDES, ANTONIO	60	\$7,500	CCL 8	2 - 30 day terms (Oct 13) & (Feb 14)
BENAVIDES, KELLY DENISE	62	\$5,100	CCL 8	2 - 30 day terms (May 14) & (Sept 14)
CORNELIUS, WILLIAM TERRELL	136	\$13,950	CCL 8	90 day (Jun 14 - Aug 14)
CRAWFORD, DENISE MARIA	162	\$17,000	CCL 8	90 day term (Jan 14 - Mar 14)
CRUZ, ROBERT	99	\$10,020	CCL 8	3 - 30 day terms (Mar 14) & (Jun 14) & (Aug 14)
DESAI, RIDDHI	20	\$3,400	CCL 8	30 day (Dec 13)
HAYNES, GEMAYEL LOCHON	23	\$2,500	CCL 8	30 day (Jan 14)
ILICH KENNEL, KARLI GAYLE	22	\$2,250	CCL 8	30 day (Feb 14)
IZAGUIRRE, ABEL	205	\$21,013	CCL 8	90 day (Oct 13 - Dec 13)
MACK, LORI DEE	25	\$2,900	CCL 8	30 day (Jul 14)
MALAZZO, BEVERLY BRADEMAN	12	\$1,600	CCL 8	30 day (Mar 14)
MONTES, LUCIO ANTONIO	42	\$4,450	CCL 8	30 day (Jan 14)
PAPANTONAKIS, JOHN PETER	19	\$2,550	CCL 8	30 day (Apr 14)
PRUETT, CARL R.	41	\$4,975	CCL 8	30 day (May 14)
RODRIGUEZ, GILBERTO	43	\$5,000	CCL 8	2 - 30 day terms (Nov 13) & (Dec 13)
SAMPLE, MAITE MARIE	21	\$2,500	CCL 8	30 day (Jul 14)
SANTOS, RENATO	108	\$12,350	CCL 8	90 day (Jan 14 - Mar 14)
SCHULTE, NATHAN JOSEPH	58	\$4,565	CCL 8	2- 30 day terms (May 14) & (Jun 14)
SHELTON, EMILY ANDREA	38	\$4,000	CCL 8	30 day (Apr 14)
TOUCHSTONE, STEPHEN EDWARD	160	\$17,550	CCL 8	90 day (Jun 14 - Aug 14)
TOWNSEND, MICHELLE RUTH	23	\$2,225	CCL 8	30 day (Oct 13)
TURNER, EQUATOR LAVETTE	65	\$5,525	CCL 8	30 day (Nov 13)
ZAMIR, SHAHIN	201	\$18,275	CCL 8	90 day (Oct 13 - Dec 13)
ALFARO, XAVIER	195	\$15,450	CCL 9	180 day (Jan 14 - Jun 14)
ARREDONDO, ERNESTO	80	\$6,100	CCL 9	30 day (Feb 14)
BENAVIDES, KELLY DENISE	231	\$18,540	CCL 9	90 day (Oct 13 - Dec 13)
CASTRO, LIONEL J.	107	\$7,250	CCL 9	90 day (Jun 14 - Aug 14)
CORTES, EDUARDO	43	\$4,250	CCL 9	30 day (Mar 14)
CRUZ, ROBERT	203	\$21,300	CCL 9	180 day (Jan 14 - Jun 14)

### Appendix D3 - Misdemeanor Term Assignments

Attorney Name	Misdemeanor Cases Paid	Total Paid	Assigned Court	Term Assignments and Approximate Time Periods as Indicated by General Ledger
DICKEY, JEANIE L.	118	\$8,000	CCL 9	90 day (Oct 13 - Dec 13)
JIMENEZ, JOAQUIN	314	\$34,455	CCL 9	180 day (Jan 14 - Jun 14)
LIMITONE, ANTHONY V.	161	\$18,000	CCL 9	90 day (Oct 13 - Dec 13)
MARTIN, ANDREW DWIGHT	138	\$10,550	CCL 9	90 day (Oct 13 - Dec 13)
MCLELLAN, WILLIAM RENE	172	\$18,900	CCL 9	90 day (Jun 14 - Aug 14)
OUGRAH, KRISHNAMURTI S.	216	\$14,600	CCL 9	180 day (Jan 14 - Jun 14)
VARA, JANE SCOTT	92	\$8,500	CCL 9	90 day (Jun 14 - Aug 14)
VELA, JOSE JULIO	205	\$20,100	CCL 9	90 day (Jun 14 - Aug 14)
ASH, MARK J.	276	\$30,150	CCL 10	long term assignment (Jan 14 - Sept 14)
BENAVIDES, ANTONIO	51	\$6,100	CCL 10	30 day (Dec 13)
BENAVIDES, KELLY DENISE	33	\$3,300	CCL 10	90 day (Apr 14 - Jun 14)
BOORSTEIN, BARRY	508	\$38,600	CCL 10	12 mos (Oct 13 - Sept 14)
CARDENAS, ROBERT VILLAGOMEZ	118	\$6,300	CCL 10	90 day term (Oct 13 - Dec 13) & 30 day term (Feb 14)
CARPENTER, JENNIFER LEE	140	\$11,850	CCL 10	2 - 30 day terms (Oct 13 & Jul 14)
CORNELIUS, WILLIAM TERRELL	83	\$9,900	CCL 10	2 - 30 day terms (Dec 13 & Feb 14)
CORTES, EDUARDO	136	\$16,920	CCL 10	3 - 30 day terms (Nov 13) & (Apr 14) & (Aug 14)
CRUZ, ROBERT	39	\$3,600	CCL 10	30 day (Feb 14)
DUONG, JOHN D.	16	\$3,100	CCL 10	term continuing from FY13
GUIDRY, ALLEN JOHN	73	\$5,650	CCL 10	90 day (Jan 14 - Mar 14)
JIMENEZ, JOAQUIN	42	\$6,070	CCL 10	30 day (Nov 13)
LEWIS, JORDAN ELLIOTT	40	\$4,645	CCL 10	2 - 30 day terms (Apr 14) & (Sept 14)
LUDWIG, V. JEFFREY	655	\$46,140	CCL 10	12 mos (Oct 13 - Sept 14)
MUNIZ, MARJORIE ANN	72	\$6,000	CCL 10	30 day (May 14)
RAFIEE, PARIA	77	\$6,900	CCL 10	2 - 30 day terms (Apr 14) & (May 14)
SANTOS, RENATO	51	\$4,930	CCL 10	30 day (Aug 14)
SAPIEN, MARCO ANTONIO	31	\$2,400	CCL 10	term continuing from FY13
WASHINGTON, TYRONE WILLIAM	36	\$4,000	CCL 10	30 day (Nov 13)
ALFARO, XAVIER	91	\$8,200	CCL 11	90 day (Jun 14 - Sept 14)
BROWN, CHERYL SHOOKS	225	\$21,720	CCL 11	90 day (Oct 13 - Dec 13)
CONTRERAS, JUAN M.	271	\$33,300	CCL 11	180 day (Mar 14 - Sept 14)
ESTRADA, JESSICA REBEKAH BETT	169	\$14,100	CCL 11	90 day (Jan 14 - Mar 14)
FLEISCHER, DAVID MARCEL	432	\$28,500	CCL 11	180 day (Mar 14 - Sept 14)
HENLEY, CYNTHIA RUSSELL	71	\$4,450	CCL 11	90 day (Oct 13 - Dec 13)
MCLELLAN, WILLIAM RENE	161	\$15,200	CCL 11	90 day (Jan 14 - Mar 14)
RANDALL, STEPHEN EDWARD	102	\$7,960	CCL 11	90 day (Jan 14 - Mar 14)
RODRIGUEZ, RAUL	220	\$20,050	CCL 11	90 day (Oct 13 - Dec 13)
TSIOROS, GREGORY	260	\$27,500	CCL 11	180 day (Jan 14 - Jun 14)
ZAMIR, SHAHIN	236	\$19,900	CCL 11	180 day (Mar 14 - Sept 14)
ABBEY, KIMBERLY DAWN	190	\$18,190	CCL 12	90 day (Oct 13 - Dec 13)
CONTRERAS, JUAN M.	171	\$18,600	CCL 12	90 day (Jan 14 - Mar 14)
DIXON, JOHN ARTHUR	207	\$16,550	CCL 12	90 day (Oct 13 - Dec 13)
DIXON, WOODROW WILSON I	100	\$8,350	CCL 12	90 day (Jun 14 - Aug 14)
ILLICH KENNEL, KARLI GAYLE	99	\$8,800	CCL 12	90 day (Mar 14 - Jun 14)

