



# **TEXAS INDIGENT DEFENSE COMMISSION**

## **Appendix A**

### **New FY26 TIDC Grant Requests**

**Full Board Meeting - June 27, 2025**



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### APPENDIX A

#### FY26 New Improvement Grant Requests

Full Board  
June 27, 2025

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<b>FY2026 New Grant Requests</b>						
<b>Applicant</b>	<b>Program</b>	<b>Type</b>	<b>Total Program Budget</b>	<b>Requested Grant Amount</b>	<b>Staff Recommendation</b>	<b>Recommended FY26 Award</b>
Atascosa County	Public Defender Staff for New Mental Health Court	Multi-Year	\$250,250	\$200,200	Work with county to refine application and revisit at August meeting.	
Brazos County	Public Defender Expansion - Juvenile & Appellate	Multi-Year	\$1,306,153	\$1,044,922	Staff worked with county to refine budget	\$987,560
Brazos County	Public Defender's Office Expansion, Mental Health Division	Multi-Year	\$329,083	\$263,266	Staff worked with county to refine budget	\$250,325
Culberson County	Val Verde and Terrel Expansion of Far West Texas Regional Public Defender	Sustainability	\$2,017,151	\$1,613,721	Recommend award. Legislative budget rider directs TIDC to fund this program.	\$1,613,721
Harris County	Statewide Indigent Defense Mentoring & Training Program (FIDL) Cohort 6	Multi-Year	\$226,255	\$226,255	Recommend award as requested.	\$226,255
Hays County	Mental Health Team for Hays County Public Defenders Office	Multi-Year	\$611,702	\$489,362	Revisit at August meeting due to late submission.	
Lampasas County	Indigent Defense Coordinator	Multi-Year	\$72,350	\$57,880	Recommend award as requested.	\$57,880
Maverick County	Tri-County Public Defenders Office	Sustainability	\$1,709,283	\$1,367,426	Recommend award as requested.	\$1,367,426
Medina County	Regional Public Defender Mental Health Staff	Sustainability	\$453,186	\$362,549	Work with county to refine application and revisit at August meeting.	
Polk County	Public Defenders' Office	Multi-Year	\$641,513	\$513,501	Work with county to refine application and revisit at August meeting.	
Walker County	TechShare Implementation	Multi-Year	\$18,821	\$9,411	Recommend award as requested.	\$9,411
Wharton County	Wharton Matagorda Regional Public Defender Office	Sustainability	\$2,185,926	\$2,185,926	Recommend award. Legislative budget rider directs TIDC to fund this program at 100% for initial year.	\$2,185,926
CAPDS	Statewide Mitigation Resource	Technical Support - 3 YR Pilot w/ Research	\$1,050,906	\$1,050,906	Recommend award. (3-year pilot, FY26 cost is \$335,518.)	\$335,518
CAPDS	Travis County Wrongful Conviction Case Review	Technical Support - Other, 2 YR	\$748,086	\$748,086	Not recommended at this time.	\$0
			<b>\$11,620,665</b>	<b>\$10,133,411</b>		<b>\$7,034,022</b>

## Atascosa County

### FY 2026 Multi-Year Grant Request

#### Mental Health Court for Atascosa County

	<-----Projected----->			
	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$250,250	\$242,250	\$242,250	\$242,250
County Match	\$50,050	\$ 96,900	\$ 145,350	\$ 193,800
FY26 Grant Request	<b>\$200,200</b>	\$ 145,350	\$ 96,900	\$ 48,450
TIDC/County Share	80% / 20%	60% / 40%	40% / 60%	20% / 80%

#### **Program Summary:**

Atascosa County is requesting an Improvement Grant to fund the defense component for the newly created specialty court program, the 81st Judicial District Mental Health Court of Atascosa County. The two positions (one attorney and one social worker) will focus on clients with mental illness that are facing non-violent felony charges. The defense component of the program will operate within the existing Atascosa Area Regional Public Defender Office. The specialized representation provided in the context of the specialty court program aims to help clients get treatment and support needed to be stable and successful in the community.

#### **Summary of External Grant Review Committee Comments**

While supportive of the overall concept of the public defender handling the defense component of this program, the reviewers raised several questions about the scope and structure. It seemed to focus narrowly on substance abuse issues instead of broader mental health challenges. Reviewers wanted more clarity on how clients are tracked into the program, who represents them at that stage, whether there is a plan to address provisions of the Code regarding continuity of representation. It was also unclear how defense social worker role is differentiated from other treatment-oriented team members. Finally, the application needed development on the public defender's role in advocating for individualized conditions and advocating for waivers of fees that indigent program participants may be assessed, as well as more defense-specific evaluation metrics.

#### **Staff Recommendation**

Work with county to refine the application to address issues above and provide more clarity on role of the defense team in the specialty court context. Revisit at the August board meeting.



**2026 Atascosa County Improvement Grant Application Narrative  
81st Judicial District Mental Health Court for Atascosa County  
Mental Health Public Defender Improvement**

**a. Application Form**

Counties Represented: **Atascosa**

Fiscal Year: **2026**

State Payee Identification Number: **17460014685**

Division To Administer Grant: **Tracy Barrera**

Program Title: **81st Judicial District Mental Health Court for Atascosa County**

Requested Grant Amount: **\$250,250.00**

Authorized Official: **Weldon P. Cude**

Financial Officer: **Tracy Barrera**

Program Director: **STEPHANIE R. BROWN**

Mailing Address: **1 Courthouse Circle; Suite 105; Jourdanton, TX 78026**

**b. Introduction (Executive Summary)**

The public defender's role and the role of the dedicated social worker is to represent clients in the newly created 81st Judicial District Mental Health Court of Atascosa County in order to break the cycle of mental illness and reoffending and enhance public safety by providing a supervised regimen of treatment and innovative case management to client/offenders with the goal of returning stable, productive, law-abiding citizens to society. The public defender and social worker will also continue to support other public defender clients with mental health challenges who are not participants within the specialty court program. The initial goal will be to represent up to 40 clients within Atascosa, increasing the number as the program develops and expands to other counties within the judicial district. The social worker is a dedicated public defender's office employee, working under the direct supervision of the public defender, with privilege and confidentiality being tantamount just as it is between attorney and client. Upon successful completion, the public defender and social worker will assist to ensure the client will have more job and educational opportunities, better relationships with family and friends, self-awareness, a better understanding of self, a positive outlook on life, and become a contributing member of the community, while maintaining sobriety.

**c. Problem Statement**

This program is being created to give clients an opportunity to seriously address their mental health concerns and/or addiction to drugs/alcohol. The program is designed as a team approach to help the Participant through the program and comply with all requirements of the program and court orders. The team consists of: The Public Defender/Defense Attorney, Treatment Providers/Social Workers, The Judge, Community Supervision Officers, Prosecutor, Court Coordinator, and a Law Enforcement Officer. This minimum 12-month program is designed for adults facing non-violent felony convictions.

Having the use of a public defender and a social worker within the Atascosa County system who are focused on the client's participation will ensure a successful completion. Research has shown public defender's obtain better results when focused on the struggles of clients rather than the hustle of making ends meet. Utilizing the resources of the public defender's office allows for immediate attention to a client identified in need of treatment and the ability to divert clients to treatment areas. The public defender and social worker, along with other participants will be an essential part of providing the discipline required for the participants' success.

The public defender will participate in ensuring reasonable accommodations are provided for qualified individuals with disabilities. This is especially important when dealing with rural areas where access to such accommodations and treatment is extremely limited due to cost, location and transportation issues.

The public defender and social worker will ensure the goal of the use of a variety of treatment and rehabilitation methods in offering participants the opportunity to manage mental health concerns is reached. The Public defender will focus on the client's participation in receiving intensive treatment with the aid of innovative court supervision and community support services. By treating the illness, there is a greater likelihood that participants will remain stable and avoid further contacts with the criminal justice system.

**d. Objectives**

The public defender and social worker will protect the rights of the defendants, ensure that they understand the status of their case, the options available to them, and the requirements of the specialty court program.

The defense team will provide representation that takes into account the unique needs of clients facing behavioral health challenges. The defense team will support their clients' successful completion of the 12-month program in order to resolve their case in the most beneficial way possible with strategies that will reduce likelihood of reoffending.

Participants will have access to treatment and medications; more job and educational opportunities; better relationships with family and friends; better self-awareness; a positive outlook on life; be a contributing member of the community and society in general; and be clean and sober (if applicable).

The public defender, along with the Social Worker/Mental Health Court Team Members will work together in making decisions regarding case and treatment plans. The public defender and social worker will participate in the staff meeting or "staffing" held prior to court sessions and will work to develop any additional services needed.

#### **e. Activities**

The public defender and social worker will ensure the client participates in each phase of the program. Throughout each phase, there is no minimum or maximum of time limit, and each phase is based solely on the needs of the client. The public defender and social worker will ensure the needs of the client/participant are met.

The role of the public defender will provide guidance and advice regarding the client chosen to participate within the Program. The public defender's role is to review the file; participate in the intake interview; ensure the case is accurately investigated to hold the State to its burden of prosecution; and ensure the client clearly understand what it means to be a part of the specialty court system. The public defender will continue to ensure the client is cognizant of the status of the legal rights, during each phase of the specialty court, and that all rights are protected. The public defender will then utilize the team-based approach to provide a positive and significant experience during the client's participation.

The social worker will interact with clients as needed to provide information and emotional and mental health support on behalf of, and as an extension of the public defender's office. The social worker's role will involve assessing the needs of the client, making referrals to community resources and supporting follow-through with those linkages referrals, and providing additional support to ensure successful completion of the specialty court program, and success within the court's system in general. The social worker will also continue to seek resources outside of the specialty court program, as needed.

The public defender and social worker will always ensure the client/participant is cognizant that there is always the possibility of early termination of probation, continued treatment, and incentives and sanctions, depending upon the level of participation. In this manner the develop and maintenance of cooperative and collaborative working relationships should result in effective solutions to the mental health matters encountered.

#### **f. Evaluation**

With the assistance of the public defender and social worker, this program works to ensure those clients identified in need of specialty care are more likely to be diverted from jail to treatment. The methods of evaluation are measured on a multitude of levels in which the social worker is tantamount to clients reaching their goals.

- The public defender will ensure the client/participant understands that individual sessions will occur, in addition to the client's participation in the following: Group sessions - Attend process groups sessions each week; Recovery Support Groups- Required attendance to be determined by Treatment Team; Shall develop treatment plan with Social Worker/Mental Health Court Treatment Provider and the Mental Health Court Treatment Team (*Treatment Team*); Shall complete treatment intake; and Shall complete recommended mental health screenings as needed.

The public defender will ensure the client/participant understands that they shall: Complete Court Orientation; Shall complete probation intake; Develop Supervision Plan with Social Worker/Mental Health Court Community Supervision Officer; Shall be present when home visits are conducted once per month; Shall submit to urinalysis testing no less than twice per week; Shall submit to unannounced drug and alcohol testing; Shall abide by the 9:00 p.m.- 5:00 a.m. curfew; Shall abide by travel restrictions and not spend weekends or overnight absences from home without the express permission from the Court; and Shall avoid people, places, and things that will impair recovery.

The social worker will ensure the client participates in: Development of treatment plan; Development of supervision plan; Completion of Court Orientation; Shall proceed with treatment plan developed with the Social Worker/Mental Health Court Treatment Provider; and Ensure modifications occur as needed.

The public defender will ensure the client/participant understands: Honesty with the court; Be forthcoming with struggles; Commitment to change; Must remain crime free; Must make payments toward total court ordered fees and fines based on financial plan completed with Mental Health Court Community Supervision Officer; Have no outstanding balances owed to third party drug and alcohol monitoring providers; Complete monthly required community service hours; Complete Educational Assessment; and Complete pre-program Literacy Assessment.

The public defender and social worker will ensure client understands the importance of satisfactorily meeting the above requirements along with goals set forth in Supervision Plan established with and by the Social Worker/Mental Health Court Community Supervision Officer, as well as progression in Treatment Plan according to the Treatment Team.

The public defender and social worker will ensure client understands the importance of completion of individualized aftercare/continuing care plans with input from the Social Worker/Mental Health Court Treatment Provider, and that it is to be presented to the Interdisciplinary Team during the staffing session to review the Phase Advancement Application. The purpose of this plan is to assure the participant will have continued linkages to community resources. The plan shall outline goals and objectives for the Participant to complete during the Continuing Care Phase.

## **GRADUATION**

The public defender and social worker will assist with and ensure client understands the importance of completing the post-program literacy assessment and the graduation application. Upon successful completion of Phase 5, participants will be eligible for graduation from the Program. The public defender will ensure client understands that attendance at graduation ceremonies is mandatory for all participants, and those participants who successfully completed the Program during the previous quarter will be recognized for their accomplishments.

## **EARLY TERMINATION OF PROBATION**

Upon successful completion of the program and the post-graduation phase, the public defender will assist the participant in applying for early termination, if eligible by law.

## **g. Future Funding**

Future funding is essential to allow Atascosa County the ability to improve indigent defense of the mentally ill and to meet constitutional norms. Atascosa County has the financial capability to meet the fund matching

requirements of the Mental Health Public Defender Improvement Grant Program but would not be able to make the described improvements in their indigent defense systems without a substantial infusion of state funding.

#### h. Budget Narrative and Budget Form

The amount requested includes all relevant numbers pertaining to the employment and salary of an additional Assistant Public Defender and a Social Worker/Case Worker to be incorporated into the previously established Atascosa Area Advocates Public Defender's Office. The positions will be utilized to assist in the implementation of the new Mental Health Specialty Court in Atascosa County.

The requested funds include the necessary costs of effectively providing for all supplies, equipment and direct operating costs of additional positions within an established organization such as this public defender's office. Additional computer equipment, cell phones, office supplies, and mileage costs are just a few necessities to be added to the budget, in addition to training costs for the specialty field of mental health issues in criminal cases. This training is needed to enhance efficiency, increase effectiveness, close skill gaps, and boost employee retention. Courses such as *The Science of the Mind: Litigating Mental Health in Criminal Cases*; *Nuts & Bolts of Mental Health*; and TCDLA's *Mental Health for Clients* are all effective programs covering the various aspects of mental health issues and their impact in criminal cases. Training in this arena ensures the public defender and social worker maintain current knowledge of mental health legal issues and will be able to advocate for clients accordingly.

Personnel Costs		\$237,045.00
FTE's	2.00	
Salary	\$172,000.00	
Fringe Benefits	\$65,045.00	
Travel and Training		\$2,000.00
Equipment		\$8,000.00
Supplies		\$3,205.00
Contract Services		\$0.00
Indirect		\$0.00
Total		\$250,250.00
Required County Match		
Total less County Match		\$250,250.00

Home

# Mental Health PDIP 2026 Budget Request

Account Number	Account Name	2026 Budget
	Salary, Admin	\$ 70,000.00
	Salary, Attorneys	\$ 102,000.00
	Retirement	\$ 15,394.00
	Insurance-Hospital	\$ 27,364.00
	Social Security	\$ 13,158.00
	Conference/Training Expense	\$ 2,000.00
	Dues/Memberships	\$ 1,000.00
	Miscellaneous	\$ 2,205.00
	Computers/Scanners/Printers	\$ 8,000.00
<b>AAAPDO Total Expenses</b>		<b>\$ 250,250.00</b>

Salary	\$ 172,000.00			
Fringe	\$ 65,045.00			
Travel & Training	\$ 2,000.00			
Equipment	\$ 8,000.00			
Supplies	\$ 3,205.00	County Match 20%	\$	50,050.00
Contract Services	\$ -	TIDC 80%	\$	200,200.00
	\$ 250,250.00	2026 Budget	\$	250,250.00

**Brazos County**  
FY 2026 Multi-Year Grant Request  
Juvenile- Appellate Division Expansion

		<-----Projected----->		
	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$1,306,153	\$1,260,793	\$1,260,793	\$1,260,793
County Match	\$261,231	\$504,317	\$756,476	\$1,008,634
FY26 Grant Request	\$1,044,923	\$756,476	\$504,317	\$252,159
TIDC/County Share	80% / 20%	60% / 40%	40% / 60%	20% / 80%

**Program Summary:**

Brazos County created their Public Defender Program in 2023 with the help of a TIDC grant. The County seeks to build on the success of the program through expansion that will add capacity to handle juvenile and appeals cases. The grant will fund eight full time positions: 3 full-time juvenile defenders, 1 appellate defender, and 4 support staff, including a dedicated juvenile investigator, two legal assistants, and a caseworker.

The program seeks to address a surge in juvenile cases in the last few years and the low number of attorneys currently accepting juvenile and appellate cases in the county. The expansion will help reduce case delays and achieve better compliance with constitutional representation requirements.

**Summary of External Grant Review Committee Comments**

Reviewers ranked the program highly and supported funding but wanted more information on some aspects of the proposed budget.

**Staff Recommendation**

Staff followed up with the county on some budget questions and expects a revised budget proposal prior to the G&R Committee meeting that addresses the concerns identified. Staff anticipates offering a positive recommendation based on the expected revisions.

The program addresses several of TIDC's published priorities for Improvement Grants, including building indigent defense capacity within managed systems that support quality representation and building specialized representation programs for juveniles and other specific types of cases.

**2026 Brazos County Improvement Grant Application Narrative**  
**Division Expansion-New Grant Application**  
**Multi-year**

**a. Application Form**

Counties Represented: **Brazos**

Fiscal Year: **2026**

State Payee Identification Number: **17460004330038**

Division To Administer Grant: **Brazos County Public Defenders Office**

Program Title: **Division Expansion-New Grant Application**

Requested Grant Amount: **\$1,045,654.51**

Authorized Official: **Duane Peters**

Financial Officer: **Katie Conner**

Program Director: **Nathan Wood**

Mailing Address: **200 South Texas Avenue; Suite 126; Bryan, TX 77803**

**b. Introduction (Executive Summary)**

Brazos County seeks TIDC Improvement Grant funding to expand the Brazos County Public Defender's Office (BCPDO) through the creation of a dedicated Juvenile Division and Appellate Division. This grant will fund three full-time juvenile defenders, one appellate defender, and supporting staff necessary to implement holistic, high-quality indigent defense services for youth and indigent appellants. The expansion aims to reduce case delays, ensure constitutional representation, and create a sustainable infrastructure for long-term indigent defense across Brazos County.

**c. Problem Statement**

Brazos County's juvenile and appellate indigent defense systems are currently under-resourced, fragmented, and unsustainable. Juvenile filings in Brazos County have surged post-pandemic-from 401 new juvenile cases in 2022 to 553 in 2023. In the first quarter of 2025 alone, 115 new juvenile cases were added, signaling a continued high demand for juvenile representation. As is the case with adult indigent defense, as the demand for representation increases, the number of attorneys accepting juvenile and appellate cases is low.

Historically, the County contracted with a private law firm for juvenile appointments, but this model no longer meets demand. Detention hearings occur almost daily, and the District Attorney's Office dedicates three prosecutors, an investigator, and multiple staff to juvenile cases. In contrast, there are no public defenders exclusively dedicated to juveniles. This imbalance strains the courts and fails to ensure constitutionally adequate representation.

In 2024, the TIDC Board and the Brazos County Commissioners Court approved our request to provide appellate representation for indigent defendants in Brazos County. At the time, there was only a single private attorney accepting such appointments, and the BCPDO had a defender on staff who is board certified in Criminal Appeals. That attorney was (and continues to) occupy a misdemeanor defender position. Despite carrying a misdemeanor caseload, this public defender has handled 25 appellate matters on behalf of the county since the BCPDO was approved to handle appeals. These matters have included high level felonies such as murder, sexual assaults, crimes against children, and other charges that carry a high range of punishment.

The demand for appellate representation for indigent defendants in Brazos County is high, and without a dedicated appellate position, BCPDO resources will be inadequate to meet that demand while also providing indigent defense services on adult misdemeanor and felony cases.

**d. Objectives**

1. Establish a Juvenile Division within BCPDO, staffed with three full-time juvenile defenders to represent youth charged with delinquent offenses in Brazos County. These defenders will be dedicated exclusively to juvenile cases and will attend daily detention hearings, adjudications, and post-dispositional matters in both misdemeanor and felony-level cases.
2. Hire a Dedicated Appellate Defender to provide high-quality representation in direct criminal appeals and other post-conviction matters. The position will also assist with internal legal research, training, and litigation strategy across the office.



3. Ensure TIDC Caseload Compliance by limiting juvenile defender caseloads to no more than 140 cases annually (with investigator support), and the appellate defender to no more than 31 appeals per year, consistent with national and state workload standards.
4. Recruit and Support New Staff by hiring a dedicated juvenile investigator, a legal assistant, and a caseworker who will prioritize juvenile cases but may also assist with adult clients as needed. These positions ensure the office can provide holistic, team-based defense in line with national best practices.
5. Enhance Timely and Consistent Client Engagement, ensuring that all new clients are contacted within 72 hours of appointment and interviewed within 10 business days. In juvenile cases, where pretrial detention carries especially severe consequences, BCPDO will maintain a goal of attending all detention hearings and actively pursuing bond advocacy.
6. Improve Outcomes and Reduce Systemic Inefficiencies by reducing the number of continuances, achieving earlier and more appropriate case resolutions, minimizing unnecessary detention and incarceration, and reducing reliance on competency evaluations and institutional placements.
7. Increase the Pool of Qualified Defense Attorneys in Brazos County by prioritizing the hiring of attorneys not previously engaged in indigent defense and investing in training and mentoring, thereby expanding the community of well-trained, locally experienced defenders.
8. Promote Holistic, Client-Centered Representation by coordinating legal advocacy with social services, mental health treatment, educational supports, and family engagement-particularly critical in juvenile cases where outcomes have life-long impact.
9. Strengthen Institutional Capacity for Long-Term Sustainability by growing BCPDO's infrastructure in anticipation of housing expanded operations at the future county facility located at 101 N. Texas Avenue and positioning BCPDO as a central hub for indigent defense, including potential regional expansion.
10. Serve as a Training and Professional Development Hub by incorporating structured onboarding, peer review, and continuing legal education for all new staff, including cross-training in trauma-informed defense, adolescent development, and appellate advocacy.
11. Ensure Data-Driven Oversight and Accountability by tracking appointment rates, caseloads, time to disposition, client contact metrics, and outcome trends in both juvenile and appellate cases, with transparent annual reporting to the Indigent Defense Commission and Commissioners Court.

**e. Activities**

1. Post and Fill New Positions. Positions will be posted on national and state job boards (TIDC, NLADA, TCDLA, Indeed, Brazos County website, and law school career services). Selection will prioritize applicants with experience in juvenile law, appellate practice, or holistic indigent defense. The Chief Public Defender will conduct interviews and make offers, with administrative support from HR.
2. Update Internal Policies. The Brazos County Indigent Defense Plan and the BCPDO Operating Plan will be revised to include juvenile and appellate policies, onboarding procedures, and workflows aligned with TIDC and State Bar Performance Guidelines.
3. Secure Space and Resources. Allocate space at BCPDO's current location and coordinate with County Facilities to prepare future space at 101 N. Texas Avenue. Purchase technology, software, and furnishings for all new positions (laptops, remote access setup, case management system licenses).



4. **Begin Accepting Juvenile Appointments.** As vacant positions are filled, the BCPDO will notify juvenile court judges and begin accepting court appointments in juvenile cases. Attorneys will be scheduled to appear at all juvenile detention hearings (held 4 days/week), conduct client interviews within 72 hours, and engage in holistic advocacy at every stage of the case. The juvenile investigator and caseworker will work closely with defenders to conduct fact investigation, family outreach, records collection, and service referrals. Our caseload target would be 125-135 juvenile appointments per defender per year pursuant to TIDC caseload guidelines. Once all three juvenile defenders are in place, the office will build toward accepting the majority of indigent juvenile appointments in Brazos County-up to ~420-450 annually.
5. **Continue Handling Appellate Appointments.** The Appellate Defender will coordinate with the District Clerk and judges to prioritize the appointment of the BCPDO on appellate matters. They will handle notices of appeal, records requests, briefing, and oral argument. The position will also support the office with internal legal research and litigation strategy as needed. The caseload target for this position is 31 appeals per year, aligned with TIDC recommendations.
6. **Client Communication Protocols.** Staff will follow internal timelines for initial contact, bond review, and case planning. Client outreach will include jail/detention center visits, phone contact, and coordination with families in juvenile cases. Clients should be interviewed within 10 business days of appointment and maintain routine communication throughout representation.
7. **Establish Metrics and Reporting Procedures.** Appellate and juvenile matters will be calendared, tracked, and monitored using the BCPDO's case management platform. Relevant metrics will be input into the system by attorneys and administrative staff. Attorneys will log their activities throughout representation, caseloads will be reviewed at weekly meetings, and cases will be staffed collaboratively across the full resources of the BCPDO.
8. **Monitor and Adjust for Sustainability.** The Chief Public Defender will review operations quarterly to assess attorney workloads, client outcomes, staffing needs, and case processing times. This review will be logged and reported to the Advisory Board and to TIDC through quarterly progress reports. Adjustments will be made to increase efficiency and maintain TIDC compliance.
9. **Coordination with Courts and System Stakeholders.** The BCPDO will maintain strong partnerships with judges, prosecutors, juvenile probation, the juvenile board, and mental health authorities. Staff will participate in stakeholder meetings and training events to foster collaboration and shared problem-solving.

#### **f. Evaluation**

1. The Chief Public Defender and the Juvenile Chief will monitor and evaluate ongoing program activity. This includes ensuring initial client contact is taking place within 72 hours of appointment and that new clients are interviewed within 10 days of appointment. By adding a juvenile division, this will include monitoring the number of detention hearings where the BCPDO represents juveniles. Additionally, the Chief Public Defender will monitor and track the use of investigators and caseworkers providing support in juvenile matters. This information is reported to the Advisory Board and to TIDC through quarterly progress reports.
2. The Chief Public Defender and the Juvenile Chief Defender will evaluate outcomes and impact on a case by case basis. Compliance with TIDC caseload guidelines will ensure that each defender has the necessary time and resources to provide a high level of representation to each client. The BCPDO will track dismissals, deferred prosecutions, acquittals, and downward departures in dispositions.
3. Quantifiable metrics only give part of the full picture, however, when it comes to the quality of the representation being provided by criminal defense attorneys. The Chief Public Defender will continue to use the State Bar Performance Guidelines for Non-Capital Criminal Defense Representation as a measure of the quality of representation being provided. Additionally, the Chief Public Defender will establish procedures for measuring client satisfaction and case outcomes. Finally, the Chief Public Defender will set goals for training, mentorship and skill development for attorneys and staff members.

4. The Chief Public Defender will handle required grant status reporting to TIDC and the Brazos County Auditor will handle all financial reporting as required by statute. The Chief Public Defender will provide information requested by the County Auditor to achieve timely completion of required expenditure reports.

#### g. Future Funding

Brazos County remains firmly committed to providing high-quality indigent defense and views the Brazos County Public Defender's Office (BCPDO) as a cornerstone of its long-term strategy to ensure constitutional representation. With the foundational support of the Texas Indigent Defense Commission, the County successfully launched a public defender office in 2023. This next phase of expansion-into juvenile and appellate defense-represents a natural and necessary progression of that investment.

The County understands and accepts that this multi-year improvement grant requires matching funds and a commitment to step-down reimbursement over a four-year period. Brazos County is prepared to meet this obligation and to sustain the expanded program once grant funding ends. Specifically, the County is committed to absorbing costs over time to ensure continuity of services beyond the grant period.

Plans are currently underway for the development of new County offices at 101 N. Texas Avenue in Bryan. This space will house the expanded BCPDO, providing the infrastructure needed to support full-time juvenile and appellate defenders, holistic support staff, and additional program growth. The facility is being designed with scalability in mind to accommodate future regional collaborations or practice-area expansion.

As Brazos County continues to build institutional capacity, it is anticipated that the BCPDO will grow to handle the majority of the County's indigent defense caseload, including juvenile and appellate matters, while remaining in full compliance with TIDC caseload guidelines. This expansion ensures not only sustainability but also a long-term cost-effective and quality-driven model of public defense.

#### h. Budget Narrative and Budget Form

Job Title and Narrative	Salary	Fringe	Total
Managing Juvenile Defender	\$ 162,000.00	\$ 56,721.30	\$ 218,721.30

##### *Narrative and Justification*

The Managing Juvenile Defender will be responsible for supervising the Juvenile Division of the Public Defender's Office. This individual will be responsible for 2 attorneys and 3 support staff members. This position will require 10 or more years of experience in Juvenile Justice to be considered for the position as well as a strong preference for Board Certification in Juvenile Criminal Law. The position will be set at \$162,000.00 with \$56,721.30 in fringe benefits for a total of \$218,721.30. This salary is based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative	Salary	Fringe	Total
Juvenile Defender	\$ 126,996.00	\$ 48,142.56	\$ 175,138.56
Juvenile Defender	\$ 129,996.00	\$ 48,142.56	\$ 175,138.56

##### *Narrative and Justification*

The Juvenile Defenders of the Public Defender's Office will work only on pending juvenile cases. They will report directly to the Managing Public Defender. Qualifications for this position include 5 years or experience in criminal and/or juvenile law. Each position is budgeted for \$126,996.00 with \$48,142.56 in fringe benefits for a total of \$175,138.56 for each position. These salaries are based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative	Salary	Fringe	Total
Investigator	\$ 91,269.00	\$ 39,294.77	\$ 130,563.77

##### *Narrative and Justification*

The Investigator for the juvenile division of the Public Defender's Office primary responsibilities is to assist juvenile defender attorneys and gather evidence for them in criminal trials. The investigator also participates in planning programs, policies, and objectives for the Juvenile Division. This is an essential support staff position. This position is budgeted for a salary of \$91,269.00, fringe benefits of \$39,294.77 for a total budget of \$130,563.77. This salary is based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative	Salary	Fringe	Total
Case Worker	\$ 72,030.00	\$ 34,530.23	\$ 106,560.23

***Narrative and Justification***

The Case Worker determines client eligibility and referrals for a variety of social services and provides short-term case management. This position researches and establishes connections with service providers in the region on behalf of the Public Defender's Office. The Case Worker spends a significant amount of time communicating with various social service agencies and non-profit organizations to connect clients with housing, substance abuse treatment, and mental health resources. This salary is based on the 2024 Texas Public Defense Salary Study.

l health treatment, to name a few. This position is critical and essential to providing holistic defense to indigent clients.

Job Title and Narrative	Salary	Fringe	Total
Legal Assistant	\$ 58,420.00	\$ 31,159.71	\$ 89,595.71

***Narrative and Justification***

The legal assistant for the juvenile division will provide administrative support to the attorneys. The Legal Assistant provides support to the juvenile defenders, communicates with the public and other county departments to ensure effective, efficient and productive workflow. This work is confidential in nature and requires the use of problem-solving skills and independent decision-making. This position is budgeted for \$58,420.00 in salary, \$31,159.71 for fringe benefits and a total of \$89,595.71 for the position. This salary is based on the 2024 Texas Public Defense Salary Study.

Position	Salary	Fringe	Total
Appellate Defender	\$ 162,000.00	\$ 56,811.30	\$ 218,811.30

***Narrative/Justification***

An Appellate Defender position is being requested due to the lack of court appointed attorneys handling cases on appeal. The position will only handle court appointed appeals and provide legal support for public defenders and private attorneys representing indigent clients. The requested budget for the position is \$162,000.00. This will be considered a managing position, with plans on expanding the division in future years. The fringe benefits are \$56,811.30. The total budgeted amount requested for the position is \$218,811.30. This salary is based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative	Salary	Fringe	Total
Legal Assistant	\$ 58,420.00	\$ 31,159.71	\$ 89,595.71

***Narrative and Justification***

The legal assistant for the appellate division will provide support to the attorneys. The Legal Assistant provides support to the appellate defender, communicates with the public and other county departments to ensure effective, efficient and productive workflow. This work is confidential in nature and requires the use of problem-solving skills and independent decision-making. This position is budgeted for \$58,420.00 in salary, \$31,159.71 for fringe benefits and a total of \$89,595.71 for the position. This salary is based on the 2024 Texas Public Defense Salary Study.

***Expense Narrative and Justification*****Supplies:**

Supplies	Cost	Narrative
<b>Copier &amp; Printing Supplies</b>	\$ 1,500.00	This expense will cover the cost of copiers and printing supplies. Color printers are required for our office and cartridge replacements have begun to consume more of the printing supply budget.
<b>Office Supplies</b>	\$ 3,500.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff

		consumption. This expense has been reduced from last year's proposed budget.
<b>Printing</b>	\$ 1,000.00	This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public Defender's Office
<b>Subscriptions</b>	\$ 7,000.00	Subscriptions and Publications cover the cost of educational resources for attorneys.
<b>Copier &amp; Printer Maintenance</b>	\$ 500.00	This budget is dedicated to ensuring copiers and printers remain operational.
<b>Total</b>	\$ 13,500.00	

**Travel:**

<b>Travel</b>	<b>Cost</b>	<b>Narrative</b>
<b>Conference/Seminars</b>	\$ 10,200.00	This budget will support attorneys and staff continuing education.
<b>Travel</b>	\$ 7,000.00	This budget will support attorneys and staff continuing education.
<b>Gas</b>	\$ 1,000.00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations, witness meetings, client meetings and expert meetings.
<b>Total</b>	\$ 18,200.00	

**Equipment:**

<b>Equipment</b>	<b>Cost</b>	<b>Narrative</b>
<b>Furniture</b>	\$ 8800.00	This expense will cover the cost of new chairs and desks for employees: \$1,100 for each employee.
<b>IT</b>	\$ 26,800.00	This expense considers the cost of new electronic equipment for each new employee-\$3350 for each employee.
<b>Cell Phones</b>	\$ 5760.00	This expense covers the cost of cell phone for each employee @ \$60/month
<b>Scanner</b>	\$ 4,000.00	This is to cover 3 scanners- 1 for each support staff member @ \$1,000.
<b>Total</b>	\$ 45,360.00	

**Contracts:**

<b>Contracts</b>	<b>Cost</b>	<b>Narrative</b>
<b>Court Costs</b>	\$ 15,000.00	These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters and experts used in trial defense.
<b>Computer Contract</b>	\$ -	
<b>Interpreters</b>	\$ 10,000.00	These fees are necessarily incurred due to appointments on cases with non-English speaking clients. Interpreters are essential and facilitate communication during client meetings to explain legal proceedings and options.
<b>Total</b>	\$ 25,000.00	

FTE's	8.00	
Salary	\$858,131.00	
Fringe Benefits	\$345,962.14	
Travel and Training		\$18,200.00
Equipment		\$45,360.00
Supplies		\$13,500.00
Contract Services		\$25,000.00
Indirect		\$0.00
Total		\$1,306,153.14
Required County Match		\$261,230.63
Total less County Match		\$1,044,922.51

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June 18, 2025

To: Edwin Colfax

**Re: 2026 Letter Supplement Including Explanation of Costs and Specifically Anticipated Salaries for FY 2026 Grant Applications**

Mr. Colfax,

Please see the attached letter supplement following our phone call yesterday. This letter supplement provides more specifically anticipated salary costs for FY 2026 as well as some basis for cost explanations for some individual line items you mentioned.

