



DIVISION OF CORRECTIONS
CORRESPONDENCE REGULATIONS

APR 21 1962
OFFICE OF THE CLERK
SUPREME COURT, U.S.

MAIL WILL NOT BE DELIVERED WHICH DOES NOT CONFORM WITH THESE RULES

No. 1 -- Only 2 letters each week, not to exceed 2 sheets letter-size 8 1/2 x 11" and written on one side only and if ruled paper, do not write successions. Your complete name must be signed at the close of your letter. Clippings, stamps, letters from other people, stationery or cash must not be enclosed in your letters.

No. 2 -- All letters must be addressed to the complete prison name of the inmate. Cell number, where applicable, and prison number must be placed in lower left corner of envelope, with your complete name and address in the upper left corner.

No. 3 -- Do not send any packages without a Package Permit. Uninspected packages will be destroyed.

No. 4 -- Letters must be written in English only.

No. 5 -- Books, magazines, pamphlets, and newspapers of reputable character will be delivered only if mailed direct from the publisher.

No. 6 -- Money must be sent in the form of Postal Money Order only. In the inmate's complete prison name and prison number.

IDENTIFICATION _____ CELL NUMBER _____

NAME _____ NUMBER _____

*In The Supreme Court of the United States
October Term, 1961
No. 890 misc.
Clarence Earl Gideon, petitioner
-VS-
H.G. Cochran, Jr. Director, Division of
Corrections, State of Florida respondent.*

*"Answer to respondent's, res, in re to petition
for writ of certiorari."*

*Petitioner, Clarence Earl Gideon received
a copy of the response of the respondent
in the mail dated sixth day of April, 1962.
Petitioner, can not make any pretense
of being able to answer the learned
attorney General of the state of Florida
because the petitioner is not an attorney
or versed in law nor does not have the
law books to copy down the decisions of
this court. But the petitioner knows
there is many of them nor would the
petitioner be allowed to do so.
According to the book of Revised
Rules of the Supreme Court of the
United States sent to me by Clerk of
the same court, the response of the
respondent is out of time (Rule 24)*

NATIONAL ARCHIVES
FD-36 (1-5-61)

Texas Task Force on Indigent Defense

2005 Annual Report
and
Expenditure Report

Officers

Honorable Sharon Keller
Honorable Olen Underwood

Chair – Presiding Judge, Court of Criminal Appeals
Vice-Chair – Presiding Judge, 2nd Administrative Judicial Region

Ex Officio Members:

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Honorable Chris Harris
Honorable Wallace Jefferson
Honorable Terry Keel
Honorable Orlinda Naranjo
Honorable Sherry Radack
Honorable Todd Smith
Honorable John Whitmire

Austin, Presiding Judge, Court of Criminal Appeals
Arlington, State Senator
Austin, Chief Justice, Supreme Court
Austin, State Representative
Austin, Travis County Court at Law #2
Houston, Chief Justice, First Court of Appeal
Bedford, State Representative
Houston, State Senator

Members Appointed by the Governor:

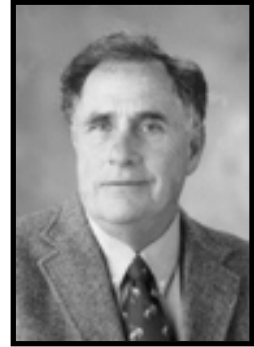
Honorable Jon Burrows
Mr. Knox Fitzpatrick
Mr. Anthony Odiorne
Honorable Olen Underwood
Honorable B. Glen Whitley

Temple, Bell County Judge
Dallas, Attorney, Fitzpatrick, Hagood, Smith & Uhl
Wichita Falls, First Assistant Public Defender, Wichita County
Conroe, Presiding Judge, 2nd Administrative Judicial Region of Texas
Hurst, Tarrant County Commissioner

Staff:

James D. Bethke
Carol Conner
Wesley Shackelford
Terri Tuttle
Sharon Whitfield
Bryan Wilson

Director
Program Monitor
Special Counsel
Executive Assistant
Budget and Accounting Analyst
Grants Administrator



March 7, 1939 - February 26, 2005

*Dedicated to the memory of
and contributions by
Professor Robert O. Dawson*

The members and staff of the Task Force on Indigent Defense dedicate this year's annual report to the memory of the late Professor Robert O. Dawson. Professor Dawson helped during the early formation of the Task Force and was a great champion of this mission which is now part of his legacy. The Task Force adopted the Robert O. Dawson Indigent Defense Distinguished Service Award to acknowledge his many contributions to the improvement of indigent defense in Texas. Beginning in 2006 there will be an annual application process to recognize an individual or group in the criminal justice field who has done outstanding service in indigent defense.

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Front cover photo:

Clarence Earl Gideon's
Petition to the U.S.
Supreme Court, 1962 -
adapted from National
Constitution Center
exhibit, 1999 – see the
entire petition online at:
<http://www.courts.state.tx.us/oca/tfid/gideon.asp>



TEXAS TASK FORCE ON INDIGENT DEFENSE
205 West 14th Street, Suite 700 Tom C. Clark Building (512)936-6994
P.O. Box 12066, Austin, Texas 78711-2066

CHAIR:
THE HONORABLE SHARON KELLER
Presiding Judge, Court of Criminal Appeals

DIRECTOR:
MR. JAMES D. BETHKE

VICE CHAIR:
THE HONORABLE OLEN UNDERWOOD

January 13, 2006

Governor Rick Perry
Lieutenant Governor David Dewhurst
Speaker Tom Craddick
Chief Justice Wallace B. Jefferson
Texas Judicial Council

Dear Ladies and Gentlemen:

It is our privilege to submit a report concerning the duties, activities and accomplishments of the Texas Task Force on Indigent Defense for the fiscal year ending August 31, 2005. On the front cover of this Annual Report is a photograph of the first page of Clarence Earl Gideon's petition (handwritten in pencil while he was in prison--sentenced without counsel) which is a reminder of a significant point in American legal history, and of the reason this program exists.¹

Highlights from this year include the funding of two new public defender offices in the state--Bexar and Hidalgo. The Task Force applauds these counties for their efforts to improve their respective criminal justice systems. A comprehensive strategic planning event was undertaken to prioritize goals for the next five years. A major study entitled "Assessing the Impacts of the Fair Defense Act on Texas Counties" was published in January 2005.

Four ingredients--brainstorming, public-service orientation, collaboration, and maintaining focus--contribute to the Task Force's achievements. But first and foremost, our success is due to local government doing its part and more. Through support of the Texas Legislature, the Office of the Governor, county government, and the judiciary, the Task Force will continue its statewide exchange of ideas with both the public and the private stakeholders concerning indigent defense. During the past year, as outlined on the following pages of this report, much of this dialogue has been turned into deliverables.

Sincerely,

Sharon Keller

¹ The remainder of Mr. Gideon's petition and the U.S. Supreme Court decision is available online at <http://www.courts.state.tx.us/oca/tfid/gideon.asp>. Read the background and U.S. Supreme Court opinion at: <http://usinfo.state.gov/usa/infousa/facts/democrac/67.htm>.

Executive Summary

Last year, the Task Force and its committees met eight times to improve indigent defense services and to accomplish its legislative mandates. The Task Force administered grant programs totaling \$14.6 million. This represents an increase of \$2.6 million over FY04. These state funds support local government in their efforts to improve the delivery of indigent defense services in their respective jurisdictions. A thorough analysis of state and county indigent defense spending is detailed in the “Expenditure Report” beginning on page 12.