**Appendix D3 - Misdemeanor Term Assignments**

<b>Attorney Name</b>	<b>Misdemeanor Cases Paid</b>	<b>Total Paid</b>	<b>Assigned Court</b>	<b>Term Assignments and Approximate Time Periods as Indicated by General Ledger</b>
LIMITONE, ANTHONY V.	159	\$18,300	CCL 12	90 day (Jan 14 - Apr 14)
MCLELLAN, WILLIAM RENE	156	\$16,725	CCL 12	90 day (Mar 14 - Jun 14)
MIRANDA, SERGIO T.	74	\$8,700	CCL 12	90 day (Jun 14 - Aug 14)
NACHTIGALL, DAVID ALLEN	86	\$7,700	CCL 12	90 day (Jun 14 - Aug 14)
RODRIGUEZ, FERNANDO JOSE	116	\$10,100	CCL 12	90 day (Mar 14 - Jun 14)
RUBAL, MARK ALLEN	143	\$16,475	CCL 12	90 day term (Jan 14 - Mar 14) & term beginning Sept 14
SAMPLE, MAITE MARIE	53	\$4,650	CCL 12	30 day (Sept 14)
SAPIEN, MARCO ANTONIO	151	\$14,300	CCI 12	90 day (Jun 14 - Sept 14)
WISNER, VICTOR JAY	160	\$16,350	CCL 12	90 day (Mar 14 - Jun 14)
FLEISCHER, DAVID MARCEL	313	\$36,050	CCL 13	180 day (Oct 13 - Mar 14)
PONS, JAMES FRANCISCO	114	\$10,600	CCL 13	90 day (Oct 13 - Dec 13)
RICHARDSON, DAN WILLIAM	226	\$24,000	CCL 13	long term (Jan 14 - Aug 14)
RODRIGUEZ, FERNANDO JOSE	294	\$34,700	CCL 13	180 day (Oct 13 - Mar 14)
RODRIGUEZ, GILBERTO	249	\$33,650	CCL 13	180 day (Mar 14 - Sept 14)
RODRIGUEZ, RAUL	299	\$37,250	CCL 13	180 day (Mar 14 - Sept 14)
SCHULTZ, NATALIE LYNN	197	\$18,480	CCL 13	180 day (Mar 14 - Sept 14)
TSIOROS, GREGORY	92	\$8,700	CCL 13	90 day term (Oct 13 - Dec 13) & term beginning Sept 14
ZAMIR, SHAHIN	83	\$6,805	CCL 13	90 day (Jan 14 - Mar 14)
BENAVIDES, KELLY DENISE	45	\$3,600	CCL 14	30 day (Apr 14)
BUSH, PRISCILLA TOMMYE	100	\$8,500	CCL 14	90 day (Jun 14 - Sept 14)
CORTES, EDUARDO	61	\$6,900	CCL 14	90 day (Apr 14 - Jun 14)
DIXON, JOHN ARTHUR	378	\$24,750	CCL 14	180 day (Mar 14 - Sept 14)
IZAGUIRRE, ABEL	655	\$52,800	CCL 14	long term (Jan 14 - Sept 14)
JOACHIM, CARSON FLYNN	141	\$12,600	CCL 14	90 day (Oct 13 - Dec 13)
KELBER, KATHRYN WHARTON	51	\$8,705	CCL 14	90 day (Jan 14 - Mar 14)
LEWIS, JORDAN ELLIOTT	108	\$11,900	CCL 14	90 day (Jan 14 - Mar 14)
MOORE, MICHAEL HARDIE	194	\$18,988	CCL 14	90 day (Oct 13 - Dec 13)
NACHTIGALL, DAVID ALLEN	259	\$22,650	CCL 14	180 day (Jan 14 - Jun 14)
OUGRAH, KRISHNAMURTI S.	166	\$12,450	CCL 14	90 day (Oct 13 - Dec 13)
SHAPIRO, LISA	138	\$13,715	CCL 14	90 day (Oct 13 - Dec 13)
ABBEY, KIMBERLY DAWN	428	\$35,850	CCL 15	long term (Jan 14 - Sept 14)
AGUIRRE, JUAN JOSE	272	\$28,200	CCL 15	180 day (Jan 14 - Jun 14)
CONTRERAS, JUAN M.	152	\$18,000	CCL 15	90 day (Oct 13 - Dec 13)
DICKEY, JEANIE L.	410	\$35,900	CCL 15	long term (Jan 14 - Sept 14)
FRANKLIN, RAMONA NICOLE	126	\$12,750	CCL 15	90 day (Oct 13 - Dec 13)
MONTES, LUCIO ANTONIO	128	\$14,000	CCL 15	90 day (Jun 14 - Sept 14)
MOORE, MICHAEL HARDIE	150	\$14,455	CCL 15	90 day (Jun 14 - Sept 14)
RICHARDSON, DAN WILLIAM	167	\$12,650	CCL 15	90 day (Oct 13 - Dec 13)
SAPIEN, MARCO ANTONIO	159	\$13,300	CCL 15	90 day (Oct 13 - Dec 13)
SMITH, JAMES RANDALL	20	\$2,650	CCL 15	term continuing from FY13
VELA, JOSE JULIO	220	\$24,600	CCL 15	180 day (Jan 14 - Jun 14)

**Appendix D4 - Public Defender Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
REZAI, MARY CATHLEEN	0	0	0	367	0	367	100	0
GOOCH, LORI JANELLE	0	0	0	343	0	343	100	0
MUELLER, SARAH ALLISON	0	0	7	296	0	303	100	0
BARTON, CURTIS E.	0	0	0	243	0	243	100	0
KUNDIGER, DANIEL	178	0	1	0	0	179	0	100
POPE, SCOTT CHRISTOPHER	0	0	179	0	0	179	100	0
JOHNSON, JULES EVAN	0	0	175	0	0	175	100	0
MARTIN, RAY B.	0	0	170	0	0	170	100	0
DOWNING, AMANDA GAY	170	0	0	0	0	170	0	100
STEWART GRAVOIS, JACQUELYN	168	0	0	0	0	168	0	100
GONZALES, MONICA LISA	2	0	154	0	0	156	97	3
TERRY, TANYA LYNN	0	0	156	0	0	156	100	0
JACKSON, JUANITA ALEXANDRA	0	0	153	0	0	153	100	0
DAVIS, ERIC J.	0	0	151	0	0	151	100	0
TUTHILL, ROBERT HAMPTON	148	0	1	1	0	150	5	95
DOWNING, JEFFREY NEIL	149	0	0	0	0	149	0	100
OLVERA, DIANA	0	0	141	0	0	141	100	0
RUDEN, MARY GRACE	0	0	23	114	0	137	100	0
CARPENTER, JACQUELYN RAEHELLE	0	0	135	0	0	135	100	0
BELL, TE'IVA JOHNSON	0	0	127	0	0	127	100	0
LACAYO, DANILO	0	0	114	0	0	114	100	0
STILL, JOHN CRAIG	0	0	113	0	0	113	100	0
MEADOR, MIRANDA DAWN	14	0	95	0	0	109	95	5
HALPERT, STEVEN HARVEY	87	0	0	3	0	90	5	95
SIMPSON, AMY ELIZABETH	82	0	0	5	0	87		
HOCHGLAUBE, MARK	0	0	81	0	0	81	100	0
HUGHES, NICOLAS ROBERT	0	0	1	0	76	77	100	0
DONLEY, ROGER SCOTT	0	0	70	0	0	70	100	0
BYNUM, FRANKLIN GORDON	0	0	9	11	22	42		
DUNCAN, CHERI LYNN	0	0	0	0	26	26	100	0
WICOFF, ROBERT S.	0	0	0	0	25	25	100	0