Our requests were submitted in three separate grant applications:

- D20260210820250509 (Continuing Improvement)
- D20260210220250509 (New Improvement)
- D20260211120250509 (Mental Health)

Please consider the information in the attached supplement as an update for all three applications. In addition to the letter update, I have also attached information relevant to pay parity.

Please contact me directly with any questions you may have.

Sincerely,

A handwritten signature in blue ink, reading "Nathan Wood", is written over a horizontal line.

**Nathan Wood**  
**Brazos County Public Defender's Office**  
Chief Public Defender  
979-361-4581  
ntwood@brazoscountytexas.gov

## SALARIES

### Chief Public Defender

The Chief Public Defender position for the BCPDO is salaried at \$145,649.92. The elected Criminal District Attorney of Brazos County receives a salary of \$186,000 (including an \$18,000 supplement from the county). Currently, the First Assistant District Attorney receives a salary of \$173,250. The First Assistant County Attorney receives a salary of \$155,850. In addition, there are five felony prosecutors earning higher salaries than the Chief Public Defender. The salary also falls short of the salary range for Chief Public Defenders recommended by the 2024 TIDC Salary Study.

The Brazos County Public Defender's Office Oversight Board recommends salary changes as necessary to the Commissioners Court. The Oversight Board has encouraged the BCPDO to seek full pay parity with local prosecutor's offices. A salary for this position that is in parity with local prosecutors' offices and consistent with the TIDC 2024 Public Defense Salary Study would be in the range of \$175,000 to \$184,152.

### Misdemeanor Defender Positions Under the Continuing Improvement Grant

1. One misdemeanor defender with three years of experience receives a salary of \$101,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. **The BCPDO specifically anticipates setting the salary for this position as high as \$108,575 depending on cost-of-living and/or merit increases.**
2. A second misdemeanor defender with 3 years experience receives a salary of \$98,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. **The BCPDO specifically anticipates setting the salary for this position as high as \$105,350 depending on cost-of-living and/or merit increases.**
3. The third misdemeanor defender position is filled by an attorney with 40 years of experience. This attorney is board certified in Criminal Law and Criminal Appellate Law. Currently his salary is set at \$113,024. This salary falls far short of pay parity with local prosecutors. The only comparable prosecutor position to compare this position to is the appellate prosecutor in the DA's office with 35 years of experience who receives a salary of \$150,842. It should be noted that, should an appellate defender position be created in the BCPDO for fiscal year 2026, this attorney will be moved into that position. The salary for this attorney should be set comparable to the appellate prosecutor in the DA's office. **The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases.** **\*\*Note:** If this attorney is moved into the anticipated appellate defender position, then the BCPDO anticipates hiring a new misdemeanor defender for this position in the range of \$91,000 to \$95,000.

**Felony Defender Positions Under the Continuing Improvement Grant**

1. One existing felony defender currently employed by the BCPDO with 31 years of experience receives a salary of \$133,099.72. Several felony prosecutors in the DA's office with less experience are compensated at higher salaries: \$147,000 (with 26.5 years experience), \$147,000 (with 14.5 years experience), \$147,000 (with 17.5 years experience), with \$141,000 (with 15.5 years experience), and \$147,000 (with 22.5 years experience). The DA's office employs one felony prosecutor with 35 years of experience at a salary of \$150,842. **BCPDO specifically anticipates setting the salary for this position at \$148,025, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.**

2. A second felony defender with the BCPDO receives a salary of \$115,000 with 11 years of experience. (The start date for this employee is July 1, 2025.) Some felony prosecutors with comparable experience receive higher salaries: \$136,500 (with 12.5 years experience), \$147,000 (with 14.5 years experience), \$141,750 (with 15.5 years experience). This position's salary falls within the recommended salary range based on the 2024 Salary Study by TIDC, however, it does not demonstrate pay parity with comparable prosecutors within the county. **BCPDO specifically anticipates setting the salary for this position at \$119,500, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.**

**Anticipated Salary Costs for Attorney Positions Under New Multi-Year Improvement Grant and Mental Health Defender Program Grant**

The BCPDO applied for a new multi-year improvement grant to add juvenile and appellate divisions to this office. Specifically anticipated salary costs for these positions are as follows:

1. Under the mental health defender program grant, the BCPDO anticipates hiring one mental health defender with ten or more years of experience. The comparable attorney position within the DA's office that deals with mental health cases and the mental health court is an attorney with 11 years of experience who receives a salary of 110,250. **The anticipated salary for the Mental Health Defender position is \$110,250 for fiscal year 2026.**

2. The BCPDO already employs the attorney who will fill the appellate defender position. This is an attorney who is board certified in Criminal Law as well as Criminal Appeals, and who has 40 years of experience. The appellate prosecutor in the DA's office is an attorney with 35 years of experience and who receives a salary of \$150,842. The **BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases.**

3. The BCPDO has requested a position for a Managing Juvenile Defender to supervise all aspects of a new juvenile division. Comparable positions in the DA's office receive salaries of approximately \$147,000. In order to recruit and retain a juvenile chief, provide a salary on par with local prosecutors, and set the salary for this managing position in a range of \$139,110 to 162,000, the BCPDO requests that the salary for this position be set at \$159,995.



4. Although the grant application requests salaries for juvenile defender positions be set at \$126,000, this is really the maximum salary or salary cap for this position. The BCPDO anticipates hiring attorneys with 0 to 5 years experience to fill these positions and to make employment offers that are on par with local juvenile prosecutors. The BCPDO anticipates that the specific salaries will be set within a range of \$91,000 to \$105,000 depending on the experience of the attorney.

#### **Investigator Positions Under Both Continuing and New Grants**

1. The BCPDO currently employs one investigator who receives a salary of \$81,870. Comparable investigators in the DA's office receive salaries of \$93,321 to \$104,734. The requested salary for this position in the BCPDO under the Continuing Multi-Year Improvement grant application is \$93,321. This salary is in approximate pay parity with local prosecutors.
2. The BCPDO requested an additional investigator under the new improvement grant to support juvenile and adult felony cases. The requested salary for this position is also \$89,269. This salary is in approximate pay parity with local prosecutors and within recommended guidelines for TIDC.

#### **Support Staff Positions Under the Continuing Multi-Year Improvement Grant**

1. The requested salary for the Office Administrator position is \$81,565. This position provides direct administrative support to the Chief Public Defender including assistance with budget and grant management and preparation, workflow, procurement through the county's purchasing department and regulations, and providing direct supervision of non-attorney support staff. The requested salary is in parity with equivalent positions in the DA's and CA's offices for positions that provide administrative support directly to the department head: the administrative assistant to the County Attorney receives a salary of \$103,028, and the administrative assistant to the District Attorney receives a salary of \$80,473.
2. The requested salary for our current paralegal position is \$67,192. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. It should be noted that these comparable positions are generally not filled by certified paralegals. The requested salary is in parity with comparable positions in prosecutors' offices in Brazos County. It also reflects the certification of the BCPDO's paralegal.
3. The requested salary for the BCPDO's current caseworker is \$76,950. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. The requested salary is in parity with these comparable positions. The salary also reflects that our caseworker has more than 30 years of experience as a probation officer in Brazos County and has a tremendous knowledge of that department's practices as they relate to our clients.

### **Requested Support Staff Positions Under the Mental Health Defender and New Multi-Year Improvement Grants**

1. The BCPDO is requesting a new caseworker position be created under the Mental Health Defender grant. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. This is not an entry-level caseworker position. The position will require recruiting and retaining a caseworker with expertise in mental health services. The anticipated salary for the mental health caseworker is \$72,030. This is in parity with local prosecutors' offices and consistent with TIDC recommendations.
2. The BCPDO is requesting two new legal assistants for the juvenile division and appellate divisions. The appellate legal assistant will split time between appeals and regular misdemeanors and felonies. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. The requested salary for this position is \$58,420, which is in parity with local prosecutors' offices and consistent with TIDC recommendations.

### **BASIS OF COSTS FOR VARIOUS LINE-ITEMS**

1. Travel and Training costs under the continuing improvement grant are anticipated to be the same as for FY 2025. The requested amount in the continuing grant is the same as the budgeted amount for FY 2025. These amounts were sufficient to provide training to 10 FTE's. The department has a county vehicle that was helpful in mitigating travel costs incurred in conjunction with training (i.e., the BCPDO did not have to pay mileage associated with out of town training). It is anticipated that travel costs will increase as we add personnel. Anticipated travel costs under the mental health defender grant should be adjusted to \$2,600 (\$1,300 per employee), and training costs (Conference/Seminars) should be adjusted to \$1,500 (\$750 per employee). Travel costs for the new multi-year improvement grant should be adjusted to \$10,400 (\$1,300 per employee), and training costs should be adjusted to \$6,000 (\$750 per employee). \*\*The BCPDO will use TCDLA public defender stipends to reduce travel and training costs when possible.\*\*
2. The desktop scanners requested in the new multi-year improvement grant are the same scanners used by current BCPDO staff. Quotes for this equipment were obtained through the Brazos County IT Department. The BCPDO is a "paperless" office, and it is necessary for staff to frequently use desktop scanners.
3. The printer/scanner requested under the mental health defender grant (described in the IT line of the equipment section) can be disregarded. The BCPDO has a copy machine for printing, scanning, copying, and faxing. After further consideration, a second copy machine for printing, copying, faxing and scanning purposes is not essential. The IT line item amount under the Equipment section of the mental health defender grant should be amended to request \$7,000 instead of \$13,000.

## **Pay Parity Analysis with Attorney Licensure Dates**

## Revised Brazos Budget Requests

<b>NAME</b>	<b>DA/CA</b>	<b>LICENSE DATE</b>	<b>PRAC YEARS</b>	<b>HIRE DATE</b>	<b>SALARY</b>					
	DA	10/04/2023	1 years, 8 months	7/1/2024	91,875.16					
	CA	05/10/1991	34 years, 1 months	8/4/2001	155,850.24					
	DA	11/03/1999	25 years, 7 months	8/27/2003	173,250.22					
	DA	10/30/2020	4 years, 7 months	5/28/2024	110,250.14					
	DA	11/07/2008	16 years, 7 months	4/20/2020	136,500.00					
	DA	11/06/2002	22 years, 7 months	9/8/2003	147,000.10					
	DA	11/02/2012	12 years, 7 months	2/4/2019	136,500.00					
	DA	11/06/2009	15 years, 7 months	12/9/2024	141,750.18					
	CA	11/01/1996	28 years, 7 months	2/15/2006	119,574.26					
	DA	11/02/2007	17 years, 7 months	9/18/2007	147,000.10					
	CA	11/05/1993	31 years, 7 months	10/23/1993	119,540.98					
	DA	10/11/2021	3 years, 8 months	6/6/2022	99,750.04					
	DA	10/04/2023	1 years, 8 months	8/21/2023	89,250.20					
	CA	09/10/1998	26 years, 9 months	8/8/2022	100,584.90					
	CA	05/03/2019	6 years, 1 months	9/6/2022	95,260.36					
	DA	11/04/2005	19 years, 7 months	9/16/2014	126,000.16					
	DA	11/02/2018	6 years, 7 months	12/12/2018	110,249.88					
	CA	11/06/2002	22 years, 7 months	8/19/2002	121,918.16					
	CA	11/06/2009	15 years, 7 months	10/5/2009	117,828.10					
	DA	05/04/1990	35 years, 1 months	1/2/1990	150,842.12					
	DA	04/30/2015	10 years, 1 months	7/5/2023	110,249.88					
	DA	11/05/2010	14 years, 7 months	11/4/2024	147,000.10					
	DA	10/14/2021	3 years, 8 months	2/14/2022	89,250.20					
	CA	11/04/1994	30 years, 7 months	10/23/1995	123,723.86					
	CA	04/25/2022	3 years, 1 months	12/4/2023	84,000.28					
	DA	10/04/2023	1 years, 8 months	8/21/2023	89,250.20					
	DA	11/06/1998	26 years, 7 months	2/5/2007	147,000.10					
	DA	10/09/2023	1 years, 8 months	8/7/2023	89,250.20					
	DA	12/07/2023	1 years, 6 months	8/21/2023	89,250.20					
	DA	05/01/2013	12 years, 1 months	5/28/2024	110,250.14					
	CA	11/07/2008	16 years, 7 months	8/5/2019	102,449.36					

## Revised Brazos Budget Requests

	DA/CA	TITLE	SALARY
	CA	Legal Secretary	69,368.00
	CA	Legal Secretary	62,858.00
	CA	Victim Witness	58,344.00
	CA	Legal Secretary	58,344.00
	CA	Receptionist	45,573.00
	CA	FV Coordinator	71,095.00
	CA	Legal Secretary	54,184.00
	CA	Administrative Assistant	103,028.12
	DA	Legal Administration Secretary	58,344.00
	DA	Legal Administration Secretary	64,397.00
	DA	VAC	94,392.74
	DA	Legal Administration Secretary	66,020.00
	DA	Legal Administration Secretary	58,344.00
	DA	VAC	56,944.42
	DA	VAC	69,367.74
	DA	Admin Assistant	80,473.38
	DA	Legal Administration Secretary	59,821.00
	DA	Legal Administration Secretary	64,397.00
	DA	Investigative Assistant	51,584.00
	DA	Investigative Assistant	58,344.00
	DA	Front Office Assistant	51,584.00
	DA	Legal Administration Secretary	55,557.00

## Revised Brazos Budget Requests

	INVESTIGATORS	
	DA/CA	SALARY
	CA	95,701.00
	CA	74,693.00
	CA	84,552.00
	CA	78,500.00
	DA	93,459.86
	DA	104,734.50
	DA	77,700.22
	DA	93,382.64
	DA	93,321.28

**Open Records Salary Information with Names**  
**Redacted**

### ORR-2024-776: County Attorney and District Attorney

Name	Position	Department	Salary	Frequency	Annual Salary	Hire Date
	1st Assistant County Attorney	County Attorney - Administration	\$ 5,994.24	Biweekly	\$ 155,850.24	8/4/2001
	Lead Investigator Warrant Office - County Attorney - 1	County Attorney - Administration	\$ 46.01	Hourly	\$ 95,701.00	8/25/1997
	Assistant County Attorney I - County Attorney - 5	County Attorney - Administration	\$ 4,599.01	Biweekly	\$ 119,574.26	2/15/2006
	Legal Secretary - County Attorney - 5	County Attorney - Administration	\$ 33.35	Hourly	\$ 69,368.00	8/28/2007
	Investigator Warrant Officer - County Attorney - 5	County Attorney - Administration	\$ 35.91	Hourly	\$ 74,693.00	3/20/2023
	Investigator Warrant Officer - County Attorney - 2	County Attorney - Administration	\$ 40.65	Hourly	\$ 84,552.00	1/5/2015
	Clerk - County Attorney - 1 - 3/4-Time	County Attorney - Administration	\$ 22.46	Hourly	\$ 35,038.00	5/13/2019
	Assistant County Attorney II - County Attorney - 4	County Attorney - Administration	\$ 4,597.73	Biweekly	\$ 119,540.98	10/23/1993
	County Attorney	County Attorney - Administration	\$ 4,754.75	Biweekly	\$ 123,623.50	1/1/2021
	Assistant County Attorney I - County Attorney - 1	County Attorney - Administration	\$ 3,868.65	Biweekly	\$ 100,584.90	8/8/2022
	Legal Secretary - County Attorney - 1	County Attorney - Administration	\$ 30.22	Hourly	\$ 62,858.00	7/21/2010
	Assistant County Attorney I - County Attorney - 4	County Attorney - Administration	\$ 3,663.86	Biweekly	\$ 95,260.36	9/6/2022
	Victim Witness - County Attorney	County Attorney - Administration	\$ 28.05	Hourly	\$ 58,344.00	5/10/2004
	Assistant County Attorney II - County Attorney - 1	County Attorney - Administration	\$ 4,689.16	Biweekly	\$ 121,918.16	8/19/2002
	Assistant County Attorney II - County Attorney - 2	County Attorney - Administration	\$ 4,531.85	Biweekly	\$ 117,828.10	10/5/2009
	Legal Secretary - County Attorney - 3	County Attorney - Administration	\$ 28.05	Hourly	\$ 58,344.00	10/19/2015
	Family Violence Attorney - County Attorney	County Attorney - Administration	\$ 4,758.61	Biweekly	\$ 123,723.86	10/23/1995
	Assistant County Attorney II - County Attorney - 3	County Attorney - Administration	\$ 3,230.78	Biweekly	\$ 84,000.28	12/4/2023
	Investigator Warrant Officer - County Attorney - 4	County Attorney - Administration	\$ 37.74	Hourly	\$ 78,500.00	6/30/2007
	Receptionist - County Attorney	County Attorney - Administration	\$ 21.91	Hourly	\$ 45,573.00	2/18/2023
	Family Violence Coordinator - County Attorney	County Attorney - Administration	\$ 34.18	Hourly	\$ 71,095.00	2/8/1999
	Legal Secretary - County Attorney - 4	County Attorney - Administration	\$ 26.05	Hourly	\$ 54,184.00	6/15/2022
	Evidence Technician - County Attorney	County Attorney - Administration	\$ 29.47	Hourly	\$ 61,298.00	7/1/2015
	Administrative Assistant - County Attorney	County Attorney - Administration	\$ 3,962.62	Biweekly	\$ 103,028.12	9/3/1997
	Assistant County Attorney I - County Attorney - 2	County Attorney - Administration	\$ 3,940.36	Biweekly	\$ 102,449.36	8/5/2019
	Legal Administration Secretary - District Attorney - 4	District Attorney - Administration	\$ 28.05	Hourly	\$ 58,344.00	5/3/2021
	Assistant District Attorney I - 3	District Attorney - Administration	\$ 3,533.66	Biweekly	\$ 91,875.16	7/1/2024
	1st Assistant - District Attorney	District Attorney - Administration	\$ 6,663.47	Biweekly	\$ 173,250.22	8/27/2003
	Assistant District Attorney I - 6	District Attorney - Administration	\$ 4,240.39	Biweekly	\$ 110,250.14	5/28/2024
	Assistant District Attorney I - 14	District Attorney - Administration	\$ 5,250.00	Biweekly	\$ 136,500.00	4/20/2020
	Legal Administration Secretary - District Attorney - 8	District Attorney - Administration	\$ 30.96	Hourly	\$ 64,397.00	10/6/2008
	Victim Assistant Coordinator - District Attorney - 3	District Attorney - Administration	\$ 3,630.49	Biweekly	\$ 94,392.74	3/12/2002
	Trial Chief - District Attorney - 4	District Attorney - Administration	\$ 5,653.85	Biweekly	\$ 147,000.10	9/8/2003
	Victim Assistant Coordinator - District Attorney - 1	District Attorney - Administration	\$ 2,300.59	Biweekly	\$ 59,815.34	11/2/2015
	Legal Administration Secretary - District Attorney - 1	District Attorney - Administration	\$ 31.74	Hourly	\$ 66,020.00	2/5/2007
	Assistant District Attorney I - 9	District Attorney - Administration	\$ 5,250.00	Biweekly	\$ 136,500.00	2/4/2019
	Assistant District Attorney I - 13	District Attorney - Administration	\$ 5,451.93	Biweekly	\$ 141,750.18	12/9/2024



## Revised Brazos Budget Requests

Legal Administration Secretary - District Attorney - 3	District Attorney - Administration	\$ 28.05	Hourly	\$ 58,344.00	7/29/2024
Trial Chief - District Attorney - 2	District Attorney - Administration	\$ 5,653.85	Biweekly	\$ 147,000.10	9/18/2007
Assistant District Attorney I - 4	District Attorney - Administration	\$ 3,836.54	Biweekly	\$ 99,750.04	6/6/2022
Assistant District Attorney I - 11	District Attorney - Administration	\$ 3,432.70	Biweekly	\$ 89,250.20	8/21/2023
Investigator Supervisor - District Attorney - 1	District Attorney - Administration	\$ 3,594.61	Biweekly	\$ 93,459.86	11/16/2015
Assistant District Attorney I - 2	District Attorney - Administration	\$ 4,846.16	Biweekly	\$ 126,000.16	9/16/2014
Assistant District Attorney I - 1	District Attorney - Administration	\$ 4,240.38	Biweekly	\$ 110,249.88	12/12/2018
Victim Assistant Coordinator - District Attorney - 4	District Attorney - Administration	\$ 2,190.17	Biweekly	\$ 56,944.42	2/20/2023
Appellate Division Chief - District Attorney	District Attorney - Administration	\$ 5,801.62	Biweekly	\$ 150,842.12	1/2/1990
Victim Assistant Coordinator - District Attorney - 2	District Attorney - Administration	\$ 2,667.99	Biweekly	\$ 69,367.74	7/9/2007
Administrative Assistant - District Attorney	District Attorney - Administration	\$ 3,095.13	Biweekly	\$ 80,473.38	7/10/2023
Legal Administration Secretary - District Attorney - 2	District Attorney - Administration	\$ 28.76	Hourly	\$ 59,821.00	8/29/2016
Investigator Supervisor - District Attorney - 5	District Attorney - Administration	\$ 4,028.25	Biweekly	\$ 104,734.50	9/4/2012
Assistant District Attorney I - 15	District Attorney - Administration	\$ 4,240.38	Biweekly	\$ 110,249.88	7/5/2023
Legal Administration Secretary - District Attorney - 6	District Attorney - Administration	\$ 30.96	Hourly	\$ 64,397.00	6/6/2005
Trial Chief - District Attorney - 1	District Attorney - Administration	\$ 5,653.85	Biweekly	\$ 147,000.10	11/4/2024
Assistant District Attorney I - 7	District Attorney - Administration	\$ 3,432.70	Biweekly	\$ 89,250.20	2/14/2022
Clerk - District Attorney - 1 - Part-Time	District Attorney - Administration	\$ 21.39	Hourly	\$ 22,246.00	10/1/2017
Investigative Assistant - District Attorney - 2	District Attorney - Administration	\$ 24.80	Hourly	\$ 51,584.00	2/15/2019
District Attorney	District Attorney - Administration	\$ 692.31	Biweekly	\$ 18,000.06	9/9/2002
Investigator Supervisor - District Attorney - 4	District Attorney - Administration	\$ 2,988.47	Biweekly	\$ 77,700.22	6/13/2022
Assistant District Attorney I - 8	District Attorney - Administration	\$ 3,432.70	Biweekly	\$ 89,250.20	8/21/2023
Trial Chief - District Attorney - 3	District Attorney - Administration	\$ 5,653.85	Biweekly	\$ 147,000.10	2/5/2007
Investigative Assistant - District Attorney - 1	District Attorney - Administration	\$ 28.05	Hourly	\$ 58,344.00	2/10/2020
Assistant District Attorney I - 10	District Attorney - Administration	\$ 3,432.70	Biweekly	\$ 89,250.20	8/7/2023
Assistant District Attorney I - 16	District Attorney - Administration	\$ 3,432.70	Biweekly	\$ 89,250.20	8/21/2023
Investigator Supervisor - District Attorney - 3	District Attorney - Administration	\$ 3,591.64	Biweekly	\$ 93,382.64	3/27/2017
Investigator Supervisor - District Attorney - 2	District Attorney - Administration	\$ 3,589.28	Biweekly	\$ 93,321.28	7/30/2018
Front Office Assistant - District Attorney	District Attorney - Administration	\$ 24.80	Hourly	\$ 51,584.00	1/11/2016
Legal Administration Secretary - District Attorney - 7	District Attorney - Administration	\$ 26.71	Hourly	\$ 55,557.00	10/2/2017
Assistant District Attorney I - 17	District Attorney - Administration	\$ 4,240.39	Biweekly	\$ 110,250.14	5/28/2024

## Expansion Grant

					Worker's		
Juvenile Division	Salaries	FICA	Retirement	Insurance	Comp	Total	
Managing Juvenile Defender	\$ 159,995.00	\$ 12,239.62	\$ 27,199.15	\$ 16,692.00	\$ 183.99	\$ 216,309.76	
Juvenile Defender	\$ 105,000.00	\$ 8,032.50	\$ 17,850.00	\$ 16,692.00	\$ 120.75	\$ 147,695.25	
Juvenile Defender	\$ 105,000.00	\$ 8,032.50	\$ 17,850.00	\$ 16,692.00	\$ 120.75	\$ 147,695.25	
Investigator	\$ 89,269.00	\$ 6,829.08	\$ 15,175.73	\$ 16,692.00	\$ 102.66	\$ 128,068.47	
Case Worker	\$ 72,030.00	\$ 5,510.30	\$ 12,245.10	\$ 16,692.00	\$ 82.83	\$ 106,560.23	
Legal Assistant	\$ 58,420.00	\$ 4,469.13	\$ 9,931.40	\$ 16,692.00	\$ 67.18	\$ 89,579.71	
Appellate Division							
Appellate Defender	\$ 158,995.00	\$ 12,163.12	\$ 27,029.15	\$ 16,692.00	\$ 182.84	\$ 215,062.11	
Legal Assistant	\$ 58,420.00	\$ 4,469.13	\$ 9,931.40	\$ 16,692.00	\$ 67.18	\$ 89,579.71	
<b>Total</b>	<b>\$ 807,129.00</b>	<b>\$ 61,745.37</b>	<b>\$ 137,211.93</b>	<b>\$ 133,536.00</b>	<b>\$ 928.20</b>	<b>\$ 1,140,550.50</b>	

Operational Expenses	
Supplies	\$ 13,500.00
Equipment	\$ 38,400.00
Contract	\$ 25,000.00
Travel	\$ 17,400.00
<b>Total</b>	<b>\$ 94,300.00</b>

## Expenses

Supplies	Cost	Narrative
Copier & Printing Supplies	\$ 1,500.00	This expense will cover the cost of copiers and printing supplies. Color printers are required for our office and cartridge replacements have begun to consume more of the printing supply budget.
Office Supplies	\$ 3,500.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed budget.
Printing	\$ 1,000.00	This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public Defender's Office
Subscriptions	\$ 7,000.00	Subscriptions and Publications cover the cost of educational resources for attorneys.
Copier & Printer Maintenance	\$ 500.00	This budget is dedicated to ensuring copiers and printers remain operational.
<b>Total</b>	<b>\$ 13,500.00</b>	

Travel	Cost	Narrative
Conference/Seminars	\$ 6,000.00	This budget will support attorneys and staff continuing education.
Travel	\$ 10,400.00	This budget will support attorneys and staff continuing education.
Gas	\$ 1,000.00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations, witness meetings, client meetings and expert meetings.
<b>Total</b>	<b>\$ 17,400.00</b>	

Equipment	Cost	Narrative
Furniture	\$ 7,700.00	This expense will cover the cost of new chairs and desks for employees: \$1,100 for each employee.
IT	\$ 23,500.00	This expense considers the cost of new electronic equipment for each new employee-\$3350 for each employee.
Cell Phones	\$ 4,200.00	This expense covers the cost of cell phone for each employee @ \$60/month
Scanner	\$ 3,000.00	This is to cover 3 scanners- 1 for each support staff meember @ \$1,000.
<b>Total</b>	<b>\$ 38,400.00</b>	

Contracts	Cost	Narrative
Court Costs	\$ 15,000.00	These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters and experts used in trial defense.
Computer Contract	\$ -	
Interpreters	\$ 10,000.00	These fees are necessarily incurred due to appointments on cases with non-English speaking clients. Interpreters are essential and facilitate communication during client meetings to explain legal proceedings and options.
<b>Total</b>	<b>\$ 25,000.00</b>	

Current Employee Budget		Grant Request & BC Match	
Salaries	\$ 1,140,550.50	TIDC Grant	\$ 1,254,617.59
Fringe Benefits	\$ 333,421.50	Brazos County	\$ 313,654.40
Operational Expenses	\$ 94,300.00		\$ 1,568,271.99
<b>Total</b>	<b>\$ 1,568,271.99</b>		

## **Brazos County**

### **FY 2026 Multi-Year Grant Request**

#### **Public Defender's Office Mental Health Division**

	<-----Projected----->			
	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$329,083	\$309,283	\$309,283	\$309,283
County Match	\$65,817	\$123,713	\$185,570	\$247,426
FY26 Grant Request	<b>\$263,266</b>	\$185,570	\$123,713	\$61,857
TIDC/County Share	80% / 20%	60% / 40%	40% / 60%	20% / 80%

### **Program Summary:**

Brazos County created their Public Defender Office with the help of TIDC grants in 2023. The county is hoping to build on the success of its core program through expansion to include a Mental Health Division. The grant will fund two full-time positions: one dedicated assistant public defender and one mental health case worker. The county is currently overwhelmed with cases that involve mental illness and would benefit from more specialized and integrated representation of clients with mental health challenges to help those clients access needed treatment and support services and become stable in the community. By advocating and supporting better outcomes for clients with needed supports in the community, the program aims to reduce recidivism and unnecessary incarceration.

### **Summary of External Grant Review Committee Comments**

Reviewers ranked the program highly and supported funding but wanted more information on some aspects of the proposed budget.

### **Staff Recommendation**

Staff followed up with the county on some budget questions and expects a revised budget proposal prior to the G&R Committee meeting that addresses the concerns identified. Staff anticipates offering a positive recommendation based on the expected revisions.

The program addresses several of TIDC's published priorities for improvement grants, including building indigent defense capacity within managed systems that support quality representation and building specialized representation programs for clients with mental health challenges. This program also satisfies the requirements of the legislative budget rider directing TIDC to use at least \$5 million of each biennium's appropriations for indigent defense programs serving clients with mental health challenges.

**2026 Brazos County Improvement Grant Application Narrative  
Brazos County Public Defender's Office Mental Health Division  
Mental Health Public Defender Improvement**

**a. Application Form**

Counties Represented: **Brazos**

Fiscal Year: **2026**

State Payee Identification Number: **17460004330038**

Division To Administer Grant: **Brazos County Public Defenders Office**

Program Title: **Brazos County Public Defender's Office Mental Health Division**

Requested Grant Amount: **\$329,082.60**

Authorized Official: **Duane Peters**

Financial Officer: **Katie Conner**

Program Director: **Nathan Wood**

Mailing Address: **200 South Texas Avenue; Suite 126; Bryan, TX 77803**

**b. Introduction (Executive Summary)**

Brazos County has a strong need for specialized mental health services and representation where the criminal justice system intersects with mental illness. With grant funding, BCPDO will launch a Mental Health Division with one dedicated defender and one case worker to represent indigent clients whose criminal charges stem from mental illness. The team will coordinate legal advocacy, treatment linkage, and social-service planning; secure prompt release under mental-health bonds; and support Brazos County's new Mental Health Court. Expected outcomes: fewer jail days, competency exams, and repeat arrests, plus faster, higher-quality case resolutions and measurable court savings. Funding this program captures the proven benefits of Texas mental-health defender models.

**c. Problem Statement**

Brazos County faces a significant challenge in addressing the intersection of mental illness and the criminal justice system. MHMR Authority of Brazos Valley (the local mental health authority) estimates that more than 14,000 individuals in the county live with serious mental illness (SMI). The county's criminal justice system is increasingly overwhelmed by cases involving individuals who require specialized care, treatment, and support. Our current system lacks a dedicated framework for effectively handling these individuals, resulting in costly, inefficient, and often inadequate responses to mental health crises within the justice system.

Data collected from various sources, including the Brazos County Jail, mental health crisis interventions, and law enforcement responses, highlights the extent of the problem. On average, 20.75% of inmates in the county jail are prescribed psychotropic medications, with monthly medication costs totaling \$11,147. Furthermore, between June and August 2024, 76 individuals were identified as having probable mental health disorders, demonstrating the need for more targeted and integrated mental health services. Despite these significant needs, the county continues to rely on traditional, resource-intensive approaches, such as incarceration, rather than proactive diversion or treatment options. The county has recognized these deficiencies by creating a Mental Health Court in 2025.

The social and economic costs of the current system are high. Individuals with mental health disorders often face prolonged incarceration, delayed treatment, and recurring cycles of criminal justice involvement, leading to increased public spending on jail services, medical care, and crisis interventions. Additionally, the lack of a coordinated mental health response exacerbates the challenges of reintegration into society, contributing to higher recidivism rates and increased long-term strain on both the legal and healthcare systems.

Currently, while some efforts are made to connect individuals with mental health resources through crisis intervention and medication management, these efforts are fragmented and insufficient. Without a dedicated mental health division within the Public Defender's Office, there is no formal structure to ensure that individuals with mental health needs are consistently identified, treated, and supported throughout the legal process.

To address these challenges, the proposed activity aims to establish a Mental Health Division within the Public Defender's Office, which will focus on providing comprehensive, coordinated legal representation for individuals with

serious mental illness. This initiative will reduce jail overcrowding, decrease the reliance on emergency psychiatric interventions, and provide more effective, cost-efficient solutions for individuals in the criminal justice system.

#### **d. Objectives**

1. Division launch. Hire one full time attorney and one full time caseworker who are fully dedicated to providing specialized and holistic representation to clients appointed to the BCPDO. This establishes a dedicated framework that is currently missing.
2. Early identification. Coordinate with jail staff, law enforcement, and the local mental health authority to identify arrestees with probable serious mental illness. Work with the indigent defense coordinator and local judges to amend the indigent defense plan to prioritize BCPDO appointment to mental health cases by June 1, 2026.
3. Bond relief & pre-trial diversion. Address overcrowding and incarceration costs by securing mental health bonds or specialty court diversion for eligible clients.
4. Stakeholder training and outreach. Deliver interdisciplinary training on mental health defense, restoration, and trauma-informed advocacy to PDO staff, local judges, and the defense bar by August 31, 2026, in order to build county-wide capacity to handle mental health cases for effectively.
5. Treatment and engagement. Ensure mental health caseload clients attend initial community-based treatment appointment within 14 days of release or case disposition. This will improve continuity of care and lower recidivism.