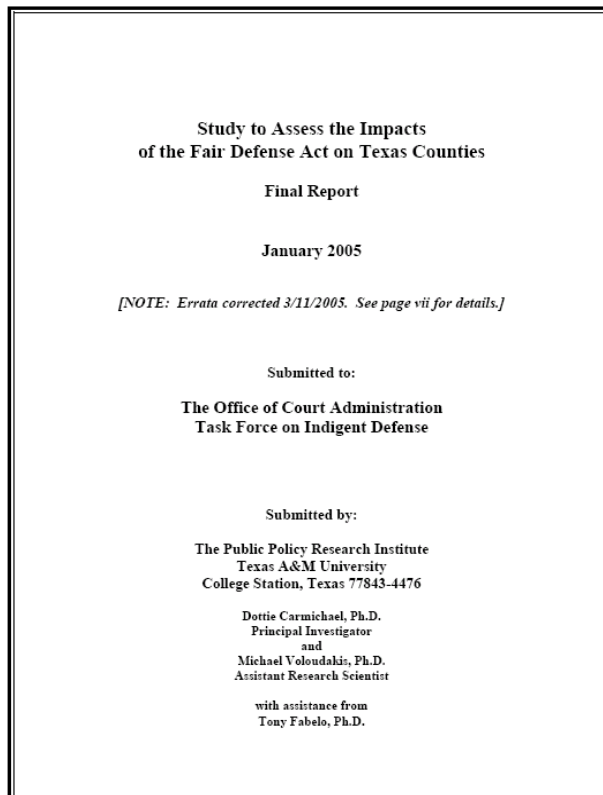
To better understand the impact of the Fair Defense Act and state funding on local government, the Task Force issued its first comprehensive study in January 2005 entitled “Study to Assess the Impacts of the Fair Defense Act on Texas Counties,” in collaboration with Public Policy Research Institute (PPRI) at Texas A&M University. It is available online at:

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

Three major findings emerged from the study:

- 1) Texas is providing more defendants with indigent defense since the Fair Defense Act (FDA) was adopted; since the FDA was implemented, the number of individuals receiving appointed counsel has increased nearly 40 percent.
- 2) The counties studied are meeting the “prompt appointment” provisions of the FDA.
- 3) Counties have flexibility in how they implement the requirements of the FDA, and their choices may impact costs.

Pursuant to this study, the Task Force, working with the Office of Court Administration and PPRI, applied for and was awarded a grant of \$90,000 from the State Justice Institute to conduct a research study entitled “Evaluating the Impact of Direct Electronic Filing in Criminal Cases: Closing the Paper Trap.” The Task Force matched these funds with \$50,000. The project work began in September 2004. The study is focusing on three counties that are at different stages of implementing direct electronic filing systems: Bexar, El Paso, and Harris. The study is examining the impact of direct electronic filing systems on misdemeanor case outcomes, identifying challenges associated with implementing and maintaining such a system, and finally developing a



replicable model of an ideal case processing system for consideration by state courts in Texas and nationally. The study is expected to be completed by February 2006.

The 79th Texas Legislature recommended funding the Task Force for 2006-07 at \$28,734,184 or 105.4 percent of 2004-05 levels, to administer and distribute grants to counties for improved standards and services for indigent defendants. The Legislature also approved one additional staff member for the Task Force, a monitor to implement a substantive monitoring program, for a total of seven Task Force staff. This new monitor will review the programmatic and legal aspects of local indigent defense plans to promote compliance by counties, through evidence-based practices, with the substantive requirements of state law and applicable local plan.

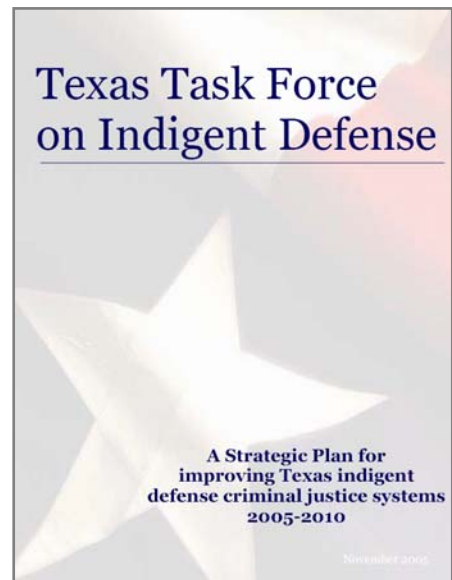
A rider was attached to the Task Force's appropriation designating \$400,000 annually for state law school innocence projects. The rider specifies that the public law schools at the University of Houston, the University of Texas, Texas Southern University, and Texas Tech University would each receive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

The year culminated with the Task Force undertaking the development and preparation of a five-year strategic plan. With extensive input from stakeholders, the Task Force identified the following three distinct but related goals:

- 1) Improve indigent defense by policies and standards development;
- 2) Promote local compliance and accountability through evidence-based practices; and
- 3) Develop effective funding strategies.

The strategic plan is oriented toward exploring the best way to accomplish these three goals over the next five years. The published report--*A Strategic Plan for improving Texas indigent defense criminal justice systems 2005-2010*--is available online at:

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



Through the continued support of the Texas Legislature, the Office of the Governor, county government, the Office of Court Administration, and the judiciary, the Task Force will continue its efforts to improve the delivery of indigent defense services in a collaborative manner across the state with both public and private stakeholders.

Report on the 79th Texas Legislature

Indigent Defense. The 79th Texas Legislature regular session adjourned May 31st with the governor signing a few indigent defense related bills. HB 1701, by Rep. Keel, consists mainly of a modest set of recommendations from the Task Force following a series of public meetings held last year concerning the administration of indigent defense in Texas. Its major changes are to streamline the state judicial reporting requirements by requiring indigent defense plan submission every other year, rather than every year. It also modified the qualifications for attorneys in death penalty cases to require that such attorneys not have been found to have rendered ineffective assistance of counsel during the trial or appeal of any capital case by a federal or state court. The legislature also passed SB 1704, by Sen. Ellis, to increase juror pay, while also providing the potential for additional state funding for indigent defense services. The bill creates a new \$4 court cost payable upon conviction for any offense, excluding pedestrian or parking related offenses. These funds will be used to reimburse counties the additional costs of increased juror pay. The bill also provides that if the balance in the newly created jury service fund exceeds \$10 million, the overage goes to Task Force to assist counties for the costs of providing indigent defense services. Although the amount of any increased funding for indigent defense is uncertain, it could be up to approximately \$2 million in FY06 and \$13 million in FY07 and years thereafter.

Online Reporting – Plan Submission

2005 Plan Submission/Verification Process. Success continues with the electronic indigent defense plan submission process. The Task Force carries forward from previous years the online process for submitting plans. It is a simple online process to verify the plan documents counties have previously submitted, an opportunity to submit updated documents, and to archive outdated ones. Counties may also create a supplement online based on a Task Force-adopted model procedure for handling removal and discipline proceedings for attorneys on the appointment list. Any official in the county may log-in to the system and complete the process for all court levels within the county. Completion of the process is required to continue receiving grant funds from the Task Force.

All counties successfully submitted their indigent defense plans to the Task Force using the online process. Counties have been charged with annually submitting by January 1st the “rules and forms that describe the procedures used in the county to provide indigent defendants with counsel.” As discussed above, the legislature changed this to a biennial submission requirement on November 1st of odd-numbered years. After three years of county submissions, the Task Force continues to implement an easy to use web-based system for local officials to either submit new or amended plans, or verify that

the plans on file are still current. The website has direct links to all of the plan documents previously submitted by the county for easy review.

As part of the process, a checklist is displayed on screen for officials to review whether the previously submitted plans complied with the FY05 discretionary and formula grant requirements (which remained same from FY04). Requirements included meeting the prompt access to counsel requirements and payment processes, including attorney fee schedules and vouchers and CLE requirements to assure that attorneys are staying up-to-date on the always changing criminal and juvenile law.