**Appendix D4 - Public Defender Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
SHEFMAN SCHINDLER, DAUCIE	0	0	0	0	23	23	100	0
KRATOVIL, MARK CHARLES	0	0	0	0	22	22	95	5
MARTIN, MELISSA	0	0	0	0	21	21	100	0
WOOD, SARAH VERNIER	0	0	0	0	21	21	100	0
CAMERON, ANGELA L.	0	0	0	1	18	19	100	0
SHAPIRO, LEAH	0	0	18	0	0	18	30	70
MASELLI WOOD, JANI JO	0	0	0	0	14	14	100	0
BUNIN, ALEXANDER	0	0	5	0	0	5	95	5
BOURLIOT, FRANCES YOUNG	0	0	0	0	5	5	100	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
DICKEY, JEANIE L.	0	0	441	528	0	969	\$124,020	65	0
IZAGUIRRE, ABEL	0	0	0	873	0	873	\$74,488	65	0
CANTU, JORGE A.	0	0	74	758	0	832	\$94,985	75	0
HIGGINBOTHAM, CARY LYNN	0	0	184	645	0	829	\$147,911	97	0
HILL, JOSHUA	0	0	22	736	1	759	\$67,100	75	0
WALKER, MEKISHA JANE	0	0	0	755	0	755	\$67,075	68	0
ABBEY, KIMBERLY DAWN	0	0	119	630	0	749	\$111,798	60	0
FLEISCHER, DAVID MARCEL	0	0	0	745	0	745	\$64,550	100	0
PRESS, DIONNE SUSAN	0	0	140	580	0	720	\$105,760	65	0
AGUIRRE, JUAN JOSE	0	0	271	440	0	711	\$130,095	97	0
SAPIEN, MARCO ANTONIO	0	0	0	704	0	704	\$56,200	60	0
MCLELLAN, WILLIAM RENE	0	0	0	688	0	688	\$69,790	60	0
CONTRERAS, JUAN M.	0	0	47	640	0	687	\$108,035	90	0
LIMITONE, ANTHONY V.	0	0	0	676	0	676	\$71,200	80	0
BENAVIDES, KELLY DENISE	0	0	0	676	0	676	\$60,840	50	0
MOORE, MICHAEL HARDIE	0	0	0	656	0	656	\$63,901	93	0
LUDWIG, V. JEFFREY	0	0	0	655	0	655	\$46,140		
DIXON, JOHN ARTHUR	0	0	0	642	0	642	\$45,050		
ZAMIR, SHAHIN	0	0	98	543	0	641	\$74,955	40	0
WISNER, VICTOR JAY	0	0	209	427	0	636	\$202,822	58	0
RODRIGUEZ, RAUL	0	0	42	591	0	633	\$81,160	60	0
JIMENEZ, JOAQUIN	0	0	0	631	0	631	\$68,905	50	0
ARREDONDO, ERNESTO	0	0	0	629	0	629	\$58,895	90	0
GUIDRY, ALLEN JOHN	0	0	0	615	0	615	\$46,000	70	0
TOUCHSTONE, STEPHEN EDWARD	0	0	0	594	0	594	\$51,550	68	0
VELA, JOSE JULIO	0	0	0	589	0	589	\$60,300	90	0
ACOSTA, GERALDO G.	306	0	274	0	0	580	\$188,395	45	45
OUGRAH, KRISHNAMURTI S.	0	0	0	574	0	574	\$42,800	95	0
GUERINOT, GERARD W.	0	0	553	0	0	553	\$97,565	40	0
CLARK, JOHN ARTHUR	0	0	553	0	0	553	\$96,380	40	0
CARPENTER, JENNIFER LEE	0	0	0	533	0	533	\$51,231	50	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
MUNIZ, MARJORIE ANN	0	0	0	525	0	525	\$52,175	60	0
CRUZ, ROBERT	0	0	0	524	0	524	\$53,420	35	0
ACOSTA, SHELIA RIDDLE	0	0	0	521	0	521	\$51,950	95	0
BOORSTEIN, BARRY	0	0	0	508	0	508	\$38,600	100	0
SHANNON, HATTIE SEWELL	0	1	499	0	0	500	\$204,690	99	0
MONTES, LUCIO ANTONIO	0	0	0	500	0	500	\$55,565	50	0
ALDAPE, JUAN MANUEL	0	0	0	491	0	491	\$51,950	35	0
MACIAS, ALEJANDRO	0	0	0	488	0	488	\$44,100	80	0
RICHARDSON, DAN WILLIAM	0	0	93	393	0	486	\$83,020	90	0
ALFARO, XAVIER	0	0	37	438	0	475	\$86,732	95	0
TRENT, MICHAEL E.	0	0	318	147	0	465	\$218,670	70	0
RODRIGUEZ, GILBERTO	0	0	111	336	0	447	\$83,930	90	0
SANTOS, RENATO	0	0	0	431	0	431	\$45,865	60	0
GONZALEZ, RICARDO N.	0	0	428	0	0	428	\$397,013	90	0
ASH, MARK J.	0	0	12	413	0	425	\$51,115	40	0
MCCRACKEN, KERRY HOLLINGSWORTH	0	0	424	0	0	424	\$89,270	100	0
ESTRADA, JESSICA REBEKAH BETTS	0	0	142	278	0	420	\$74,120	90	0
RODRIGUEZ, FERNANDO JOSE	0	0	0	411	0	411	\$44,850		
CARDENAS, ROBERT VILLAGOMEZ	0	0	7	400	0	407	\$40,680	25	0
GUERINOT, EILEEN MARIE	0	0	398	0	0	398	\$70,105	99	0
TSIROS, GREGORY	0	0	0	398	0	398	\$37,950	60	0
KHAWAJA, IBRAHIM ELIAS	0	0	218	178	0	396	\$78,765		
GARZA, DAVID LAWRENCE	0	0	367	3	2	372	\$151,710	85	0
NACHTIGALL, DAVID ALLEN	0	0	25	345	0	370	\$35,470	35	0
MCCOY, KENNETH EUGENE	0	0	361	0	2	363	\$125,320	90	0
SCHULTZ, NATALIE LYNN	0	0	32	329	0	361	\$37,055	98	0
SCOTT, ROBERT R.	0	5	353	0	0	358	\$159,350	80	0
JANIK, PAGE E.	0	0	199	159	0	358	\$49,102	95	0
CRAWFORD, DENISE MARIA	0	0	186	167	0	353	\$68,405	85	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
MCLAUGHLIN, TONYA ROLLAND	0	0	12	339	0	351	\$34,020	87	0
GIFFORD, JACQUELINE MOORE	0	0	347	0	0	347	\$79,225	99	0
HENLEY, CYNTHIA RUSSELL	0	0	0	346	0	346	\$27,510	30	0
GODINICH, JEROME	0	3	330	0	6	339	\$215,888	98	0
SEDERIS, STACY ALLEN	0	0	339	0	0	339	\$89,454	99	0
CORTES, EDUARDO	0	0	8	329	0	337	\$37,085	70	0
BRISTOW, RACHEL CAPOTE	0	0	331	0	0	331	\$66,755	100	0
SUAREZ, RICHARD A.	0	0	0	331	0	331	\$29,450	75	0
BUSH, MICHELLE WALKER EMMO	328	0	0	0	0	328	\$70,513	0	45
DOEBBLER, TED R.	0	0	317	0	4	321	\$141,745	95	0
TREJO, HUMBERTO RENE	0	0	320	0	0	320	\$92,445	80	0
CASTILLO, MARK A.	315	0	0	0	0	315	\$123,805	0	70
BENAVIDES, ANTONIO	0	0	0	315	0	315	\$36,970	30	0
MARSHALL, LUCINDA KAY	0	0	243	70	0	313	\$93,120	100	0
LEITNER, CAROL MICHELLE	0	0	148	162	0	310	\$96,689	95	0
BURTON, RUTH YVONNE	0	0	309	0	0	309	\$97,283	90	0
DESAI, RIDDHI	0	0	256	53	0	309	\$92,630	60	0
GUMBERGER, KURT	0	0	309	0	0	309	\$86,450	99	0
BISHOP, SUSAN M.	0	0	309	0	0	309	\$77,280	97	0
ROLL, RANDOLPH EARL	0	0	306	0	0	306	\$77,830	85	0
BROOKS, JAMES M.	0	0	303	0	0	303	\$165,830	90	0
BARR, JAMES L.	0	0	302	0	0	302	\$88,145	90	0
MARTIN, ANDREW DWIGHT	0	0	47	254	0	301	\$30,850	90	0
ACOSTA, JERRY MICHAEL	299	0	0	0	0	299	\$120,238	0	85
PARRISH, DAMON	0	0	0	296	0	296	\$28,440	50	0
MIRANDA, SERGIO T.	0	0	149	141	0	290	\$89,913	50	0
COTLAR, DORIAN CLAUDE	0	0	288	0	0	288	\$111,220	60	0
SPROTT, OLIVER WENDELL	286	0	0	0	0	286	\$152,866	0	50
BOTELLO, LORI ANN	0	0	0	286	0	286	\$31,838	30	0
FLEMING, MARCUS JUSTIN	0	0	284	0	0	284	\$82,285	80	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
RANDALL, STEPHEN EDWARD	0	0	0	282	0	282	\$29,660	50	0
SAVOY, BRYAN K.	0	0	277	0	0	277	\$100,025	39	0
DAVIDSON, LUCIENNE AITKEN	0	0	273	0	0	273	\$98,100	60	0
SINCLAIR, NATASHA A.	0	0	273	0	0	273	\$86,100	100	0
MEDLEY, DINA A.	0	0	0	270	0	270	\$31,445		
PETRUZZI, JOHN MICHAEL	0	0	269	0	0	269	\$90,250	85	0
GREENLEE, STEVEN	0	0	268	0	0	268	\$106,890	75	0