#### **e. Activities**

1. Division launch. Recruit and hire attorney and caseworker by December 15, 2025. Recruitment rubric will emphasize mental health experience. On-boarding process will include observation and shadowing of established mental health divisions in other Texas counties. The team will provide courtroom coverage for the Brazos County Mental Health Court, Brazos County Specialty Drug Court, and all mental health dockets established by local judges to address cases involving issues of competency, restoration, court-ordered medication, and filed cases involving a serious mental illness component.
2. Early identification. The team will coordinate with the jail medical staff and the local mental health authority to screen incoming arrestees for serious mental illness and route the case to the BCPDO. This screening is already taking place, however, there is no local mechanism in place to quickly route the case to a mental health program or a mental health defender. Rapid assessment and routing will increase diversion eligibility and expedite contact with community-based services.
3. Bond relief & pretrial diversion. Within 72 hours of appointment, the caseworker will draft a safety and treatment plan, and the attorney will file a bond motion. Office staff will track bonds filed, bonds granted, and diversions accepted.
4. Stakeholder training and outreach. Mental health defender will communicate with local judges, private attorneys, MHMR, jail
5. Treatment and engagement. The caseworker will schedule first appointment or visit to appropriate community-based program or service for client and facilitate client's attendance. Client contact and communication will continue with phone calls, emails, text messages, home visits and other means.
6. Caseworker provides secondary support for adult non-mental-health caseload as time and responsibilities allow.

Integrated Holistic Defense. Team staffing and coordination with trial division, investigator, mitigation specialist to provide holistic defense. Where charges are filed and prosecuted, the mental health defender and caseworker will be assisted by a trial division defender and investigator to achieve the best possible outcome for the client.

#### **f. Evaluation**



1. Early Identification. Confirmation that 100% of jail bookings are screened for serious mental illness. Barring conflicts, approximately 90% of SMI-positive cases should be appointed to BCPDO within 48 hrs of indigency determination. Cases involving serious mental illness are flagged in LegalServer case management and the mental health defender is assigned as the responsible attorney. Screening and routing efficiency is reported at weekly meetings and added to the quarterly progress reports. These reports are presented to the Advisory Board and to TIDC.
2. Bond relief and diversion. In the first year of prioritized routing of cases, >60% of eligible MH clients receive MH bond or specialty-court diversion. Average length of pretrial incarceration is decreased by >10%. Pretrial dispositions of cases and bond reductions are already tracked by the BCPDO, and this information is reported to the Advisory Board and to TIDC through quarterly progress reports.
3. Stakeholder Training. 4 hours of CLE and/or continuing education delivered by August 31, 2026. >80% rate content "useful" on exit feedback.
4. Treatment and engagement. >75% of MH clients attend 1st community appointment within 14 days of release/disposition. The caseworker will validate attendance on a case-by-case basis and report to mental health attorney and Chief Public Defender each week at weekly meeting. This will require HIPAA releases by clients and HIPAA-compliant exchanges of information with the LMHA. Missed appointments are flagged in the system and followed up on by caseworker and attorney. Attendance rate is reported in quarterly progress reports submitted to Advisory Board and to TIDC.

#### g. Future Funding

Brazos County recognizes that a dedicated Mental-Health Defense Division is essential to protecting the rights-and improving the clinical outcomes-of justice-involved residents with serious mental illness. TIDC's start-up investment will underwrite Year 1 staffing and launch costs, but the County has already embedded a multi-year match and step-down plan into its FY 26-FY 29 financial forecast.

Beginning in FY 29, the County will assume 100 % of Division costs. The current Capital Improvement Plan allocates shell office space for the PDO in the new County Annex at 101 N. Texas Avenue, Bryan-eliminating future lease expense and allowing the Mental-Health team to expand without additional facilities funding.

Jail-day savings from mental-health bond releases (projected 1,600 bed-days/year) and reduced psychotropic-medication costs will be tracked, providing a recurring fiscal offset that will help finance the County's share once grant funds sunset.

As caseload capacity stabilizes, the PDO will integrate the Mental-Health Division into a broader regional model, offering representation to neighboring counties under interlocal agreements-spreading fixed costs and sustaining specialized staff.

With this structured financial plan, Brazos County ensures that the Mental-Health Division will not only outlive the four-year grant but will become a permanent, fiscally sound component of the County's indigent-defense system.

#### h. Budget Narrative and Budget Form

##### Salaries and Fringe Benefits

Job Title and Narrative	Salary	Fringe	Total
Mental Health Defender	\$ 117,926.00	\$ 45,896.37	\$ 163,822.37

##### *Narrative/Justification*

A Mental Health Public Defender is being requested to oversee the increase of new appointments on cases with an underlying mental health component. This position will center around the creation of the Mental Health Division of the Public Defender's Office and overseeing an Investigator, Legal Assistant and Case Worker. A minimum of ten years' experience in criminal law and a minimum of five years' experience handling mental health caseloads will be required for hiring this position. The Chief Mental Health Public Defender will provide specialized legal representation to clients with mental health issues who are involved in the criminal justice system by advocating for clients' legal rights and needs, coordinating with mental health professionals, and developing individualized defense strategies. This work will ensure that clients receive appropriate treatment and support throughout the legal process. The salary for this position is based on pay parity with chief prosecuting attorneys in Brazos County at \$117,926.00 with fringe benefits of \$45,896.37. The total budget for this position is \$163,822.37.

Job Title and Narrative	Salary	Fringe	Total
Case Worker	\$ 72,030.00	\$ 34,530.23	\$ 106,560.23

***Narrative/Justification***

The Case Worker determines client eligibility and referrals for a variety of social services and provides short-term case management. This position researches and establishes connections with service providers in the region on behalf of the Public Defender's Office. The Case Worker spends a significant amount of time communicating with various social service agencies and non-profit organizations to connect clients with housing, substance abuse treatment, and mental health treatment, to name a few. This position is critical and essential to providing holistic defense to indigent clients. The salary is currently set at \$72,030.00 with fringe benefits totaling \$34,530.23, for a total of \$106,560.23

***Expense Narrative and Justification*****Supplies:**

Supplies	Cost	Narrative
<b>Copier &amp; Printing Supplies</b>	\$ 1,000.00	This expense will cover the cost of copier and printing supplies. Color printers are required for our office and the cartridge replacements have begun to consume more of the printing supply budget.
<b>Office Supplies</b>	\$ 2,000.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed budget.
<b>Printing</b>	\$ 600.00	This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public Defender's Office
<b>Subscriptions</b>	\$ 3,500.00	Subscriptions and Publications covers the cost of educational resources for attorneys.
<b>Copier &amp; Printer Maintenance</b>	\$ 350.00	This budget is dedicated to ensuring copiers and printers remain operational.
<b>Total</b>	\$ 7,450.00	

**Travel:**

Travel	Cost	Narrative
<b>Conference/Seminars</b>	\$ 5,700.00	This budget will support attorney and staff continuing education.
<b>Travel</b>	\$ 5,000.00	This budget will support attorney and staff continuing education.
<b>Gas</b>	\$ 750.00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case related investigations, witness meetings, client meetings and expert meetings.
<b>Total</b>	\$ 11,450.00	

**Equipment:**

Equipment	Cost	Narrative
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<b>Furniture</b>	\$ 4,400.00	This expense will help cover the cost of office furniture for the new employees.
<b>IT</b>	\$ 13,000.00	This expense will cover the purchase of new equipment. Laptops, monitors, docks, printers, and scanners will be included in this purchase. \$1500/laptop set up and \$6,000 for a new printer/scanner/fax machine
<b>Cell Phones</b>	\$ 2,400.00	The budget for cell phones is \$50/phone line for all FTEs for 12 months.
<b>Total</b>	\$ 19,800.00	

**Contracts:**

<b>Contracts</b>	<b>Cost</b>	<b>Narrative</b>
<b>Court Costs</b>	\$ 12,000.00	These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters and experts used in trial defense.
<b>Computer Contract</b>	\$ -	
<b>Interpreters</b>	\$ 8,000.00	These fees are necessarily incurred due to appointments on cases with non-English speaking clients. Interpreters are essential and facilitate communication during client meetings to explain legal proceedings and options.
<b>Total</b>	\$ 20,000.00	

**Summary:**

Fiscal year 2026 is the first year of the Mental Health Division of the Public Defender's Office. The total cost of this program for Texas Indigent Defense Commission is \$329,082.60.

Personnel Costs		\$270,382.60
FTE's	2.00	
Salary	\$189,956.00	
Fringe Benefits	\$80,426.60	
Travel and Training		\$11,450.00
Equipment		\$19,800.00
Supplies		\$7,450.00
Contract Services		\$20,000.00
Indirect		\$0.00
Total		\$329,082.60
Required County Match		\$0.00
Total less County Match		\$329,082.60

[Home](#)

June 18, 2025

To: Edwin Colfax

**Re: 2026 Letter Supplement Including Explanation of Costs and Specifically Anticipated Salaries for FY 2026 Grant Applications**

Mr. Colfax,

Please see the attached letter supplement following our phone call yesterday. This letter supplement provides more specifically anticipated salary costs for FY 2026 as well as some basis for cost explanations for some individual line items you mentioned.

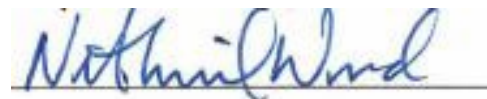
Our requests were submitted in three separate grant applications:

- D20260210820250509 (Continuing Improvement)
- D20260210220250509 (New Improvement)
- D20260211120250509 (Mental Health)

Please consider the information in the attached supplement as an update for all three applications. In addition to the letter update, I have also attached information relevant to pay parity.

Please contact me directly with any questions you may have.

Sincerely,

A handwritten signature in blue ink, reading "Nathan Wood", is written over a horizontal line.

**Nathan Wood**  
**Brazos County Public Defender's Office**  
Chief Public Defender  
979-361-4581  
ntwood@brazoscountytexas.gov

## SALARIES

### Chief Public Defender

The Chief Public Defender position for the BCPDO is salaried at \$145,649.92. The elected Criminal District Attorney of Brazos County receives a salary of \$186,000 (including an \$18,000 supplement from the county). Currently, the First Assistant District Attorney receives a salary of \$173,250. The First Assistant County Attorney receives a salary of \$155,850. In addition, there are five felony prosecutors earning higher salaries than the Chief Public Defender. The salary also falls short of the salary range for Chief Public Defenders recommended by the 2024 TIDC Salary Study.

The Brazos County Public Defender's Office Oversight Board recommends salary changes as necessary to the Commissioners Court. The Oversight Board has encouraged the BCPDO to seek full pay parity with local prosecutor's offices. A salary for this position that is in parity with local prosecutors' offices and consistent with the TIDC 2024 Public Defense Salary Study would be in the range of \$175,000 to \$184,152.

### Misdemeanor Defender Positions Under the Continuing Improvement Grant

1. One misdemeanor defender with three years of experience receives a salary of \$101,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. **The BCPDO specifically anticipates setting the salary for this position as high as \$108,575 depending on cost-of-living and/or merit increases.**
2. A second misdemeanor defender with 3 years experience receives a salary of \$98,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. **The BCPDO specifically anticipates setting the salary for this position as high as \$105,350 depending on cost-of-living and/or merit increases.**
3. The third misdemeanor defender position is filled by an attorney with 40 years of experience. This attorney is board certified in Criminal Law and Criminal Appellate Law. Currently his salary is set at \$113,024. This salary falls far short of pay parity with local prosecutors. The only comparable prosecutor position to compare this position to is the appellate prosecutor in the DA's office with 35 years of experience who receives a salary of \$150,842. It should be noted that, should an appellate defender position be created in the BCPDO for fiscal year 2026, this attorney will be moved into that position. The salary for this attorney should be set comparable to the appellate prosecutor in the DA's office. **The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases.** \*\*Note: If this attorney is moved into the anticipated appellate defender position, then the BCPDO anticipates hiring a new misdemeanor defender for this position in the range of \$91,000 to \$95,000.

**Felony Defender Positions Under the Continuing Improvement Grant**

1. One existing felony defender currently employed by the BCPDO with 31 years of experience receives a salary of \$133,099.72. Several felony prosecutors in the DA's office with less experience are compensated at higher salaries: \$147,000 (with 26.5 years experience), \$147,000 (with 14.5 years experience), \$147,000 (with 17.5 years experience), with \$141,000 (with 15.5 years experience), and \$147,000 (with 22.5 years experience). The DA's office employs one felony prosecutor with 35 years of experience at a salary of \$150,842. **BCPDO specifically anticipates setting the salary for this position at \$148,025, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.**

2. A second felony defender with the BCPDO receives a salary of \$115,000 with 11 years of experience. (The start date for this employee is July 1, 2025.) Some felony prosecutors with comparable experience receive higher salaries: \$136,500 (with 12.5 years experience), \$147,000 (with 14.5 years experience), \$141,750 (with 15.5 years experience). This position's salary falls within the recommended salary range based on the 2024 Salary Study by TIDC, however, it does not demonstrate pay parity with comparable prosecutors within the county. **BCPDO specifically anticipates setting the salary for this position at \$119,500, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.**

**Anticipated Salary Costs for Attorney Positions Under New Multi-Year Improvement Grant and Mental Health Defender Program Grant**

The BCPDO applied for a new multi-year improvement grant to add juvenile and appellate divisions to this office. Specifically anticipated salary costs for these positions are as follows:

1. Under the mental health defender program grant, the BCPDO anticipates hiring one mental health defender with ten or more years of experience. The comparable attorney position within the DA's office that deals with mental health cases and the mental health court is an attorney with 11 years of experience who receives a salary of 110,250. **The anticipated salary for the Mental Health Defender position is \$110,250 for fiscal year 2026.**

2. The BCPDO already employs the attorney who will fill the appellate defender position. This is an attorney who is board certified in Criminal Law as well as Criminal Appeals, and who has 40 years of experience. The appellate prosecutor in the DA's office is an attorney with 35 years of experience and who receives a salary of \$150,842. The **BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases.**

3. The BCPDO has requested a position for a Managing Juvenile Defender to supervise all aspects of a new juvenile division. Comparable positions in the DA's office receive salaries of approximately \$147,000. In order to recruit and retain a juvenile chief, provide a salary on par with local prosecutors, and set the salary for this managing position in a range of \$139,110 to 162,000, the BCPDO requests that the salary for this position be set at \$159,995.

4. Although the grant application requests salaries for juvenile defender positions be set at \$126,000, this is really the maximum salary or salary cap for this position. The BCPDO anticipates hiring attorneys with 0 to 5 years experience to fill these positions and to make employment offers that are on par with local juvenile prosecutors. The BCPDO anticipates that the specific salaries will be set within a range of \$91,000 to \$105,000 depending on the experience of the attorney.

#### **Investigator Positions Under Both Continuing and New Grants**

1. The BCPDO currently employs one investigator who receives a salary of \$81,870. Comparable investigators in the DA's office receive salaries of \$93,321 to \$104,734. The requested salary for this position in the BCPDO under the Continuing Multi-Year Improvement grant application is \$93,321. This salary is in approximate pay parity with local prosecutors.
2. The BCPDO requested an additional investigator under the new improvement grant to support juvenile and adult felony cases. The requested salary for this position is also \$89,269. This salary is in approximate pay parity with local prosecutors and within recommended guidelines for TIDC.

#### **Support Staff Positions Under the Continuing Multi-Year Improvement Grant**

1. The requested salary for the Office Administrator position is \$81,565. This position provides direct administrative support to the Chief Public Defender including assistance with budget and grant management and preparation, workflow, procurement through the county's purchasing department and regulations, and providing direct supervision of non-attorney support staff. The requested salary is in parity with equivalent positions in the DA's and CA's offices for positions that provide administrative support directly to the department head: the administrative assistant to the County Attorney receives a salary of \$103,028, and the administrative assistant to the District Attorney receives a salary of \$80,473.
2. The requested salary for our current paralegal position is \$67,192. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. It should be noted that these comparable positions are generally not filled by certified paralegals. The requested salary is in parity with comparable positions in prosecutors' offices in Brazos County. It also reflects the certification of the BCPDO's paralegal.
3. The requested salary for the BCPDO's current caseworker is \$76,950. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. The requested salary is in parity with these comparable positions. The salary also reflects that our caseworker has more than 30 years of experience as a probation officer in Brazos County and has a tremendous knowledge of that department's practices as they relate to our clients.

### **Requested Support Staff Positions Under the Mental Health Defender and New Multi-Year Improvement Grants**

1. The BCPDO is requesting a new caseworker position be created under the Mental Health Defender grant. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. This is not an entry-level caseworker position. The position will require recruiting and retaining a caseworker with expertise in mental health services. The anticipated salary for the mental health caseworker is \$72,030. This is in parity with local prosecutors' offices and consistent with TIDC recommendations.
2. The BCPDO is requesting two new legal assistants for the juvenile division and appellate divisions. The appellate legal assistant will split time between appeals and regular misdemeanors and felonies. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. The requested salary for this position is \$58,420, which is in parity with local prosecutors' offices and consistent with TIDC recommendations.

### **BASIS OF COSTS FOR VARIOUS LINE-ITEMS**

1. Travel and Training costs under the continuing improvement grant are anticipated to be the same as for FY 2025. The requested amount in the continuing grant is the same as the budgeted amount for FY 2025. These amounts were sufficient to provide training to 10 FTE's. The department has a county vehicle that was helpful in mitigating travel costs incurred in conjunction with training (i.e., the BCPDO did not have to pay mileage associated with out of town training). It is anticipated that travel costs will increase as we add personnel. Anticipated travel costs under the mental health defender grant should be adjusted to \$2,600 (\$1,300 per employee), and training costs (Conference/Seminars) should be adjusted to \$1,500 (\$750 per employee). Travel costs for the new multi-year improvement grant should be adjusted to \$10,400 (\$1,300 per employee), and training costs should be adjusted to \$6,000 (\$750 per employee). \*\*The BCPDO will use TCDLA public defender stipends to reduce travel and training costs when possible.\*\*
2. The desktop scanners requested in the new multi-year improvement grant are the same scanners used by current BCPDO staff. Quotes for this equipment were obtained through the Brazos County IT Department. The BCPDO is a "paperless" office, and it is necessary for staff to frequently use desktop scanners.
3. The printer/scanner requested under the mental health defender grant (described in the IT line of the equipment section) can be disregarded. The BCPDO has a copy machine for printing, scanning, copying, and faxing. After further consideration, a second copy machine for printing, copying, faxing and scanning purposes is not essential. The IT line item amount under the Equipment section of the mental health defender grant should be amended to request \$7,000 instead of \$13,000.

## Mental Health Division

Position	Salary	FICA	Retirement	Insurance	Worker's Comp	Total
Mental Health Defender	\$ 110,250.00	\$ 8,434.13	\$ 18,742.50	\$ 16,692.00	\$ 126.79	\$ 154,245.41
Case Worker	\$ 72,030.00	\$ 5,510.30	\$ 12,245.10	\$ 16,692.00	\$ 82.83	\$ 106,560.23
Total	\$ 182,280.00	\$ 13,944.42	\$ 30,987.60	\$ 33,384.00	\$ 209.62	\$ 260,805.64

Operational Expenses		Grant Total	
Supplies	\$ 7,450.00	Salaries	\$ 182,280.00
Equipment	\$ 19,800.00	Fringe	\$ 78,525.64
Contract	\$ 20,000.00	Operational Exp	\$ 52,100.00
Travel	\$ 4,850.00	<b>Total</b>	\$ 312,905.64
<b>Total</b>	\$ 52,100.00		

Supplies	Cost	Narrative
Copier & Printing Supplie	\$ 1,000.00	This expense will cover the cost of copier and printing supplies. Color printers are required for our office and the cartridge replacements have begun to consume more of the printing supply budget.
Office Supplies	\$ 2,000.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed budget.
Printing	\$ 600.00	This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public Defender's Office
Subscriptions	\$ 3,500.00	Subscriptions and Publications covers the cost of educational resources for attorneys.
Copier & Printer Mainten	\$ 350.00	This budget is dedicated to ensuring copiers and printers remain operational.
<b>Total</b>	\$ 7,450.00	

Travel	Cost	Narrative
Conference/Seminars	\$ 1,500.00	This budget will support attorney and staff continuing education.
Travel	\$ 2,600.00	This budget will support attorney and staff continuing education.
Gas	\$ 750.00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case related investigations, witness meetings, client meetings and expert meetings.
<b>Total</b>	\$ 4,850.00	

Equipment	Cost	Narrative
Furniture	\$ 4,400.00	This expense will help cover the cost of office furniture for the new employees.
IT	\$ 13,000.00	This expense will cover the purchase of new equipment. Laptops, monitors, docks, printers, and scanners will be included in this purchase. \$1500/laptop set up and \$6,000 for a new printer/scanner/fax machine
Cell Phones	\$ 2,400.00	The budget for cell phones is \$50/phone line for all FTEs for 12 months.
<b>Total</b>	\$ 19,800.00	

Contracts	Cost	Narrative
Court Costs	\$ 12,000.00	These costs cover fees associated with representation of clients.
Computer Contract	\$ -	
Interpreters	\$ 8,000.00	These fees are necessarily incurred due to appointments on cases with
<b>Total</b>	\$ 20,000.00	



## Culberson County

### FY 2026 Multi-Year Grant Request

#### *Far West Texas Regional Public Defender Expansion – Val Verde and Terrell*

<-----Projected----->

	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$2,017,151	\$1,942,151	\$1,942,151	\$1,942,151
County Match	\$403,430	\$647,384	\$647,384	\$647,384
FY26 Grant Request	<b>\$1,613,721</b>	\$1,294,767	\$1,294,767	\$1,294,767
TIDC/County Share	80% / 20%	66.6% / 33.3%	66.6% / 33.3%	66.6% / 33.3%

#### **Program Summary:**

The Far West Texas Regional Public Defender (FWTRPDO) was created in 2017 with the help of TIDC grants and serves Brewster, Culberson, Hudspeth, Jeff Davis, and Presidio Counties. The FWTRPDO is seeking grant funds to expand its adult felony and misdemeanor services to Terrell and Val Verde Counties.

Terrell and Val Verde lack sufficient attorneys living and practicing in the counties to meet indigent defense needs. This has led to increased costs, delays in disposing of cases, and increased jail costs. The FWTRPDO will staff the expansion with three felony attorneys, two misdemeanor attorneys, two investigators, two mental health social workers, and one administrative assistant. Costs for three positions will be shared across the entire FWTRPDO for a chief, a local office head, and a chief of staff.

#### **Summary of External Grant Review Committee Comments**

Reviewers supported the proposal and recognized the compelling need in the expansion counties. Initial requests for clarification on some details were addressed in follow-up conversations.

#### **Staff Recommendation**

Award Culberson County a FY26 Improvement Grant of **\$1,613,721** to Culberson County for expansion of the Far West Texas Regional Public Defender Office to cover Val Verde and Terrell Counties.

**The Texas Legislature has included a budget rider requiring TIDC to fund a regional public defender program for Val Verde and Terrell Counties.** TIDC was likely to recommend this program in the last grant cycle but could not because funds were unavailable at that time.

The program clearly addresses several of TIDC's published priorities for the Improvement Grant program, including serving rural areas with regional programs and building indigent defense capacity in managed systems that support quality representation.

**2026 Culberson County Improvement Grant Application Narrative**  
**Far West Texas Regional Public Defender**  
**Continued Multi-Year Improvement Grants**

**a. Application Form**

Counties Represented: **Brewster, Culberson, Hudspeth, Jeff Davis, Presidio, Terrell, Val Verde**

Fiscal Year: **2026**

State Payee Identification Number: **746002433**

Division To Administer Grant: **County Judge's Office**

Program Title: **Far West Texas Regional Public Defender**

Requested Grant Amount: **\$3,028,820.27**

Authorized Official: **Carlos G Urias**

Financial Officer: **Kerri L. Quiett**

Program Director: **James Gerard McDermott, II**

Mailing Address: **PO Box 927; 300 LaCaverna; Van Horn, TX 79855**

**b. Introduction (Executive Summary)**

The Far West Texas Regional Public Defender requests funding to expand its services to Terrell and Val Verde Counties. This proposal would add 100% of adult felony and misdemeanor appointments in criminal cases. Excluded would be juvenile cases. The labor-intensive nature of such cases make it too difficult to project staffing needs at this time. The current program excludes juvenile cases as well. Also excluded are cases originating from Operation Lone Star. Those cases are easily tracked upon entry into CJIS and at magistration in Val Verde and Terrell Counties, and they are handled adequately though the defense system set up around that program. The new region would be larger than West Virginia and would cover about half of the Texas-Mexico border. For the existing counties, increased costs over this fiscal year include a COLA (assumed at 5%) and expected increased in costs for subscription and contract services as well as for travel and training, as measured against the current year actual costs. A final ARPA funded position will also be merged into the core grant. The management and administrative positions, that would be shared across both offices, are increased because of expected increase in workload and responsibility.

**c. Problem Statement**

The Far West Texas Regional Public Defender was created in October 2017 and currently covers on area of over 20,000 square miles and the following counties: Culberson and Hudspeth in the west, and Brewster, Jeff Davis, and Presidio in the east. The largest city is Alpine, with a population 5967. The county populations range from Brewster, the largest, at 9173 to Jeff Davis, the smallest, at 2204. The five counties include some of the highest poverty rates in Texas. Because of the large geographic area, the remoteness, and the poverty of the counties, the reimbursement rate is 80%.

The staffing model for the current five counties (Brewster, Culberson, Hudspeth, Jeff Davis, and Presidio) seems adequate at this time. No significant changes are proposed to the model. Increased costs include four categories. First, an ARPA funded position, and associated costs, will be merged into the core grant. Second, the budget includes an estimated COLA of 5% based on projections by the Culberson County treasurer. Third, actual travel expenditures this year have increased for a few reasons: increased travel reimbursement rates, and increase of in-person hearings (rather than zoom) in this calendar year.

The fourth increase comes from general increases in costs from outside vendors: subscription services for data storage, legal research, software, supplies, copier, internet, and phones as examples. The budget for this increase is based on actual costs as calculated so far during this fiscal year.

**Expansion**

Val Verde County and Terrell County-the two counties immediately east of Brewster County-are requesting to join the Far West Texas Regional Public Defender.

Terrell County, which adjoins Brewster County, has a population of 760. Sanderson, the county seat, is 90 miles to the east of Alpine and 90 miles to the west of Del Rio. Its caseload is small, in general with the district courts closing between 2 and 22 felonies and between 6 and 60 misdemeanors per

year for the past 5 years. A more granular review of the data reveals the immediate problem. The cases in Terrell County before 2020 moved with some regularity. With no local bar of its own, Terrell County relied on lawyers from the larger region to travel 90 to 120 minutes to come to court to handle cases. The lawyer fees for court appointments for these cases are high as a result, and a public defender will control costs and help the county set a more predictable budget for indigent defense.

The situation in Val Verde County is complicated. The open cases include about 510 felonies and 500 misdemeanors, excluding OLS related cases. The appointment list currently has eleven lawyers on it, for two felony courts and one misdemeanor court. However, of those lawyers, only two office in Val Verde County. The other nine lawyers travel from as far as San Antonio and accept appointments across ten or more counties as well as in federal court. The demands placed on these few lawyers across the region has prevented them from being able to timely handle their cases in Val Verde County. In court, the result has been docket settings that could be handled in two hours lasting instead for longer than a full day, as the courts try to accommodate the scheduling conflicts of appointed counsel. Yet, the cases do not move because the lawyers cannot be prepared, even with the schedule accommodation. This problem has also created a significant impact on the jail population. Lawyers are unable to visit clients regularly outside of court settings, and the length of time from arrest to case resolution (often without any attempts to modify the bond) has been increasing over the last five years.

The strain on the time demands for these lawyers is going to increase. In June 2024, Del Rio saw the addition of a second federal district-court judge, who has added his own dockets to those already existing. The scheduling issues for the state courts have only gotten worse.

The result can be seen in the case closure data reported to TIDC. Since 2018, the number of felony cases closed has decreased by about half, from a high of 530 in 2018 to 188 in 2021, while the case filings have increased. Currently, over 90% of felony cases qualify for and receive a court-appointed attorney. The number of misdemeanor cases closed has decreased by a third over the same time period. The data in those cases clearly illustrates the problem. Closed retained cases in misdemeanor court increased in number during the previous five years, while the number of court-appointed closed cases decreased by 50%.

One stark example is with the jail population and the effect it has on the Val Verde County budget. Val Verde contracts with the GEO Group for jail beds, currently a flat fee for up to 120 beds, then fees and other costs when the jail population exceeds the cap. In recent years, when the cap was exceeded, the annual cost to Val Verde County was approximately \$400,000. The current indigent defense providers cannot keep up with the jail population because of the problems outlined above. As a result, Val Verde County will continue to pay additional costs for jail space. The Far West Texas Regional Public Defender has diligently monitored jail populations in the counties it currently serves. Val Verde believes that joining this program will solve that immediate and pressing problem.

The FWTRD brings with its model forensic mental health social workers. Mental illness as an as complicated the provision of services and the caseflow. The jail has become a primary mental health service provider, straining an already overwhelmed system. Social workers will work with magistrates to identify new arrestees with mental health issues. Social worker will visit clients that are in custody, complete intake forms, and begin assessment of clients. Social workers can help identify needs, connect services, work with appropriate community-based solutions, and help keep low-risk but high-needs defendants out of jail.

This is a desperately needed service for the criminal justice system and will save Val Verde County money.

#### Shared costs

Joining the Far West Texas Regional Public Defender will also address one financial barrier-the costs of administration. By sharing such costs, Val Verde and Terrell can find a more affordable solution to building a county-based program. The proposed budget includes increased salaries for the following shared positions: chief public defender; first assistant public defender (who will also be the office lead

in the Del Rio office); chief of staff; social-work team manager; and a shared program administrative assistant. To set these salaries, we compared comparable positions in El Paso County (a program that directly adjoins the Far West Texas) and Concho Valley (our nearest rural neighbor).

#### **d. Objectives**

The Far West Texas Regional Public Defender will continue the same level of service across the existing counties-accepting 100% of qualifying cases except conflicts. The FWTRPDO will ultimately take 100% of adult criminal court appointments in Terrell and Val Verde Counties, excepting conflicts and cases related to Operation Lone Star. It will open a physical office in Del Rio with a staff based in the county, separate from the Alpine office excepting staff used for both for management and administration. The counties and the public defender would develop caseload standards to set agreed upon expectations and benchmarks. The staffing model proposed for this expansion has been built through an analysis of current open cases with guidance from both the TIDC caseload guidelines and the new ABA-Rand Corporation study concerning caseloads.

Built into this model as well is the presence of two mental health social workers. Mental illness among criminal defendants in the region has slowed down cases and had a negative effect on the jail population. Mental health social workers have a proven positive effect.

This application includes a proposed budget for the entire FWTRPD; supporting documentation is provided to show the budget broken out separately by the two offices.

#### **e. Activities**

This program change would require creating an office in Del Rio, because the program and the new counties have committed to the existing counties that this addition would not affect the provision of services to the existing counties.

Staffing needs are projected based on adhering to caseload guidelines through an analysis of open adult criminal cases. The model does not include cases generated by Operation Lone Star, as those cases are already assigned and funded through an alternate system. Staff needs are: 3 felony line attorneys, two misdemeanor attorneys, two investigators, two mental health social workers, and a local administrative assistant. Costs for five positions will be shared across the entire FWTRPDO: chief (50% for expansion counties); the first assistant who will also be the local office head with administrative duties across the program (75% for expansion counties); a chief of staff (supervisor for all non-attorney staff across all counties at 50% for expansion counties); a social-work team manager (50% for expansion counties); and a senior administrative assistant (1/3 for expansion counties). Terrell County projected caseloads are small enough to not require dedicated staff. The ultimate Terrell County contribution will be negotiated between Terrell and Val Verde, but is estimated to be around \$10,000.

Budgets for the expansion counties and the current counties are included with this application.

1. We have already decided upon an office head, who will transition onto this project on October 1, 2025. We have also identified two lawyers who are interested in working in Del Rio.
2. Start-up tasks. October 2025-March 2026.
  - a. Finding office space. Purchasing furniture, computers, and supplies.
  - b. CMS.  
We would modify the existing CMS to incorporate the new office.
  - c. Hiring of staff.
  - d. Meeting with local judges to determine appropriate caseload guidelines for the local situation, relying on the TIDC caseload guidelines and the ABA-Rand Corporation analysis as benchmarks.
  - e. Meeting stakeholders and local criminal-justice offices, such as prosecutors, county and district judges, magistrates, jail staff, and probation officers. Meeting local employees in the MHMR regional provider as well as their administration. Meeting other local low-income legal services providers (Legal Aid, Federal Public Defender). Meeting local social

services providers, including hospitals, food banks, faith-based organizations. Identifying substance-abuse recovery options. Meet community leaders and advocates.

Anticipated first case assignment: January 2026. We want to start taking cases within 90 days of funding. We will not wait until full staffing to start taking cases. We plan to start in phases based on staffing and infrastructure.

#### **f. Evaluation**

The FWTRPD office already has a system to comply with TIDC data reporting requirements. Local stakeholders will join the oversight board and thus have a role in regular evaluation of program activities. We have upgraded the database and have the training to comply with TIDC reporting requirements in a timely manner.

#### **g. Future Funding**

The Far West Texas Regional Public Defender is on a sustainable funding model for rural programs with TIDC. Val Verde and Terrell Counties qualify for the current funding model.

#### **h. Budget Narrative and Budget Form**

Estimated first-year costs for the expansion counties alone at \$ \$2,017,151.49 in the first year, with TIDC contributing \$1,613,721.19, Val Verde County contributing \$393,430.30, and Terrell County contributing \$10,000 (exact breakdown to be determined). Costs and expenses for the current core grant for FWTRPDO are listed separately on a spreadsheet, for a total of The combined budget between all 7 counties would be \$2,474,421.