Implementation of the electronic submission of indigent defense plans means that all the Task Force's regularly required reports from counties, including expenditure and grant reports, are now completed via the internet. Achievement of this goal means a lessening of the burden on local officials and Task Force staff to generate, mail, process, scan, and upload hard-copy plan documents and entering of other data manually. As before, all plan documents are available to the public on the Task Force website.

Attorney Fee Schedules. Staff created new files containing the attorney fee schedules from each indigent defense plan. The extracted files are now posted on the Task Force website and may be sorted by county name, administrative judicial region, and county population. Attorney fee schedules appear to be the most reviewed portions of the plans and having direct access to the schedules will be useful.

Administrative Judicial Regional Death Penalty Plans/Review of Alternative Appointment Plans. Art. 26.052 of the Code of Criminal Procedure establishes procedures in death penalty cases for appointment and payment of counsel to represent indigent defendants at trial and on direct appeal and to apply for writ of certiorari in the United States Supreme Court. Each of the nine Administrative Judicial Regions' plans and attorney appointment lists has been collected and posted on the Task Force website. All plans are published on the Task Force website, making them easily accessible to judges, attorneys interested in death penalty appointments, and the public. The plans are also posted along with indigent defense plans for each county in the respective region. All of the documents are also posted together online at <http://tfid.tamu.edu/IDPlans/RegionDocuments.asp>

Task Force staff has also completed the process of assisting the regional presiding judges by reviewing all plans currently submitted to determine which ones appear to use alternative appointment methods. The review also verifies whether each alternative plan has been approved by the regional presiding judge. Staff provided regional presiding judges our opinion of whether the alternative appointment plans meet the requirements of the Fair Defense Act. The regional presiding judges are in some cases recommending changes to local indigent defense plans based on staff recommendations.

State Grant Program

State Indigent Defense Funding Programs. The Task Force’s indigent defense grant programs are designed to provide as much funding as possible to as many counties as possible to improve local indigent defense systems. To better meet the diverse fiscal needs of local government in this area, four funding programs have been developed: 1) formula grants; 2) direct disbursement; 3) extraordinary reimbursement; and 4) discretionary grants. Most grant funding is distributed through a formula grant that compares expenditures for the most recent year against a baseline year and awards a portion of the increased expenditures over the base year. For counties that may or may not have increased expenses from year to year, these counties may opt into the direct disbursement pool that is available when a county experiences increased expenses. A county may also qualify for funding above its formula or direct disbursement if it is able to demonstrate to the Task Force "extraordinary" expenses. One example would be increased costs due to a case involving a capital offense. To encourage innovative programs and challenge counties to improve local processes, the Task Force awards "discretionary" grants on a competitive basis.

State Grants. The Task Force provided \$14.6 million in grants to counties with public defender offices or court-appointed attorneys that met statewide standards to improve legal services for indigent criminal defendants. Of this amount, \$11.9 million was awarded in formula grant to 215 counties; \$2.1 million was awarded in discretionary grants to 15 counties; \$316,000 was awarded in extraordinary grants to 6 counties; and, \$196,217 was awarded in direct disbursement grants to 23 counties to improve the delivery of indigent defense services. More in-depth information concerning the state indigent defense grant programs is detailed later in the Expenditure Report section beginning on page 12 of this Annual Report.

Online application process. The Task Force developed an online automatic application process in FY03. The system is accessible to all Texas county officials that have internet access. The process was carried forward successfully for FY05. Counties are provided with the grant eligibility requirements and given an opportunity to update basic court and county official contact information. Virtually no data entry is required since most county contact information remains fairly static. The online process provides counties with confirmation of their submitted application and allows them to print out the resolution for adoption by the commissioners’ court. Many court and county officials have commented on how easy the process is. The automatic application is just one way that Task Force reduces administrative costs and paperwork for the counties. As a result of the automatic process counties have only two pages they are required to maintain—a confirmation page and a resolution. The Task Force only maintains one page

electronically—the resolution, and one paper document—the signed Statement of Grant Award.

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

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

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

Allocations for counties were posted after the August 2005 Task Force meeting. Since counties are currently beginning their budget cycle, they should budget the amount they received last year unless they know they could be impacted by extreme population growth or decline.

Two New Public Defender Offices in Texas. Implementation of the FDA has led many counties to reconsider their indigent defense service delivery system. The vast majority of counties use some form of assigned counsel system where attorneys in private practice are appointed to represent indigent defendants, but many have expressed an

interest in establishing public defender offices. Until FY05, public defender offices only operated in seven counties and only represent a portion of the indigent defendants. Given the county interest and the Task Force's mandate to provide technical assistance to improve indigent defense practices, the Task Force worked with a nationally recognized expert to examine the practices of two public defender offices and provide guidance to counties considering creating such offices.² In FY05, two public defender offices were established by the FY05 multi-year discretionary grant program: Bexar Appellate Public Defender Office and Hidalgo County Public Defender Office.

Technical Assistance and Evaluation for Public Defender Offices. The Task Force issued an invitation for offers (IFO) in the February 11, 2005 issue of the Texas Register to procure consulting services. Simultaneously staff sent a letter to the governor seeking a finding of fact from the governor that the consulting services are necessary. The consultant, The Spangenberg Group, will provide technical assistance to the newly funded public defender offices in Bexar and Hidalgo counties and evaluate the programs as they develop over the four year grant period. The Task Force is committed to assisting these programs to become successful models that other counties will want to emulate.

Fiscal Monitoring. Under provisions of the Texas Government Code (71.062(a)(3)), the Task Force is required to monitor counties that receives a grant and enforce compliance with laws, regulations, and the provisions of the grant. 18 monitoring visits were conducted for FY05 (September 1, 2004 to August 31, 2005). Of the 18 on-site visits, there were 13 fiscal monitoring visits and 5 technical assistance visits (Cameron, Kerr, McLennan, Lee, and Bastrop). Task Force provides fiscal monitoring and technical assistance visits to counties as outlined in Chapter 173.401(b) of the Texas Administrative Code.

In accordance with the Uniform Grant Management Standards (UGMS), counties (Bexar, Dallas, Tarrant, and Harris) that received grant funds in excess of \$500,000 in a fiscal year were monitored annually. The remaining counties were monitored based on relative risk assessment score, with the highest scoring counties monitored first and in conjunction with geographical area. The scoring process has a maximum of 50 points. Counties scoring 25 points or more were considered high risk and monitored within the current fiscal year. The total of dollars represented by the fiscal monitoring visits was \$7,354,434.00 in formula and discretionary grant awards.

² The Task Force published *The Blueprint for Creating a Public Defender Office in Texas* in FY04. The study set out legal, economic and administrative factors for counties to consider for creating public defender offices. It provides counties and courts needed to make a meaningful decision on whether or not a public defender office is right for their community. The release of the study coincided with the Task Force setting a priority for the creation of public defender offices and regional public defender offices with \$1.5 million in discretionary grants available in FY05. The *Blueprint* is available online at: <http://www.courts.state.tx.us/oca/tfid/Resources.asp>.

The main benefit of monitoring is to increase the knowledge base and share insights to improve the system. The three major findings were that many contract attorney systems had inherent risks in the selection and payment processes, counties had not fully implemented processes to ensure attorneys met the minimum continuing legal education (CLE) requirements before attorney payments were made, and many counties had no self monitoring processes in place commonly associated with fiscal processes. While a monitoring visit may require corrective actions by the county, sharing major findings allows other counties to avoid the same issues.