MOSELEY, ANN LEE DULEVITZ	0	0	264	0	1	265	\$87,198	99	0
RAFIEE, PARIA	0	0	157	106	0	263	\$50,762	95	0
CLOUD, CARVANA HICKS	0	0	257	0	1	258	\$86,800		
RAMIREZ, ENRIQUE C.	0	0	76	181	0	257	\$74,500	80	0
BRUEGGER, ALEXIS GILBERT	0	0	252	0	0	252	\$108,684	95	0
HUBBARD, LATREECIA	1	0	248	0	0	249	\$73,325	50	0
PRASIFKA, JOSEPH WADE	241	0	0	0	0	241	\$102,619	0	70
MILLER, SHERRA DIANN	0	0	240	0	0	240	\$95,195	98	0
BECK, MICHELLE E.	0	0	239	0	0	239	\$78,935	80	0
CORNELIUS, WILLIAM TERRELL	0	0	0	238	0	238	\$25,480		
SIMOTAS, HELEN	0	0	67	171	0	238	\$17,970	100	0
LIPKIN, MARK G.	127	0	108	0	0	235	\$51,565	30	30
NOLL, CHARLES A.	0	0	233	0	0	233	\$95,726	98	0
MARTINEZ, HERMAN	0	0	233	0	0	233	\$83,825	30	0
FOSHER, MICHAEL P.	0	0	231	0	1	232	\$129,470	55	0
SALINAS, J. A.	0	0	229	0	0	229	\$191,520	50	0
GIFFORD, WILLIAM R.	0	0	229	0	0	229	\$58,925	95	0
DIXON, WOODROW WILSON I	0	0	128	101	0	229	\$36,525	80	0
GARRETT, CASEY	0	0	220	0	7	227	\$112,399	75	0
BROWN, CHERYL SHOOKS	0	0	0	227	0	227	\$21,820	20	0
PONS, JAMES FRANCISCO	0	0	12	214	0	226	\$29,010	65	0
LEWIS, THOMAS JOSEPH	0	0	211	0	8	219	\$93,611	85	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
MARTIN, STEPHANIE LYNN	0	1	217	0	0	218	\$106,595	80	0
TURNBULL, EDWARD RANDOLPH	0	0	215	0	0	215	\$129,465	30	0
OWMBY, JOSEPH S.	0	0	215	0	0	215	\$83,323	85	0
VARA, JANE SCOTT	0	0	41	169	0	210	\$37,909	50	0
POLLAND, GARY MICHAEL	189	0	20	0	0	209	\$128,956	5	35
RUBAL, MARK ALLEN	0	0	0	207	1	208	\$23,650	27	0
RUZZO, PATRICK J.	0	0	207	0	0	207	\$118,516	85	0
FISHER, DENA	139	0	65	1	0	205	\$135,531	40	48
DEANE, SAMUEL HENRY	0	0	201	0	0	201	\$45,715	85	0
PAPANTONAKIS, JOHN PETER	0	0	0	199	0	199	\$21,850	73	0
VINAS, JOSEPH FRANCIS	0	0	198	0	0	198	\$101,907	90	0
BENKEN, BRIAN A.	0	0	198	0	0	198	\$91,640	95	0
CONTRERAS, JUAN MANUEL	0	0	187	0	11	198	\$63,120	90	0
LILES, JOHN STEPHEN	189	0	0	7	0	196	\$88,420	5	40
BACKERS, BEVERLY J.	0	0	196	0	0	196	\$68,160	95	0
ARNOLD, KEVIN DARNELL	0	0	0	195	0	195	\$15,800		
KEYSER, DEBORAH A.	0	0	193	0	0	193	\$63,000	98	0
JOHNSON, KYLE B.	0	0	188	0	2	190	\$109,760	100	0
SHAPIRO, LISA	0	0	0	189	0	189	\$18,265	40	0
THURSLAND, WILLIAM MICHAEL	187	0	0	0	0	187	\$134,624	0	23
AYERS, RANDALL J.	0	0	180	0	7	187	\$133,050	100	0
GARCIA, CARLOS ROBERT	185	0	0	0	0	185	\$90,388		
STONE, MICHAEL JOHN	0	0	184	0	0	184	\$97,170	85	0
ANDREWS, LISA KAY	0	0	184	0	0	184	\$72,356	40	0
CRAFT, E. ROSS	0	0	183	1	0	184	\$59,945	95	0
GOODE, KENNETH E.	0	0	179	0	4	183	\$108,855	100	0
GRAHAM, SPENCE DOUGLAS	0	0	181	0	0	181	\$149,599	90	0
WARREN, BRIAN E	0	0	177	4	0	181	\$40,750	100	0
MARTIN, THOMAS ALLAN	0	0	178	0	1	179	\$96,998	80	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
DAVIS, SAMANTHA YOLANDA	179	0	0	0	0	179	\$46,288	0	30
DEVLIN, ERIC HEADEN	0	0	178	0	0	178	\$113,645	30	0
BARNEY, KAREN A.	0	0	178	0	0	178	\$94,705	90	0
MORTON, CHRISTOPHER DEAN	0	0	89	88	0	177	\$38,482	30	0
BAKER, WENDY	0	0	176	0	0	176	\$76,893	50	0
SALAZAR, JOEL EDWARD	0	0	175	0	0	175	\$38,050		
GILLMAN, MICHAEL DAVID	0	0	60	113	0	173	\$34,365	49	0
NASSIF, MICHAEL PAUL	0	0	64	103	0	167	\$42,490	20	0
CASTRO, RAY ANTHONY	0	0	166	0	0	166	\$86,630	60	0
NEEDHAM, JESSICA NICOLE	0	0	163	2	0	165	\$55,700	100	0
MADRID, MARIO	0	3	161	0	0	164	\$156,670	45	0
BUNDICK, CRAIG	0	0	163	0	1	164	\$56,890	95	0
MAISEL, JOHN	161	0	0	0	0	161	\$63,368	0	25
HINTON, CHARLES	0	1	159	0	0	160	\$108,805	100	0
DOUGLAS, LARRY B.	0	0	156	0	0	156	\$51,155	70	0
TURNER, EQUATOR LAVETTE	0	0	0	155	0	155	\$14,225		
BROWN, CHARLES ALLEN	0	4	147	0	0	151	\$183,790	95	0
CRAIG, MICHAEL FRANCIS	151	0	0	0	0	151	\$45,075		
ISENBERG, MARC DAVID	150	0	0	0	0	150	\$56,856	0	80
MAIDA, SAM A.	0	0	150	0	0	150	\$36,323	70	0
ONCKEN, KIRK J.	0	0	149	0	0	149	\$66,030	97	0
MOORE, MARY C. A.	0	0	149	0	0	149	\$59,965	90	0
SEGURA, PATRICIA	0	1	145	1	1	148	\$115,098	55	0
SHELTON, PATRICK SCOTT	148	0	0	0	0	148	\$61,125	2	98
LEWIS, JORDAN ELLIOTT	0	0	0	148	0	148	\$16,545	15	0
CORNELIUS, R. P.	0	6	141	0	0	147	\$393,708	99	0
ORTIZ, JIMMY JOE	0	1	146	0	0	147	\$173,372	60	0
DODIER, ELIHU H.	0	0	147	0	0	147	\$99,948	95	0
SMITH, KEISHA L.	0	0	145	0	1	146	\$60,169	84	0
NUNNERY, A. E.	0	5	140	0	0	145	\$263,265		
ACOSTA, JAIME GARCIA	0	0	145	0	0	145	\$65,000	95	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
AZZO, ALEX G.	0	0	144	0	0	144	\$75,840	100	0
DAVIS, MYRON GABRIEL	0	0	0	144	0	144	\$15,465		
ILLICH KENNEL, KARLI GAYLE	0	0	0	143	0	143	\$13,190	20	0
JOACHIM, CARSON FLYNN	0	0	0	142	0	142	\$12,650	50	0
ABNER, MICHAEL ANTHONY	0	0	0	142	0	142	\$10,450	30	0
WELLS, JOE DAVID	0	0	140	0	1	141	\$72,760	75	0
ANDERSON, WILFORD A.	0	0	138	0	3	141	\$53,675	85	0
SUMMERS, DEBORAH D.	0	0	137	0	3	140	\$111,542	90	0
SULLA, JAMIE M.	0	0	137	0	0	137	\$45,145	100	0
ST. JULIAN, COURTNEY	0	0	134	3	0	137	\$41,590	60	0
FITCH, BONNIE JOYE	135	0	0	0	0	135	\$40,613	0	30
KISLUK, BRET STEVEN	0	0	132	0	0	132	\$56,480	40	0
CRANE, DONALD M.	132	0	0	0	0	132	\$20,775	0	15
WEATHERS, GWENDOLYN	130	0	0	0	0	130	\$30,175	0	40
ESCOBEDO, SYLVIA YVONNE	37	0	92	0	0	129	\$53,646	35	10
COULSON, REBECCA STEWART	128	0	0	0	0	128	\$26,331	0	50
ROBERTS, BRIAN MARC	0	0	127	0	0	127	\$97,201	100	0
WRIGHT, ANDREW ALEXANDER	0	0	0	127	0	127	\$10,455	10	0
VILLARREAL, GILBERTO A.	0	0	126	0	0	126	\$114,010	65	0
FRANKLIN, RAMONA NICOLE	0	0	0	126	0	126	\$12,750	40	0
CAMPBELL, ANN L.	125	0	0	0	0	125	\$27,190	0	90
LUONG, JASON	0	0	123	1	0	124	\$59,783	50	0
LOPEZ, BLANCA E.	0	0	122	0	0	122	\$63,339	99	0
KOMORN, JANET ELIZABETH	0	0	122	0	0	122	\$60,248	90	0
SANCHEZ, WILLIS ROBERT	117	0	0	0	0	117	\$46,263	0	59
PUBCHARA, SILVIA V.	0	0	116	0	0	116	\$35,527	69	0
NELSON, MITCHEL RYAN	116	0	0	0	0	116	\$32,650	0	40