#### **Expansion counties**

1. Salaries: \$1,226,455.00. An initial review of cases indicates a staff: 3 felony line attorneys, two misdemeanor attorneys, two investigators, two mental health social workers, and a local administrative assistant. Costs for three positions will be shared across the entire FWTRPDO: chief (50% for expansion counties), a local office head with administrative duties across the program (75% for expansion counties), and a chief of staff (supervisor for all non-attorney staff across all counties at 50% for expansion counties). Salaries set at the same for equal positions currently in the program.
2. Fringe benefits: \$336,306.77, according to the Culberson County Auditor.
3. Cost of work-related travel: \$17,000. It is not clear what travel expenses are required. This is an initial estimate and will be revised for future budgets based on actuals.
5. Cost of training with related travel: \$61,000. This includes training for all employees, including specialized training costs related to social workers.
6. Start-up costs: \$150,000. Computers, furniture, equipment. An estimate. Start up costs will not transfer into subsequent years, unless start up requires more time than a fiscal year.
7. Equipment & Supplies: \$75,000. Includes equipment contracts, subscription services, software licenses, office supplies.
8. Cost of rental space in Alpine currently is \$90,000. This is a placeholder estimate for Del Rio. We do not have a current survey of market conditions. Estimated office cleaning at \$15,000 and insurance at \$2,600.
9. Shared indirect costs of \$43,789.73

#### **Existing counties**

1. Salaries: \$1,105,380.00.
2. Fringe benefits: \$310,604.13, according to the Culberson County Auditor.



3. Cost of work-related travel: \$53,000.
5. Cost of training with related travel: \$73,500. This includes training for all employees, including specialized training costs related to social workers.
6. Equipment & Supplies: \$75,000. Includes equipment contracts, subscription services, software licenses, office supplies.
8. Cost of rental space in Alpine currently is \$90,000. This is a long-term lease with no price increases. Office cleaning at \$15,000 and insurance at \$2,600.
9. Shared indirect costs of \$43,789.73

#### Combined budget

1. Salaries: \$2,331,835.00.
2. Fringe benefits: \$646,910.90, according to the Culberson County Auditor.
3. Cost of work-related travel: \$70,000.
5. Cost of training with related travel: \$134,500. This includes training for all employees, including specialized training costs related to social workers.
6. Start-up costs: \$150,000. Computers, furniture, equipment. An estimate. Start up costs will not transfer into subsequent years, unless start up requires more time than a fiscal year.
7. Equipment & Supplies: \$150,000. Includes equipment contracts, subscription services, software licenses, office supplies.
8. Rent: \$180,000. This includes a placeholder estimate for Del Rio. We do not have a current survey of market conditions. Estimated office cleaning at \$30,000 and insurance at \$5,200.
9. Shared indirect costs of \$87,579.45

Personnel Costs	\$2,978,745.90
FTE's	24.00
Salary	\$2,331,835.00
Fringe Benefits	\$646,910.90
Travel and Training	\$204,500.00
Equipment	\$182,000.00
Supplies	\$18,000.00
Contract Services	\$315,200.00
Indirect	\$87,579.45
Total	\$3,786,025.35
Required County Match	\$757,205.07
Total less County Match	\$3,028,820.28

Far West Texas Regional Public Defender  
Core Grant Proposed Budget FY2026 **Del Rio**  
TIDC effective reimbursement rate:

	Proposed	
Salaries		
Chief Public Defender	\$	105,000.00
First Assistant	\$	150,000.00
Felony lawyer	\$	154,350.00
Felony lawyer	\$	154,350.00
Felony lawyer	\$	125,000.00
Misdemeanor lawyer	\$	82,687.50
Misdemeanor lawyer	\$	82,687.50
Chief of Staff	\$	28,333.33
Investigator I	\$	60,637.50
Investigator II	\$	60,637.50
Administrative Assistant	\$	19,166.67
Administrative Assistant	\$	46,305.00
Social Worker supervisor	\$	25,000.00
Social Worker I	\$	66,150.00
Social Worker II	\$	66,150.00
Total salaries	\$	1,226,455.00
Benefits		
Health Insurance	\$	105,120.00
Retirement	\$	137,362.96
FICA	\$	93,823.81
Total benefits	\$	336,306.77
Travel & Training		
Case related travel	\$	10,000.00
Investigator case related travel	\$	4,000.00
Training costs I	\$	12,000.00
Travel related to training I	\$	30,000.00

MSW case travel	\$	3,000.00
MSW training and travel	\$	4,000.00
MSW supervision by LCSW	\$	15,000.00
Total	\$	78,000.00
Equipment & Supplies		
Office equipment contract	\$	20,000.00
Office subscription service	\$	30,000.00
Office supplies	\$	9,000.00
Equipment	\$	8,000.00
Total	\$	67,000.00
Unanticipated supplies and services	\$	8,000.00
Rent	\$	90,000.00
Cleaning	\$	15,000.00
Indirect	\$	43,789.73
Insurance	\$	2,600.00
Total	\$	151,389.73
TOTAL	\$	2,017,151.49
Total TIDC Contribution	\$	1,613,721.19
Start up costs	\$	150,000.00
Counties' Cost	\$	403,430.30
Terrell	\$	10,000.00
Val Verde	\$	393,430.30



Far West Texas Regional Public Defender Core Grant Proposed Budget FY2026 TIDC effective reimbursement rate:		With expansion 0.8	
		2024 base	Proposed
Salaries			
	Chief Public Defender	\$ 189,000.00	\$ 210,000.00
	First Assistant	\$ 170,100.00	\$ 200,000.00
	Chief of Staff	\$ 75,000.00	\$ 85,000.00
	Social Worker supervisor		\$ 75,000.00
	Admin Asistant (shared)		\$ 57,500.00
Alpine staff	Lawyer	\$ 147,000.00	\$ 154,350.00
	New Felony Lawyer		\$ 120,000.00
	Lawyer	\$ 105,000.00	\$ 110,250.00
	Lawyer	\$ 100,000.00	\$ 105,000.00
	Entry-level attorney	\$ 78,750.00	\$ 82,687.50
	Investigator	\$ 57,750.00	\$ 60,637.50
	Social work caseworker		\$ 60,000.00
	Social Work Caseworker	\$ 63,000.00	\$ 66,150.00
	Administrative Assistant II	\$ 44,100.00	\$ 46,305.00
Del Rio staff	Felony lawyer		\$ 154,350.00
	Felony lawyer		\$ 154,350.00
	Felony lawyer		\$ 125,000.00
	Misdemeanor lawyer		\$ 82,687.50
	Misdemeanor lawyer		\$ 82,687.50
	Investigator I		\$ 60,637.50
	Investigator II		\$ 60,637.50
	Social Worker I		\$ 66,150.00
	Social Worker II		\$ 66,150.00
	Administrative assistant		\$ 46,305.00
	Total salaries	\$ 1,029,700.00	\$ 2,331,835.00
Benefits			
	Health Insurance		\$ 207,360.00
	Retirement		\$ 261,165.52
	FICA		\$ 178,385.38
	Total benefits	\$ -	\$ 646,910.90
Alpine office Travel & Training			
	Case related travel	\$ 22,000.00	\$ 25,000.00
	Investigator related travel	\$ 12,000.00	\$ 14,000.00
	Training costs I	\$ 14,000.00	\$ 16,000.00
	Travel related to training I	\$ 32,000.00	\$ 35,000.00
	SW case travel	\$ 11,000.00	\$ 14,000.00
	MSW training and travel	\$ 5,000.00	\$ 7,500.00
	MSW supervision by LCSW	\$ 10,000.00	\$ 15,000.00
	Total	\$ 106,000.00	\$ 126,500.00
Alpine Office Equipment & Supplies			
	Office equipment contracts	\$ 14,000.00	\$ 20,000.00
	Office subscription services	\$ 24,000.00	\$ 30,000.00
	Office supplies	\$ 8,300.00	\$ 9,000.00
	Equipment	\$ 8,000.00	\$ 8,000.00
	Unanticipated office expenses	\$ 8,000.00	\$ 8,000.00
	Total	\$ 62,300.00	\$ 75,000.00
Del Rio Office Travel & Training			
	Case related travel		\$ 10,000.00
	Investigator case related travel		\$ 1,000.00
	Training costs I		\$ 16,000.00
	Travel related to training I		\$ 30,000.00
	MSW case travel		\$ 1,000.00
	MSW training and travel		\$ 5,000.00
	MSW supervision by LCSW		\$ 15,000.00
	Total		\$ 78,000.00
Del Rio Equipment & Supplies			
	Office equipment contracts		\$ 20,000.00
	Office subscription services		\$ 30,000.00
	Office supplies		\$ 9,000.00
	Equipment		\$ 8,000.00
	Unanticipated office expenses		\$ 8,000.00
	Total		\$ 75,000.00
Alpine Physical Plant			
	Rent	\$ 90,000.00	\$ 90,000.00
	Cleaning	\$ 14,400.00	\$ 15,000.00
	Insurance	\$ -	\$ 2,600.00
	Total		\$ 107,600.00
Del Rio Physical Plant			
	Rent		\$ 90,000.00
	Cleaning		\$ 15,000.00
	Insurance		\$ 2,600.00
	Total		\$ 107,600.00
Del Rio Start-up			\$ 150,000.00
Indirect			\$ 87,579.45
Total			\$ 3,786,025.34
Total TIDC Contribution			\$ 3,028,820.27
Total Core County Contribution			\$ 353,774.77
Brewster	45.323%	\$ 151,435.14	\$ 160,341.34
Culberson	11.722%	\$ 39,166.05	\$ 41,469.48
Jeff Davis	7.954%	\$ 26,576.24	\$ 28,139.25
Hudspeth	18.755%	\$ 69,665.00	\$ 66,350.46
Presidio	16.246%	\$ 54,281.83	\$ 57,474.25
Val Verde			\$ 393,430.30
Terrell			\$ 10,000.00

*County of Val Verde*



**Lewis G. Owens Jr.**  
*County Judge*

400 Pecan Street  
Del Rio, TX 78840  
Email: lowens@valverdecountry.texas.gov

Phone (830) 774-7501  
Fax (830) 775-9406

May 7, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

Re: Far West Texas Regional Public Defender  
TIDC Grant

To Whom It May Concern:

My name is Lewis G. Owens, Jr., and I am the elected County Judge of Val Verde County. Val Verde County is requesting to join the Far West Texas Regional Public Defender. In writing this, I will note for TIDC that I received unanimous approval from the Val Verde County Commissioners Court in this effort. I have reviewed the proposed budget and the caseload estimates. I believe joining this program will be in the best interest of Val Verde County. The district court judges and the county court-at-law judge also support this application.

The indigent defense system in Val Verde County has reached a crisis point. The number of local attorneys on our appointment lists is now fewer than 5. Most of our court appointments go to out of county lawyers, who each carry caseloads in courts across the region and in federal court. These lawyers are not able to give Val Verde cases the attention that they need. The result has been dockets that do not move (in both district courts and the county court-at-law), and a jail population that exceeds our contract amount with the Geo Group.

Our situation is about to get more complicated with the addition of a second federal district judge in the U.S. Western District of Texas-Del Rio Division. The time constraints of the appointment-wheel lawyers have only gotten worse since we first applied a year ago.

The County has been impressed with the program built by the Far West Texas Regional Public Defender. Rather than build a program ourselves and pay for the

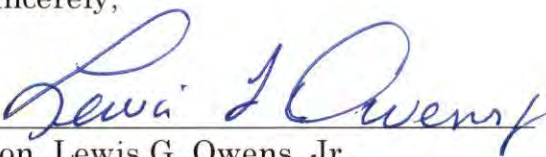
associated administrative costs, it makes financial and strategic sense to join a program with a demonstrated record of success.

From 2006 until 2009, Val Verde County contracted with a third-party vendor to provide indigent defense services with TIDC funding on an 80-60-40-20 model. That funding model did not make sense at the time, because Val Verde had a higher number of resident lawyers willing to take court appointments and the full cost of running an effective program was prohibitive. Val Verde County also had issues with its relationship with the vendor.

Since that time, TIDC has revised its sustainable model. Val Verde County has also decided that being a part of a county-based regional public defender will allow it to have more insight into the finances and spending of the program.

Having lawyers based in the region who are dedicated to servicing indigent defendants in our courts will ultimately save Val Verde County hundreds of thousands of dollars in jail costs and countless hours of courtroom time. Our County is excited to join this program, with your assistance. If anything remains unclear or should you have any questions, please do not hesitate to call me. Thank you for your consideration of this letter and courtesies in this matter.

Sincerely,

A handwritten signature in blue ink, reading "Lewis G. Owens, Jr.", written over a horizontal line.

Hon. Lewis G. Owens, Jr.  
Val Verde County Judge

May 7, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

My name is Robert Cadena. I am the elected judge of the 83<sup>rd</sup> judicial district, with jurisdiction in Terrell and Val Verde Counties. I am also the local administrative judge in the area.

I have watched a significant change in the provision of indigent defense in our region over the last 5 years. The number of lawyers on our appointment list has been decreasing. For almost 1000 felony cases closed last year, only two of the appointed lawyers are local, and they cannot handle these cases alone. We have sought out lawyers from as far away as San Antonio to help carry the caseload, and they handle court appointments across five or more counties as well as federal court. Already, scheduling for them is difficult. As a result, the lawyers do not have the time to handle our cases. And, we will soon have a second federal judge based in Del Rio, who will be holding his own criminal dockets. The result has been long docket days, slow movement of cases, and long jail times while defendants wait for their cases to move. The system is overloaded, and it is only going to get worse.

I have been watching with interest as the Far West Texas Regional Public Defender has been building to our west. I have seen the difference they have made in jail populations, case closure rates, and docket preparation. I have reviewed the projected caseloads with them and I believe their plan is sound. I believe joining this program will be in the interest of Val Verde County. Rather than build a program ourselves and pay for the associated administrative costs, it makes financial and strategic sense to join a program with a demonstrated record of success.

I have discussed with the the other court: the 63<sup>rd</sup> district judge, Roland Andrade, and the County Court-at-Law, Sergio Gonzalez. We are unanimous in our support of this program. I have also discussed this with the Terrell County Judge, Dale Carruthers. We are all in support this application.

Sincerely,



Hon. Robert Cadena  
Judge, 83<sup>rd</sup> Judicial District

## Harris County

### FY 2026 Multi-Year Grant Request

#### Statewide Indigent Defense Mentoring and Training (FIDL)

⟨-----Projected-----⟩

	FY2026	FY2027	FY2028
Total Program Cost	\$226,255	\$148,408	\$201,180
FY26 Grant Request	<b>\$226,255</b>	\$148,408	\$201,180

#### **Program Summary:**

Harris County, in collaboration with Gideon's Promise, the Texas Criminal Defense Lawyers Association (TCDLA), and TIDC, is seeking a grant to continue the nationally acclaimed Gideon's Promise training program in Texas. Doing so will continue the Future Indigent Defense Leaders (FIDL) program, a Texas-based program to develop and mentor the next generation of indigent defense providers throughout Texas. FIDL will prepare indigent defense providers statewide and include both public defenders, Managed Assigned Counsel panel attorneys, and private assigned counsel. The grant continues the goal for FIDL to become a fully Texas based program, supporting the need for criminal defense attorneys in public defender offices, Managed Assigned Counsel programs, and accepting appointments to represent indigent defendants.

#### **Staff Recommendation**

Award Harris County a FY26 Improvement Grant Award of \$226,255 for the Future Indigent Defense Leaders Statewide Training and Mentoring Program, contingent upon receipt of Harris County Commissioners Court resolution authorizing the application.

While this award is proposed for FY2026, it is presented now for approval to provide sufficient lead time for the program to allow for the selection process and event planning so that the program will be able to begin in October, 2025.



## 2026 Harris County Improvement Grant Application Narrative

### Future Indigent Defense Leaders Cohort 6 Statewide Training & Mentoring Program - Year 1

#### Multi-year

#### A. Application Form:

Counties Represented: **Anderson, Andrews, Angelina, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Bowie, Brazoria, Brazos, Brewster, Briscoe, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Camp, Carson, Cass, Castro, Chambers, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Colorado, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, DeWitt, Dickens, Dimmit, Donley, Duval, Eastland, Ector, Edwards, Ellis, El Paso, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Fort Bend, Franklin, Freestone, Frio, Gaines, Galveston, Garza, Gillespie, Glasscock, Goliad, Gonzales, Gray, Grayson, Gregg, Grimes, Guadalupe, Hale, Hall, Hamilton, Hansford, Hardeman, Hardin, Harris, Harrison, Hartley, Haskell, Hays, Hemphill, Henderson, Hidalgo, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hudspeth, Hunt, Hutchinson, Irion, Jack, Jackson, Jasper, Jeff Davis, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kenedy, Kent, Kerr, Kimble, King, Kinney, Kleberg, Knox, Lamar, Lamb, Lampasas, La Salle, Lavaca, Lee, Leon, Liberty, Limestone, Lipscomb, Live Oak, Llano, Loving, Lubbock, Lynn, McCulloch, McLennan, McMullen, Madison, Marion, Martin, Mason, Matagorda, Maverick, Medina, Menard, Midland, Milam, Mills, Mitchell, Montague, Montgomery, Moore, Morris, Motley, Nacogdoches, Navarro, Newton, Nolan, Nueces, Ochiltree, Oldham, Orange, Palo Pinto, Panola, Parker, Parmer, Pecos, Polk, Potter, Presidio, Rains, Randall, Reagan, Real, Red River, Reeves, Refugio, Roberts, Robertson, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Starr, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Val Verde, Van Zandt, Victoria, Walker, Waller, Ward, Washington, Webb, Wharton, Wheeler, Wichita, Wilbarger, Willacy, Williamson, Wilson, Winkler, Wise, Wood, Yoakum, Young, Zapata, Zavala**

Fiscal Year: **2026**

State Payee Identification Number: **17604545149**

Division To Administer Grant: **Harris County Public Defender Office**

Program Title: **Future Indigent Defense Leaders Cohort 6 Statewide Training & Mentoring Program**

Requested Grant Amount: **\$293,333.81**

Authorized Official: **Lina Hidalgo**

Financial Officer: **Michael D. Post**

Program Director: **Alex Bunin**

Mailing Address: **1201 Franklin Street; 13th Floor; Houston, TX 77002**

#### B. Introduction (Executive Summary)

Harris County, in collaboration with Gideon's Promise, the Texas Criminal Defense Lawyers Association (TCDLA), and TIDC, will continue building on the Texas-based program to develop and mentor the next generation of indigent defense providers throughout Texas. FIDL Future

Indigent Defense Leaders (FIDL) brings to Texas the award-winning curriculum developed by Gideon's Promise, the premier trainer of public defenders nationally, presented by a team of national and Texas public defense trainers. This program will also provide new defender technical assistance, and continue developing in-state trainers to administer the Gideon's Promise model in the future. While Harris County will serve as the grantee and fiscal agent for this program, FIDL will prepare indigent defense providers statewide including both public defenders and private assigned counsel. It will also further develop Texas trainers in the Gideon's Promise model, growing Texas' trainers skills. This program builds on the success of the past iterations of FIDL and the Harris County FACT programs by developing a sustainable, Texas-based infrastructure to support a steady supply of attorneys well-prepared for a career in public defense.

### C. Problem Statement

FIDL will help Texas address several challenges to its indigent defense system:

1. Law schools do not adequately prepare attorneys to enter indigent defense work upon graduation. There is a deep need among law students for post-graduate training and mentorship. A wait list developed for young lawyers interested in a fifth class of FIDL has developed and is growing. These lawyers hail from across the state, with many already working in indigent defense.
2. Absent a training, mentoring, and leadership program, new lawyers often observe and replicate subpar and even improper defense bar behavior, including practices that do not comply with ethical or constitutional standards.
3. The knowledge and experience of seasoned, high-performing Texas criminal defense lawyers is underutilized, particularly as applied to new lawyers in need of training and mentoring.
4. Many of the best criminal defense attorneys are underleveraged as defense leaders across the state.
5. Many top national training programs have little interaction with the Texas bar.
6. The exchange of information between national, state, and local organizations regarding criminal defense techniques is underdeveloped.
7. TIDC's Indigent Defense Attorney Mentoring in Texas publication notes that indigent defense mentoring in Texas is necessary to support small and solo firms, to meet the Fair Defense Act, to create a path to appointment lists, and to foster a client centered approach to representation.
8. Sending Texas defenders out of state for high-quality defender development programs is costly and has increased travel requirements, limiting Texas attorneys' access.

## D. Objectives

FIDL will:

1. Cater to the specific needs of Texas attorneys
2. Increase the number of young lawyers trained for public defense
3. Ensure access to stable mentoring relationships for young defenders
4. Foster the growth of a sustainable Texas program that will save money through reduced travel.

A collaboration between Harris County, TCDLA, and Gideon's Promise, with guidance and input from TIDC, can help remedy the challenges listed above. This program builds on the first five cohorts of Future Indigent Defense Leaders nurturing the growth of high-quality defender development programs in Texas.

The program will be led by an Advisory Group, which includes membership from each of the following entities: TIDC, Harris County, TCDLA, and Gideon's Promise. The day-to-day coordination of the program will be handled the Texas Criminal Defense Lawyers Association. Curriculum management and training will be handled by Gideon's Promise, who has committed a Lead Trainer to guide the cohort and trainers through the three-year program.

## E. Activities

Gideon's Promise-certified Training, Texas-specific

Gideon's Promise is led by MacArthur Genius Award winner Jon Rapping. Gideon's Promise was the subject of the documentary Gideon's Army and has established itself as the gold standard for indigent defense mentoring, training, and leadership.

New attorneys will attend the FIDL two-week core summer institute as well as a total of four returning weekend institutes every 6 months. During the interims, participants will stay engaged with their assigned mentors receiving support and advice.

The program classes will serve 30 Texas criminal defense lawyers. Preference will be given to:

Attorneys working at public defender offices who have worked at that office for at least 1 year.

Attorneys working in Managed Assigned Counsel systems for at least 1 year.

In addition, six experienced Texas-based defenders will work alongside certified Gideon's Promise program leaders teaching the program, growing Texas' instate defender training capacity to present the program in the future.

The Advisory Group will develop an application. The process will be available statewide to any public defenders, attorneys working in Managed Assigned Counsel systems, or private assigned counsel focused wholly or primarily on indigent defense. The Advisory Group will select and match mentors and mentees.



### One-on-One Mentoring

One of the biggest successes from FIDL was the creation of a Texas-based mentor system for young lawyers to call upon when in need of advice or guidance. However, Gideon's Promise had also assigned the young lawyer a mentor, at times leading to confusion about overlapping mentoring roles. In FIDL, these two mentorship roles will be combined. The mentor will be a seasoned Texan lawyer, ideally in the same jurisdiction or region. By co-locating the mentorship process young lawyers will benefit from seasoned lawyer's guidance that is specific and practical in their day-to-day legal practice.

### Program Coordination

TCDLA will provide program coordination, including managing program applications, maintaining an applicant/participant database, coordinating applicant interviews with the Advisory Group, handling hotel and meal contracts, reimbursing Texas faculty and FIDL participants travel costs, and coordinating communications with faculty, FIDL participants, and mentors.

Both the Harris County Public Defender Office and Harris County Managed Assigned Counsel Office will participate in the management of the program through the TSDD Advisory Group with TIDC, TCDLA, and Gideon's Promise. Harris County staff have developed significant experience in public defender mentoring and the specific needs of Texas defenders. Participants in the program will be recruited from all regions in Texas and will include both public defenders and indigent defense providers from the private bar, including those practicing in Managed Assigned Counsel systems.

### **F. Evaluation**

The program will be evaluated on an ongoing basis, reviewing participant attendance at each FIDL training session, feedback from participants on the content of each presentation and the overall program, and surveys of participants. Data will also be gathered on program participants continued employed at public defender offices, participation in Managed Assigned Counsel systems, and work as appointed counsel in criminal and juvenile cases.

### **G. Future Funding**

As FIDL continues to train cohorts of young Texas defenders, they join prior FIDL cohorts for returner weekends, eventually joining a group of seasoned Texas indigent defense attorneys who will be learning how to lead and implement the Gideon's Promise program in future years. The sixth cohort marks a milestone for the program, moving to having experienced Texas public defense attorneys make up a majority of the faculty. In addition, each FIDL cohort grows the number of potential Texas program faculty, further reducing costs for future cohorts by reducing the number of national faculty needed.

Gideon's Promise will continue to work with the Texas team on FIDL's migration to a Texas based program which will guide future program activities. Future investments in the program will be recommended based on the program evaluation and the documented impact on the quality of representation in Texas indigent defense practice.

### **H. Budget Narrative and Budget Form**

Because this program will develop indigent defense leaders throughout the state, Harris County requests that TIDC fully cover the program budget.

Harris County will use grant funds to contract with both Gideon's Promise and TCDLA to implement this program. Gideon's Promise costs include program licensing and materials, administration, Gideon's Promise staff, and national faculty compensation and travel expenses. Gideon's Promise Lead faculty, is budgeted at \$20,600 for the 2 week Core program, and \$5,150 for each returner weekend, while national faculty presenters will receive a \$2,750 stipend for their time during Core and a \$1,030 stipend for returner weekends. Travel for the lead and national faculty members is budgeted at \$930 per person per trip. Program material licensing fees and Gideon's ongoing technical assistance for the program is budgeted at \$50,000 per year.

The budget also includes registration fees for 4 Texas trainers to attend the first and second phases of Gideon's Trainer Development Program in the first two years of the program.

TCDLA's logistical and support line item reflects the cost of coordinating application and selection process, outreach, recruitment, managing program applications, maintaining an applicant/participant database, continuing legal education accreditation and reporting, travel, lodging, meals for participants and Texas faculty, program coordination, coordinating applicant interviews with the Advisory Group, handling hotel and meal contracts, reimbursing Texas faculty and FIDL participants travel costs, coordinating communications with faculty, FIDL participants, and mentors, and facilitating mentor-mentee interactions. Student and faculty hotel rooms will not exceed the state rate. The meals line item covers three meals per day for the Core program and returner weekends for students and faculty. The CLE registration fee reflects the State Bar's charge for CLE accreditation.

Attending the Rusty Dun can conference as part of FIDL is a vital part of the network-building aspects of the program. The cost for each lawyer to attend Rusty Duncan will be provided at the discounted rate of \$350 per person, for a total of \$10,500.

In addition, Texas faculty and faculty candidates will be selected each year to attend Gideon's trainer development program, fostering their development as future program faculty, and TCDLA will reimburse their hotel and travel expenses.

	<b>FIDL 6.0 Budget</b>			
<b><u>Gideon's Promise</u></b>	<b>Year 1 (FY26)</b>	<b>Year 2 (FY27)</b>	<b>Year 3 (FY28)</b>	<b>Line Item Total</b>
Lead Faculty Fees	\$ 20,600.00	\$ 10,300.00	\$ 10,300.00	\$ 41,200.00
National Faculty Stipends	\$ 15,450.00	\$ 6,180.00	\$ 6,180.00	\$ 27,810.00
Travel	\$ 6,510.00	\$ 7,440.00	\$ 7,440.00	\$ 21,390.00
Technical Assistance and Licensing	\$ 30,000.00	\$ 52,000.00	\$ 52,000.00	\$ 134,000.00
Trainer Development Program Registration	\$ 2,500.00	\$ 2,500.00		\$ 5,000.00
<b>Total</b>	<b>\$ 75,060.00</b>	<b>\$ 78,420.00</b>	<b>\$ 75,920.00</b>	<b>\$ 229,400.00</b>
<b><u>TCDLA</u></b>	<b>Year 1 (FY26)</b>	<b>Year 2 (FY27)</b>	<b>Year 3 (FY28)</b>	<b>Line Item Total</b>
Student Hotel	\$ 31,710.00	\$ 9,630.00	\$ 10,200.00	\$ 51,540.00
Faculty Hotel	\$ 22,650.00	\$ 9,630.00	\$ 10,200.00	\$ 42,480.00
Student/Faculty Program Travel	\$ 8,400.00	\$ 14,400.00	\$ 14,400.00	\$ 37,200.00
Texas Faculty Stipends	\$ 9,000.00	\$ 7,800.00	\$ 7,800.00	\$ 24,600.00
Meals (Students and Faculty)	\$ 57,000.00	\$ 23,988.00	\$ 23,988.00	\$ 104,976.00
CLE Accreditation	\$ 135.00	\$ 240.00	\$ 240.00	\$ 615.00
TCDLA Logistical/Program Services	\$ 7,500.00	\$ -	\$ 58,432.00	\$ 65,932.00
Rusty Duncan Registration	\$ 10,500.00	\$ -	\$ -	\$ 10,500.00
Trainer Development Program Hotel	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 5,000.00
Trainer Development Program Airfare	\$ 1,800.00	\$ 1,800.00	\$ -	\$ 3,600.00
<b>Total</b>	<b>\$ 151,195.00</b>	<b>\$ 69,988.00</b>	<b>\$ 125,260.00</b>	<b>\$ 346,443.00</b>
<b>Program Total (By Year)</b>	<b>\$ 226,255.00</b>	<b>\$ 148,408.00</b>	<b>\$ 201,180.00</b>	
<b>Total Program Cost</b>	<b>\$ 575,843.00</b>			

## Hays County

### FY 2026 Multi-Year Grant Request

#### Mental Health Division Expansion of Public Defender

	<-----Projected----->			
	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$611,702	\$601,702	\$601,702	\$601,702
County Match	\$122,340	\$240,681	\$361,021	\$481,362
FY26 Grant Request	<b>\$489,362</b>	\$361,021	\$240,681	\$120,340
TIDC/County Share	80% / 20%	60% / 40%	40% / 60%	20% / 80%

#### **Program Summary:**

The Hays County Public Defender operates under a contract the county executed with Neighborhood Defender Service (NDS), a non-profit public defense service provider. The county seeks grant funds to expand the NDS program with a team dedicated to representation of clients with mental illness. The team will provide specialized representation focused on addressing the role of untreated mental illness in the alleged offense, identifying and referring clients to available community resources, and advocating for case resolutions that include services needed to help clients succeed in the community.

#### **Summary of External Grant Review Committee Comments**

Not reviewed yet, late submission.

#### **Staff Recommendation**

**Leave pending and revisit at August meeting.**

The program directly addresses several of TIDC's published priorities for the improvement grant program and also satisfies the requirements of the legislative budget rider directing TIDC to use at least \$5 million of each biennium's appropriations for indigent defense programs serving clients with mental health challenges.

**2026 Hays County Improvement Grant Application Narrative  
Mental Health Team for Hays County Public Defenders Office  
Mental Health Public Defender Improvement**

**a. Application Form**

Counties Represented: **Hays**

Fiscal Year: **2026**

State Payee Identification Number: **097494884**

Division To Administer Grant: **Hays County Judge's Office**

Program Title: **Mental Health Team for Hays County Public Defenders Office**

Requested Grant Amount: **\$604,202.34**

Authorized Official: **Ruben Becerra**

Financial Officer: **Marisol Villarreal-Alonzo**

Program Director: **Stephen Michael Thomas**

Mailing Address: **712 S. Stagecoach Trail; Suite 1045; San Marcos, TX 78666**

**b. Introduction (Executive Summary)**

In 2023, Hays County launched a Public Defenders Office in collaboration with the Neighborhood Defender Service to provide legal representation for indigent defendants. This approach brings together attorneys, social workers, and support staff and handles a caseload where half of the clients require mental health support. There is a need to establish a dedicated mental health team to address complex mental health needs within the PDO. Establishing this team will fill a gap, ensuring individuals receive holistic care and resources to address underlying issues contributing to involvement in the legal system.

**c. Problem Statement**

In 2023, Hays County launched a Public Defenders Office in collaboration with the Neighborhood Defenders Service with a clear mission: to provide legal representation for indigent defendants facing misdemeanor or felony charges. The unique approach, bringing together attorneys, social workers, and support staff, has proven effective in handling a caseload where half of the clients require mental health support. However, as the workload continues to grow and the program becomes more integral to the Hays County legal system, staff has gained deeper insights into the specific needs of the Hays County community.

With this understanding, there is an urgent need to establish a dedicated mental health team within the PDO. Currently, resources and contractual commitments do not provide funding for a such a team equipped with the specialized expertise necessary to comprehensively address the complex mental health needs of clients. The absence of this expert team leaves a gap in the ability of staff to offer tailored support, advocacy, and resources. Given the complexity and specialized nature of mental health cases, there often exists an unjust disparity in pretrial detention for these clients. Furthermore, if they are found incompetent, they face prolonged custody while awaiting placement for restoration. This issue persists not only in Hays County but also in other Texas counties. Efforts are underway to address this challenge, including the establishment of an in-jail/in-custody restoration process at the Hays County Jail.

While current clients with mental health needs receive skilled and compassionate legal counsel along with wraparound support, the potential benefits of a specialized mental health team are clear. Despite the talent and successes of our existing team, establishing a dedicated mental health team will further guarantee that individuals receive comprehensive care and resources, thereby elevating the effectiveness and fairness of our legal representation. Without coordinated legal and wraparound services, clients often face challenges accessing critical resources like counseling, case management, and social support, leaving them vulnerable to being misunderstood, underserved, and unfairly treated within the legal system. Moreover, both our team and our clients stand to gain from a broader network of connections with community organizations and service providers, enriching our capacity to offer comprehensive care and robust referral networks that extend essential support beyond the courtroom.

The team would focus on cases accepted into the Mental Health Specialty Courts as well as more complex cases in regular courts with clients that have severe mental illness and would include one attorney, one social worker, one investigator, and one team administrator (paralegal or legal assistant). The benefit will be having a dedicated team that will be able to focus 100% of their efforts on cases with clients that are suffering from a mental illness. Because they will be a dedicated team, the team members won't rotate to alternate assignments within the courthouse and will be able to focus their expertise in mental health related cases. A natural result of this focus is the ability to build a better rapport with clients throughout the life of a case.

This focus will allow the team to develop the specialized expertise in areas such as mental health first aid, co-occurring disorders identified in the DSM-5 and the Code of Criminal Procedure chapter addressing competency. A dedicated team can also better track the competency evaluation process, where a client is evaluated and determined competent or incompetent to stand trial. Due to shortages in available beds at county or state-run mental health facilities, individuals in the criminal justice system often experience extended wait times to transfer to a mental health facility for court-ordered restoration services. During this wait time, in-custody clients sometimes deteriorate further

due to a lack of medication and/or access to psychiatric services. A specialized team can more effectively address issues that arise and advocate for the client on a more timely basis. To compound the issue, some clients' mental conditions can improve, which may go unnoticed if the client isn't visited and communicated with on a regular and timely basis. With the implementation of a dedicated defense team to monitor these clients, those with improved mental conditions can be re-evaluated for competency at the request of the defense team, sometimes removing the need for a prolonged in-custody wait time.

A dedicated team can develop channels within the jail and medical service provider systems to better address common issues that arise with cases involving a client with a severe mental illness. For in-custody clients, these important resources include obtaining and consistently accessing medication, accessing a psychiatrist for routine visits as well as mental health crises as well as access to our social worker and investigator.

Currently, the PDO has been assigned roughly 350 cases involving a client identified with a mental health condition (using the 16.22 evaluation as a metric). Over the course of a year, about 168 of those cases have been disposed. The disposition types include dismissal, plea to community supervision as well as confinement. Approximately 20 of those cases were individuals that were accepted into the mental health specialty court. Going forward, a dedicated team can ensure that the appropriate clients are being referred to the mental health court for consideration and those that are not candidates for the specialty court obtain focused advocacy to dispose of their case in the most appropriate way.