Additionally, Task Force has developed model forms and maintains sample forms that are available on the web site. The model forms are intended to be instructional with data elements required in the statutes related to indigent defense. Task Force recognizes that many counties have systems in place and forms that provide them with the necessary information. However, counties that do not have forms or a system in place may use the model and sample forms that best meet the needs of the county and statutory reporting requirement. The forms can be edited to accommodate other fields that meet the county need. All counties are encouraged to download forms from the Task Force on Indigent Defense web site. Forms are available online at: <http://www.courts.state.tx.us/oca/tfid/monitorfiscal.asp>

Technical Assistance and Support Operations

General Operations

Staff. Staff is committed to continue creative and innovative ways to implement the Fair Defense Act, always seeking ways to reduce transaction costs, provide online processes, increase the knowledge base about indigent defense and bring stakeholders together to get the best Texas has to offer. Staff currently remains at six full time employees. The five original employees hired in 2002 when the program began have all now entered their fourth year in the program. These are the Director, Executive Assistant, Special Counsel, Grants Administrator and the Budget and Accounting Analyst. The Fiscal Program Monitor position was added in FY04. The 79th Legislature approved a seventh FTE for a Plan Compliance Monitor to begin in FY06. This newly created position's function will be to review the programmatic and legal aspects of the local indigent defense plans to promote compliance by counties with the substantive requirements of state law and its written plans relating to indigent defense.

Strategic Planning. Strong emphasis is placed on program goals, performance measures and continuously updating program goals. Staff recognizes this as a positive and fundamental responsibility and service to state leaders, constituents and taxpayers for complete accountability, trust and accomplishing the mission. This year members

and staff participated in a comprehensive two-day strategic planning project to strategize to revise and raise the bar on program goals and provide clear direction on priorities for the next five years. There were seven attendee members comprised of county officials, judges, attorneys, and appeals court judges. It is only through this type of planning that the success of the program for the state is assured and achieved. The Strategic Plan is available online at:

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

Budget. Program revenue and expenditure information are provided later in the Expenditure Report section beginning on page 12 of this Annual Report.

Collaboration and Education. The Task Force places a strong emphasis on nurturing collaboration among stakeholders and communicates in various ways to promote education about the Fair Defense Act. The Task Force invites advocate groups, county associations, judicial officials, bar members, and others to participate in workgroups that allow all interested parties to work through significant issues in a collegial fashion. This collaboration was used to present the common ground issues for the 79th Legislation. Advocates and other interested stakeholders are also asked to participate in the grant review process. In many cases, these inclusive workgroups have led to consensus solutions to seemingly intractable conflicts.

Best Practices. The Task Force developed models and used grants funds to improve indigent defense. The Task Force used the collaborative effort mentioned above to identify major concerns of stakeholders and respond with models. The use of discretionary grants and technical support funds have augmented this process by having county groups and advocate groups providing input on programs that highlighted priorities. The mental health defender grants are a prime example of stakeholders identifying a need and the Task Force funding best practices.

Website. The Task Force uses the latest internet technology to establish and maintain a cost effective program. The Task Force is mandated to make the process of reporting and applying for grants as efficient as possible to lessen the burden on the counties. Verifiable evidence of the efficacy of the Task Force's innovative approach is the two websites developed by the Task Force. The first is a password protected user interface system for judicial and county officials. The second is available to the public and located at www.courts.state.tx.us/tfid. Counties are able to submit their annual expenditure reports and grant progress reports through the internet. Finally, the courts' indigent defense plans for each county are stored in a common format to allow full public disclosure of all court indigent defense procedures, fee schedules and forms. The public website is an excellent tool to provide almost immediate access to county and Task Force information to the public, press, stakeholders, legislative staff, and counties. The Task Force has posted electronically each of the 254 counties' indigent defense plans and expenditure reporting data on its public website at www.courts.state.tx.us/tfid.

Task Force Efforts Featured in Numerous Statewide Publications.

- **Municipal Court Reporter (April, May 2005) article:** *The Fair Defense Act: Whose Job Is It Anyway?*
- **Texas County Progress (April 2005) article:** *Texas Fair Defense Act: State, Counties, Address Increased Costs of Indigent Defense Services*
- **LegalFront (Winter 2005 Volume 6 No. 1) article:** *Task Force on Indigent Defense Funds Creation of Public Defender Offices*

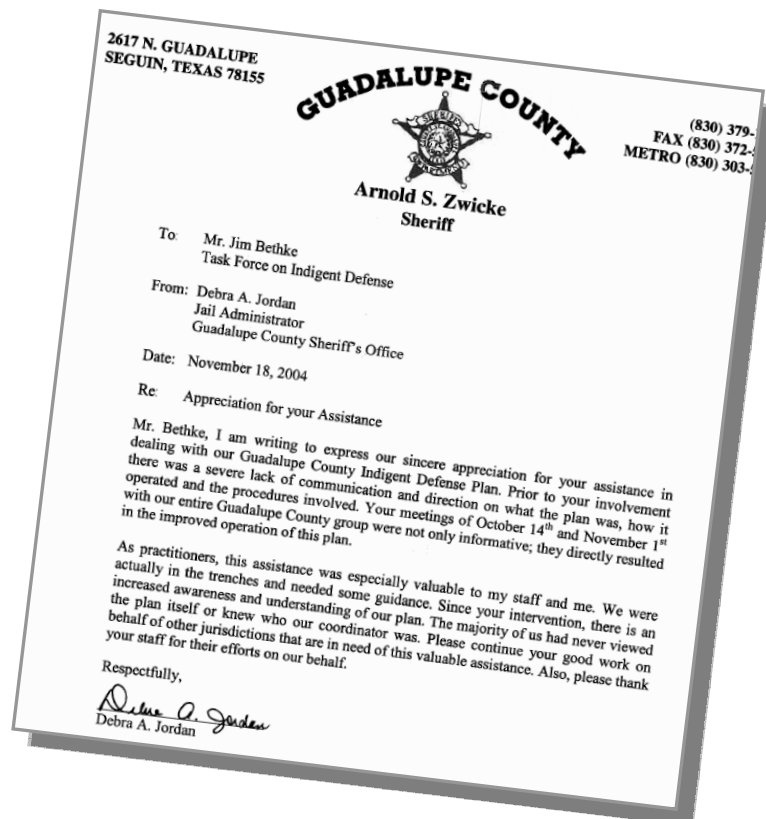
All articles are online at: <http://www.courts.state.tx.us/oca/tfid/Resources.asp>.

e-Newsletter. In FY05 the Task Force issued four e-Newsletters. This publication is distributed to over 1,000 county personnel involved in indigent defense with email addresses collected on the PPRI database. The e-Newsletters are issued quarterly (following a full Task Force meeting) and inform county personnel of trainings, important deadlines, helpful practices, legislative and program updates and any other information that may assist counties with their indigent defense programs.

Press Releases. Press releases are issued whenever a significant newsworthy action takes place. For instance, when the Task Force announces grant money available or new projects are underway, it allows the news to pick up on the story to increase the public awareness of Texas' commitment to all individuals receiving a fair defense in Texas' justice system.

Major Studies and Publications. All studies and publications are available online at: <http://www.courts.state.tx.us/oca/tfid/Resources.asp>.

Technical Assistance. The Task Force provides a significant amount of technical assistance by going to counties and discussing local processes with key stakeholders. Last year staff made 67 site visits to counties for a variety of purposes. Many visits were related to utilization of grant funding and expenditure reporting. The Task Force places a high priority on communication and training and educating all stakeholders in the indigent defense process. This assistance may be in the form of staff conducting a presentation, monitoring site visit or perhaps an informal meeting requested by a county grappling with spikes in spending, process related challenges and the like. Whatever a county's issues or needs are with indigent defense, counties are encouraged and instructed to ask for technical assistance.



Presentations and Educational Programs. The Task Force set the tone early on that the mission was to improve indigent defense by supporting the judiciary and counties and to provide educational programs to judges, county officials, and other involved stakeholders. In addition to substantial training related to grants and expenditure reports discussed elsewhere, staff provides substantial training on the substantive issues of indigent defense. Staff members of the Task Force are frequently requested to present to various training organizations' seminars. With only six staff this is vital way to reach the most people. The Task Force hosted a full day workshop in October 2004 for 30 indigent defense coordinators. Attendees learned about best practices in indigent defense from judges, policy experts, and representatives of county organizations. It also included small group sessions for coordinators to share problems and solutions from other parts of the state. The highly praised workshop has become an annual event.