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
WENTZ, KURT BUDD	0	5	95	0	14	114	\$110,258	85	1
ST. JOHN, PAUL	85	0	27	0	0	112	\$40,989	50	35
WALKER, SEDRICK TIMOTHY	0	0	0	112	0	112	\$10,230	69	0
HAYNES, GEMAYEL LOCHON	0	0	73	34	0	107	\$27,123	50	0
CASTRO, LIONEL J.	0	0	0	107	0	107	\$7,250	50	0
GAISER, TERRENCE A.	0	3	96	0	6	105	\$125,462	60	0
REED, JOHN GARNER	104	0	0	0	0	104	\$23,450	0	50
MULDROW, LORETTA JOHNSON	0	1	102	0	0	103	\$253,750	100	0
MCANALLY, EVA PATRICIA	103	0	0	0	0	103	\$22,475	0	38
PHEA, ANGELA	102	0	0	0	0	102	\$43,378	0	30
JEREB, THEODORE B.	102	0	0	0	0	102	\$21,175	0	40
DUPONT, THOMAS B.	0	0	101	0	0	101	\$71,647	50	0
BALDERAS, ANTONIO	0	0	100	0	0	100	\$75,670	45	0
YORK, DOUGLAS RAY	100	0	0	0	0	100	\$27,200		
BUSH, PRISCILLA TOMMYE	0	0	0	100	0	100	\$8,500	33	0
YOUNGBLOOD, GLENN J.	0	0	99	0	0	99	\$55,975	100	0
COULSON, W. MICHAEL	98	0	1	0	0	99	\$40,910	5	50
BROUSSARD, ARLAN J.	0	0	99	0	0	99	\$32,055	90	0
TRIGG, THEODORE F.	99	0	0	0	0	99	\$28,460	0	30
WARRINER, WALLACE F.	98	0	0	0	0	98	\$46,476	0	80
DUARTE, RUDY MORIN	0	3	92	0	0	95	\$82,280	99	0
MERCHANT, FEROZ FAROOK	0	2	81	12	0	95	\$76,731	65	0
BROWN, ADAM BANKS	0	0	93	0	2	95	\$38,033	50	0
COTTON, GREG L.	95	0	0	0	0	95	\$25,900	0	40
ISELL, ALLEN C.	0	6	84	0	4	94	\$153,083	85	0
HUNTER, JONAS LEWIS	93	0	0	0	0	93	\$21,275	0	15
SAMPLE, MAITE MARIE	0	0	0	93	0	93	\$9,075	90	0
DYSART, JOHN RICHARD	90	0	0	0	0	90	\$17,063	0	25
KELBER, KATHRYN WHARTON	0	0	0	90	0	90	\$14,036	30	0
MILLER, MANDY GOLDMAN	0	0	85	4	0	89	\$35,655	65	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
DE VEGA, GABRIEL M.	0	0	0	88	0	88	\$7,850	70	0
LAFON, TOMMY L.	0	0	86	0	0	86	\$55,030	50	0
VIJ, VIKRAM	0	0	86	0	0	86	\$32,440	40	0
SLOPIS, SHARON ELIZABETH	0	0	84	0	1	85	\$51,735	100	0
CANNON, JOSEPH P.	84	0	0	0	0	84	\$38,305	0	40
CLINE, CYNTHIA JEAN-MARIE	0	0	84	0	0	84	\$38,245	75	0
SMITH, JAMES DENNIS	0	0	84	0	0	84	\$34,670	30	0
CROWLEY, JAMES SIDNEY	0	3	75	0	4	82	\$64,760	57	0
LARSON, KEITH DANIEL	0	0	81	0	0	81	\$27,431	70	0
GRAVES, JAMES TUCKER	0	0	80	0	0	80	\$42,330	75	2
JORDAN, OLIVIA LIANE	0	0	80	0	0	80	\$39,520	90	0
OAKES, NATALIA COKINOS	80	0	0	0	0	80	\$35,776	0	80
MOON, TAMMY SIMIEN	80	0	0	0	0	80	\$15,875	0	10
VARELA, JOSEPH WILLIAM	0	0	67	6	5	78	\$67,940	90	0
RISKIND, MIRIAM JUDITH	78	0	0	0	0	78	\$20,393	0	65
SAMPSON, KYLE REEVES	0	0	25	53	0	78	\$10,570	40	0
TANNER, ALLEN MARK	0	3	73	0	0	76	\$158,249	100	0
RODRIGUEZ, LOURDES	0	0	75	0	0	75	\$8,632	95	0
WOOD, HARRIS S.	0	0	74	0	0	74	\$72,768	45	0
MILLER, KIMBERLY DENISE	0	0	74	0	0	74	\$30,805	85	0
GULAMALI, SHREYA	0	0	68	6	0	74	\$24,840	90	0
LOPER, DOUGLAS BRADLEY	37	0	35	0	0	72	\$37,523	30	10
HALE, JEFFREY KARL	0	0	72	0	0	72	\$32,109	90	0
MUSICK-LONG, JOANNE MARIE	15	0	56	0	0	71	\$19,685	55	10
PODOLSKY, BRETT A.	0	0	70	0	0	70	\$37,165	95	5
HAYES, RONALD NELSON	0	0	70	0	0	70	\$28,820	100	0
CLEMENTS, MARTHA JANE	0	0	70	0	0	70	\$15,077	98	0
STOOL, ANNA E.	69	0	0	0	0	69	\$15,790	0	15
BONHAM, TRACIE D.	0	0	0	68	0	68	\$42,708		
MCCULLOUGH, ELLIS C.	0	0	68	0	0	68	\$40,613	100	0
ROGERS, ALVIS O.	0	0	65	0	0	65	\$13,820	75	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
NEWMAN, LOUIS MURAT	0	0	63	0	0	63	\$37,877	60	0
NEUMANN, RUSSELL ALLEN	62	0	0	0	0	62	\$15,500	0	15
EASTERLING, DANNY KARL	0	5	52	0	4	61	\$262,250	50	0
LAIRD, JULES L.	0	0	61	0	0	61	\$31,028	80	0
RADOSEVICH, THOMAS A.	0	0	45	16	0	61	\$25,875	50	5
WASHINGTON, TYRONE WILLIAM	0	0	0	58	0	58	\$4,800		
SCHULTE, NATHAN JOSEPH	0	0	0	58	0	58	\$4,565	30	0
PIERCE, TAMI CHERI	0	0	0	57	0	57	\$5,090	10	0
JONES, JOLANDA F.	0	0	55	0	0	55	\$30,585	50	1
MACK, LORI DEE	0	0	0	55	0	55	\$4,850	88	0
SEDITA, PATRICIA FORTNEY	0	0	48	0	6	54	\$60,994	70	0
DETOTO, RICHARD GREGORY	0	0	52	0	0	52	\$44,460		
JONES, DAVID A.	0	0	0	51	0	51	\$5,100		
LEITNER, JAMES MICHAEL	0	1	49	0	0	50	\$22,378		
BIGGAR, STACI DIAN	0	0	46	4	0	50	\$7,743	75	0
RENFRO, MICHAEL D.	0	0	49	0	0	49	\$14,600	20	0
ORUAGA, DOROTHY EJEDAFETA	49	0	0	0	0	49	\$14,156	0	15
GRABER, JERALD KAPLAN	0	2	41	0	5	48	\$90,095	95	5
ALEXANDER, ROBERT F.	0	0	48	0	0	48	\$8,285	90	0
GLASS, JAMES GREGORY	0	0	47	0	0	47	\$61,545	100	0
SECRET, ALLISON ANNE	0	0	29	18	0	47	\$21,548	50	0
BATCHAN, JOHN W.	47	0	0	0	0	47	\$12,025	40	60
SHELTON, EMILY ANDREA	0	0	0	46	0	46	\$7,836		
THOMAS, ROBERT E.	44	0	0	0	0	44	\$4,738	0	40
CANTRELL, DONALD R.	0	0	41	0	2	43	\$48,825		
SALHAB, JOSEPH	0	1	37	0	3	41	\$66,946	85	0
PRUETT, CARL R.	0	0	0	41	0	41	\$4,975	7	0
TOWNSEND, MICHELLE RUTH	0	0	14	23	2	39	\$10,593		
KEIRNAN, JOHN PATRICK	0	2	36	0	0	38	\$81,523	100	0
GLICK, EVAN B.	38	0	0	0	0	38	\$25,629	0	33