Establishing a specialized mental health team fills a gap, ensuring individuals receive specialized, holistic care and resources to address underlying issues contributing to their involvement in the legal system. By recognizing and addressing this need, Hays County can work towards creating a more equitable and effective system of support for individuals with mental health needs in our community. Hays County is dedicated to enhancing access to mental health services for its residents. Establishing a robust mental health defense team within the Public Defenders Office will ensure that the defense perspective is effectively represented and advocated for within both the courthouse and the community.

#### **d. Objectives**

Through the creation and implementation of the mental health focused team within the Public Defenders office, Hays County and NDS seek to accomplish an overall objective of providing more holistic legal representation and support to individuals with Serious Mental Illness or individuals who are experiencing acute mental health crisis.

##### **Identified Objectives**

- Neighborhood Defender Service (NDS) will hire the mental health team consisting of an attorney, a social worker, an investigator, and a team administrator (paralegal or legal assistant) within 3 months of the project start date.
- In the first year of the program, the mental health team will serve 226 misdemeanor case equivalents - where a misdemeanor counts as 1 case and a felony counts as 1.87 cases - with a focus on individuals with Severe Mental Illness or those in immediate crisis.

#### **e. Activities**

##### **START UP TASKS**

Neighborhood Defenders Service will create detailed job descriptions for an attorney, social worker, investigator, and paralegal who will specialize in mental health cases. These will differ from existing positions as their sole focus will be to provide legal and social work support for clients with cases falling under Section 16.22 of the Texas Code of Criminal Procedure, which indicates an "early identification of Defendant Suspected of Having Mental Illness or Intellectual Disability".

##### **ON-GOING TASKS**

- Once hired, the mental health focused attorney will be a key public advocate for mental health awareness in the criminal justice system. The attorney will cultivate meaningful relationships with the mental health court and key providers, familiarize themselves with available treatment options appropriate to address specific mental health considerations, and establish connections with correctional personnel to ensure equitable treatment for clients with unique mental health needs. They will oversee the work of the social worker, investigator, and team administrator/paralegal to ensure efforts are coordinated, client-centered, and collaborative
  - The mental health social worker will focus on building impactful partnerships and collaborations, expanding a network of support that extends far beyond the courtroom, empowering clients to address their mental health needs and work towards positive outcomes. The social worker serves as an ongoing resource for clients even after the court case is resolved, providing continued support and stability to the community.
  - The investigator and team administrator play pivotal roles in the identification and acquisition of crucial evidence, conducting thorough research, drafting motions, negotiating plea agreements, and preparing other essential documentation vital to the case. Their contributions are instrumental in securing a fair and equitable resolution that takes into account mental health considerations unique to each client, ensuring a just outcome.
- Through holistic case management, the program will serve 150 unique individuals with mental health needs in one year. This will include representation, advocacy, connection to resources, and assistance in navigating the criminal justice system.



During the project period, the mental health team will have a focus on building connections with resources in the community to better serve clients such as community/advocacy groups and services.

#### **f. Evaluation**

Because this program will integrate into an existing Public Defenders Office, many of the evaluation metrics for the success of the team will be similar to metrics for the PDO as a whole. These will include:

1. The appointment rate for indigent defense representation for misdemeanor cases and felony cases for individuals with serious mental illness.
2. The number of hours and/or days from arrest to appointment of counsel for all indigent defense cases in Hays County (includes mean and median) for individuals with serious mental illness.
3. The frequency of establishing initial client contact within 24 hours of appointment.
4. The frequency of holding the initial client interview within 72 hours of appointment.
5. The number and percentage of clients who received pre-arrest and pre-arraignment representation.
6. The number and percentage of clients who received representation at magistration.
7. The pre-trial release rate at magistration, arraignment, and before trial.
8. The pre-trial release at magistration and arraignment for those clients who experience a mental or behavioral health issue.
9. The number and percentage of clients released on personal bond.
10. The number and percentage of clients released on a mental health bond.
11. The number and percentage of clients released on monetary bond and reduced bond amounts.
12. The rate of use for investigators and social work staff.
13. The rate of caseload compliance with TIDC's caseload guidelines.
14. The number of Padilla referrals.
15. The dismissal rate.
16. The number and percentage of clients referred to Mental Health Court.
17. The diversion and/or alternatives to incarcerations rate.
18. The plea rate, including changes in charges.
19. The trial rate, including outcomes such as acquittals.
20. The client return rate.
21. The number of trainings held during the year and the attorney participation rate.

Staff will track these metrics and store them in defenderData, the software used by the PDO. DefenderData is a purpose-built case management system, that facilitates effective and efficient collaboration on specific cases while also providing custom reports to identify programmatic insights. For the mental health team, the Paralegal will be the main staff member in charge of logging and tracking case information with collaboration from the attorney and the investigator when needed.

#### **g. Future Funding**

Hays County plans to reapply for funding over the four year eligible grant period with matching funds being built into the Public Defenders Office budget. Once the four year period is up, the county budget will absorb the entirety of the project.

#### **h. Budget Narrative and Budget Form**

All funds will be used to pay Neighborhood Defender Service and are listed in Contract Services. Attached to the application is a PDF document with a breakdown of funds within contractual services.

Hays County is requesting \$7,500 in indirect costs to cover costs associated with subrecipient monitoring.

Personnel Costs	\$0.00
FTE's	
Salary	
Fringe Benefits	
Travel and Training	
Equipment	
Supplies	
Contract Services	\$604,202.34
Indirect	\$7,500.00
Total	\$611,702.34
Required County Match	\$122,340.47
Total less County Match	\$489,361.87





Neighborhood Defender Service

Hays County - Mental Health Proposed Budget  
FY 2026

### **Personnel**

Title	FTE	Salary	Cost to Hays FY26
Staff Attorneys	1	\$83,000.00	\$87,150.00
Social Worker	1	\$84,460.00	\$88,683.00
Investigator	1	\$79,310.00	\$83,275.50
Team Administrator	1	\$60,000.00	\$63,000.00
Total Salary	4.0		\$322,108.50
Fringe @43%			\$138,506.66
Total Personnel			<u>\$460,615.16</u>

### **OTPS**

Contract Services	\$27,918.56
Supplies	\$52,607.11
Travel and Training	\$7,000.00
Equipment Purchases	\$10,000.00
Total OTPS	\$97,525.67
Total Expenses	\$558,140.83
Indirect 10% Pers.	\$46,061.52
Total Program Cost	<u><u>\$604,202.34</u></u>

## **Lampasas County**

### **FY 2026 Multi-Year Grant Request**

#### **Lampasas County Indigent Defense Coordinator**

	<-----Projected----->			
	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$72,350	\$63,580	\$63,580	\$63,580
County Match	\$14,470	\$25,432	\$38,148	\$50,864
FY26 Grant Request	<b>\$57,880</b>	\$38,148	\$25,432	\$12,716
TIDC/County Share	80% / 20%	60% / 40%	40% / 60%	20% / 80%

### **Program Summary**

Lampasas County is requesting Improvement Grant funding to hire an Indigent Defense Coordinator (IDC) to determine client eligibility and appoint attorneys to indigent defendants after magistration. This position will help centralize appointments in the county and ensure all statutory timelines for processing requests for counsel and appointment are met.

### **Staff Recommendation**

**Award Lampasas County a FY26 Improvement Grant of \$57,880 for the Indigent Defense Coordinator program.**

**2026 Lampasas County Improvement Grant Application Narrative**  
**New Improvement Grant Application. Lampasas County Indigent Defense Coordinator**  
**Multi-year**

**a. Application Form**

Counties Represented: **Lampasas**

Fiscal Year: **2026**

State Payee Identification Number: **17460015641**

Division To Administer Grant: **Judge Randall Hoyer**

Program Title: **New Improvement Grant Application. Lampasas County Indigent Defense Coordinator**

Requested Grant Amount: **\$57,880.00**

Authorized Official: **Randall J Hoyer**

Financial Officer: **Tragina Tallant**

Program Director: **Randall J Hoyer**

Mailing Address: **501 E. 4th Street Suite 103; Lampasas, TX 76550**

**b. Introduction (Executive Summary)**

Through this grant, Lampasas County will provide a designated professional to facilitate quality and timely services for defendants needing court-appointed attorneys in all criminal court cases. Having a coordinator to interview, determine eligibility and appoint attorneys for indigent defendants after magistration, whether in custody, on bond or arrested on out-of-county warrants, will ensure Lampasas County provides for the needs of indigent defendants and meets legal mandates. Monitoring CLE requirements, renewal applications and new applications of court-appointed attorneys, this designated coordinator will ensure that qualified and responsive court-appointed attorneys are representing indigent defendants in Lampasas County.

**c. Problem Statement**

Lampasas County lacks a centralized plan and specialized and designated personnel to coordinate requests for court-appointed counsel for the County and District (which is also the Juvenile Court) Courts. There is no clear system in place for request for court-appointed counsel. Most requests are handled by various jail staff. Financial applications by defendants are routinely incomplete or are being filled out in a manner which makes determining eligibility difficult, if not impossible. Incomplete applications delay the appropriate candidates from accessing timely appointments. Additionally, the process of getting those financial questionnaires to the appointing authority, currently the County and District Judges, is haphazard. The process is complicated by the fact that the District Judge is only in Lampasas at most eight working days a month and is in Bell County the remaining days. Currently, the jail staff sends the completed applications to the District Clerk's office, who is acting as the court coordinator for the District Judge. Then, the District Clerk's Office faxes the applications to the District Judge in Bell County, who then sends the application back to the District Clerk with the decision regarding eligibility. For both the County and District Judge, there is no one assigned to follow up on the application if the application is improperly completed. Those defendants often remain unrepresented until brought before the Courts for arraignment, which can delay the resolution of cases.

Currently, the way most complaints about court-appointed attorneys comes to the attention of the judges is at a hearing when a defendant brings the complaint to the attention of the judge as a side matter. No designated personnel exists to handle defendants' complaints against court-appointed counsel.

Lampasas is a small rural county, under 24,000 people according to the 2024 estimates. There are only three court-appointed attorneys on the "wheel" in the Lampasas 27th District Court felony appointments, only one on the "wheel" for juvenile appointments and only one on the wheel for Lampasas County Court misdemeanor appointments. Even with such a limited number, there is no one tracking court-appointed attorney reporting, attorney visits to defendants, and CLE and reapplication requirements, much less recruiting new attorneys for the "wheel".

In summary, Lampasas County has no coordinated system to assist defendants with financial applications for court appointments, handle complaints related to attorney appointments and monitor court attorney compliance.

**d. Objectives**

1. Establish a centralized system for managing court-appointed attorneys by hiring a part-time indigent defense coordinator
2. Make determination of eligibility for those requesting court-appointed counsel within three working days of the request.
3. Make timely appointments based on rotating basis/wheel and document any deviations from the rotation
4. Promptly notify attorneys of court appointments and notify defendants of appointments or denial
5. Ensure required CLE completion as required for court-appointed attorneys by requiring yearly reporting and maintaining records
6. Maintain updated recertification applications after three years as required in Indigent Defense Plan
7. Track and report any complaints related to attorney appointments
8. For out-of-county arrests, timely communicate requests for court-appointed attorney to other county

**e. Activities**

**OBJECTIVE 1:** Establish a centralized system for managing court-appointed attorneys by hiring a part-time indigent defense coordinator

ACTIVITIES to support Objective 1:

1. Hire an Indigent Defense Coordinator
2. Train Indigent Defense Coordinator by shadowing a Bell County Indigent Defense Coordinator, by the Bell County Indigent Defense Director coming to Lampasas County to help set up systems/procedures and to provide advice and guidance on implementation of new program, by providing the Indigent Defense Coordinator Guide, by participating in IDC meet ups and attendance at annual conference for pretrial services
3. Provide office space at the jail for interviews and Lampasas County Annex
4. Purchase office furniture (desk and calculator), office supplies and technology (desktop computer, desktop printer, laptop computer, portable printer, phone, copier)
5. Act as liaison between judges, jail and clerks
6. Receive and review invoices submitted by attorneys prior to judicial approval
7. Perform training for magistrates, local bar, jailers/law enforcement and other stakeholders

**OBJECTIVE 2:** Make determination of eligibility for those requesting court-appointed counsel within three working days of the request.

ACTIVITIES to support Objective 2:

1. Each working day, the Indigent Defense Coordinator will check with the Justices of the Peace and gather the magistration forms and contact/interview those inmates requesting court-appointed counsel and complete financial questionnaires
2. Each working day, the Indigent Defense Coordinator will send a financial questionnaire to those defendants who made bond before being interviewed and offer in office appointments for those requesting assistance.
3. Make all appointments for those defendants who qualify as indigent using the federal poverty guidelines (125%) as the designee of the County and District Judges. This includes those requesting court-appointments for juvenile court.
4. Monitor jail population and follow-up with defendants who remain in custody without counsel

**OBJECTIVE 3:** Make timely appointments based on rotating basis/wheel and document any deviations from the rotation

ACTIVITIES to support Objective 3:

1. Maintain the rotation system on assigned counsel system
2. Monitor the frequency and reasons for off list/wheel appointments
3. Report summary of appointment data to judges at least monthly

**OBJECTIVE 4:** Promptly notify attorneys of court appointments and notify defendants of appointments or denials

ACTIVITIES to support Objective 4:

1. Notify attorneys of appointments with contact information of defendants
2. Notify defendant of appointment or denial (lack of indigency)

**OBJECTIVE 5:** Ensure required CLE completion as required for court-appointed attorneys by requiring yearly reporting and maintaining records

ACTIVITIES to support Objective 5:

1. Monitor completion of CLE to meet minimum requirements on a yearly basis
2. Develop tickler/calendar system to contact attorneys regarding CLE reporting requirements
- 3.. Keep documentation of CLE on each court-appointed attorney
4. Manage the graduated list of court-appointed attorneys for judges and receive applications for advancements or adjustments as higher qualifications are met by attorneys

**OBJECTIVE 6:** Maintain updated recertification applications after three years as required in Indigent Defense Plan

ACTIVITIES to support Objective 6:

1. Develop tickler/calendar system to contact attorneys regarding recertification applications
2. Send out recertification applications before three year anniversary

**OBJECTIVE 7:** Track and report any complaints related to attorney appointments

ACTIVITIES to support Objective 7:

1. Receive any letters from defendants regarding complaints regarding court-appointed counsel
2. Notify court-appointed attorney of complaints
3. Inform Judges of any unresolved complaints
4. Develop procedures to track allegations of attorneys not meeting their clients within statutory or plan requirements

OBJECTIVE 8: For out-of-county arrests, timely communicate requests for court-appointed attorney to other county

1. Develop procedure for notifying other counties when an out-of-county arrest is made and the defendant is requesting court-appointed counsel

#### **f. Evaluation**

1. Hire a new coordinator within 30 days of receiving the grant.
2. Coordinator will be responsible for data collection and retention and for monthly reporting to judges.
3. Coordinator will update all approved court-appointed attorneys files to include application, CLE compliance updates.
4. Coordinator will report the number of requests for court-appointed received monthly.
5. Coordinator will report the number of attorneys appointed monthly.
6. Coordinator will maintain the rotation system to assign counsel and report frequency and good cause reasons for appointing out of order appointments.
7. Coordinator will report the date of request of appointment and date of assignment of court-appointed counsel and provide monthly report.
8. Coordinator will report the number of denials of indigency on a monthly basis.
9. Coordinator will report court-appointed attorneys' completion of CLE on a yearly basis based on attorney's birthday and send an electronic reminder one month prior to required update.
10. Coordinator will report monthly the number of jail and court visit records to ensure that each attorney is contacting his or her client in a timely manner.
11. Coordinator will report number of those trained in law enforcement, magistrates, local bar and other stakeholders on indigent defense plans and systems.
12. Coordinator will report number of training sessions/meetings on indigent defense plans and systems.
13. Coordinator will report appointed attorney's annual time spent on indigent defense/caseload.
14. Coordinator will report new applications and renewal applications for court-appointed attorneys and maintain files.
15. Purchase necessary office furniture, office supplies.
16. Requests for court-appointed attorneys will accepted both electronically and physically.
17. Coordinator will receive court-appointed attorney invoices both electronically and physically and will review before being presented to the County and District Judges for approval.
18. Coordinator will shadow Bell County Indigent Defense Coordinator within 30 days of employment.
19. Coordinator will attend a minimum of one IDC meet up meeting.
20. Coordinator will maintain work log documenting hours spent on IDC . The amount of time should total at least 26 hours a week or 2/3 of the work hours.

#### **g. Future Funding**

This position of Indigent Defense Coordinator will be an approved department of the Lampasas County budget. The financial support will be funded by the Lampasas Commissioners' Court in the general fund.

#### **h. Budget Narrative and Budget Form**

**PERSONNEL COSTS:** The personnel costs include hiring a full-time employee who will spend 26 hours a week dedicated to serving as the indigent defense coordinator for the county and District (including Juvenile) Courts and the other 14 hours dedicated to serving as an assistant District Court coordinator. Fringe benefits include FICA, Retirement, Worker's Compensation, Unemployment, Health Insurance and Cell Phone Allowance for a total benefits package of \$19, 650.00.

**TRAVEL AND TRAINING:** Travel includes travel to and from the Lampasas jail to the Lampasas County Annex building/courthouse, as well as travel to Bell County for training and to the Pretrial Annual Conference. Travel also includes travel to and from the various magistrates' offices from the coordinator's office. Training expenses include registration fees, hotel expenses, food for attendance at an annual Pretrial Services conference.

**EQUIPMENT:** This category encompasses the following:

Laptop	\$ 970
Portable printer	\$ 340
Desktop computer	\$1220
Desktop printer	\$ 340
Desk	\$2500
Desk chair	\$ 500

Office Phone	\$ 250
Calculators (2)	\$ 280
Copier	\$2000
Filing cabinet (lock)	\$ 370
Total	\$8770

SUPPLIES: Supplies include postage, printer paper, notebook paper, staple, tape dispenser, desk pad, calendar, chair mat, pens, markers/highlighter, etc.

CONTRACT SERVICES: This category includes purchase of software (i.e. Microsoft Word, Excel), license fees, annual maintenance of software, user fees.

INDIRECT: This includes telephone service, dues and publications.

Personnel Costs		\$49,650.00
FTE's	1.00	
Salary	\$30,000.00	
Fringe Benefits	\$19,650.00	
Travel and Training		\$2,500.00
Equipment		\$8,770.00
Supplies		\$2,500.00
Contract Services		\$8,100.00
Indirect		\$830.00
Total		\$72,350.00
Required County Match		\$14,470.00
Total less County Match		\$57,880.00

[Home](#)

## Maverick County

### FY 2026 Multi-Year Grant Request

#### Tri-County Public Defender Office Initiative

	<-----Projected----->			
	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$1,709,283	\$1,676,783	\$1,676,783	\$1,676,783
County Match	\$341,857	\$558,928	\$558,928	\$558,928
FY26 Grant Request	<b>\$1,367,426</b>	\$1,117,855	\$1,117,855	\$1,117,855
TIDC/County Share	80% / 20%	66.6% / 33.3%	66.6% / 33.3%	66.6% / 33.3%

#### **Program Summary:**

Maverick County seeks Improvement Grant funds to establish a new, tri-county regional public defender serving Maverick, Dimmit, and Zavala Counties. The proposed program would be operated under a contract with Texas Rio Grande Public Defender (TRGPD) and would be staffed by 11.25 full time positions, including felony and misdemeanor attorneys, investigators, caseworkers, paralegals. Staffing levels are based on TIDC's published caseload guidelines.

TRGPD currently operates a public defender program in this region specifically for Operation Lone Star (OLS) cases under TIDC's broader OLS program, so they are well-situated to build on that program to help these counties meet their needs in non-OLS cases. TRGPD also has a track record of operating regional public defender offices serving rural counties in Texas for many years.

The creation of this office will address a very serious and long-standing regional shortage of attorneys taking indigent defense cases in these rural counties and ensure better compliance with statutory and professional guidelines for indigent defense representation.

#### **Summary of External Grant Review Committee Comments**

Reviewers ranked this proposal highly and supported an award to address longstanding deficiencies in this part of the state.

#### **Staff Recommendation**

Award Maverick County an FY26 Improvement Grant of \$1,367,426 for a rural regional public defender serving Maverick, Zavala, and Dimmit Counties.

The program addresses several published priorities of TIDC's Improvement Grant program, including serving rural areas through regional programs and building indigent defense representation capacity in managed systems that support quality representation.

Additionally, TIDC has documented significant problems with the indigent defense system in Maverick County through our policy monitoring program for many years. Many of the challenges relate to a lack of qualified attorneys in the region taking indigent cases. TIDC staff have counseled Maverick County officials that a regional public defender would be an effective strategy to address many of the problems identified through monitoring.



**2026 Maverick County Improvement Grant Application Narrative**  
**Tri-County Public Defenders Office Initiative**  
**Rural Regional Public Defender Sustainability**

**a. Application Form**

Counties Represented: **Dimmit, Maverick, Zavala**  
 Fiscal Year: **2026**  
 State Payee Identification Number: **17460007028**  
 Division To Administer Grant: **293rd Judicial District Court**  
 Program Title: **Tri-County Public Defenders Office Initiative**  
 Requested Grant Amount: **\$1,367,426.17**  
 Authorized Official: **Maribel Flores**  
 Financial Officer: **Gloria Martinez**  
 Program Director: **Lupita Adams**  
 Mailing Address: **500 Quarry Street; Suite 4; Eagle Pass, TX 78852**

**b. Introduction (Executive Summary)**

Texas Rio Grande Public Defender's Maverick County Regional Public Defender will provide comprehensive legal representation to indigent defendants in felony and misdemeanor cases in Dimmit, Maverick, and Zavala counties. The program aims to ensure that all qualifying individuals receive fair, effective, and timely legal counsel, while promoting efficiency in handling caseloads. By creating a unified, well-resourced office, the program will address the current challenges of inconsistent legal defense, lack of resources, and overloaded caseloads in these rural counties. The office will address a regional shortage of attorneys available to take indigent cases by creating a legal team dedicated to indigent defense in the tri-county. TRGPD will provide training opportunities, develop the skills of all staff members, and attract talent into the area. The program will ensure the provision of client-centered representation, adherence to statutory, procedural, and ethical guidelines, and uphold standards of professionalism. The program aims to increase local appointment of counsel rates, ensure timely representation, minimize the amount of time indigent defendants are detained due to delays, and provide a reliable, skilled, and professional institutionalized defense function to the local courts. Ultimately, the program will improve access to justice and support the constitutional rights of defendants across the region.

**c. Problem Statement**

The current system of indigent defense in Dimmit, Maverick, and Zavala counties is inadequate to meet the needs of the growing populations and increasing caseloads. Few attorneys in the area are willing and able to serve on the appointment wheels of our counties, and many who do are often juggling numerous obligations and appointed to far too many cases. Appointment of counsel rates in the tri-county are well below the state average in almost all categories. Many indigent defendants are currently held in jail for long periods of time due to delays in receiving legal representation, which not only undermines their right to due process and a fair trial, but also imposes significant financial strain on the county's jail system. The lack of sufficient indigent representation in the area has resulted in high jail population, slow case resolution times, and prolonged detention. These issues have garnered local and national attention. There is widespread recognition in the region that the indigent defense function is currently inadequate to meet the needs of the community. However, due to a lack of financial resources and absence of institutionalized indigent defense in the region, it is difficult for the courts and local stakeholders to address the problem.

**d. Objectives**

1. Increase annual appointment of counsel rates for misdemeanor and felony cases in the tri-county region.
2. Ensure compliance with statutory guidelines for appointed counsel contact with clients, namely, make every reasonable effort to contact the client not later than the end of the first working day after the date on which the attorney is appointed and to interview the defendant as soon as practicable after the attorney is appointed.
3. Decrease jail utilization and costs.
  - a. Review jail logs weekly to monitor, record, and evaluate arrest and detention data.
  - b. Enforce compliance with state magistration timelines and bond-setting laws and improve access to justice by conducting pre-trial bond advocacy.
  - c. Secure timely release of all indigent defendants whose charges are not filed within the statutory window, reducing jail costs and civil lawsuit exposure.

- d. Provide support to clients to ensure compliance with conditions of release and in turn decrease rates of subsequent re-detention.
  - e. Advocate for alternatives to incarceration, including substance abuse counseling, mental health treatment, and community-based programs.
4. Enforce TIDC caseload guidelines.
    - a. Actively monitor attorney case assignments to ensure appropriate caseload balancing and TIDC caseload compliance across the program.
    - b. Monitor the flow of appointments to confirm intakes are consistent with the contracted appointment numbers.
    - c. Collect, compile, and distribute data related to case dispositions.
  5. Increase court docket efficiency.
    - a. Coordinate docket schedules across the three counties.
    - b. Ensure that a public defender representative is present for all properly noticed dockets.
    - c. Decrease case resets and court backlogs that are the result of conflicting obligations of private counsel.
    - d. Address communication issues that contribute to failure to appear rates.
  6. Provide monthly reports that include the following data:
    - a. Caseload snapshot of total public defender program caseload by case type
    - b. Total new monthly appointments
    - c. Total monthly dispositions
  7. Provide TIDC standardized quarterly reports that include the following data:
    - a. Narrative summaries of program highlights and challenges
    - b. In-depth case data (appointments, dispositions, time in custody, bond advocacy, substantive motions filed, jury trials held, etc.)
    - c. Financial progress reports.
  8. Establish a public defender oversight board whose function is to monitor and evaluate the public defender's office, ensuring its adherence to standards and best practices.
  9. Conduct annual case data reviews and compile annual IDER report data to assist the counties in their reporting obligations.
  10. Utilize TRGPD expertise to decrease the indigent defense function burden on county resources.

## **e. Activities**

### Implementation

Texas Rio Grande Public Defender has specialized knowledge and considerable experience in the creation and implementation of new public defender programs and administering programs funded jointly by TIDC and county partners. Having all the necessary infrastructure in place from the business operations perspective, the organization is ready and able to hit the ground running with this program. The existing infrastructure includes: case management software, legal research partnerships, in-house training and professional development, access to third-party training and education programs, recruitment networks for attracting qualified attorneys and staff, onboarding training for new hires, extensive expertise in workflow processes, data collection and data integrity assurance measures, coordinating with local stakeholders to carry out the defense function, and providing internal safeguards to ensure the provision of quality, client-centered representation. The organization would be able to expand its current infrastructure with considerably less upfront resource expenditure than would be required for the counties to establish such a program from scratch. TRGPD brings to the county the support of a non-profit executive team with considerable experience in this area to assist in data collection and reporting and the administrative and managerial demands of implementing such a program, as well as a network of attorneys and staff serving other programs to provide insight and support to the newly established Maverick RPD team.

### Operation

TRGPD has extensive experience coordinating with local stakeholders to address the specific needs of the jurisdiction. Our team of professionals regularly meet with local officials to discuss program operations and address concerns at the local level. TRGPD will be an integral part of the criminal justice function, and will collaborate with judges, court staff, prosecuting agencies, probation and pre-trial services, and jail staff as appropriate to carry out the defense function.

TRGPD has expertise navigating the requirements of TIDC grant funding, and the skills and capacity to conduct the requisite data collection, reporting, and advocacy related to grant funding.

TRGPD has developed systems for all stages of representation and carrying out the indigent defense function.

From intake through disposition, dedicated and skilled staff are responsible for the following:

1. Track and monitor attorney case assignments and compliance with client contact timelines.
2. Conducting thorough new client intake and inputting all relevant data into our case management system.
3. Conducting thorough new client interviews to prioritize case and client related tasks, develop possible case strategies, and advise clients about their case.
4. Monitoring jail logs provided by regional jails and tracking client/potential client custodial status.
5. Conducting pre-trial bond advocacy.
6. Calendaring important statutory deadlines, court dates, filing deadlines, and docket control orders.
7. Filing standard motions and notice of representation in all cases.
8. Conducting timely requests and review of discovery, necessary legal research, drafting and filing of substantive motions, and any other necessary case preparations.
9. Conducting mitigation interviews with clients and compiling relevant information to improve case outcomes.
10. Ensuring prompt and prepared attendance at all court hearings.
11. Uphold statutory and ethical standards related to the attorney-client relationship
12. Provide training opportunities for all staff, both in-house and through third party partners
13. Utilization of a robust staffing model that prioritizes efficiency of time resources and utilizes the expertise of various professionals.

The Program Will:

- a. Employ staff investigators to conduct client and witness interviews, gather relevant records (surveillance videos, evidence, medical records, employment verifications, educational records, veteran service records, etc.), conduct crime scene visits, review body cam/dash cam footage, serve subpoenas, etc.
- b. Provide access to a staff case worker, typically a peer support specialist with lived experience and specialized knowledge related to mental health and/or substance abuse, who can help connect TRGPD clients to appropriate external resources such as regional mental health authorities, rehab programs, food banks, and other services.
- c. Uphold the requirements of Padilla vs. Kentucky for clients with immigration concerns and ensure that relevant and accurate immigration advice is provided to every client facing collateral consequences.
- d. Utilize legal assistants and/or paralegals to maximize the efficiency of attorney time resources, ensure accurate and timely data collection and entry, conduct case file maintenance, and provide support to attorneys.

**f. Evaluation**

TRGPD's case management software will serve as the primary source of all relevant and necessary data for TRGPD's reporting obligations and audit purposes. This data will also assist the county and TIDC in evaluate progress towards the program's objectives.

Data that will be collected, reported, and evaluated here will include:

- Average number of days between appointment and initial client contact
- Monthly public defender case dispositions, to be compared against county records
- Number of bond writs filed each month, and number of bond hearings held
- Quarterly reports will note additional services provided to public defender clients, specifically tracking mental health referrals, substance abuse counseling assistance, social services, and immigration

## consultations

On an annual basis, the county will utilize data logged in CMS by the county clerk to calculate the percentage of clients appointed to counsel within 24 hours after magistration.

The CMS or Data Analytics program we use, called SARa will auto-count annual cases attorneys close; we'll monitor this monthly to confirm steady progress as well as that they comply with TIDC guidelines.

SARa will measure average jail days saved each month against our baseline. This will be achieved through matching sheriff's booking/release data to CMS records.

The Public Defender Oversight Board holds quarterly meetings to review quarterly program and financial reports, discuss program progress, and receive updates. Annual, a financial report will be submitted to the county commissioners.

Program implementation is estimated to take approximately six months. During that time frame, progress check-ins will occur bi-monthly for hiring as well as for office openings with CMS setup.

#### **g. Future Funding**

TIDC will continue to reimburse annual costs by two-thirds.

Each year the counties will match the one-third, dividing it by each county's responsible percentage.

When FY 2027 begins, the county-match portion will be included as a line item in each county's yearly criminal justice budget.

Commissioners Court budget discussions will be informed by quarterly reports on jail-bed savings, annual dispositions, along with bond-advocacy outcomes. These reports will justify continued support for them.

To make certain benchmarks are indeed met, as funding aligns with outcomes, the Public Defender Oversight Board will review fiscal reports along with programmatic quarterly reports.

At each county's Commissioners Court, there will be annual presentations to highlight cost-savings plus service improvements plus client impacts since that reinforces the value of the office.

TIDC's reimbursement funds us, as our backbone. We will seek out targeted grants for expanding services without altering what is the core two-thirds/one-third funding split, like mental health diversion or technology enhancements.

The Tri-County Public Defender's Office can become a truly enduring component of our regional indigent defense system since it combines the multi-year reimbursement structure from TIDC with a predictable county match that will be escalating plus strong oversight.

#### **h. Budget Narrative and Budget Form**

Summary Version:

The personnel budget, \$1,413,347.93, includes investigators who conduct interviews with complainants, witnesses, and law enforcement. Caseworkers/Peer Support Specialists who work closely with people experiencing challenges around mental health, substance use, disabilities, and incarceration to improve case outcomes. Paralegals who provide legal, administrative, and clerical support to attorneys. A Support Staff Manager oversees these functions to ensure operational quality. Misdemeanor and felony public defenders deliver zealous, client-centered representation for individuals facing criminal charges, along with felony defenders handling more complex cases. The Managing Public Defender combines direct felony defense work with supervision of attorney staff, while the Chief Public Defender provides overall strategic leadership and management for the regional office.

The non-personnel budget, \$269,800.00, supports the launch and operation of a regional public defender office located in Eagle Pass and serving Maverick, Dimmit, and Zavala Counties under a contract with TRGPD. Cost estimates modeled on Bee RPD's historical expenses. It covers essential operating needs such as rent, utilities, telecommunications, and office supplies, along with case-related costs like expert witnesses and legal research. Funding also supports staff development through CLEs and other trainings, interpretation services for non-English or non-Spanish speakers, and technology subscriptions including LegalServer and Westlaw. Travel expenses account for mileage and rental cars for court and jail visits, while indirect costs, calculated at 10% of personnel salaries, cover overhead such as administrative support and IT infrastructure.

#### **Budget Narrative: Non-Personnel Categories Section**

This budget funds the launch and operation of a regional public defender office located in Eagle Pass and serving Maverick, Dimmit, and Zavala Counties under a contract with TRGPD. In addition to staffing 11.25 FTEs, the budget includes \$269,800.00 in non-personnel expenses. These expenses are modeled on historical actuals and operational needs observed in Bee RPD, a comparable office in size. Below is a detailed explanation of what is included in each non-personnel category and how the costs were derived:

Office Space: \$33,600.00. This covers monthly rent for leased office space to house staff and operations. The estimate assumes a monthly rent of \$2,800. The figure is based on comparable lease rates from Maverick county.

Office Utilities: \$6,500.00. Utility expenses include electricity, water, gas, and waste services required to keep the offices operational. The estimate is modeled on Bee RPD's FY' 24 utility expenses, adjusted for office size and regional rates.

Telecommunications: \$7,500.00. This category includes expenses for:

Zoom phone systems for office lines and collect call services to speak with incarcerated clients. The figure is based on monthly telecommunications costs from Bee RPD and scaled for two office locations.

Office Supplies & Equipment: \$10,000.00. Covers general supplies such as pens, paper, folders, printer toner, staplers, label makers, and shredders. Also, one-time purchases of necessary equipment to start a new office. This amount is benchmarked against Bee RPD's historical spending on similar supplies.

Case-Related Expenses. \$15,000.00. Includes filing fees, court records, transcript orders, expert witness fees and consultation charges, and legal research fees not covered under subscriptions. Estimated using Bee RPD's average litigation-related spending over the past fiscal year.