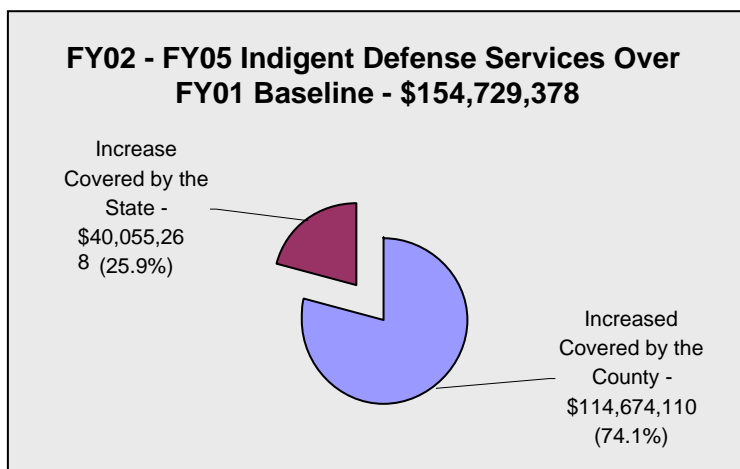
At the direction of the Task Force, in FY05 staff provided significant training to the criminal defense bar. This shift followed an early focus on county officials, judges, court staff, and magistrates in the first two years of the program. The training covered the role of the Task Force and duties of defense lawyers under the FDA. In reaching the defense bar, staff primarily worked in cooperation with the Texas Criminal Defense Lawyers Association and various local defense bar associations to provide a segment at most of their regional trainings.

Expenditure Report

I. Expenditures

The Task Force is committed to assisting counties with their increase of indigent defense service expenses due to the passage of Senate Bill 7, Fair Defense Act as well as improving the effectiveness of indigent defense services. This year, indigent defense expenditures totaled \$140,271,269 compared to FY04 recorded expenses of \$139,315,145.

To help offset increased costs, counties are eligible to receive grant funds to cover expenses above their FY01 baseline expenditures. State grant funding consisting of Formula, Direct Disbursement and Extraordinary totaled a little over \$11.9 million in FY05, which covered approximately 26% of the increased indigent defense services expenditures



for the year. From FY02 to FY05, expenses over the baseline increase by \$154,729,378 with the state covering \$40,055,268 (25.9%) of that increase.

To assist counties with completing and submitting their annual expenditure report, online reporting was implemented. The online Indigent Defense Expenditure Report was used first in FY03. County officials have been very appreciative of the process. They are able to

| Data: Counties Impacted With Increased Costs | FY02 | FY03 | FY04 | FY05 |
|--|-------|-------|-------|-------|
| Number of counties with no increased indigent defense spending when considering grant funds | 107 | 81 | 87 | 80 |
| Number of counties with increased indigent defense spending when considering grant funds | 147 | 173 | 167 | 174 |
| Total number of counties | 254 | 254 | 254 | 254 |
| Statewide percent indigent defense increase over baseline (FY01) | 24.2% | 40.4% | 50.6% | 52.8% |
| Statewide percent indigent defense increase over baseline (FY01) when factoring grant disbursement | 16.4% | 29.1% | 39.5% | 39.8% |

control the report entirely up to the submission point. Task Force staff members often receive comments from auditors and treasurers about how simple the report is to complete. The report is another way to reduce paperwork at both the state and local level. Counties receive immediate confirmation that the Task Force has received their report. They are also able to see immediately whether they have spent the grant funds. The system allows the county to monitor their percent increase over the baseline and to see reports on how their expenses compare to other counties throughout the state. The

Task Force also maintains this information on its website so that it is available to the public.

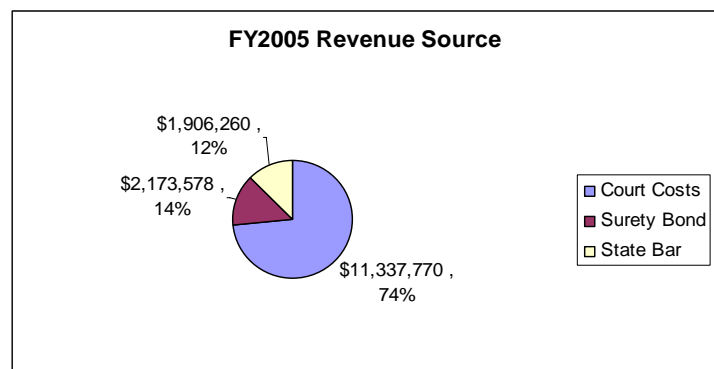
Expenditures have risen for most Texas counties. Some counties have been impacted much greater than others. When considering grant funds many Texas counties have not seen a rise in costs.

At the strategic planning session in August, the Task Force began to discuss ways to maximize the impact of funding and the quality of services. The three areas the Task Force will focus on to accomplish these goals are: 1) allocate and account for the distribution of funds, 2) develop specific strategies to increase state funding and 3) promote the effective use of state and local funds at the local level. The Task Force reached consensus that specific policies for increasing state funding must be explored.

II. Funding

Distributing state funds to assist counties in meeting their constitutional and statutory duties to improve indigent defense services is a critical responsibility of the Task Force. Since its inception in 2002, the Task Force has strived to distribute state funds in a fair manner that best meets the needs of state and local government. The primary source of funding for the Task Force is through court cost collections. Court costs are paid upon conviction by defendants convicted of offenses ranging from fine only misdemeanors up to serious felonies. The costs are authorized by Local Government Code Section 133.102. This fiscal year, \$11,956,912 million was appropriated. The appropriation amount represents an estimate of the amount of revenue that will be collected in court costs. The actual amounts collected vary from year to year. This fiscal year, \$11,337,770 was collected, in FY04 \$11,461,888 was collected and in FY03 \$11,513,489 was collected. Since the passage of this law court costs collected has decreased at a rate of about \$100,000 per year.

The Task Force also receives funding from Surety Bond Fees and State Bar Fees. Of Surety Bond fees collected, one-third goes to the Fair Defense Account and the remaining balance goes to support longevity pay for prosecutors. The Task Force received over \$2.1 million this fiscal year up \$500,000 from FY04.



One-half of the State Bar Fee collected, is allocated to the Fair Defense Account. This fiscal year, the portion received by the Task Force was over \$1.9 million up \$300,000

from FY04. This fiscal year the Task Force designated funds collected from this fee to fund the multi-year discretionary grant proposals whose priorities included establishing public defender offices, regional public defender offices, mental health defender services, and programs that provide direct services to indigent defendants.