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
BORG, LEAH M.	0	0	35	0	2	37	\$24,346	90	0
HANSEN, R. K.	0	0	36	0	0	36	\$26,502	76	0
KEMP, JAPAUULA C.	0	0	0	36	0	36	\$2,500	33	0
PEREZ, JOHN J.	35	0	0	0	0	35	\$6,100		
MILLER, GARY SCHAFFER	0	0	27	5	0	32	\$13,220	32	0
FISHER, RAYMOND LAMAR	32	0	0	0	0	32	\$7,275	10	30
MARSH, JEFFREY H.	32	0	0	0	0	32	\$6,100		
WILLIAMS, CLYDE HILL	0	0	27	0	3	30	\$31,100	95	0
SMITH, KELLY ANN	0	0	23	0	6	29	\$37,485	80	0
PLAUT, BENJAMIN B.	0	0	29	0	0	29	\$9,237	85	0
MONCRIFFE, TYRONE C.	0	4	24	0	0	28	\$132,040	95	0
DIGGS, CHERYL HARRIS	0	0	27	1	0	28	\$24,757	75	0
LOCKLEAR, TROY SCOTT	0	0	28	0	0	28	\$13,420	90	3
CONNORS, CLAIRE TERESA	0	0	27	0	0	27	\$66,188	90	0
FISCHER, BRIAN JOSEPH	27	0	0	0	0	27	\$15,000	0	35
DAVIDSON, CLINT PAUL ROYCE	0	0	26	0	0	26	\$11,836	40	0
BROOKS, LOTT JOSEPH	0	0	12	13	0	25	\$12,405	15	0
HILL, CHARLES ERNEST	0	0	24	0	0	24	\$12,710	40	0
STRYKER, KEVIN BRADLEY	0	0	24	0	0	24	\$5,025	11	0
WILLIAMS, CONNIE BROWN	0	0	23	0	0	23	\$26,730		
MCGEE, ANDREW G.	0	0	0	22	0	22	\$2,550	15	0
SMITH, JAMES RANDALL	0	0	0	20	0	20	\$2,650	10	0
GOMMELS, PHILIP MICHAEL	0	0	19	0	0	19	\$11,995	17	0
MUNOZ, MANUEL	0	0	0	19	0	19	\$4,425		
HUGHES, DALLAS CRAIG	0	0	18	0	0	18	\$12,096	5	0
SUMMERLIN, ROBERT EARL	0	0	16	0	0	16	\$6,627	10	0
DUONG, JOHN D.	0	0	0	16	0	16	\$3,100	20	0
MALAZZO, BEVERLY BRADEMAN	0	0	0	16	0	16	\$2,000	5	0
BOURQUE, GERALD E.	0	4	11	0	0	15	\$203,055	10	0
BEEDLE, NATHAN NATHANIEL	0	0	0	15	0	15	\$1,350	5	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
MCALISTER, SEAN TIMOTHY	14	0	0	0	0	14	\$7,003	0	5
MORAN, THOMAS DONALD	0	0	12	0	1	13	\$12,820	35	0
OSSO, ANTHONY	0	3	9	0	0	12	\$115,309		
MELAMED, SANFORD	0	0	12	0	0	12	\$2,035		
BALDWIN, SHANNON BRICHILLE	0	0	11	0	0	11	\$5,716	30	0
MORROW, ROBERT A.	0	5	4	0	1	10	\$158,876	35	0
CROW, JULIANE PHILLIPS	10	0	0	0	0	10	\$6,275	0	5
LINTON, CRESPIAN MICHAEL	0	0	8	0	1	9	\$7,940	10	0
MCKNIGHT, LINDSEY MERWIN	0	0	9	0	0	9	\$5,140	25	0
LE, TOT KIM	0	0	0	9	0	9	\$250	5	0
STAFFORD, JAMES T.	0	2	6	0	0	8	\$81,960	40	0
WYBORN, DAVID ALAN	0	0	8	0	0	8	\$2,625	10	0
SPJUT, DAN JEFFREY	8	0	0	0	0	8	\$1,350		
KING, VIVIAN R.	0	2	4	0	1	7	\$57,560	16	0
MCCANN, PATRICK F.	0	4	1	0	1	6	\$116,225	40	0
CONNOLLY, WILLIAM B.	6	0	0	0	0	6	\$10,150	0	18
SOLIZ, ITZE OLGA MARIA	6	0	0	0	0	6	\$1,400		
LOPER, ROBERT KENT	0	1	4	0	0	5	\$50,750	45	0
RAMSEY, ROBERT SCOTT	0	0	4	0	1	5	\$4,955	15	0
SUHLER, DAVID ROBERT	0	0	5	0	0	5	\$4,155	30	0
WILLIAMS, QUENTIN TATE	0	0	5	0	0	5	\$1,770	9	0
JACKSON, ERIN LARENA	0	0	5	0	0	5	\$903	8	0
JONES, HAZEL BEATRICE	0	0	4	0	0	4	\$7,847	14	0
LINDSEY, LAINE D.	0	0	4	0	0	4	\$6,388	10	0
KENNEDY, PAUL BRIAN	0	0	4	0	0	4	\$3,435	5	0
DIETZ, C. LOGAN	0	0	4	0	0	4	\$1,575		
HORAK, MATTHEW PATRICK	0	0	4	0	0	4	\$875	5	0
UNGER, HILARY DIANE	0	0	4	0	0	4	\$875	10	0
CLEVINGER, GEORGE T.	4	0	0	0	0	4	\$325		
PASTORINI, WINIFRED AKINS	0	1	2	0	0	3	\$54,670	25	0