Training: \$22,000.00. Covers staff development through: Continuing Legal Education courses, Conference registration and travel, Spanish language classes or other skill-building programs that improve staff's ability to perform their job. Budgeted at \$2,000 per FTE, with a total of 11 FTEs (rounded down).

Contract Services: \$25,000.00. This includes: On-demand interpretation and translation services for clients who do not speak English or Spanish, and contracted attorneys if coverage gaps emerge due to unexpected caseloads. Projected based on Bee RPD's current expenses and adjusted for the expected client population's linguistic needs.

Software & Technology: \$15,000.00. Includes licensing and subscription costs for, LegalServer (case and time tracking database), Westlaw (legal research), TransUnion, Reduct, and other case management tools. The total is based on actual expenditures from Bee RPD for similar software usage.

Travel: \$20,000.00. Funds travel-related costs such as mileage reimbursement for travel to jails, courts, and client homes, and rental car usage and gas reimbursement when more cost-effective than mileage.

Estimated by using average travel claims in Bee RPD.

Indirect Costs: \$115,200.00. This reflects 10% of gross personnel salaries. These funds cover general overhead costs such as: Administrative support, insurance, IT services and system maintenance, and rent, utilities, and office infrastructure not captured elsewhere.

Personnel Costs		\$1,413,347.93
FTE's	11.25	
Salary	\$1,046,250.00	
Fringe Benefits	\$367,097.93	
Travel and Training		\$42,000.00

Equipment	\$32,500.00
Supplies	\$55,100.00
Contract Services	\$25,000.00
Indirect	\$141,334.79
Total	\$1,709,282.72
Required County Match	\$341,856.54
Total less County Match	\$1,367,426.18

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## Medina County

### FY 2026 Multi-Year Mental Health Grant Request

#### Regional Public Defender Mental Health Expansion

<-----Projected----->

	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$453,186.00	\$423,186.00	\$423,187.00	\$423,188.00
County Match	\$90,637.20	\$141,062.00	\$141,062.33	\$141,062.67
FY26 Grant Request	\$362,548.80	\$282,124.00	\$282,124.67	\$282,125.33
TIDC/County Share	80% / 20%	66.6% / 33.3%	66.6% / 33.3%	66.6% / 33.3%

### Program Summary

Medina County hosts the Hill Country Regional Public Defender Office, which was started with the help of TIDC grants in 2021 and serves Medina, Kerr, Gillespie, Bandera, and Kendall Counties. The counties seek funds to add additional capacity to enhance representation for clients with mental illness through more specialized support to help improve outcomes for clients. The regional public defender requests to add one licensed social worker and four mental health case managers for a total of five additional staff who would transition to the sustainability grant for the regional program after the first year.

### Summary of External Grant Review Committee Comments

Reviewers were overall supportive of expanding the regional public defender to have more capacity for effectively representing clients with mental illness but indicated that some aspects of the proposal needed further development to clarify activities and link them to some of the stated objectives. More information on how the MH staff in this grant will partner with the attorneys to achieve more effective legal advocacy is needed. More information is also needed on how the proposed staffing levels were developed based on the caseload statistics. Finally, clarification was needed to clearly differentiate the intake/screening role of these defense team members from the required MH screening jails and courts must complete.

### Staff Recommendation

Work with county to refine the proposal based on questions above and revisit at the August board meeting.

The program directly addresses several of TIDC's published priorities for the Improvement Grant Program and satisfies the requirements of the legislative budget rider directing TIDC to use at least \$5 million of each biennium's appropriations for indigent defense programs serving clients with mental health challenges.

**2026 Medina County Improvement Grant Application Narrative  
FY26 Mental Health Improvement Grant Application  
Mental Health Public Defender Improvement**

**a. Application Form**

Counties Represented: **Bandera, Gillespie, Kendall, Kerr, Medina**  
 Fiscal Year: **2026**  
 State Payee Identification Number: **TX**  
 Division To Administer Grant: **Medina County Auditor's Office**  
 Program Title: **FY26 Mental Health Improvement Grant Application**  
 Requested Grant Amount: **\$362,549.00**  
 Authorized Official: **Beverly Ham**  
 Financial Officer: **Sarah Saathoff**  
 Program Director: **Karli Kennell**  
 Mailing Address: **1300 Avenue M; Hondo, TX 78861-1218**

**b. Introduction (Executive Summary)**

The HCRPDO hopes to hire a licensed social worker and four case managers to help clients receive services to break the pattern of recidivism: reducing costs, reducing victims, and reducing suffering. The case managers will seek out appropriate programs and treatments in all the counties to assist with mental health forms, treatments, and placements after release. This will result in financial savings and is basic humanity. Our clients not only are suffering because they are in the system, but also because they are mentally ill and lack the skills to seek out the medical care they deserve.

**c. Problem Statement**

During the three years of operation of the Hill Country Regional Public Defender Office's (HCRPDO) existence, there has been overwhelming evidence of the lack of mental health resources to assist indigent clients in receiving the mental health treatment they need before, throughout, and after leaving the criminal justice system.

According to the most recent data, that was gathered in 2021 by Texas Law Enforcement Telecommunications System (TLETS), 5% of the Texas population has a Serious Mental Illness (SMI) diagnosis. On top of this, 39% of people booked into Texas county jails have been in contact with the public mental health system in the last three years. Further, 72% of people with a SMI diagnosis, who are in jail, have a co-occurring substance abuse disorder, based on national estimates. Also based on national estimates, 92% of people with a SMI diagnosis in jail have had a serious trauma.

Along with this startling data, a study in Florida shows that homeless people, with a SMI diagnosis, have an average of sixteen interactions with mental health treatment before they are willing to accept any form of help.

Since 2021, according to the Hill Country Mental Health and Developmental Disabilities (MHDD), the suicide data shows that 130 people in the Hill Country catchment area died of suicide. In the Medina County Sheriff's office, there are two mental health officers and the county averages twenty mental-health calls per month and, on average, only two people of those twenty are transferred to crisis facilities. During the time-period of June 2023-November 2023, none of these calls were handled by the specialized officers.

Between 1985 and 2020, the population of all Texas correctional facilities has increased by 251%. In following with this, the percentage population of people with a SMI diagnosis has increased accordingly.

Because of these numbers, inevitably, people diagnosed with a SMI diagnosis end up in the criminal justice system. This grant would provide the opportunity for earlier identification and aid to the clients that are appointed to the HCRPDO. This would allow for screenings and for informed-decision making around a client's care in jail and out. Further, it would enable the attorneys of the HCRPDO to seek bonds that allow for post-release programs that route people into community-based care programs instead of extended jail stays.

Frighteningly, once a client is found incompetent, the wait for treatment is often more than a year. The current average wait time for an inmate from arrest to commitment to the State Hospital, according to Texas Health and Human Services, is 528 days for a client in a non-maximum-security unit and 389 days for someone in a maximum-security unit. Meaning that during this time, the client is receiving limited mental health care treatment in the jail. Jail rules often restrict the medications and behavioral therapy clients may receive. Because of their mental and

behavioral complications, they often end up in a solitary cell to protect themselves and the jail population. The limited beds in State Hospitals cause a true period of suffering for clients and prevents any progress, and sometimes worsens, the mental health issues.

Also, if the mental or behavioral health issue is identified early, attorneys and case managers could seek to find diversionary programs that allow the criminal charges to be resolved while taking care of the client's behavioral and mental health needs in the community. Criminal charges could be used as leverage to encourage clients to actively participate in treatment.

If this persistent problem is not addressed, the difficulties are going to grow costing the counties millions of dollars in jail costs and mental health treatment, as well as continuing to allow those with serious mental illnesses to suffer and pose a threat to our communities. This grant could be a start in resolving these issues. It would provide a resource immediately upon arrest to begin helping our most vulnerable citizens while protecting the rest of the community and decreasing costs to the counties. This is both an issue of care for humanity and financial responsibility.

#### **d. Objectives**

1. Assist in getting treatment to members of society who have nowhere to turn for assistance and end up in the criminal justice system due to mental and behavioral health issues:
  - a. This will be measurable by how many mentally-ill people receive assistance either during their criminal justice process or afterwards.
  - b. Within the first twelve months of the grant, the goal will be to locate programs and direct at least half of our mentally-ill clients to aid. While the goal is to direct the clients to aid, we will also work to get them to accept the help.
  - c. Quarterly reports will be provided to show how many clients with a serious mental or behavioral diagnosis are getting assistance and how many programs people have started.
  - d. These objectives are consistent in trying to get clients out of the criminal justice system and motivate them to receive the treatment they need to become healthier, less of a risk to society, and less likely to become recidivists.
2. Reduce the delay in getting treatment to incarcerated people with mental illness:
  - a. By collaboration with the jails, magistrates, and pre-trial services to quickly identify the inmates who are suffering.
  - b. By determining which inmates are suffering with mental health issues and getting them the help, they need.
  - c. By getting all clients the medication and treatment needed during the criminal justice process.
  - d. As well as measuring the number of inmates who are able to get out of jail and into community-based programs.
  - e. Also, the quarterly report the HCRPDO prepares, numbers will indicate how many inmates with mental and behavioral diagnoses were released on bond or received in-custody treatment or medications that they would not have received otherwise.
  - f. This is consistent in reducing the cost of housing the clients with mental health diagnoses and encouraging treatment as an alternative to incarceration.
3. Reduce the delay in getting clients who were found incompetent to treatment instead of remaining in jail:
  - a. By reducing the shockingly long wait time for treatment for incompetent clients, the social worker and case managers would look for programs and alternatives to the State Hospital for treatment as well as monitoring and assisting in their treatment if they remain in custody hoping to allow them to regain competency.
  - b. Determining the success of this would simply require an evaluation of waiting time for treatment once incompetency is determined.
  - c. This will also be reported in the same quarterly report.
  - d. As well as being a more humane way of handling this situation, this will also reduce the jail costs for housing and treating the mentally ill.

#### **e. Activities**

Once the grant is received, the HCRPDO hopes to utilize the social worker and case managers to interview the flagged clients and determine their history and diagnosis, if there is any. After this, the HCRPDO will work as a team, with the mental health staff, researching options to see what help they can provide.

1. These tasks will be accomplished as follows:

- a. A client is flagged by the jail, the attorney, magistrate, and/or pre-trial as a person who is potentially suffering with a mental or behavioral illness.
- b. One of the case managers or the social worker will visit the client in jail or in the office and prepare a HIPAA release and a Mental Health Intake form (attached as Attachment A).
- c. After this meeting, the mental health staff will begin to research different community-based organizations that might fit this client and will subpoena the records of any mental health treatment this client received before this time.
- d. Once an appropriate program is located, and if the client is willing to participate (the mental health team will explain the program to the client and try to positively influence them to participate), the attorney will discuss options with the District or County Attorney's office. These options could include release on bail with bond conditions requiring treatment, use of the criminal charge as leverage to convince the client to participate actively in treatment, discussion of different forms of in-jail treatment, and discussions of alternatives to prison if the client will go into treatment and stay in it, possibly as a condition of probation or after several extended resets.
- e. If the client does receive a sentence that is custodial, the mental health team will help the client with options upon release and will discuss with the jail the mental health history to assure that the client is receiving appropriate medication and/or treatment as seen fit by medical doctors.

2. These programs will work together with Community Supervision and Corrections Department (CSCD), pre-trial services, and with MHDD to try to find treatment programs within MHDD or community-based programs to work hand-in-hand with probation and pre-trial to provide help for these clients. The existing programs will be essential in assisting with locating and encouraging participation in programs.

- a. In order to start-up this program, the mental health team will reach out, through community resources and locate different programs that are available. As an office, the HCRPDO already located several programs that are helpful; however, there are more programs and there is more help within the community. Having someone dedicated to finding these programs will help a great deal.
- b. An employee in this program will be meeting with and assisting clients suffering with a serious mental illness or behavioral issue to find treatment options that will help prevent recidivism and continued illness for the client, thus reducing costs to the counties and enabling the client to hopefully receive treatment that will help with their future success.
- c. With any amount of success in these endeavors, jail costs will decrease because incarcerations will be shorter, recidivism will decrease, people will suffer less, and there will be less clients requiring specialized care in the jails.
- d. This will be a program primarily implemented by the new staff.

### **Ongoing Activities**

1. Continuing to provide high quality representation to all defendants appointed to the HCRPDO while utilizing resources to help with our clients who are diagnosed with mental illness.
2. Conducting intake interviews with clients within 48 hours of appointment and complete a mental health worksheet.
3. Monitoring the clients diagnosed with mental illness to assure they are getting their needs met in and out of jail.
4. Reporting at the normal quarterly meetings of the oversight board and progress reports by the Chief to the board.
5. Regular staff meetings regarding progress in mental health and education on new facilities.
6. Providing ongoing supervision of mental health staff and semi-annual performance evaluations.
7. Establishing a training program for HCRPDO attorneys, and staff on how to help with mentally ill patients.
8. Collecting and analyzing data and utilizing it for performance evaluations, reporting to TIDC, and the counties.
9. The Chief, or one of her representatives, will meet with community leaders, judges, and jail staff to see what kind of progress we are all making together.
10. Encouraging other county departments to join in the HCRPDO's efforts in helping with the mental health crisis.

### **f. Evaluation**

The mental health team will provide quarterly reports quantifying the work that they completed.

1. The form will count how many people were contacted during the quarter.

2. Also, it will show how many people accepted help and were able to either get out of jail and into a program or receive community-based help in the jail. This will show how many were released on bond and how many had their pleas adjusted because of mental health treatment. Also, this will show how many people are waiting on a commitment because of incompetency findings.
3. All of these will be quantifiable. They will be counted and the numbers reported on the quarterly report. The quantifiable numbers will include how many people are receiving assistance, how many people have been placed in a program, how many people are receiving treatment, and how long people are waiting for a commitment or treatment to regain competency.
4. These reports will be quarterly but will provide statistics for each month in the quarter.
5. Data will be collected from the courts, the jails, CSCD, pre-trial services, and from the HCRPDO's case management system.
6. Success will be determined by improvement in these numbers. If there is a continued increase in treatment options and people being admitted to treatment programs as well as less time in jail and less time waiting for a bed once found incompetent, success will be clear.
7. This will all be recorded through the quarterly reports where the trends will be clear. An annual report will be provided with graphs showing progressions throughout the year.
8. Every quarter, when the reports are produced, they will be discussed with the Chief Public Defender to see how progress is going as well as to see if there are changes that need to be made to achieve these goals.

#### g. Future Funding

FY2026, hopefully, will represent the beginning of a sustainability grant for the Hill County Regional Public Defenders Office with 80% funding by TIDC and 20% funding by the 5 participating counties: Bandera, Gillespie, Kendall, Kerr, and Medina.

A separate detailed budget has been provided with this application.

#### h. Budget Narrative and Budget Form

##### Salary:

The salaries will be \$73,500 maximum for the licensed social worker and \$52,500 maximum for 4 case managers, for a total of \$283,500.

##### Travel & Training:

Travel and Training will be provided at a budgeted amount of \$7,500.

##### Additional Costs:

The additional costs for this program will be budgeted at \$162,186. This includes fringe benefits, contracts, office supplies, indirect costs, and start-up expenses.

Personnel Costs		\$383,226.00
FTE's	5.00	
Salary	\$283,500.00	
Fringe Benefits	\$99,726.00	
Travel and Training		\$7,500.00
Equipment		\$30,000.00
Supplies		\$4,880.00
Contract Services		\$6,000.00
Indirect		\$21,580.00
Total		\$453,186.00
Required County Match		\$90,637.00
Total less County Match		\$362,549.00

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FY 25-26 TIDC Improvement Grant  
Mental Health Program for the HCRPDO

Account title	FY24-25 Budget	Budget Notes
Other Salary	283,500	1 Licensed Social Worker and 4 Case Managers
Salary totals	283,500	

FICA	21,688	7.65%
Insurance	50,000	\$10,000 per employee
Retirement	23,502	8.2900%
Workers Comp	1,338	0.4720%
Unemployment	198	0.0700%
Cell Phone Allowance	3,000	5 employees*\$50/month*12 months
Fringe Totals	99,726	Fringe subtotal
Salary & Fringe	383,226	Salary & Fringe totals

Travel	5,000	
Training	2,500	
Travel & Training	7,500	

Office Supplies	1,000	
General Supplies	500	
Legal	500	DSM
Telephone	2,880	G3 \$45/mth*12 mths + Zulty's \$3*5*12mths
Supplies totals	4,880	

Contracts	6,000	
Contract Services	6,000	

Indirect Cost	21,580	4.8%
Start Up Expenses	30,000	5x laptops, furniture, etc
Total Program Budget	453,186	

TIDC Grant	362,549	80%
5 County Match	90,637	20.00%
	453,186	

Expenses - Salary - Travel & Training	162,186
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Mental Health HCRPDO Salary	
Licensed Social Worker	\$ 73,500.00
Case Manager	\$ 52,500.00
Case Manager	\$ 52,500.00
Case Manager	\$ 52,500.00
Case Manager	\$ 52,500.00
total Salary	\$ 283,500.00

## Polk County

### FY 2026 Multi-Year Grant Request

#### Public Defenders' Office

	<-----Projected----->			
	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$641,513.36	\$552,513.36	\$552,513.36	\$552,513.36
County Match	\$128,302.67	\$221,005.34	\$331,508.02	\$442,010.69
FY26 Grant Request	\$513,210.69	\$331,508.02	\$221,005.34	\$110,502.67
TIDC/County Share	80% / 20%	60% / 40%	40% / 60%	20% / 80%

#### **Program Summary**

Polk County currently appoints indigent defense attorneys on a case-by-case basis; however stakeholders have identified concerns with the quality of representation provided that have led to this request for a new public defender program. The county hopes to hire five staff members, including three attorneys and two support staff, who they propose to handle approximately 50% of the county's indigent defense caseload.

Polk County was motivated to apply for this grant by “systemic failures in the current indigent defense wheel, where insufficient oversight and attorney shortages compromise justice.” They hope to more closely monitor the quality of representation and compliance with professional standards through a program that includes supervision and greater accountability.

#### **Summary of External Grant Review Committee Comments**

While reviewers all believed this county would benefit from a public defender program, they all agreed that further development of the proposal was necessary to be ready to fund. The frank assessment of current deficiencies in representation was helpful, but some parts of the application included activities outside the scope of a public defender.

#### **Staff Recommendation**

Staff will work with the county to refine the proposal to address issues identified above through more detailed planning assistance. Revisit the application at the August meeting.

The program addresses TIDC's published priorities for improvement grants, including building indigent defense capacity within managed systems that support quality representation, programs in underserved rural areas.



**2026 Polk County Improvement Grant Application Narrative**  
**Public Defenders' Office for Polk County**  
**Multi-year**

**a. Application Form**

Counties Represented: **Polk**  
 Fiscal Year: **2026**  
 State Payee Identification Number: **746001621**  
 Division To Administer Grant: **Commissioners Court**  
 Program Title: **Public Defenders' Office for Polk County**  
 Requested Grant Amount: **\$513,500.69**  
 Authorized Official: **Sydney Murphy**  
 Financial Officer: **Louis Ploth**  
 Program Director: **Sydney Murphy**  
 Mailing Address: **410 E Church St Ste E; Livingston, TX 77351**

**b. Introduction (Executive Summary)**

This program will establish a dedicated Public Defender's Office to ensure timely, competent legal representation for indigent defendants. By hiring three full-time defense attorneys and implementing case-tracking procedures, the office will reduce pre-trial incarceration, improve defense quality, and increase accountability. The system will monitor key metrics from booking to resolution to evaluate effectiveness. These reforms address systemic failures in the current indigent defense wheel, where insufficient oversight and attorney shortages compromise justice. Funded through the existing county budget, this initiative will protect the county from legal liability and uphold defendants' constitutional right to effective counsel.

**c. Problem Statement**

The indigent defense system is failing to provide effective legal representation. Attorneys assigned through the indigent defense wheel are not consistently fulfilling their statutory duties, contributing to prolonged pre-trial incarceration and inadequate defense for indigent defendants. Court staff hesitate to enforce accountability for fear of mass resignations, which would leave the county without sufficient defense attorneys, due to a limited supply of local attorneys. In this environment, inadequate attorneys continue to receive appointments simply to maintain numbers on the wheel. Personal relationships between parties further complicate oversight, as judges may be reluctant to sanction or remove attorneys with whom they have longstanding ties. The absence of effective checks and balances leads to finger pointing rather than solutions, while defendants bear the consequences.

**d. Objectives**

Establish a public defender's office to provide prompt, effective legal representation for indigent defendants, improving defense quality and accountability. The office will initially handle approximately 50% of indigent cases, supplementing rather than replacing the existing attorney appointment wheel. This ensures continued income opportunities for private attorneys and preserves the wheel's capacity to manage codefendant conflicts and overflow cases. Once a procedure is established, additional staff can be added to handle increased case load. We started out creating this office on our own but welcome the other two counties in our district to join us as the program achieves success and if they are willing to participate. There was some strong reluctance from one of the counties, so we decided to forge ahead, laying the foundation.

Implement a case management and data tracking system to monitor attorney performance and case timelines from booking to resolution. These efforts aim to reform a system plagued by inconsistent representation, limited oversight, and prolonged pretrial incarceration.

Track data and share with district stakeholders to increase interest and participation in program.

**e. Activities**

1. Furnish an office and hire staff (three lawyers, one investigator, and an admin/paralegal) solely dedicated to handling the burden of indigent criminal defense in a prompt and effective manner, ensuring staff are designated to provide representation. 2. Provide necessary software and subscriptions to facilitate

full-time focus on this area of practice, learning by both training and experience the details that can make a difference in an effective defense. 2. Track measurable data and a timeline for each case from booking to resolution. 3. Devise and implement a process for tracking status of cases and assignments, tracking key statistics to measure effectiveness of office and policies from jail to court.

- Must perform all appointments (in and out of court) as the designee of the judge or judges
- Must maintain the rotation default system on assigned counsel systems and monitor the frequency and reasons of exception for off list appointments
- Must report summary of appointment data to judges at least monthly
- Must manage the graduated list of court appointed attorneys for judges and receive applications for advancements or adjustments as higher qualifications are met by attorneys
- Must monitor appointment list and attorneys' completion of continuing legal education (CLE) to meet minimum requirements of local plan and Commission rules
- Must review invoices submitted by attorneys and compare to appointment schedule prior to judicial approval
- Perform training for law enforcement, magistrates, local bar, and other stakeholders on indigent defense plan(s) adopted by courts
- Report directly to the judges (rural) or board of judges (mid-size or urban)
- Develop procedures to track attorney contact with client, which includes tracking, investigating and reporting allegations of attorneys not meeting their clients within statutory or plan requirements
- Must involve all courts in the jurisdiction (rural and mid-sized) or all of the judges of a type of court (urban)

#### **f. Evaluation**

Annual report of measurable statistics, compared to before program and each following year.(i.e. Time from booking to 1st appointment with attorney, days in jail, resolution time) Working together with the jail and the courts to create a more efficient system should decrease jail population, attorney hours, and the amount of time from request to first attorney visit. Measurable differences are expected to improve the overall process.

#### **g. Future Funding**

The county currently funds indigent defense through appointment of attorneys and attorney fees line item. The development of an office dedicated to providing public defenders provides protection from lawsuits and reassurance that defendants are receiving the defense to which they are entitled by law. This is seen as a priority and will become part of the annual budget. Since the three staff attorneys will cover approximately 50% of the caseload, the first year, the county will fund \$455,000, half of our current Attorney Fees line item in addition to the 20% match.

#### **h. Budget Narrative and Budget Form**

Please see uploaded Budget document for narrative, Salary spreadsheet, and Equipment, Supplies, Contract Services information.

FTE's	5.00	
Salary	\$361,400.00	
Fringe Benefits	\$86,613.36	
Travel and Training		\$7,500.00
Equipment		\$89,000.00
Supplies		\$25,500.00
Contract Services		\$65,500.00
Indirect		\$6,000.00
Total		\$641,513.36
Required County Match		\$128,012.67
Total less County Match		\$513,500.69

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Salaries are aligned with current positions at the District Attorney's office. These rates are more than the 25<sup>th</sup> percentile in Table9: Salary Ranges by Position Type as of April 2024. The Felony Attorney is almost to the 75<sup>th</sup> percentile, and the Paralegal is above the 75<sup>th</sup> percentile amount.

We have attempted to account for items For Travel and Training, the attorneys will attend Rusty Duncan, including funds for hotel, mileage, and meals. The same amount is allotted for the investigator and office person to attend suitable training. In addition, there is money for mileage to attend meetings with other counties or at the Capitol as needed in the establishment of the office.

Equipment costs include furniture for offices, reception, a conference room, and a workroom. A vehicle outfitted with radio and fuel costs are included for the inspector. This cost is based on the vehicle acquired for the Investigator at the District Attorney's office.

Supplies have costs for cell phones for the attorneys and inspector, office supplies, trial supplies, and a computer and laptop for each full-time employee.

Contract services such as office phones, including internet, copier/printer lease, Office software licensing, online research fees and subscriptions, dues are listed as well as expert witness fees.

Indirect costs include utilities, panic buttons, cleaning and renovation of space, and insurance.

<u>Class/Title</u>	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
First ADA	\$145,000.00	\$32,438.36	\$177,438.36
Felony Attorney	\$125,000.00	\$29,530.00	\$154,530.00
Misd. Attorney	\$91,400.00	\$24,645.00	\$116,045.00
Chief Investigator	\$72,892.00	\$24,588.00	\$97,480.00
Sr. Trial Assoc. (Legal Secr)	<u>\$64,762.00</u>	<u>\$21,344.00</u>	<u>\$86,106.00</u>
Total FTEs	\$361,400.00	\$86,613.36	\$448,013.36

	Price	Fee	Number	Cost
<b>Equipment</b>				
Desk, U-Shaped	\$3,689.50	\$75.00	4	\$15,058.00
Desk, Straight	\$2,266.50	\$50.00	1	\$2,316.50
Hutch	\$1,016.50	\$30.00	1	\$1,046.50
Inv. Vehicle	\$55,000.00		1	\$55,000.00
Vehicle Radio	\$5,000.00		1	\$5,000.00
Fuel	\$3,000.00		1	\$3,000.00
Conf. Rm Chairs	\$200.00		8	\$1,600.00
Conf. Table	\$1,500.00		1	\$1,500.00
Waiting Chairs	\$200.00		6	\$1,200.00
Side Table	\$400.00		2	\$800.00
Bookshelf	\$400.00		5	\$2,000.00
Workroom Table	\$479.00		1	<u>\$479.00</u>
				<b>\$89,000.00</b>
<b>Supplies</b>				
Cell phones	\$500.00		4	\$2,000.00
Trial Supplies	\$2,000.00		1	\$2,000.00
Office Supplies	\$3,000.00		1	\$3,000.00
Computers	\$2,100.00		5	\$10,500.00
Laptops	\$1,600.00		5	<u>\$8,000.00</u>
				<b>\$25,500.00</b>
<b>Contract Services</b>				
Office Phones	\$600.00		1	\$600.00
Copier/Printer	\$500.00		1	\$500.00
Office Software	\$250.00		5	\$1,250.00
Online Research	\$8,650.00		1	\$8,650.00
Expert Witness Fees	\$50,000.00		1	\$50,000.00
Dues	\$4,500.00		1	<u>\$4,500.00</u>
				<b>\$65,500.00</b>

## **Walker County**

### **FY 2026 Single-Year Grant Request**

#### ***TechShare Implementation Project***

	Year 1
Total Program Cost	\$18,821.00
County Match	\$9,410.50
FY26 Grant Request	<b>\$9,410.50</b>
TIDC/County Share	50% / 50%

### **Program Summary**

Walker County is seeking a single-year TechShare grant to automate its indigent defense appointment system for their three-county judicial district. The current system relies on multiple types of software and multiple technological elements such as the manual scanning of paperwork of poor quality sent by email. This has resulted in increased delay and increased confusion within the appointment process. Further, the attorney voucher payment process and the attorney appointment data collection efforts are hampered by similar technical issues which the county argues will be remedied by the implementation of the TechShare system.

### **Staff Recommendation**

**Award Walker County an FY26 Single-Year Improvement Grant of \$9,411 to support implementation of TechShare.**



**2026 Walker County Improvement Grant Application Narrative**  
**Walker County Improvement Grant to Obtain TechShare**  
**Single-year**

**a. Application Form**

Counties Represented: **Grimes, Madison, Walker**  
 Fiscal Year: **2026**  
 State Payee Identification Number: **746001432**  
 Division To Administer Grant: **County Judge**  
 Program Title: **Walker County Improvement Grant to Obtain TechShare**  
 Requested Grant Amount: **\$9,410.50**  
 Authorized Official: **David Moorman**  
 Financial Officer: **Patricia Allen**  
 Program Director: **Colt Christian**  
 Mailing Address: **1100 University Ave, Ste. 102; Huntsville, TX 77320**

**b. Introduction (Executive Summary)**

TechShare is a centralized indigent defense appointment system that streamlines counsel requests, automates eligibility evaluation, and manages affidavits and orders of appointment. It simplifies voucher submissions for attorneys, enables judiciary review and rulings, and provides the Auditor's offices with data for voucher approval and payment processing. Additionally, it captures essential data to assist the Courts, Defense Bar and the Auditors in preparing annual reports.

**c. Problem Statement**

We are seeking solutions for ensuring that limited personnel are utilized effectively, maximizing productivity and enhancing overall service delivery to the indigent population requesting counsel.

1. Compliance with Time Standards for Appointment. The current fragmented and time-consuming appointment process leads to inefficiencies and delays in workflow. A streamlined solution is needed to assess financial eligibility and appoint counsel efficiently, ensuring court compliance with the Fair Defense Act.
2. Attorney Payment Processes. Attorney payment voucher submissions are spread across multiple software platforms, requiring auditors to track and process vouchers through various methods such as email or e-filing, depending on the court. This inconsistency complicates record-keeping, hinders compliance with Attorney Time Reports, and delays payments to attorneys.
3. Manual Data Collections and Reporting Challenges. Courts, attorneys, and auditors currently rely on manual data tracking and personal record-keeping, increasing the risk of inconsistencies, inaccuracies, and inefficiencies in reporting. These outdated processes limit the ability to generate reliable insights, maintain compliance, and optimize workflow management.

\*See Attachment A

**d. Objectives**

- 1) Over the next 12 months, the use of the TechShare software will expedite eligibility determination and reduce the time between request and appointment to promote fairness, cost-effectiveness, and adherence to regulatory requirements. The software will provide measurable data to determine the time from receipt of indigence application to order of appointment through appointment compliance report.
- 2) Over the next 12 months, the use of TechShare software will provide attorneys and the judiciary with built-in capabilities to submit, review and track attorney vouchers in a singular software platform increasing voucher submission efficiency. The system provides auditors with a reliable resource to improve the receipt, processing, and remittance of payments, effectively reducing payment processing time.

\* See Attachment B

- 3) Over the next 12 months, the implementation of TechShare software will enhance reporting capabilities by capturing relevant data on appointments, tracking services provided, and monitoring county funds allocated for indigent defense. The system will ensure the accurate formulation of Indigent Defense Expense Reports, lessening the time for manual computations, and improving data accuracy for annual submission by the Auditor's office.

**e. Activities**

Currently, indigence applications are submitted via email to the appropriate courts, often containing handwritten information that may be illegible due to handwriting or poor image quality. Appointing authorities must manually review case management systems for background, history, and prior appointments before using up to three separate software platforms-Word, Excel, and Case Management Systems-to document appointments, generate orders, and distribute them to various agencies. Magistrate's forms and originating applications are stored in a Word processor for record-keeping, while data collection is conducted manually on a quarterly basis, then aggregated for annual reporting. This fragmented and time-intensive process results in inefficiencies, with each department managing only its segment of the workflow independently.

In order to implement, TechShare, the following steps will be utilized:

- 1) Submit request for annual funding of the TechShare software with the budget request packet for FY 2026 to the Walker County Commissioner's Court.
- 2) Upon approval, contact TechShare to execute the contract and attach a copy of the FY 2026 Interlocal Agreement for Walker, Madison and Grimes Counties.
- 3) Upon completion of contracts, TechShare will begin the development of the portals for each county.
- 4) Once the portals are developed, TechShare staff will train the staff of the 12th Judicial District Court on the administration of the software program.
- 5) Once each portal is developed in all 3 counties and administrative staff is equipped to practice this role, TechShare staff will begin the process of allowing administrative staff to simulate the day-to-day use as court coordinators, as well as administrative roles within the software. During this phase, TechShare will continue to operate as tech support.
- 6) Administration will secure space for training.
- 7) Administration will schedule training session for jail and Justices of the Peace on their portal to complete the Indigence Application and submit to the appropriate courts. This will have to be done onsite in all 3 counties.
- 8) TechShare will then begin the process of on boarding jail staff and Justices of the Peace in all 3 counties on accessing the appropriate portal to enter data to complete the Indigence Application via computer. This will have to be done onsite in all 3 counties.
- 9) Administration will secure space for training for all 3 counties in Walker County.
- 10) Administration will schedule training session for court staff on how to access their portal, how to determine eligibility, make appointments, generate orders and send to appropriate entities.
- 11) TechShare will then begin the process of on boarding court staff on accessing the appropriate portal, how to determine eligibility, make appointments, generate orders and sent to appropriate entities.
- 12) Administration will secure space for training for all 3 counties in Walker County.
- 13) Administration will schedule training session with defense bar for all 3 counties on accessing the appropriate portal to enter data/submit payment vouchers and running appropriate reports to garner the data for the Attorney Time Reports.
- 14) TechShare will begin the process of training local defense bar in all 3 counties on accessing the appropriate portal to enter data/submit payment vouchers and running appropriate reports to garner the data for the Attorney Time Reports.
- 15) Administration will secure space for training all 3 counties in Walker County.
- 16) Administration will schedule training session for the Judiciary on entering the appropriate portal to review and approve vouchers in the Judges' portal.
- 17) TechShare will begin the process of training the Judiciary on entering the appropriate portal to review and approve vouchers in the Judges' portal.
- 18) Administration will secure space for training for all 3 counties in Walker County.
- 19) Administration will schedule training session for the Auditors on entering the appropriate portal to receive, process and remit payment of the attorney voucher. The Auditors will also learn how to run necessary reports including garnering data for the Indigent Defense Expense Report.
- 20) TechShare will begin the process of training the Auditors on entering the appropriate portal to receive, process and remit payment including garnering data for the Indigent Defense Expense Report.
- 21) TechShare will initiate "Go Live" status, with their support, in Walker County first.
- 22) TechShare will initiate "Go Live" status, with their support, in Grimes County second.
- 23) TechShare will initiate "Go Live" status, with their support, in Madison County third.
- 24) Remain on "Go Live" status, with their support for a period of time to ascertain that the system is working properly.
- 25) Once TechShare determined that the administration is capable of managing day-to-day operations, administration of the TechShare program for the district will be handed over to the administrative staff of the 12th Judicial District Court.
- 26) TechShare service will be active and full service at this time.