III. Operating Budget for Fiscal Year 2005

| Budget Category | FY05 Total Expended | FY04 Comparative Total |
|--|---------------------|------------------------|
| Salaries & Wages | \$368,507 | \$362,913 |
| Other Personnel Cost | \$6,080 | \$951 |
| Benefit Replacement Pay | \$2,054 | \$2,310 |
| Payroll Related Costs | \$0 | \$0 |
| Professional Fees & Serv. | \$6,515 | \$72,640 |
| Computer/Programming Serv. | \$48,000 | \$40,000 |
| In-State Travel | \$24,545 | \$20,682 |
| Out-of State Travel | \$1,195 | \$1,280 |
| Training | \$3,067 | \$2,245 |
| Postage | \$2,669 | \$3,567 |
| Materials & Supplies | \$5,998 | \$8,878 |
| Printing & Reproduction | \$802 | \$1,214 |
| Maintenance & Repairs | \$1,050 | \$10,251 |
| Telecommunications | \$5,138 | \$5,741 |
| Rentals & Leases | \$2,735 | \$3,125 |
| Other Operating Expenses | \$190,297 | \$89,304 |
| Formula Grant Payment ⁽⁴⁾ | \$11,953,417 | \$10,234,186 |
| Discretionary Grant Payment ⁽⁴⁾ | \$2,129,641 | \$1,121,303 |
| Extraordinary Grant Payment | \$316,000 | \$200,000 |
| Direct Disbursement Payment | \$196,217 | \$89,254 |
| Capital Outlay | \$0 | \$0 |
| Total | \$15,263,927 | \$12,269,844 |

| Method of Finance Category | FY05 Method of Finance | FY04 Method of Finance |
|--|------------------------|------------------------|
| Fund 5073, Fair Defense Account, Court Costs | \$11,337,770 | \$11,461,888 |
| Surety Bond Fee | \$2,173,578 | \$1,655,191 |
| State Bar Fee | \$1,906,260 | \$1,661,978 |
| Appropriated Receipts (SJI) | \$90,000 | |
| Net Revenue | \$15,507,608 | \$14,779,057 |
| FY03 Carryover Revenue | | \$301,080 |
| FY04 Carryover Revenue | \$2,603,409 | (\$2,810,293) |
| FY05 Carryover Revenue ⁽³⁾ | (\$2,847,090) | \$0 |
| Total | \$15,263,927 | \$12,269,844 |

⁽¹⁾ The actual amount expended for FY04 Formula Grants totaled \$10,278,805 based on the indigent defense expenditure reports submitted by counties.

⁽²⁾ Amount showing for Discretionary Grant is the grant award; grants have not been completed

⁽³⁾ Carryover is primarily related to state bar fee as well as surety bond fees collected in excess of the amount estimated.

⁽⁴⁾ Amount showing for Formula & Discretionary Grant is the grant award

This fiscal year the Task Force expended \$617,167 for administrative costs from the Fair Defense Account. Administrative cost represents 4.2% of the total amount expended. These expenses included salaries for six full-time staff, travel for board members and staff, an online system which provides public access through the internet of all plans and expense information submitted by courts and counties, and all other administrative operational functions as shown in chart above.

IV. Grants

Formula Grants. Formula grants provide money to counties for increased indigent defense costs using a standard allocation formula. Funds are distributed based on a floor award amount with the remainder based on a county's percent of population. Funds are distributed to all counties who apply, document their increased expenditures, and their countywide indigent defense plans comply with statutes and standards requirements set by the Task Force.

Eligibility for a formula grant for FY05 required the countywide indigent defense plan to comply statutory time-frames for prompt access to counsel. A county must also have submitted a copy of the indigent defense plan used in juvenile cases in the county. The plan must also meet statutory requirements related to payment for indigent defense services including an adopted attorney fee schedule, and attorney fee voucher and procedures use to pay for expert witnesses and investigative expenses with and without prior court approval as well as procedures and documentation to meet minimum attorney continuing legal education (CLE) standards set by the Task Force

This fiscal year, the Task Force awarded formula grants to 215 counties totaling \$11,953,417. Thirty-nine counties (three declined their grant) did not apply for a formula grant and were, therefore, eligible to receive a direct disbursement if they incurred indigent defense expenses above their baseline amount. The three counties that declined their formula grant award were Cottle, Edwards and Gaines. A county may decide not to apply for a grant or decline a grant award if the county did not expend its previous grant award or the county does not anticipate increased indigent defense costs over the baseline amount.

In FY05, 205 counties received disbursements totaling \$11,449,100. Although the number of counties receiving disbursements was less than in FY04 (207 received disbursements that fiscal year), the dollar amount disbursed increased over \$1 million from the previous year amount of \$10,278,805. See Table 4 beginning on page 19 for a complete listing of FY05 grant awards and final disbursements.

Direct Disbursement. The Direct Disbursement grant category was established to give small counties that have low incidences of crime and low indigent defense costs a way, if needed to receive funding besides applying for a Formula Grant. Small counties often do not have sufficient indigent defense expenses to earn grant funds. Two-thirds of the funds that would have been allocated to counties that do not apply for a formula grant are budgeted for direct disbursement. If a county has indigent defense expenses above their baseline year amount, that county is eligible to receive funding based on requirements set by the Task Force and availability of funds.

Thirty-nine counties opted for the direct disbursement pool. From this pool, 23 counties submitted applications and were eligible to receive direct disbursements. The total amount disbursed for this grant category was \$196,217. Table 1 below lists all counties that opted for the direct disbursement pool.

Table 2 - FY05 Counties that opted for the direct disbursement pool

| County | Direct Disbursement Amount Received | | |
|------------|-------------------------------------|---|-----------|
| Bee* | | Jeff Davis | \$4,599 |
| Borden* | | Kenedy* | |
| Briscoe | \$829 | King* | |
| Brooks | \$17,444 | Lampasas | \$9,217 |
| Coke* | | Lavaca* | |
| Concho | \$6,851 | Lipscomb* | |
| Cottle | \$2,006 | Live Oak* | |
| Crockett* | | Mason | \$6,744 |
| Dickens* | | McMullen* | |
| Dimmit* | | Medina | \$12,777 |
| Duval | \$8,550 | Motley* | |
| Edwards | \$11,196 | Nolan | \$3,163 |
| Fisher* | | Ochiltree | \$9,202 |
| Floyd | \$3,201 | Oldham | \$6,020 |
| Foard | \$1,610 | Rains | \$18,528 |
| Frio | \$12,584 | Stonewall | \$4,871 |
| Gaines | \$23,502 | Swisher | \$5,818 |
| Glasscock* | | Upton | \$2,678 |
| Hamilton | \$4,705 | Uvalde* | |
| | | Wilson | \$20,122 |
| | | | |
| | | Total (23 counties) | \$196,217 |
| | | | |
| | | * These counties did not experience increased costs over 2001 baseline. | |

[continued next column to the right]

Extraordinary Disbursement. The Task Force distributed \$316,000 in extraordinary disbursement funding to six counties (Collingsworth, Concho, Grayson, Houston, Hunt and San Augustine). To qualify for this funding, a county must demonstrate indigent defense expenses in the current and/or immediately preceding county fiscal year constituting a financial hardship. Each request is evaluated on a case-by-case basis against other requests and the amount of funds available. In FY04 only four counties received funding totaling \$200,000. Table 2 to the right details the funds disbursed under this program.

Table 2 - FY05 Extraordinary Disbursements

| County | Requested Amount | Amount Disbursed |
|---------------|------------------|------------------|
| Collingsworth | \$5,000 | \$5,000 |
| Concho | \$51,659 | \$33,974 |
| Grayson | \$100,000 | \$100,000 |
| Houston | \$92,793 | \$61,026 |
| Hunt | \$100,000 | \$100,000 |
| San Augustine | \$42,790 | \$16,000 |
| Total | \$392,242 | \$316,000 |

Discretionary Grants. The Task Force also distributes funds in the form of discretionary grants. Discretionary grants are awarded on a competitive basis to assist counties develop new, innovative programs or processes to improve the delivery of indigent defense services. This year a county could apply for a single-year or a multi-year grant. Single-year grants pays up to 100% of an awarded activity on a reimbursement basis. Multi-year grants require a cash match and funding for a grant project is available for up to four years. Under this grant a county will be required to re-apply for continued funding each grant year. The grant fund will pay 80% of total project costs the first year; 60% the second year; 40% the third year and 20% the fourth year. Programs that provide direct services to indigent defendants, establish a public defender office, establish a regional public defender office or provide mental health defender services will be considered for multi-year grants. Applications for both types of grant are reviewed and scored by a select committee prior to being presented to the Grants and Reporting Committee and the full Task Force. Counties may compete for a discretionary grant if their countywide plan is in compliance with applicable statutes and standards requirements set by the Task Force.