**Appendix D5 - Combined Private Attorney Payments and Caseloads**

<b>Attorney Name</b>	<b>Juvenile Cases</b>	<b>Capital Murder Cases</b>	<b>Felony Cases</b>	<b>Misdemeanor Cases</b>	<b>Appeals Cases</b>	<b>Total Cases Paid</b>	<b>Total Paid</b>	<b>% Adult Time</b>	<b>% Juvenile Time</b>
GRAY, LORI CHAMBERS	0	0	3	0	0	3	\$1,750	50	0
ROE, CARMEN MAE	0	0	0	0	3	3	\$1,155		
MONKS, J. MICHAEL	0	0	0	3	0	3	\$400		
MUNIER, MARIE	0	0	3	0	0	3	\$250	75	0
DURHAM, DOUGLAS M.	0	1	1	0	0	2	\$56,260	50	0
PARKS, CALVIN DESHON	0	0	2	0	0	2	\$2,290	2	0
BAILEY, CAROL L.	0	0	0	2	0	2	\$2,175		
LIGON, ANDRE	0	0	2	0	0	2	\$2,125		
JONES, RODNEY ROBERT	2	0	0	0	0	2	\$1,650		
UHRAN, CRAIG WILLIAM	0	0	2	0	0	2	\$1,450	5	0
ANINAO, V. ANTONIO	0	0	2	0	0	2	\$1,250	70	0
MCCLELLAN, BRYAN LYN	0	0	0	2	0	2	\$1,150		
REDDI, ASHA	0	0	2	0	0	2	\$1,000		
SACHDEVA, NEELU	0	0	2	0	0	2	\$250	100	0
CAMPBELL, JAMES REESE	0	0	2	0	0	2	\$250	5	0
PALMER, MICHAEL	0	0	0	2	0	2	\$150		
HILL, WAYNE T.	0	0	1	0	0	1	\$16,000	5	0
SCARDINO, KATHERINE	0	1	0	0	0	1	\$9,825	28	0
MAYR, THOMAS BRANTON	0	0	0	0	1	1	\$6,019	0	0
RHODES, HARRY WHEELER	1	0	0	0	0	1	\$1,875	0	20
ELIADES, ROSA ALEXANDER	0	0	0	0	1	1	\$1,500		
RANDALL, BE'ATRICE MICHELLE	1	0	0	0	0	1	\$1,204		
JOHNSON, THOMAS LEE	0	0	1	0	0	1	\$715	22	0
MCENRUE, MICHAEL A.	0	0	0	0	1	1	\$143	15	0
BARNETT, STEPHANIE	0	0	0	1	0	1	\$100	1	0

## Appendix E – Monitoring Review Checklist

The monitoring review of the FDA’s core requirements consisted of an examination of the items below. If a box is checked, the specific requirement was met. If a box is not checked, the requirement was not satisfied or not applicable.

### **REQUIREMENT 1: CONDUCT PROMPT AND ACCURATE ARTICLE 15.17 PROCEEDINGS**

- The accused must be brought before a magistrate within 48 hours of arrest.<sup>1</sup>
  - A person arrested for a misdemeanor without a warrant must be released on bond in an amount no more than \$5,000 not later than 24 hours after arrest if a magistrate has not determined probable cause by that time.<sup>2</sup>
- The magistrate must inform and explain the right to counsel and the right to appointed counsel to the accused.<sup>3</sup>
- The magistrate must ensure that reasonable assistance in completing forms necessary to request counsel is provided to the accused.<sup>4</sup>

**REQUIREMENT NOT SATISFIED:** Forms necessary for the appointment of counsel are not completed until the initial appearance before the court of dispositive jurisdiction.

- A record must be made of the following:
  - the magistrate informing the accused of the accused’s right to request appointment of counsel;
  - the magistrate asking whether accused wants to request appointment of counsel;
  - and whether the person requested court appointed counsel.<sup>5</sup>
- If authorized to appoint counsel, the magistrate must do so within one working day after receipt of the request for counsel in counties with a population of 250,000 or more and within three working days in counties under 250,000.<sup>6</sup>
  - **NOT APPLICABLE**
- If not authorized to appoint counsel, the magistrate must transmit or cause to be transmitted to the appointing authority an accused’s request for counsel within 24 hours of the request being made.<sup>7</sup>

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<sup>1</sup> TEX. CODE CRIM. PROC. art. 14.06(a).