## f. Evaluation

The effectiveness of the new program will be evaluated by measuring improvements in process efficiency. Key metrics will include compliance with timelines from eligibility determination to appointment, approval time for voucher processing, reduction in man-hours required to complete services, and accuracy of reporting across all aspects of the three-pronged approach involving the courts, attorneys, and auditors.

The first phase of evaluation will focus on assessing the implementation progress of the TechShare software. Administrators will systematically track the time required to establish portals for each system modality. Daily logs will document the time spent by administrative staff, and cumulative weekly reports will be generated until all portals are fully set up and ready for staff training.

Following portal setup, administrative staff will measure the time required to ensure through training for each modality. Training will be considered complete when staff achieves a 100% proficiency rating in executing all required steps within their assigned portal. This process will be applied across multiple portals, including Administration, Jail and Justices of the Peace, Court Staff, Attorneys, Judges, and Auditors. Given the involvement of multiple counties, this implementation and training phase is expected to take approximately three months to complete.

The final evaluation process will be the "Go live" testing phase, during which the administration will oversee each testing portal, troubleshoot issues, assist with inquiries, and ensure proper system usage and accurate data collection. Personnel across all modalities will actively engage with the TechShare system according to their designated roles, ensuring seamless execution of essential functions.

Each modality will conduct live testing by performing their assigned responsibilities:

- \* **Jail Staff and Justices of the Peace:** Jail personnel and magistrates will process indigence applications by entering relevant data into the system and forward the applications to the appropriate courts.
- \* **Courts:** Court staff will review indigence applications, assess eligibility determinations made by TechShare, verify that the system accurately calculates financial qualifications, ensure proper attorney selection using the wheel manager, and finalize orders for dissemination. Requests for counsel and indigence applications will be received electronically and maintained within an online data management system to guarantee accurate data retention for reporting and record-keeping.
- \* **Attorneys:** Attorneys will submit payment vouchers through the portal, testing the system's ability to hold vouchers, forward submissions to the judiciary, and ensure proper data retention for record-keeping.
- \* **Judiciary:** Judges will review attorney payment vouchers, access any attached invoices, make annotations, return vouchers for corrections if needed, approve final submissions, and forward them to auditors for review. Vouchers will be electronically accepted and securely maintained within the online data management system to preserve data integrity for future reporting.
- \* **Auditors:** Auditors will receive and process approved payment vouchers and invoices electronically within the online management system, ensuring proper payments and accurate data collection for comprehensive record-keeping and reporting.

This phase will ensure that all components of the TechShare system function effectively and supports accurate, efficient judicial processes across multiple counties.

## PROGRAM EVALUATION PLAN

Upon successful implementation, the program will transition to independent operation without TechShare support. Data collection will commence to assess court processes, efficiency and compliance with regulatory standards.

Key evaluation metrics include:

- \* **Court Processing and Time Tracking:** Each court will document the time from receipt of an electronic indigence application to eligibility evaluation, appointment determination via the wheel, and final order issuance. These records will be maintained monthly and submitted to the 12th District Court for grant monitoring, compiled into monthly cumulative reports throughout the monitoring period.
- \* **Voucher Processing Efficiency:** Courts will track the number of vouchers submitted through the judicial portal to auditors. Monthly records will be reported to the 12th District Court and compiled into monthly summaries for ongoing evaluation.
- \* **Financial Monitoring and Compliance:** Administrative staff of the 12th District Court will document the number of paid vouchers and total expenditures as provided by the Auditor's offices, compiling monthly records for continuous financial oversight during the grant period.

\* Improvement Metrics: Data collected will provide measurable insights into enhancements, including:

-Accuracy of Wheel Management and Time Standards Compliance: Monthly evaluation of appointment time standards adherence.

-Voucher Processing Time Reduction: Assessment of the time from voucher submission to judiciary through final payment approval by auditors.

-Financial Reporting: Accurate accounting of total vouchers paid, and expenditures recorded monthly.

## DATA INTEGRATION AND GRANT MONITORING

From the anticipated "Go Live" date of January 2026 through September 2026, monthly reports generated within the online data management system will be compiled to evaluate key indicators, including:

\*Indigence Applications & Court Orders: Total applications received, appointments made, and compliance with the Texas Indigent Defense Commission time standards.

\*Attorney Voucher Approvals: Verified totals of vouchers approved by the judiciary.

\*Attorney Fee Expenditures by County: Comprehensive records of total expenditures processed by auditors. This structured evaluation will provide detailed insights into program efficacy, ensuring accountability, efficiency, and alignment with grant objectives.

### g. Future Funding

While there will be additional grant funding requirements beyond implementation costs to operate the TechShare data software system, the annual cost will be budgeted by each county and paid based on the percentages as set out in the Interlocal Agreement.

### h. Budget Narrative and Budget Form

The budget for the implementation and launch of the TechShare software program is relatively concise and straight forward. The general expenses relate solely to the implementation for the purposes of this grant. Based on the estimate provided by TechShare on January 27, 2025, the total start-up cost for year one will be \$18,821.00. The costs will be distributed between the three counties based on percentages as outlined in the Interlocal Agreement. The total start-up cost breakdown is as follows:

\$12,833.00	-Implementation of TechShare.Indigent Defense SaaS with Microsoft Azure hosting Service for Walker, Madison and Grimes Counties.
\$3847.00	-Operations for Walker County (This value will be pro-rated based on the go-live date)
\$667.00	-Operations for Madison County (This value will be pro-rated based on the go-live date)
\$1471.00	-Operations for Grimes County (This value will be pro-rated based on the go-live date)

Reoccurring costs per year include:

\$3847.00	-Operations for Walker County
\$667.00	-Operations for Madison County
\$1474.00	-Operations for Grimes County

Each of the counties already utilize computer systems for data entry for routine business practices. Therefore, there are no equipment costs. All staff salaries are fully funded through primary means by each of the perspective counties.

Personnel Costs	\$0.00
FTE's	
Salary	
Fringe Benefits	
Travel and Training	
Equipment	
Supplies	
Contract Services	\$18,821.00
Indirect	
Total	\$18,821.00
Required County Match	
Total less County Match	\$18,821.00

Home

# TechShare.Indigent Defense Implementation

## Attachment B

### STATEMENT OF WORK

#### WALKER COUNTY

## Introduction

This document outlines the mutual understanding between TechShare LGC and Walker County regarding the scope, objectives, and deliverables of implementation of TechShare.Indigent Defense in the TechShare Government Azure CJIS Compliant cloud.

The purpose of this SOW is to ensure clarity, alignment, and accountability throughout the project lifecycle, enabling both parties to effectively collaborate towards successful outcomes. By detailing the project's goals, milestones, timelines, and responsibilities, this document serves as a roadmap for execution and evaluation.

Throughout this SOW, you will find a comprehensive overview of the project's scope, including specific tasks, deliverables, acceptance criteria, and any relevant assumptions or constraints. Additionally, we have outlined the roles and responsibilities of each party involved, ensuring clear communication channels and accountability at every stage.

Our mutual commitment to transparency, communication, and excellence will be instrumental in achieving the desired results outlined in this document. We look forward to a productive partnership and the successful execution of the TechShare.Indigent Defense system.

## Scope of Work

Walker County is migrating the daily paper management of Indigent Defense Voucher Submissions, Approval, and Payment Requests to an electronic process in TechShare.Indigent Defense. This effort includes the following:

- Planning Session
- Application Configuration
- County Templates
- 16 hours on-site training for defense attorney's

## Items Not in Scope

- Data Integration
- Data Migration
- New Feature Development

## Objectives

- Implement. TechShare.Indigent Defense within the TechShare Government Azure CJIS compliant cloud

## Implementation Tasks

The following table describes the high-level implementation tasks required for this effort.

Description
Project Kickoff
System Orientation
System Configuration
Administrator/IDC Training



# TechShare.Indigent Defense Implementation

## Attachment B

### STATEMENT OF WORK

#### WALKER COUNTY

Description
Review Configuration
Sherriff's Office Training
Auditor Training
Judge Training
Smoke Test
Onsite Attorney Training
Go Live

## Quality Assurance Services

Below describes the quality assurance services to be provided by the TechShare team to ensure the successful implementation which meets user expectations and performance requirements for daily operations of the system.

- Internal Quality Assurance testing of the system to validate configuration.
- Configuration of the system with Walker County to confirm configuration has been properly set up in the system.
- Smoke Test testing of the system with Walker County to confirm features, functions, and operational readiness to move go live.

## Timeline/Schedule

The projected timeline for this project spans three (3) months. Specific tasks and their corresponding milestones are detailed in the table provided below, aligning with the established period for project completion. There are no anticipated adjustments to the time for this effort. All tasks are owned by TechShare unless otherwise noted.

Task	1	2	3
	Kick Off	Orientation / Configuration	Test/Go Live
Conduct Kick Off Meeting and Assessment			
System Orientation			
Configure System			
Administrator/IDC Training			
Review Configuration			
Sheriff's Office Training			
Auditor Training			
Judge Training			
Smoke Test			



# TechShare.Indigent Defense Implementation

## Attachment B

### STATEMENT OF WORK

#### WALKER COUNTY

Task	1	2	3
	Kick Off	Orientation / Configuration	Test/Go Live
Onsite Attorney Training			
Go Live			

## Roles and Responsibilities

The below **RACI** chart provides clarity on who is **Responsible**, **Accountable**, **Consulted** and **Informed** for each task within this Statement of Work.

Project Task	TS Product Manager	TS Sr. Business Analyst	TS QA	WC Business Product Owner	WC Stakeholder
Project Management/Oversight	R	I	I	I	I
Environment Configuration	R	A	I	C	I
Training (Admin, Auditor, Judge, Attorney's)	R	I	I	I	I
Change Management	R	I	I	I	A
Communication and Reporting	R/A	I	I	I	I
Smoke Test	R	I	I	A	A
Go Live	R	A	C	I	I

## Change Management Process

By following a structured change management process, software development projects can effectively manage changes while minimizing disruptions and maintaining alignment with project goals. While there are no changes to the scope of work or timeline for this effort envisioned, should there be any, they will be managed collaboratively by TechShare and Walker County to develop a Change Request for review and approval by Stakeholders in advance of deviating from the original scope or timeline of this project.

## Assumptions and Constraints

1. Walker County is moving daily operations of Indigent Defense services to the TechShare Azure Government CJIS compliant cloud.
2. Project Management and Implementation Services are provided by TechShare.
3. Project meetings (onsite and remote) will be conducted by TechShare with designated Walker County business team members to complete implementation of TechShare.Indigent Defense.
4. TechShare will provide application configuration services as a part of the implementation effort.

# TechShare.Indigent Defense Implementation

## Attachment B

### STATEMENT OF WORK

#### WALKER COUNTY

5. Training will be provided by TechShare.
6. TechShare will provide access to all system documentation, such as user guides and support information through the standard TechShare toolsets.

## Acceptance Criteria

1. Walker County has successfully implemented TechShare.Indigent Defense.
2. Documentation for training and use of the system.
3. Go Live Readiness Sign Off

## Deliverables

1. Monthly Status Report to include project updates, metrics regarding implementation progress, costs, issues & risks, action items, upcoming milestones, dependencies, and overall project health.
2. Working Software based on the requirements described in the Scope of Work
3. Training Sessions
4. Go Live Checklist

## Payment Terms

The total cost of this effort is \$12,833. The following describes the payment terms including the amount due based on the identified milestones:

No	Milestone	Amount	Payment Term
1	Implementation of TechShare.Indigent Defense SaaS with Microsoft Azure Hosting Service	\$12,833	30 days from invoice, in advance of beginning the project.
2	2025 Operations, prorated from go live	\$5,998	Post go live, 30 days from invoice

## Project Background and Objectives

The purpose of this document is to provide a formal quotation for the implementation of TechShare.Indigent Defense as well as costs for 2025 operations and maintenance for Grimes County.

## Items In Scope for this Estimate

- Implementation of TechShare.Indigent Defense including
  - Planning Session
  - Application Configuration
  - County Templates
  - 16 Hours of On-Site Training for All Attorneys across Walker, Madison, and Grimes Counties

## Items Not in Scope for this Estimate

- Data Integration
- Data Migration
- New Feature Development

## Project Timeline and Activities

The timeline for this project has been estimated at three (3) months. Tasks to be completed based on the described timeline are illustrated in the table below. All tasks are owned by TechShare unless otherwise noted.

Month 1	Month 2	Month 3
Kick Off	Orientation/Configure	Test/Go Live
Conduct Kick Off Meeting and Assessment	Administrator/IDC Training (continued)	Judge Training
System Orientation	Review Configuration	Smoke Test
Configure Software	Sheriff's Office Training	Onsite Attorney Training
Administrator/IDC Training	Auditor Training	Go Live

## Costs

### ASSUMPTIONS

1. Implementation services are being provided by TechShare.
2. Implementation meetings will be conducted with designated county business team members to complete implementation of TechShare.Indigent Defense (onsite and remote.)
3. The cost for implementation in Grimes County will be covered through a Software as a Service Addendum with Walker County.
4. Walker County will utilize their Interlocal Agreement with Grimes and Madison to share /allocate operations costs.
5. The project timeline and tasks can be adjusted as needed by Walker County.

### Implementation and Annual Operations Estimate

No.	Project	Cost	Travel	Total Cost
1	Implementation of TechShare.Indigent Defense SaaS with Microsoft Azure Hosting Service for Walker, Grimes, and Madison Counties – Covered in Walker County Agreement	*Covered through Walker County SaaS Addendum		
2	2025 Operations for Grimes County (Prorated from Go Live)			\$1,474

### ADDITIONAL INFORMATION

- TechShare will perform the services as described as **In Scope for the Estimate**. Any changes after formalizing an implementation agreement will be managed through a change control process.
- Upon approval of this estimate, TechShare will draft the appropriate agreements for services with Walker County for review and approval by the County Commissioner's Court.
- Payment for annual operations is prorated from the date of go live.

## Project Background and Objectives

The purpose of this document is to provide a formal quotation for the implementation of TechShare.Indigent Defense in Walker, Grimes and Madison County as well as 2025 Operations costs for Madison County.

## Items In Scope for this Estimate

- Implementation of TechShare.Indigent Defense including:
  - Planning Session
  - Application Configuration
  - County Templates
  - 16 Hours of On-Site Training for All Attorneys across Walker, Madison, and Grimes Counties

## Items Not in Scope for this Estimate

- Data Integration
- Data Migration
- New Feature Development

## Project Timeline and Activities

The timeline for this project has been estimated at three (3) months. Tasks to be completed based on the described timeline are illustrated in the table below. All tasks are owned by TechShare unless otherwise noted.

Month 1	Month 2	Month 3
Kick Off	Orientation/Configure	Test/Go Live
Conduct Kick Off Meeting and Assessment	Administrator/IDC Training (continued)	Judge Training
System Orientation	Review Configuration	Smoke Test
Configure Software	Sheriff's Office Training	Onsite Attorney Training
Administrator/IDC Training	Auditor Training	Go Live

## Costs

### ASSUMPTIONS

1. Implementation services are being provided by TechShare.
2. Implementation meetings will be conducted with designated county business team members to complete implementation of TechShare.Indigent Defense (onsite and remote.)
3. The cost for implementation in Madison County will be covered through a Software as Service Addendum with Walker County.
4. Walker County will utilize their Interlocal Agreement with Grimes and Madison to share /allocate operations costs.
5. The project timeline and tasks can be adjusted as needed by Walker County.

### Implementation and Annual Operations Estimate

No.	Project	Cost	Travel	Total Cost
1	Implementation of TechShare.Indigent Defense SaaS with Microsoft Azure Hosting Service for Walker, Grimes, and Madison Counties*	*Covered through Walker County SaaS Addendum		
2	2025 Operations for Madison County (Prorated from Go Live)			\$677

### ADDITIONAL INFORMATION

- TechShare will perform the services as described as **In Scope for the Estimate**. Any changes after formalizing an implementation agreement will be managed through a change control process.
- Upon approval of this estimate, TechShare will draft the appropriate addendums for services with Walker County for review and approval by the Walker County Commissioner's Court.
- Payment for annual operations is prorated from the date of go live.

## Project Background and Objectives

The purpose of this document is to provide a formal quotation for the implementation of TechShare.Indigent Defense in Walker, Grimes and Madison County as well as 2025 Operations costs for Walker County.

## Items In Scope for this Estimate

- Implementation of TechShare.Indigent Defense including:
  - Planning Session
  - Application Configuration
  - County Templates
  - 16 Hours of On-Site Training for All Attorneys across Walker, Madison, and Grimes Counties

## Items Not in Scope for this Estimate

- Data Integration
- Data Migration
- New Feature Development

## Project Timeline and Activities

The timeline for this project has been estimated at three (3) months. Tasks to be completed based on the described timeline are illustrated in the table below. All tasks are owned by TechShare unless otherwise noted.

Month 1	Month 2	Month 3
Kick Off	Orientation/Configure	Test/Go Live
Conduct Kick Off Meeting and Assessment	Administrator/IDC Training (continued)	Judge Training
System Orientation	Review Configuration	Smoke Test
Configure Software	Sheriff's Office Training	Onsite Attorney Training
Administrator/IDC Training	Auditor Training	Go Live



## Costs

### ASSUMPTIONS

1. Implementation services are being provided by TechShare.
2. Implementation meetings will be conducted with designated county business team members to complete implementation of TechShare.Indigent Defense (onsite and remote.)
3. The cost for implementation and annual operations in Walker, Grimes and Madison County will be presented in a Software as Service Addendum with Walker County.
4. Walker County will utilize their Interlocal Agreement with Grimes and Madison to share /allocate operations costs.
5. The project timeline and tasks can be adjusted as needed by Walker County.

### Implementation and Annual Operations Estimate

No.	Project	Cost	Travel	Total Cost
1	Implementation of TechShare.Indigent Defense SaaS with Microsoft Azure Hosting Service for Walker, Grimes, and Madison Counties	\$12,433	\$400	\$12,833
2	2025 Operations for Walker County (Prorated from Go Live)			\$3,847

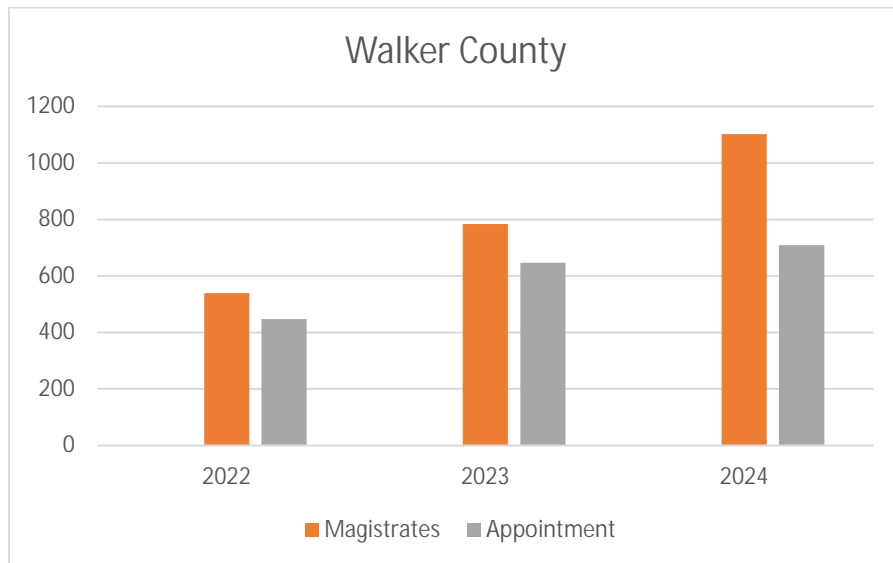
### ADDITIONAL INFORMATION

- TechShare will perform the services as described as **In Scope for the Estimate**. Any changes after formalizing an implementation agreement will be managed through a change control process.
- Upon approval of this estimate, TechShare will draft the appropriate agreements for services for Walker County review and approval by the Commissioner's Court including:
  - TechShare ILA for SaaS Participation - this is a standard interlocal agreement document that Walker County will sign to join the TechShare program.
  - TechShare.Indigent Defense Software as a Service Addendum for the Implementation and Operation of the system including the Resource Fees, Implementation Workplan Costs and CJIS Security Addendum.
- Payment for implementation services is due thirty (30) days following approval of an agreement and in advance of commencing the project.
- Payment for annual operations is prorated from the date of go live.

## ATTACHMENT A:

This data reflects the number of magistrate forms processed for the felony charges in Walker County per year. The data also reflects the total number of appointments for the unfilled charges for the District Courts, and the indicted charges assigned to the 12<sup>th</sup> District Court for Walker County. This data was manually collected. The use of TechShare will allow the administration of the program to collect complete data from all appointing authorities accurately for all three counties regardless of the presiding courts.

Walker County	2022	2023	2024	Total
Magistrates	539	784	1102	2425
Appointment	447	647	709	1803



## ATTACHMENT B:

This table displays the total number of cases disposed during fiscal year 2023, and serves as a conservative estimate of the upper limit of the number of requests for counsel that a respective county could receive within a given year.

County	Felonies Disposed	%	Misdemeanors Disposed	%	Total Disposed	%
Walker	650	57	734	45	1384	50
Madison	291	25	187	11	478	17
Grimes	207	18	731	44	938	33
Total	1148	100	1652	100	2800	100

\*Data collected from TIDC Cases Disposed/Cases Paid Report for 2023

## Wharton County

### FY 2026 Sustainability Grant Request

#### Wharton & Matagorda Regional Public Defender Office

<-----Projected----->

	Year 1	Year 2	Year 3	Year 4
Total Program Cost	\$2,185,926.00	\$2,077,776.00	\$2,077,776.00	\$2,077,776.00
County Match	\$0.00	\$692,592.00	\$692,592.00	\$692,592.00
FY26 Grant Request	\$2,185,926.00	\$1,385,184.00	\$1,385,184.00	\$1,385,184.00
TIDC/County Share	100% / 0%	66.6% / 33.3%	66.6% / 33.3%	66.6% / 33.3%

### **Program Summary**

Wharton and Matagorda Counties are seeking to create a two-county rural regional public defender office to improve the indigent defense services in the region. The aim of this regional office, headquartered in Wharton County, is to hire 13.5 staff members, including nine attorneys and five support staff (one part-time). The program would handle 85% of the new indigent felony and misdemeanor cases within the counties.

The number of attorneys able to represent these clients under the current ‘wheel’ appointment system has decreased dramatically and has led to an increasingly overwhelmed local bar. Wharton County argues that the office will address the attorney shortage and result in a more efficient administration of justice.

The counties worked closely with TIDC through a planning study process, and the grant application is intended to directly implement the program recommended in TIDC’s planning study.

### **Summary of External Grant Review Committee Comments**

Reviewers strongly supported this application. One expressed concern that additional staff would likely be needed in subsequent years because misdemeanor appointment levels were historically quite low and would likely rise with a public defender available.

### **Staff Recommendation**

Award Wharton County an FY26 Improvement Grant of \$2,185,926 for the Wharton-Matagorda Regional Public Defender Office.

The Texas Legislature has included a budget rider requiring TIDC to fund a regional public defender program for Wharton and Matagorda Counties, including 100% funding in the initial year.

TIDC was prepared to recommend this program in the last grant cycle but could not because funds were unavailable at that time. The program clearly addresses several of TIDC’s published priorities for the Improvement Grant program, including serving rural areas with regional programs and building indigent defense capacity in managed systems that support quality representation.

**2026 Wharton County Improvement Grant Application Narrative**  
**New Improvement Grant Application. Wharton Matagorda Public Defender Office (WMRPDO)**  
**Rural Regional Public Defender Sustainability**

**a. Application Form**

Counties Represented: **Matagorda, Wharton**

Fiscal Year: **2026**

State Payee Identification Number: **1-74-6002559-0**

Division To Administer Grant: **Wharton County**

Program Title: **New Improvement Grant Application. Wharton Matagorda Public Defender Office (WMRPDO)**

Requested Grant Amount: **\$2,185,926.00**

Authorized Official: **Phillip S. Spenrath**

Financial Officer: **Barbara A Starling**

Program Director: **Phillip S. Spenrath**

Mailing Address: **100 South Fulton, Suite 100; Wharton, TX 77488**

**b. Introduction (Executive Summary)**

Wharton and Matagorda Counties would like to implement the program as described in the attached TIDC planning study as modified for a two-county program, titled Wharton Matagorda Public Defender Office (WMRPDO). The WMRPDO would be located in and administered by Wharton County, which will be the primary grant recipient. After meeting with County Officials, the two counties believe that this program can become a reality and benefit both counties by offering quality representation for Indigent Defendants by providing a streamlined and effective service to process caseloads, and with TIDC funding, has significant potential for cost savings in strained County budgets in our two County region. We are asking for a waiver to the three county grant requirement as Colorado County was originally going to apply with us and decided to opt out at the last minute. Wharton and Matagorda Counties are landlocked between a number of larger, already served, urban growth centers to the North and the pre-existing Victoria Cross Roads RPDO to the South. The Victoria RPDO has repeatedly denied our request to participate.

**c. Problem Statement**

Annually there are over 3,000 new felony and misdemeanor cases in the two counties combined. In the felony and misdemeanor cases, over 85% of the cases require indigent defense services. Both counties use an appointment "wheel" method to appoint private attorneys to qualified indigent cases; however, the number of attorneys on that "wheel" has dwindled down tremendously. There are fewer private practice attorneys in this region willing to accept criminal appointments. The local defense bar is overwhelmed with appointments which results in delayed due process and increased financial burdens on taxpayers as defendants are staying in jail longer, have more pre-trial hearings without dispositions and the defendants not seeing their attorney as often as they should. Most local defense attorneys also handle Fort Bend and Harris County cases which result in fewer appearances in our counties. Multiple settings create additional billing from attorneys rather than just accepting the fee schedule adopted by Wharton and Matagorda Counties. This impacts the counties' budgets as these are additional expenses not included in current budgets. Often the counties cover these overages by pulling funds from other budgeted accounts. This results in shortages in other budget areas.

**d. Objectives**

By creating and implementing the Wharton Matagorda Public Defender Office, the two Counties in the region hope to improve the quality of defense by having appropriate caseloads with staff attorneys in the WMRPDO, continually training those attorneys for improvement, and allowing their specific expertise to grow from only working and focusing on criminal defense cases. The WMRPDO will create a smoother flow of the criminal justice process in our region, thus allowing cases to be heard and disposed of in a more efficient and timely manner.

The Wharton Matagorda Public Defender Office (WMRPDO) would be located in Wharton County and would provide services for Wharton and Matagorda Counties. There would be a total of thirteen and one half staff for this office. This would include a Chief Defender, one First Assistant Defender, five Felony Defenders, a Mixed Caseload Defender (.5 for felony and .5 for misdemeanor), a Misdemeanor Defender, an Investigator, a Social Worker/Caseworker, an Office Manager and 1.5 Support Staff. Wharton County will provide the office space needed and will work with the other county Judge to ensure they can provide adequate space for attorney/client meetings in their respective counties.

The WMRPDO will strive to represent approximately 85% of the total non-capital indigent felony cases and 85% of the indigent misdemeanor cases, which according to our detailed study should total approximately 1200 cases per year for the WMRPDO.

Both Counties in the region support this request by Resolution and are committed to ensuring that additional objectives are met which include:

- \*Indigent clients will be represented by qualified attorneys and support staff
- \*New clients will be contacted within a 24 hour window upon confirmation of indigent status
- \*WMPDO attorneys will set up initial contact within 48 hours
- \*WMPDO will seek release of clients who are unable to make bail and attempt to reduce the length of time a client is incarcerated during the pretrial phase when possible
- \*WMPDO attorneys will be present at all phases of the pretrial hearing process
- \*WMPDO will follow TIDC caseload guidelines and attempt to improve case outcomes
- \*WMPDO will work with in-house staff such as the investigator and caseworker to ensure an efficient and thorough plan of action for their client.

#### **e. Activities**

During the start-up phase of this project, Wharton and Matagorda Counties will enter into an inter-local agreement to establish clear guidelines and budget expectations. An oversight board will be created using TIDC parameters, and upon establishment, the board will meet to draft a job description for the Chief Defender, advertise for the position, conduct interviews, and select the most qualified applicant. Once the Chief Defender is successfully hired, he/she will provide a plan of operation that will be presented to the oversight board and Commissioner's Court for approval. Each position within the WMPDO will have a job description created to establish appropriate hierarchy and adequate pay levels and those positions will be advertised. Interviews will be conducted to attain the best candidates for each position and once hired all new staff will begin training. With funds provided from the grant, Wharton County will purchase furniture, computers, software, and supplies needed for day-to-day operation of the office. All current indigent plans for all counties will need to be amended and modified to ensure that all involved courts refer appointments to the WMPDO as agreed.

The WMPDO will have ongoing activities, guidelines, and steps that will need to be taken on a continual basis in order to assure a commitment to an efficient and valuable asset to the counties it provides services to. Any new defendant who qualifies for services will meet with a WMPDO attorney within 48 hours of referral and will have representation in all phases of the pretrial process. The WMPDO staff will work closely with the Indigent Defense Coordinator to ensure that all currently jailed defendants who qualify for services are accounted for and receiving services. The WMPDO oversight board will meet quarterly to discuss any issues and take actions necessary to clear up deficiencies. The Chief Defender will have weekly meetings with staff attorneys to discuss caseload or any matter relating to meeting the needs of the client. Additionally, the Office Manager will meet with support staff on a weekly basis to discuss any matters as needed. All staff will be provided with training and education so that they may stay up to date with the best practices for their positions. All positions will receive annual performance evaluations conducted by the Chief Defender and the Office Manager that will provide valuable feedback to the employees.

#### **f. Evaluation**

The oversight board in conjunction with the Chief Defender will monitor program evaluation. The Chief Defender will handle required grant status reporting to TIDC and the Wharton County Auditor will handle all financial reporting as required by statute. The Chief Defender will provide information requested by the County Auditor to achieve timely completion of required expenditure reports.

The oversight board and the Chief Defender will work with the Wharton IT Department to ensure the proper software is purchased that will have the ability to track and maintain caseload information such as:

- \* Type and number of cases
- \* Attorney/client initial contact and future contacts
- \* Bond information
- \* Time incarcerated
- \* Pre-trial information
- \* Communication/offers from prosecuting attorneys
- \* Notes for investigators/caseworkers
- \* Experts and witnesses
- \* Case dispositions

The WMPDO will monitor data and work with the administrative staff of both jails in order to monitor inmate populations, compliance with internal guidelines with regard to timeliness of case processing, and to provide data on cost effectiveness. Annually, the WMPDO will submit a report, approved by the oversight board to each Commissioners Court that documents the activities of the office to include costs, case dispositions, and such statistical information that the chief should include for each Court to be informed of successes and failures, benchmarks achieved, and future goals.

#### **g. Future Funding**

The WMPDO operations will depend upon TIDC's regional rural sustainability funding to be financially viable and cost effective for both Counties. The Counties intend for the defender's office to be a long term solution to providing quality indigent defense.

As of 2025, the population of the Counties for the WMRPDO are as follows:

\*Wharton County- 41,738

\*Matagorda County - 36,596

We are requesting a grant waiver to provide funding for a two county RPDO in place of the three county requirement due to the fact that Colorado County was originally interested but opted out; and Wharton and Matagorda Counties are landlocked between a number of larger, already served, urban counties to the North and existing five county RPDO to the South which has repeatedly refused our participation. To be clear, Wharton County has made several attempts to join the adjacent Victoria Cross Roads RPDO but continues to be denied.

In the event that the board does not grant our Rural Regional Public Defender Grant, Wharton and Matagorda Counties request the Board consider granting our RPDO a multi-year Grant.

The WMRPDO will reduce conflicts with local attorneys and will make the defender's office viable for the region for many years to come.

#### **h. Budget Narrative and Budget Form**

The staffing levels and overall budget are based on TIDC's 2025 planning study for a two-county Rural Regional Public Defender's Office.

Personnel costs are anticipated to be \$1,958,926 which includes salary and fringe benefits.

Travel and training costs include mileage reimbursement, case investigation, professional dues for attorneys and staff as well as continuing education costs for all staff.

Equipment will include various one-time costs associated with start-up, estimated to be \$108,150. This includes items such as furniture (desks, chairs), computers, laptops, I-pads or tablets, Smart Phones, Microsoft Office software, printers, copy machine/scanner and fax machine. Many of these larger cost items will be considered capital assets and will be depreciated.

Supplies for operating expenses include consumable items such as pens, legal pads, copy paper, file folders, toner, notary stamps, notebooks, coffee maker.

Contract Services will include utilities and building maintenance. Also included are technology items such as telephone system, internet fees, notary bonds, software and licenses for a case management system and experts. There will be property and liability insurance fees to be paid annually along with liability insurance for attorneys. Software upgrades as needed and other technology necessary to operate the WMRPDO.

Wharton is not requesting any Indirect Costs in the grant budget.

There will be no building rental costs incurred as Wharton County owns the building.

According to the State budget that is currently in process, this program is eligible for 100% funding in the first year and 2/3 in subsequent years.

Personnel Costs	\$1,958,926.00
FTE's	13.50
Salary	\$1,317,237.00
Fringe Benefits	\$641,689.00
Travel and Training	\$52,650.00
Equipment	\$108,150.00
Supplies	\$4,725.00
Contract Services	\$61,475.00
Indirect	\$0.00
Total	\$2,185,926.00
Required County Match	\$0.00
Total less County Match	\$2,185,926.00





# Planning Study

Wharton Matagorda Regional Public Defender's Office

April 17, 2025



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Got questions? TIDC is here to help.

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# Executive Summary

The Texas Indigent Defense Commission (TIDC) funds, oversees, and improves public defense in Texas. TIDC's Improvement Team provides counties with planning studies, like this one, to inform them about the costs, benefits, and decisions that need to be made to establish regional public defender offices.

Research and experience have shown that public defender offices can improve indigent defense quality, constitutional compliance, accountability, and budget predictability. They can also improve efficiency and reduce costs for other parts of the criminal justice system, including jail and court operations.