Four counties (Bexar, Dallas, Hidalgo and Limestone) were awarded multi-year grants and ten counties (Collin, Grimes, Henderson, Hill, Hockley, Cochran, McLennan, Tarrant, Tom Green and Van Zandt) were award single-year grants. El Paso was awarded a multi-year and a single-year grant. Total amount awarded for all discretionary grants was \$2,129,641. A summary of each funded program is contained in Table 3 on the next page.

Table 3 – FY05 Discretionary Grant Awards

| County | Grant Number | Program Title | Grant Award Amount |
|-----------------|---------------------|--|---------------------------|
| Bexar | 212-05-D01 | Appellate Public Defender Office | \$370,076 |
| Dallas | 212-05-D02 | Mental Health Division for Dallas Co. Public Defender Office | \$152,136 |
| El Paso | 212-05-00C | Public Defender Mental Health Unit | \$140,232 |
| Hidalgo | 212-05-D03 | Misdemeanor Public Defender Ofc. | \$395,490 |
| Limestone | 212-05-D04 | Mental Health/Mental Retardation Contract Defense Program | \$174,100 |
| | | Sub-Total (Multi Year) | \$1,232,034 |
| Collin | 212-05-D05 | Video Magistration | \$58,896 |
| El Paso | 212-05-D06 | Public Defender Forensic Resources | \$19,250 |
| Grimes | 212-05-D07 | Part-time Indigent Defense Coord./Case Management Tracking System Software | \$20,588 |
| Henderson | 212-05-D08 | Video Teleconferencing | \$110,178 |
| Hill | 212-05-D09 | Indigent Defense Coordinator | \$42,050 |
| Hockley/Cochran | 212-05-D10 | Video Teleconferencing | \$140,509 |
| McLennan | 212-05-D11 | Video Teleconferencing | \$57,324 |
| Tarrant | 212-05-D12 | Centralized Indigency Determination Magistration Project | \$229,312 |
| Tom Green | 212-05-D13 | Video Teleconferencing | \$47,500 |
| Van Zandt | 212-05-D14 | Technology Resources | \$172,000 |
| | | Sub-Total (Single Year) | \$897,607 |
| | | Total – Multi & Single Year | \$2,129,641 |

Table 4 – FY05 Formula Grant Awards and Disbursements

| County | Grant Award | Grant Award Received | | | |
|---------------|--------------------|-----------------------------|---------------|---------------|-------------|
| | | | Chambers | \$18,811 | \$0 |
| Anderson | \$34,238 | \$34,238 | Cherokee | \$29,755 | \$29,755 |
| Andrews | \$11,899 | \$11,899 | Childress | \$9,078 | \$9,078 |
| Angelina | \$47,513 | \$47,513 | Clay | \$10,839 | \$10,839 |
| Aransas | \$16,936 | \$2,430 | Cochran | \$6,979 | \$358 |
| Archer | \$9,697 | \$9,697 | Coke | Did Not Apply | \$0 |
| Armstrong | \$6,139 | \$2,730 | Coleman | \$9,899 | \$9,899 |
| Atascosa | \$25,494 | \$0 | Collin | \$265,856 | \$265,856 |
| Austin | \$17,515 | \$17,515 | Collingsworth | \$6,700 | \$6,700 |
| Bailey | \$8,498 | \$8,498 | Colorado | \$15,818 | \$15,818 |
| Bandera | \$14,361 | \$14,361 | Comal | \$46,394 | \$46,394 |
| Bastrop | \$35,630 | \$35,630 | Comanche | \$12,442 | \$12,442 |
| Baylor | \$7,172 | \$7,172 | Concho | Did Not Apply | \$0 |
| Bee | Did Not Apply | \$0 | Cooke | \$24,292 | \$24,292 |
| Bell | \$131,256 | \$131,256 | Coryell | \$44,780 | \$44,780 |
| Bexar | \$744,015 | \$744,015 | Cottle | Declined | \$0 |
| Blanco | \$9,466 | \$354 | Crane | \$7,120 | \$7,120 |
| Borden | Did Not Apply | \$0 | Crockett | Did Not Apply | \$0 |
| Bosque | \$14,127 | \$14,127 | Crosby | \$8,752 | \$8,752 |
| Bowie | \$52,381 | \$52,381 | Culberson | \$6,579 | \$1,589 |
| Brazoria | \$133,269 | \$133,269 | Dallam | \$8,301 | \$8,301 |
| Brazos | \$85,863 | \$0 | Dallas | \$1,182,229 | \$1,182,229 |
| Brewster | \$9,704 | \$9,704 | Dawson | \$12,951 | \$12,951 |
| Briscoe | Did Not Apply | \$0 | Deaf Smith | \$14,848 | \$14,848 |
| Brooks | Did Not Apply | \$0 | Delta | \$7,826 | \$5,526 |
| Brown | \$24,988 | \$24,988 | Denton | \$234,714 | \$234,714 |
| Burleson | \$13,738 | \$13,738 | DeWitt | \$15,618 | \$9,093 |
| Burnet | \$23,117 | \$23,117 | Dickens | Did Not Apply | \$0 |
| Caldwell | \$22,080 | \$22,080 | Dimmit | Did Not Apply | \$0 |
| Calhoun | \$15,954 | \$15,276 | Donley | \$7,031 | \$7,031 |
| Callahan | \$11,847 | \$11,847 | Duval | Did Not Apply | \$0 |
| Cameron | \$182,853 | \$182,853 | Eastland | \$14,708 | \$14,708 |
| Camp | \$11,127 | \$0 | Ector | \$69,261 | \$69,261 |
| Carson | \$8,457 | \$8,457 | Edwards | Declined | \$0 |
| Cass | \$21,149 | \$21,149 | El Paso | \$365,571 | \$365,571 |
| Castro | \$9,396 | \$4,540 | Ellis | \$64,082 | \$64,082 |
| Fayette | \$16,568 | \$16,568 | Erath | \$22,509 | \$22,509 |
| | | | Falls | \$14,855 | \$14,855 |
| | | | Fannin | \$21,576 | \$21,576 |

| | | |
|-----------|---------------|-------------|
| Fisher | Did Not Apply | \$0 |
| Floyd | Did Not Apply | \$0 |
| Foard | Did Not Apply | \$0 |
| Fort Bend | \$193,054 | \$193,054 |
| Franklin | \$10,018 | \$10,018 |
| Freestone | \$14,479 | \$14,479 |
| Frio | Did Not Apply | \$0 |
| Gaines | Declined | \$0 |
| Galveston | \$137,720 | \$137,720 |
| Garza | \$7,584 | \$6,758 |
| Gillespie | \$16,043 | \$10,882 |
| Glasscock | Did Not Apply | \$0 |
| Goliad | \$8,676 | \$8,676 |
| Gonzales | \$14,883 | \$13,783 |
| Gray | \$17,066 | \$17,066 |
| Grayson | \$63,676 | \$63,676 |
| Gregg | \$64,091 | \$64,091 |
| Grimes | \$17,495 | \$17,495 |
| Guadalupe | \$52,231 | \$52,231 |
| Hale | \$24,419 | \$24,419 |
| Hall | \$7,006 | \$7,006 |
| Hamilton | Did Not Apply | \$0 |
| Hansford | \$7,848 | \$7,848 |
| Hardeman | \$7,506 | \$7,506 |
| Hardin | \$30,505 | \$8,519 |
| Harris | \$1,809,164 | \$1,809,164 |
| Harrison | \$37,952 | \$37,952 |
| Hartley | \$7,938 | \$7,938 |
| Haskell | \$8,233 | \$8,233 |
| Hays | \$56,776 | \$25,799 |
| Hemphill | \$6,777 | \$3,318 |
| Henderson | \$43,877 | \$43,877 |
| Hidalgo | \$307,127 | \$307,127 |
| Hill | \$22,147 | \$22,147 |
| Hockley | \$17,052 | \$17,052 |
| Hood | \$26,805 | \$26,805 |
| Hopkins | \$21,956 | \$21,956 |
| Houston | \$17,301 | \$17,301 |
| Howard | \$22,841 | \$22,841 |
| Hudspeth | \$6,774 | \$1,213 |
| Maverick | \$30,094 | \$13,314 |
| McCulloch | \$9,353 | \$9,353 |