<sup>2</sup> TEX. CODE CRIM. PROC. art. 17.033.

<sup>3</sup> TEX. CODE CRIM. PROC. art. 15.17(a).

<sup>4</sup> *Id.*

<sup>5</sup> TEX. CODE CRIM. PROC. art. 15.17(e).

<sup>6</sup> *See, e.g.*, TEX. CODE CRIM. PROC. art. 15.17(a) (requiring magistrate to appoint counsel according to the timeframes set in TEX. CODE CRIM. PROC. art. 1.051); TEX. CODE CRIM. PROC. art. 1.051(c) (spelling out timeframe for appointment of counsel by county population size).

<sup>7</sup> TEX. CODE CRIM. PROC. art. 15.17(a).

**REQUIREMENT 2: DETERMINE INDIGENCE ACCORDING TO STANDARDS  
DIRECTED BY THE INDIGENT DEFENSE PLAN.**

- Provide detailed procedures used to determine whether a defendant is indigent.<sup>8</sup>  
**REQUIREMENT NOT SATISFIED:** The indigent defense plan lists procedures, but local practices do not always follow the plan.
- State the financial standard(s) to determine whether a defendant is indigent.<sup>9</sup>  
**REQUIREMENT NOT SATISFIED:** The indigent defense plan includes a standard, but local practices do not always follow the plan.
- List factors the court will consider when determining whether a defendant is indigent.<sup>10</sup>  
**REQUIREMENT NOT SATISFIED:** The indigent defense plan lists factors, but local practices do not always follow the plan.

**REQUIREMENT 3: ESTABLISH MINIMUM ATTORNEY QUALIFICATIONS.**

- Establish objective qualification standards for attorneys to be on an appointment list.<sup>11</sup>
  - Standards must require attorneys to complete at least six hours of continuing legal education pertaining to criminal law during each 12-month reporting period or be currently certified in criminal law by the Texas Board of Legal Specialization.<sup>12</sup>
  - Standards must require attorneys to submit by October 15 each year the percentage of the attorney's practice time that was dedicated to appointments accepted in this county for adult criminal and juvenile delinquency cases. The report must be made for the 12 months prior (beginning October 1 and ending September 30).<sup>13</sup>
- Attorneys must be approved by a majority of the judges who established the appointment list to be placed on the appointment list.<sup>14</sup>

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<sup>8</sup> TEX. CODE CRIM. PROC. art. 26.04(l)–(r).

<sup>9</sup> TEX. CODE CRIM. PROC. art. 26.04(l).

<sup>10</sup> TEX. CODE CRIM. PROC. art. 26.04(m).

<sup>11</sup> TEX. CODE CRIM. PROC. art. 26.04(d).

<sup>12</sup> 1 TEX. ADMIN. CODE § 174.1–.4.

<sup>13</sup> TEX. CODE CRIM. PROC. art. 26.04(j)(4).

<sup>14</sup> TEX. CODE CRIM. PROC. art. 26.04(d). Note that the monitor did not examine attorney applications, but did see that the courts had appointment lists.

#### **REQUIREMENT 4: APPOINT COUNSEL PROMPTLY.**

- Incarcerated persons: After receipt of a request for counsel, counsel must be appointed within one working day in counties with a population of 250,000 or more and within three working days in counties under 250,000.<sup>15</sup>
- Persons out of custody: Counsel must be appointed at the defendant's first court appearance or when adversarial judicial proceedings are initiated, whichever comes first.<sup>16</sup>

**REQUIREMENT NOT SATISFIED:** The percent of timely appointments did not meet the Commission's 90% threshold for presuming a jurisdiction's appointment system is timely.

- All unrepresented defendants must be advised of the right to counsel and the procedures for obtaining counsel.<sup>17</sup>

**REQUIREMENT NOT SATISFIED:** Some courts did not advise defendants of the right to appointed counsel.

#### **REQUIREMENT 5: INSTITUTE A FAIR, NEUTRAL, AND NONDISCRIMINATORY ATTORNEY SELECTION PROCESS.**

- Rotational method: The court must appoint an attorney from among the next five names on the appointment list in the order in which the attorneys' names appear on the list, unless the court makes a finding of good cause on the record for appointing an attorney out of order.<sup>18</sup>
  - **NOT APPLICABLE**
- Public Defender: The system must meet the requirements set out in Article 26.044 of the Code of Criminal Procedure. The appointment process must be listed in the indigent defense plan.<sup>19</sup>
- Alternative appointment method:<sup>20</sup>
  - The local processes must be established by vote of two-thirds of the judges.
  - The plan must be approved by the presiding judge of administrative judicial region.
  - The courts must allocate appointments reasonably and impartially among qualified attorneys.

**REQUIREMENT NOT SATISFIED:** There is no contract in place for term assignment cases (that exceed one week).

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<sup>15</sup> TEX. CODE CRIM. PROC. art. 1.051(c).

<sup>16</sup> TEX. CODE CRIM. PROC. art. 1.051(j); *see also Rothgery v. Gillespie Cnty.*, 554 U.S. 191, 212 – 13 (2008) (holding that “a criminal defendant's initial appearance before a judicial officer, where he learns the charge against him and his liberty is subject to restriction, marks the start of adversary judicial proceedings that trigger attachment of the Sixth Amendment right to counsel.”).

<sup>17</sup> TEX. CODE CRIM. PROC. art. 1.051(f-2).

<sup>18</sup> TEX. CODE CRIM. PROC. art. 26.04(a).

<sup>19</sup> TEX. CODE CRIM. PROC. art. 26.044.

<sup>20</sup> TEX. CODE CRIM. PROC. art. 26.04(g)–(h).

**REQUIREMENT 6: PROMULGATE STANDARD ATTORNEY FEE SCHEDULE AND PAYMENT PROCESS.**

- Payments shall be in accordance with a schedule of fees adopted by the judges.<sup>21</sup>
- No payment shall be made until the judge approves payment after submission of the attorney fee voucher.<sup>22</sup>

**REQUIREMENT NOT SATISFIED:** One of the sample vouchers did not contain the judge's signature.
- If the judge disapproves the requested amount of payment, the judge shall make written findings stating the amount that the judge approves and each reason for approving an amount different from the requested amount.<sup>23</sup>

**REQUIREMENT NOT SATISFIED:** Some vouchers included a payment different from the requested amount without a reason for the variance.
- Expenses incurred without prior court approval shall be reimbursed if the expenses are reasonably necessary and reasonably incurred.<sup>24</sup>

**REQUIREMENT 7: STATUTORY DATA REPORTING.**

- The county auditor shall prepare and send to OCA an annual report of legal services provided in the county to indigent defendants during the fiscal year and an analysis of the amount expended:
  - In each district, statutory county, and appellate court;
  - In cases for which a private attorney is appointed for an indigent defendant;
  - In cases for which a public defender is appointed for an indigent defendant;
  - In cases for which counsel is appointed for an indigent juvenile; and
  - For investigation expenses, expert witness expenses, or other litigation expenses.

**REQUIREMENT NOT SATISFIED:** Some civil expenses were claimed on the Indigent Defense Expense Report (IDER), and some expenses were incorrectly categorized on the IDER.

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<sup>21</sup> TEX. CODE CRIM. PROC. art. 26.05(b).

<sup>22</sup> TEX. CODE CRIM. PROC. art. 26.05(c).

<sup>23</sup> *Id.*

<sup>24</sup> TEX. CODE CRIM. PROC. arts. 26.05(d), 26.052(h).