| | | |
|------------|---------------|-----------|
| Hunt | \$45,638 | \$45,638 |
| Hutchinson | \$17,657 | \$17,657 |
| Irion | \$5,939 | \$2,725 |
| Jeff Davis | Did Not Apply | \$0 |
| Jefferson | \$138,725 | \$138,725 |
| Jim Hogg | \$7,802 | \$6,919 |
| Jim Wells | \$25,865 | \$13,957 |
| Johnson | \$72,279 | \$72,279 |
| Jones | \$16,028 | \$16,028 |
| Karnes | \$13,195 | \$13,195 |
| Kaufman | \$42,835 | \$42,835 |
| Kendall | \$17,597 | \$17,597 |
| Kenedy | Did Not Apply | \$0 |
| Kent | \$5,455 | \$1,625 |
| Kerr | \$28,160 | \$5,311 |
| Kimble | \$7,371 | \$7,371 |
| King | Did Not Apply | \$0 |
| Kinney | \$6,792 | \$6,792 |
| Kleberg | \$21,738 | \$0 |
| Knox | \$7,256 | \$0 |
| La Salle | \$8,112 | \$8,112 |
| Lamar | \$30,731 | \$30,731 |
| Lamb | \$12,804 | \$12,804 |
| Lampasas | Did Not Apply | \$0 |
| Lavaca | Did Not Apply | \$0 |
| Lee | \$13,307 | \$3,505 |
| Leon | \$13,136 | \$13,136 |
| Liberty | \$42,220 | \$42,220 |
| Limestone | \$16,699 | \$16,699 |
| Lipscomb | Did Not Apply | \$0 |
| Live Oak | Did Not Apply | \$0 |
| Llano | \$14,043 | \$14,043 |
| Loving | \$5,035 | \$5,033 |
| Lubbock | \$133,725 | \$133,725 |
| Lynn | \$8,475 | \$8,475 |
| Madison | \$11,866 | \$11,866 |
| Marion | \$10,805 | \$10,805 |
| Martin | \$7,518 | \$5,050 |
| Mason | Did Not Apply | \$0 |
| Matagorda | \$25,138 | \$25,138 |

| | | |
|-------------|---------------|-----------|
| McLennan | \$118,280 | \$118,280 |
| McMullen | Did Not Apply | \$0 |
| Medina | Did Not Apply | \$0 |
| Menard | \$6,253 | \$4,810 |
| Midland | \$66,548 | \$66,548 |
| Milam | \$17,859 | \$4,861 |
| Mills | \$7,733 | \$7,733 |
| Mitchell | \$10,145 | \$10,145 |
| Montague | \$15,143 | \$15,143 |
| Montgomery | \$160,858 | \$160,858 |
| Moore | \$15,675 | \$15,675 |
| Morris | \$11,922 | \$11,922 |
| Motley | Did Not Apply | \$0 |
| Nacogdoches | \$36,410 | \$36,410 |
| Navarro | \$28,941 | \$28,941 |
| Newton | \$12,997 | \$8,009 |
| Nolan | Did Not Apply | \$0 |
| Nueces | \$171,404 | \$171,404 |
| Ochiltree | Did Not Apply | \$0 |
| Oldham | Did Not Apply | \$0 |
| Orange | \$50,079 | \$50,079 |
| Palo Pinto | \$19,339 | \$19,339 |
| Panola | \$17,073 | \$2,831 |
| Parker | \$51,951 | \$51,951 |
| Parmer | \$10,314 | \$10,314 |
| Pecos | \$13,918 | \$13,918 |
| Polk | \$26,823 | \$26,823 |
| Potter | \$65,241 | \$65,241 |
| Presidio | \$8,875 | \$3,234 |
| Rains | Did Not Apply | \$0 |
| Randall | \$60,342 | \$60,342 |
| Reagan | \$6,765 | \$6,765 |
| Real | \$6,617 | \$6,617 |
| Red River | \$12,595 | \$12,595 |
| Reeves | \$11,969 | \$11,969 |
| Refugio | \$9,153 | \$7,206 |
| Roberts | \$5,470 | \$3,458 |
| Robertson | \$13,489 | \$13,489 |
| Rockwall | \$27,856 | \$27,856 |

| | | |
|---------------|---------------|-----------|
| Runnels | \$11,098 | \$11,098 |
| Rusk | \$30,133 | \$30,133 |
| Sabine | \$10,554 | \$10,554 |
| San Augustine | \$9,746 | \$9,746 |
| San Jacinto | \$16,802 | \$16,802 |
| San Patricio | \$40,620 | \$40,620 |
| San Saba | \$8,282 | \$8,282 |
| Schleicher | \$6,557 | \$0 |
| Scurry | \$13,681 | \$7,334 |
| Shackelford | \$6,752 | \$6,752 |
| Shelby | \$18,382 | \$0 |
| Sherman | \$6,691 | \$6,691 |
| Smith | \$97,689 | \$97,689 |
| Somervell | \$8,612 | \$8,553 |
| Starr | \$33,436 | \$33,436 |
| Stephens | \$10,132 | \$9,469 |
| Sterling | \$5,739 | \$2,931 |
| Stonewall | Did Not Apply | \$0 |
| Sutton | \$7,163 | \$7,163 |
| Swisher | Did Not Apply | \$0 |
| Tarrant | \$772,286 | \$772,286 |
| Taylor | \$72,144 | \$72,144 |
| Terrell | \$5,574 | \$3,045 |
| Terry | \$11,771 | \$11,771 |
| Throckmorton | \$5,981 | \$5,981 |
| Titus | \$19,918 | \$16,949 |
| Tom Green | \$60,182 | \$60,182 |
| Travis | \$435,953 | \$435,953 |
| Trinity | \$12,310 | \$12,310 |
| Tyler | \$16,074 | \$0 |
| Upshur | \$23,724 | \$23,724 |
| Upton | Did Not Apply | \$0 |
| Uvalde | Did Not Apply | \$0 |
| Val Verde | \$28,798 | \$28,798 |
| Van Zandt | \$30,540 | \$30,540 |
| Victoria | \$49,613 | \$49,613 |
| Walker | \$37,765 | \$37,765 |
| Waller | \$22,329 | \$22,329 |
| Ward | \$10,787 | \$10,787 |
| Washington | \$21,114 | \$21,114 |

| | | |
|------------|---------------|--------------|
| Webb | \$107,458 | \$107,458 |
| Wharton | \$26,852 | \$0 |
| Wheeler | \$7,803 | \$7,803 |
| Wichita | \$74,854 | \$74,854 |
| Wilbarger | \$12,786 | \$12,786 |
| Willacy | \$15,655 | \$15,655 |
| Williamson | \$137,619 | \$137,619 |
| Wilson | Did Not Apply | \$0 |
| Winkler | \$8,806 | \$8,806 |
| Wise | \$30,887 | \$30,887 |
| Wood | \$24,499 | \$20,982 |
| Yoakum | \$8,885 | \$8,885 |
| Young | \$14,520 | \$14,520 |
| Zapata | \$11,463 | \$11,463 |
| Zavala | \$11,154 | \$957 |
| Total | \$11,953,417 | \$11,449,100 |

- 215 Counties applied for a Formula Grant
- 205 Counties received Formula Grant disbursements