This planning study models a two-county regional public defender office (Wharton Matagorda Public Defender Office, (WMRPDO): (1) Wharton and (2) Matagorda. The decisions the counties need to make and the assumptions built into the model are described in the "Decisions and Assumptions" on page 5. We also make the following findings and recommendations:

- **Scope:** In the model, the office represents 85% of indigent misdemeanor, 85% of non-capital felony, 0% of juvenile, and 0% of appellate cases from each county.
- **Staff:** 13.5 staff (8 attorneys not including the Chief Public Defender) are recommended in the full model (see "Staffing & Salaries," on page 6).
- **Salaries:** Our model assumes salary parity with the neighboring Crossroads Regional Public Defender's Office. Salaries largely appear competitive with regional public defender offices and district attorney offices in Texas ("Staffing & Salaries," on page 6).
- **Budget:** For the model, an annual office budget of approximately \$2.07 million. ("Office Budget," on page 9).
- **Grants:** receiving 80% funding for the office in year one and 66% funding in years two and beyond. ("State Funding," on page 11). Over the first three years, TIDC grants could equal approximately \$4.48 million. All grant funding is based on availability and a vote from TIDC's full board. TIDC grants could be greater if the Texas Legislature requires TIDC to fully fund the office in year one.
- **Cost Comparison:** In the model, counties collectively save \$762,461 in the first year. However, first-year savings assume the office will take a full caseload (scope above), which is unlikely because it takes time to hire and train attorneys and staff, and for attorneys to build up a full caseload. In years 2 and beyond, counties collectively save nearly \$500,000 ("Cost Comparison," on page 12).
- **Benefits:** The WMRPDO can bring additional benefits to the courts and criminal justice system that have been seen with other public defender offices: more reliable availability of attorneys; improved quality of representation; improved docket management and quicker case dispositions; and reduced jail populations, including persons with mental illness.

## Background

In 2025, the Texas Legislature's budget has a rider for TIDC to fund a public defender office serving Wharton and Matagorda Counties. TIDC work with Judge Spenrath and Cassie Ritter to create a study to plan for this new two-county rural regional office.

TIDC staff created a model of the public defender office. In the model, the office represents 85% of indigent misdemeanor, 85% of non-capital felony, 0% of juvenile, and 0% of appellate cases from each county. The model shows how many attorneys and staff are necessary to handle a large percentage of the region's cases, according to our caseload guidelines.

Previously, in 2023 and 2024, TIDC developed several planning studies for a public defender office serving (1) Wharton, (2) Colorado, and (3) Matagorda County or (1) Wharton and (2) Matagorda County. This study was developed at the request of Judge Phillip Spenrath and Judge Randy Clapp, who expressed interest in improving the quality of representation, saving money on jail beds, attracting attorneys to the county/region, increasing accountability and oversight of the defense function, improving court efficiency, increasing services to our mental health population, and accessing TIDC sustainability funding for rural regional defender programs. TIDC Staff also worked with Judge Seiferman, Barbara Starling, and Cassie Ritter to create a model reflecting the region's needs.

# Decision Points & Assumptions

Creating a public defender office requires several key decisions. This section explains (1) key decision points, and (2) the assumptions built into the model below. Wherever possible, TIDC cites applicable laws, standards, or studies.

<b>County Participation</b>	Modeling for this regional Public Defender's Office (PDO) is based on the following counties participating: (1) Wharton and (2) Matagorda.
<b>Governance and Leadership</b>	<b>Oversight Board:</b> The PDO should have an oversight board charged with selecting a chief defender, setting policy, and developing a budget.
<b>County Dept., Nonprofit Corp., or Local Gov't Corp.</b>	TIDC's modeling and cost estimates assume the office will be a Wharton County department, but the counties need to decide which model best meet their needs and goals.
<b>Caseloads</b>	<b>Maximum Attorney Caseloads:</b> Attorneys will follow TIDC's Caseload Guidelines and handle no more than 138 felony or 239 misdemeanor cases per year.
<b>Case Composition</b>	<p><b>Proportion and Types of Cases:</b> The model reflects an office representing:</p> <ul style="list-style-type: none"> <li>• 85% of indigent misdemeanor,</li> <li>• 85% of non-capital felony,</li> <li>• 0% of juvenile, and</li> <li>• 0% of appellate cases from each county.</li> </ul>
<b>Staffing, Salaries, and Benefits</b>	<p><b>Pay Levels:</b> The modeled salaries are based on the salaries of the neighboring Crossroads Regional Public Defender's Office to remain competitive for recruitment and retention purposes.</p> <p><b>Staffing Levels:</b> Staffing ratios will follow national and state norms whenever possible.</p>
<b>Operations</b>	<p><b>Operating Expenses:</b> The model assumes annual fringe benefits of 7.65% SS; 15.17% retirement; .06% unemployment; worker's compensation.1774% or .0591%; \$2/month disability; \$1086.98 per month medical insurance; \$3.69 per month life insurance; \$28.94 per month dental; and one-time start-up expenses of about \$108,150 for office equipment, furniture, supplies, and a case management system. The budget also includes expenses like travel, training, and experts. The model assumes no ongoing rental costs as Wharton County has reported they have space for the new office.</p> <p><b>Office Locations:</b> The model assumes there will be a main office in Wharton.</p>



# Staffing & Salaries

Participating counties need to decide (a) salary levels of employees at a new public defender office, and (b) what positions the office will employ. National standards require pay and resource parity between the prosecution and defense functions.<sup>1</sup> Staffing levels are derived from the number of staff needed to handle appointed cases while complying with TIDC's Caseload Guidelines. Some attorneys will need to handle a caseload split between different types of cases. The model below assumes that public defender staff pay will be comparable to the Crossroads Regional Public Defender's Office, where comparable positions were available.

## Proposed Staffing Levels and Salaries of the Wharton Matagorda Regional Public Defender Office

Staff Position	Staffing Level	Salary	Total
Chief Defender	1.0	\$164,798	\$164,798
First Assistant Defender	1.0	\$137,259	\$137,259
Felony Defender	5.0	\$113,433	\$567,163
Mixed Caseload Defender (.5 Felony, .5 Misdemeanor)	1.0	\$95,030	\$95,030
Misdemeanor Defender	1.0	\$79,997	\$79,997
Investigator	1.0	\$72,509	\$72,509
Social Worker/Caseworker	1.0	\$64,813	\$64,813
Office Manager	1.0	\$65,000	\$65,000
Support Staff	1.5	\$47,112	\$70,668
<b>Total Staff and Salaries</b>	<b>13.5</b>		<b>\$1,317,237</b>
Fringe Benefits			\$641,689
<b>Total Salaries and Benefits</b>			<b>\$1,958,926</b>

### Salary Methodology

**Chief Defender:** Chief Public Defender Salary is \$164,798 and is based on the Chief Public Defender's Salary at Crossroads Regional Public Defender's Office.

**First Assistant Defender:** First Assistant Defender Salary is \$137,259 and is based on the Assistant Chief Public Defender's Salary at Crossroads Regional Public Defender's Office.

**Felony Defender:** The salary (\$113,433) is based on the average salary for an Attorney III at Crossroads Regional Public Defender's Office.

<sup>1</sup> See ABA Principle 2, American Bar Association, *Ten Principles of a Public Defense Delivery System* (2023) (hereinafter "ABA Ten Principles"). The Ten Principles are the leading national standards for designing an indigent defense system that delivers competent, effective representation.

**Mixed Caseload Defender:** The salary (\$95,030) is based on the average salary for an Attorney II at Crossroads Regional Public Defender's Office.

**Misdemeanor Defender:** The salary (\$79,997) is based on the salary for an Attorney I at Crossroads Regional Public Defender's Office.

**Investigator:** This salary (\$72,509) is based on the midpoint of the salary scale and the salary for an Investigator at Crossroads Regional Public Defender's Office.

**Social Worker/Caseworker:** This salary (\$64,813) is based on the salary of the Social Worker at Crossroads Regional Public Defender's Office.

**Office Manager:** This salary (\$65,000) is based on the salary of the Office Manager at Crossroads Regional Public Defender's Office.

**Information Technology Support:** This position was not staffed to reduce costs. IT support will need to be provided by Wharton County.

**Support Staff:** This salary (\$47,112) is based on the average salary of support staff at Crossroads Regional Public Defender's Office.



# Competitive Analysis

While national standards require pay and resource parity between the prosecution and defense functions,<sup>2</sup> counties may need to pay higher salaries to attract new attorneys to the area. Below is a competitive analysis of estimated equivalent position salaries at offices in the region, including rural and urban competitors for consideration. Note: Some data was not available under the timeline for this comparison.

## Staff Salary Strategic Analysis

Role	Model Salaries (based on Crossroads PDO)	Waller County Est. Equivalent Base Salary - District Attorney's Office	Harris County Est. Equivalent Base Salary - Public Defender's Office	Fort Bend County Est. Equivalent Base Salary - Public Defender's Office
Chief Defender	\$164,798	\$158,000	-	-
First Assistant Defender	\$137,259	\$136,680	\$184,000	-
Felony Defender	\$113,433	\$110,390	\$118,250	\$129,431
Mixed Caseload Defender	\$95,030	\$89,442	\$100,000	\$103,168
Misdemeanor Defender	\$79,997	\$74,665	\$93,100	\$82,534
Investigator	\$72,509	-	\$80,500	-
Social Worker/Caseworker	\$64,813	-	\$72,300	-
Office Manager	\$65,000	-	-	-
Support Staff	\$47,112	-	-	-

<sup>2</sup> See ABA Principle 2, American Bar Association, *Ten Principles of a Public Defense Delivery System* (2023) (hereinafter “ABA Ten Principles”). The Ten Principles are the leading national standards for designing an indigent defense system that delivers competent, effective representation.

# Office Budget

The estimated annual cost to operate the two-county office is approximately \$2.07 million. Start-up costs are estimated to be about \$108,150. If the office is fully staffed and operational for all of the first year (which is highly unlikely), the first-year cost of the office would be receiving 80% funding for the office in year one and 66% funding in years two and beyond. Office operation costs vary widely across counties.

## Proposed Staffing Levels and Salaries of the Wharton Matagorda Regional Public Defender Office

Salaries and Benefits						
	Staff	Total Cost	Misdemeanor	Felony	Juvenile	Appeals
<b>Total Staff</b>	<b>13.5</b>	<b>\$1,317,237</b>	<b>\$209,662</b>	<b>\$1,025,426</b>	<b>\$0</b>	<b>\$0</b>
Chief Defender	1.0	\$164,798	\$23,543	\$117,713	\$0	\$0
First Assistant Defender	1.0	\$137,259	\$19,608	\$98,042	\$0	\$0
Felony Defender	5.0	\$567,163	-	\$567,163	-	-
Mixed Caseload Defender (.5 Felony, .5 Misdemeanor)	1.0	\$95,030	\$47,515	\$47,515	\$0	\$0
Misdemeanor Defender	1.0	\$79,997	\$79,997	-	-	-
Investigator	1.0	\$72,509	\$10,358	\$51,792	\$0	\$0
Social Worker/Caseworker	1.0	\$64,813	\$9,259	\$46,295	\$0	\$0
Office Manager	1.0	\$65,000	\$9,286	\$46,429	\$0	\$0
Support Staff	1.5	\$70,668	\$10,095	\$50,477	\$0	\$0
Fringe Benefits (We used 7.65% SS; 15.17% retirement; .06% unemployment; worker's compensation .1774% or .0591%; \$2/month disability; \$1086.98 per month medical insurance; \$3.69 per month life insurance; \$28.94 per month dental)		\$641,689	\$91,661	\$449,012	\$0	\$0
Other Expenditures						
	Staff	Total	Misdemeanor	Felony	Juvenile	Appeals
Experts Budget	-	\$5,000	-	-	-	-
Operating Costs, Technology Per Year	-	\$13,500	-	-	-	-
Operating Costs, Supplies Per Year	-	\$4,725	-	-	-	-
Travel for Attorneys, Total	-	\$10,800	\$1,800	\$9,000	\$0	\$0
Travel for Investigators, Total	-	\$14,400	\$2,400	\$12,000	\$0	\$0
Travel for Social Workers, Total	-	\$14,400	\$2,400	\$12,000	\$0	\$0
Training for Attorneys, Total	-	\$10,800	-	-	-	-
Training for Investigators, Total	-	\$750	-	-	-	-
Training for Social Workers,	-	\$750	-	-	-	-
Training for Support Staff, Total	-	\$750	-	-	-	-
Total Rent and Utilities	-	\$20,250	-	-	-	-
Case Management System per Year	-	\$18,000	-	-	-	-
<b>Estimated Total PD</b>	<b>-</b>	<b>\$2,073,051</b>	<b>\$307,923</b>	<b>\$1,507,437</b>	<b>\$0</b>	<b>\$0</b>

**Startup Costs and Total Estimated Cost of Office in Year One  
Assuming Fully Staffed for Full Year**

<b>Additional Year 1 Costs</b>		
<b>Estimated Total</b>		<b>\$108,150</b>
Computers		\$41,850
Printers (6)		\$9,000
Desks & Chairs		\$10,800
Supplies, Startup		\$6,750
Case Management System Onboarding Costs		\$39,750
<b>Estimated Total PD Cost w/ Year 1 Only Expenditures</b>		<b>\$2,181,201</b>

# State Funding

TIDC's Improvement Grant Program helps counties establish public defense programs, like public defender offices (PDO). Grant funding typically pays for 80% first year costs, reducing 20% each year in years two, three, and four. Over those four years, TIDC funding totals approximately 50% of the PDO's costs.

For counties under 100,000 population that establish a rural regional public defender office, TIDC provides funding at 80% in the first year, and 66% funding in year two and beyond. While this is TIDC's standard funding structure for rural regional sustainability grants, there is a rider to TIDC's FY26/27 appropriation in the Senate engrossed version of SB 1<sup>3</sup> – which hasn't been enacted or signed by the Governor yet – that requires TIDC to fully fund the office for the first year of the program, and two-thirds of eligible costs in subsequent years. As such, the grant percentage amount could go up to 100% in year one.

Grant funding is contingent on availability of funds, the recommendation of the grants review committee, and funding authorization by TIDC's Board. In addition to TIDC's Improvement Grant, the County would continue to receive formula grant funding reimbursing its other indigent defense expenditures.

Note: Totals may appear slightly off due to rounding.

## Estimated Improvement Grant Awards for a Wharton Matagorda Regional Public Defender Office

Grant Year	Percentage of Office Paid by TIDC Grants	Estimated Grant Amount
Year 1	80%	\$1,744,961
Year 2	66%	\$1,368,214
Year 3	66%	\$1,368,214
<b>Total Over 3 Years</b>		<b>\$4,481,389</b>

<sup>3</sup> SB 1, Office of Court Administration, Texas Judicial Council, Texas Indigent Defense Commission budget rider 5.(f), p. IV-27, <https://www.capitol.state.tx.us/tlodocs/89R/billtext/pdf/SB00001E.pdf>.



# Cost Comparison

This table estimates county indigent defense costs with a public defender office. It compares the current indigent defense system with the WMRPDO, highlighting savings and costs. Some counties do have additional costs in year 2, but that is attributable, in part, to reduced formula grants because of significantly reduced expenses in year 1. Formula grants will increase in year 3 and beyond.

Under the model, Wharton and Matagorda are projected to save money compared to their existing FY 2023 indigent defense expenditures. The model uses FY 2023 Office of Court Administration case data and divides the cost to each county based on the county's relative share of cases that the public defender office would be taking.

Once again, it is possible that the Legislature may direct TIDC to fully fund the office in the first year of operations, which would further reduce the cost to the counties.

## Cost Comparison Between FY23 Indigent Defense System and Proposed System with a Wharton Matagorda Regional Public Defender Office

Year	Counties	PD Office Costs by County	TIDC Grants for PD Office	County Portion of PD Office	Assigned Counsel	Net Change in TIDC Formula Grants (assume \$0 change in Y1)	Total Est. Cost for New ID System to the Counties	2023 Cost of Current Indigent Defense System	New PD System Cost Compared to 2023 Spending
<b>Year 1</b>		<b>\$2,181,201</b>	<b>\$1,744,961</b>	<b>\$436,240</b>	<b>\$123,551</b>	<b>\$0</b>	<b>\$559,791</b>	<b>\$1,322,251</b>	<b>-\$762,461</b>
	Wharton	\$1,224,784	\$979,827	\$244,957	\$85,269	\$0	\$330,226	\$974,700	-\$992,026
	Matagorda	\$956,418	\$765,134	\$191,284	\$38,282	\$0	\$229,565	\$347,551	-\$117,986
<b>Year 2</b>		<b>\$2,073,051</b>	<b>\$1,368,214</b>	<b>\$704,837</b>	<b>\$123,551</b>	<b>-\$9,076</b>	<b>\$837,464</b>	<b>\$1,322,251</b>	<b>-\$484,788</b>
	Wharton	\$1,164,055	\$768,277	\$395,779	\$85,269	-\$7,000	\$488,048	\$974,700	-\$486,652
	Matagorda	\$908,996	\$599,937	\$309,059	\$38,282	-\$2,076	\$349,416	\$347,551	\$1,865
<b>Year 3</b>		<b>\$2,073,051</b>	<b>\$1,368,214</b>	<b>\$704,837</b>	<b>\$123,551</b>	<b>\$1,201</b>	<b>\$827,187</b>	<b>\$1,322,251</b>	<b>-\$495,064</b>
	Wharton	\$1,164,055	\$768,277	\$395,779	\$85,269	-\$2,898	\$483,946	\$974,700	-\$490,754
	Matagorda	\$908,996	\$599,937	\$309,059	\$38,282	\$4,099	\$343,241	\$347,551	-\$4,310
<b>Year 4</b>		<b>\$2,073,051</b>	<b>\$1,368,214</b>	<b>\$704,837</b>	<b>\$123,551</b>	<b>\$1,201</b>	<b>\$827,187</b>	<b>\$1,322,251</b>	<b>-\$495,064</b>
	Wharton	\$1,164,055	\$768,277	\$395,779	\$85,269	-\$2,898	\$483,946	\$974,700	-\$490,754
	Matagorda	\$908,996	\$599,937	\$309,059	\$38,282	\$4,099	\$343,241	\$347,551	-\$4,310

Additional calculations for Matagorda County in the following chart reflect the costs/cost savings using the cost per case from unfinalized FY2024 IDER data, which includes recent revisions to Matagorda's fee schedule.

Year	Counties	PD Office Costs by County	TIDC Grants for PD Office	County Portion of PD Office	Assigned Counsel	Net Change in TIDC Formula Grants (assume \$0 change in Y1)	Total Est. Cost for New ID System to the Counties	2024 Cost of Current Indigent Defense System	New PD System Cost Compared to 2024 Spending
<b>Year 1</b>	Matagorda	\$956,418	\$765,134	\$191,284	\$41,994	\$0	\$233,277	\$331,096	-\$97,819
<b>Year 2</b>	Matagorda	\$908,996	\$599,937	\$309,059	\$41,994	-\$2,076	\$353,128	\$331,096	\$22,032
<b>Year 3</b>	Matagorda	\$908,996	\$599,937	\$309,059	\$41,994	\$4,099	\$346,953	\$331,096	\$15,857

The following table shows the estimated share of expenses for operating the WMRPDO for each of the counties based on their relative share of indigent defense cases. For all counties, we assumed the felony appointment rate would remain the same as today. We assumed the misdemeanor appointment rate would increase to 30% for purposes of estimating the number of cases originating from the county and the percentage share of WMRPDO expenses the county would be responsible for.

**Share of WMRPDO Cases and Expenses Based on  
Relative Share of Indigent Defense Case**

<b>Share of Costs &amp; Expenses Based on Relative Share of Indigent Defense Cases</b>	
<b>County</b>	<b>% of Cases</b>
Wharton	56.15%
Matagorda	43.85%

# Staffing & Cases

Staffing estimates are based on the office following TIDC's Caseload Guidelines, which is a grant requirement. It should be noted that the model's calculations resulted in partial employees. It should be noted that our model formula resulted in partial employees.

The First Assistant Defender would take a partial caseload (.7) while assisting the Chief Public Defender with supervision and other administrative duties. We rounded down the investigator and social worker positions by .1.

The following table shows the estimated number (and type) of appointed cases that will originate and be disposed from each county, the estimated number (and type) of cases that will be handled by the WMRPDO, and the estimated number of staff needed to handle the cases.

<b>Model: 85% of Cases Assigned to the Regional Public Defender's Office</b>					
	<b>Total</b>	<b>Misdemeanors Disposed</b>	<b>Non-Cap Felonies Disposed</b>	<b>Juvenile Paid</b>	<b>Appeals Paid</b>
<b>Total New Cases Added</b>	<b>3,148</b>	<b>1,738</b>	<b>1,344</b>	<b>66</b>	<b>0</b>
<b>Counties</b>					
Wharton	2,133	1,217	866	50	0
Matagorda	1,015	521	478	16	0
<b>% of Total Cases Added that are Indigent (Est. County Avg.)</b>		<b>30.00%</b>	<b>75.00%</b>	<b>100.00%</b>	<b>100.00%</b>
<b>Est. Total Indigent Defense Cases</b>	<b>1529</b>	<b>521</b>	<b>942</b>	<b>66</b>	<b>0</b>
Wharton	917	365	502	50	0
Matagorda	612	156	440	16	0
<b>% Going to Public Defender</b>		<b>85%</b>	<b>85%</b>	<b>0%</b>	<b>0%</b>
<b>Public Defender Cases</b>	<b>1,244</b>	<b>443</b>	<b>801</b>	<b>0</b>	<b>0</b>
<b>Cases to Assigned Counsel</b>	<b>286</b>	<b>78</b>	<b>141</b>	<b>66</b>	<b>0</b>
Wharton	180	55	75	50	0
Matagorda	105	23	66	16	0
<b>Staffing Calculations</b>					
<b>Public Defender Cases</b>	<b>1,244</b>	<b>443</b>	<b>801</b>	<b>0</b>	<b>0</b>
Attorney Caseloads based on TIDC Weighted Caseload Study	-	239	138	200	31
Number of Attorneys Needed	7.7	1.85	5.80	0.00	0.00
Number of Investigators	1.1	0.26	0.83	0.00	0.00
Number of Caseworkers	1.1	0.26	0.83	0.00	0.00
Number of Office Support Staff	1.5	0.37	1.16	0.00	0.00



# Next Steps

The priority deadline to apply for a TIDC Improvement Grant was May 9, 2025, to be considered at the June Board Meeting. Applications may also be considered at the August Board meeting.

The FY2026 Request for Applications (RFA) is available on TIDC's website here:  
<https://tidc.texas.gov/media/dwqhbt3d/fy2026-improvement-grant-rfa.pdf>

Wharton, as the lead county, needs to submit the application.

In addition to completing and submitting the online application, Wharton needs to:

- Submit Commissioners Court's resolution accepting responsibility for programmatic oversight, (see Attachment A, p.11, of the RFA) authorizing the application submission; and
- Judges overseeing cases in which the Public Defender's Office will provide representation must sign the Judicial Cooperation Agreement (see Attachment B, p. 12 of the RFA) agreeing to use the public defender office in their court.

The Commissioners Courts of other Counties that want to be included in the office need to pass a resolution indicating their support for being included in the office and the application being submitted. Wharton's Commissioners Court also needs to pass a resolution (see Attachment A, p.11, of the RFA) authorizing the application.

Judges overseeing cases in which the regional public defender office will provide representation must sign a Judicial Cooperation Agreement (see Attachment B, p. 12 of the RFA) agreeing to use the public defender office in their court.

## Capital Area Private Defender Service (CAPDS)

FY 2026 Multi-Year Technical Support Grant Request

Road mapping Mitigation in Texas (MAP IT): CAPDS Mitigation Resource Counsel Program

	Year 1	Year 2	Year 3	TOTAL
Total Program Cost	\$335,518	\$348,646	\$366,742	\$1,050,906.38
County Match	\$0	\$0	\$0	\$0
FY26 Grant Request	<b>\$335,518</b>	\$348,646	\$366,742	\$1,050,906.38
TIDC/County Share	100% / 0	100% / 0	100% / 0	100% / 0

### Program Summary

Capital Area Private Defender Service (CAPDS) is a nonprofit organization that implements the managed assigned counsel program for Travis County. Since 2022, they have also operated the statewide *MyPadilla* Program, which provides advisals on the immigration-related collateral consequences of conviction (as required under *Padilla v. Kentucky*) to attorneys across the state.

CAPDS is seeking funding to launch a 3-year statewide mitigation resource pilot program where CAPDS will assist in training, one-on-one consulting, and coaching for attorneys involved in non-death penalty murder cases. The proposed program will consist of 1.5 attorneys and the contracted services of a research partner.

The aim of this pilot program is to determine whether a mitigation resource counsel program can be used as an effective tool to provide better outcomes for indigent clients by providing additional resources to appointed counsel. Non-privileged data will be collected to assess the merits of such a system. CAPDS points to an observed failure to perform comprehensive mitigation investigations and effectively present mitigation evidence in state-level violent felony cases in Texas as an important reason for this project.

### Summary of External Grant Review Committee Comments

Reviewers agreed that Texas lawyers are not well-prepared to conduct effective mitigation investigations and would benefit from this resource. They agreed that the proposal was very well developed and were impressed by many of the letters of support and survey data supporting both the need for and the appetite for using such a resource. One reviewer suggested a longer funding period to gather more data on cases with long timelines to disposition.

### Staff Recommendation

Approve an FY26 Technical Support Grant of \$335,518 to the Capital Area Private Defender Service for the Road mapping Mitigation in Texas pilot project.

The program is analogous to TIDC's funding of the *MyPadilla* statewide resource that is also operated by CAPDS. Both programs provide expert resources to equip attorneys across the state with the support they need to provide effective assistance of counsel that is constitutionally necessary in certain cases. While the project is substantially different from TIDC's typical grant, the presence of a robust research and evaluation component to document the impact has potential to raise the standard of practice and further develop this cost-effective central resource model.

**2026 Capital Area Private Defender Service (CAPDS) County Improvement Grant Application Narrative  
Roadmapping Mitigation in Texas (MAP IT): CAPDS Mitigation Resource Counsel Program  
Continued Multi-Year Improvement Grants**

**a. Application Form**

Counties Represented: **Anderson, Andrews, Angelina, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Bowie, Brazoria, Brazos, Brewster, Briscoe, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Camp, Carson, Cass, Castro, Chambers, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Colorado, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, DeWitt, Dickens, Dimmit, Donley, Duval, Eastland, Ector, Edwards, Ellis, El Paso, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Fort Bend, Franklin, Freestone, Frio, Gaines, Galveston, Garza, Gillespie, Glasscock, Goliad, Gonzales, Gray, Grayson, Gregg, Grimes, Guadalupe, Hale, Hall, Hamilton, Hansford, Hardeman, Hardin, Harris, Harrison, Hartley, Haskell, Hays, Hemphill, Henderson, Hidalgo, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hudspeth, Hunt, Hutchinson, Irion, Jack, Jackson, Jasper, Jeff Davis, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kenedy, Kent, Kerr, Kimble, King, Kinney, Kleberg, Knox, Lamar, Lamb, Lampasas, La Salle, Lavaca, Lee, Leon, Liberty, Limestone, Lipscomb, Live Oak, Llano, Loving, Lubbock, Lynn, McCulloch, McLennan, McMullen, Madison, Marion, Martin, Mason, Matagorda, Maverick, Medina, Menard, Midland, Milam, Mills, Mitchell, Montague, Montgomery, Moore, Morris, Motley, Nacogdoches, Navarro, Newton, Nolan, Nueces, Ochiltree, Oldham, Orange, Palo Pinto, Panola, Parker, Parmer, Pecos, Polk, Potter, Presidio, Rains, Randall, Reagan, Real, Red River, Reeves, Refugio, Roberts, Robertson, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Starr, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Val Verde, Van Zandt, Victoria, Walker, Waller, Ward, Washington, Webb, Wharton, Wheeler, Wichita, Wilbarger, Willacy, Williamson, Wilson, Winkler, Wise, Wood, Yoakum, Young, Zapata, Zavala**

Fiscal Year: **2026**

State Payee Identification Number: **14718648414001**

Division To Administer Grant: **CAPDS**

Program Title: **Roadmapping Mitigation in Texas (MAP IT): CAPDS Mitigation Resource Counsel Program**

Requested Grant Amount: **\$1,050,906.38**

Authorized Official: **Bradley E Hargis**

Financial Officer:

Program Director: **Stacie Lieberman**

Mailing Address: **910 Lavaca Street; Austin, TX 78701**

**b. Introduction (Executive Summary)**

CAPDS seeks to establish a pilot mitigation resource counsel program to provide training, one-on-one consulting and coaching, group trainings, and other resources and support to attorneys working on murder cases in which the State is not seeking death on behalf of indigent defendants in select urban, suburban, and rural counties. Non-confidential data will be collected and used to determine (1) whether mitigation works in non-death penalty murder cases in Texas, and (2) whether a mitigation resource counsel program is an effective tool to facilitate better outcomes for indigent clients.

**c. Problem Statement**

The purpose of mitigation is twofold: demonstrate to the decisionmaker/sentencer that the client is a human through his or her life story and explain how the client came to stand before that decisionmaker/sentencer. Well-investigated and well-presented mitigation can lead to beneficial outcomes for defendants: a favorable plea bargain, reduction of charges, a lesser sentence, and even outright acquittal. Successful mitigation can span several subject areas: mental health, substance abuse, trauma, poverty, intellectual disability, organic brain damage, neuropsychological deficits, chronic illness, prior criminal history, childhood abuse (physical, mental, and sexual), and much more.

Mitigation investigation and presentation is part of the Sixth Amendment promise of effective representation in murder cases. See *Wiggins v. Smith*, 539 U.S. 510, 521-22 (2003) quoting *Strickland v. Washington*, 466 U.S. 668, 690-91 (1984). Defense counsel has an obligation, based on the ABA Standards for Criminal Justice, to conduct a thorough investigation of the defendant's background consistent with prevailing professional norms. *Wiggins*, 539 U.S. at 522 quoting *Williams v. Taylor*, 529 U.S. 362, 396 (2000). While *Wiggins* and *Williams* are death penalty cases, the underpinnings are equally applicable to non-death penalty murder cases. The Texas Court of Criminal Appeals has held that the Sixth Amendment promise of effective assistance of counsel laid out in *Strickland* applies to punishment investigation and presentation. *Hernandez v. State*, 988 S.W.2d 770 (Tex. Crim. App. 1999). A Texas attorney has a professional duty to present all available testimony and other evidence

to support the defense of his or her client. Ex parte Ybarra, 629 S.W.2d 943, 948 (1982). A "thorough and complete investigation of the facts and law" relating to mitigation must be done before any decision about what to present or not in mitigation can be made on behalf of each individual client. Ex parte Kunkel, 852 S.W.2d 499, 506 (Tex. Crim. App. 1993).

Professional performance guidelines require mitigation investigation and presentation. See Performance Guidelines for Non-Capital Criminal Defense Representation 4.1, 4.2(B)(3), 4.3, 6.1(A), 7.1(L), 8.1, 8.3, 8.4, 8.6, and 8.7; American Bar Association Criminal Justice Standards for the Defense Function 4-4.1, 4-8.3; National Legal Aid & Defender Association Performance Guidelines for Criminal Defense 4.1, 8.1, 8.3, 8.4, 8.6, 9.1.

Clear evidence demonstrates that comprehensive mitigation investigation and effective presentation improves outcomes for indigent defendants in death penalty and juvenile life without parole cases in the state system and felony cases in the federal system. See Research Bibliography, attached as Appendix A; see also Letters of Support, Attached as Appendix B (3, 11, 12). Anecdotal evidence in Texas state cases shows that mitigation is an effective tool in defending violent felonies. See Appendix B (2-12, 14). Texas, however, lacks data to support this anecdotal evidence. See Appendix B (10-12).

There is an observed failure to perform comprehensive mitigation investigations and effectively present mitigation evidence in state-level violent felony cases in Texas. See Appendix B (5-6, 8-9, 14). This is attributable to lack of training, paucity of resources, and no firm data demonstrating that mitigation works in non-death penalty cases. There are a number of pragmatic obstacles to adequate mitigation investigations and presentations in non-death cases. Defense attorneys have high caseloads and limited investigative resources; mitigation investigation is both time-consuming and expensive. These circumstances are made more complex by an increasing number of defendants. Non-capital attorneys working on non-death cases do not have access to funding for extensive teams like capital cases. The attorney is often the sole member of the defense team. Non-capital defense attorneys often lack the experience and education necessary to oversee and conduct a mitigation investigation and to cull the results into an effective presentation. Lawyers are typically not trained in skills necessary to oversee or conduct effective mitigation investigations, which differ in significant ways from guilt-innocence investigations. Law schools teach analytic and pragmatic thinking, while the investigation and presentation of a life story in the context of a meaningful interaction requires narrative thinking. See Appendix B. While capital trainings are extensively devoted to mitigation and life history narrative development, trainings for non-capital attorneys are not. For example, the State Bar's CLEs on Criminal Law Advanced Criminal Law in 2024 devoted 28 minutes to mitigation. None of the upcoming programs listed on TCDLA's website for which agendas are available focus on mitigation investigation and presentation. There is no mitigation component to the Indigent Defense Seminar, the Rusty Duncan conference, the Core Concepts for Defense Lawyers Program, or the Guaderrama El Paso seminar. Two upcoming programs offer some mitigation instruction, but are limited to the mental health and intellectual disability aspects of mitigation. Neither UTCLE nor the Center for American and International Law appear to offer programs on mitigation in non-capital cases. See Appendix C.

Surveys provided to indigent defense attorneys in 2024 and 2024 demonstrate a gap in available resources for mitigation investigation. See Appendix D. The surveys overwhelmingly demonstrate that appointed counsel in murder cases would take advantage of the type of program CAPDS is proposing. Id. The survey results are bolstered by letters of support from different areas of the state. See Appendix B (1-2, 5, 10).

#### **d. Objectives**

Objective (1) is to provide resources, coaching, and training to indigent defenders with murder cases in which the death penalty is not sought to improve the provision of indigent defense services and ensure that mitigation investigation and presentation in murder cases is consistent with prevailing professional norms.

The program intends to offer one-on-one coaching, training sessions, and other resources such as a pleading databank and potential amicus assistance to appointed counsel working on murder cases in select counties. The resource will be available at the trial, motion for new trial, and post-conviction stages.

This objective can be evaluated through the number of cases assisted by the MRCs, the level of assistance provided (one-on-one coaching vs. assistance with resources), the number of hours provided by a MRC to each

case, the number of trainings offered and attendance at each training, the number of attorneys who access the pleading databank, and the types and volume of other kinds of assistance provided by a MRC. Progress reports can be monthly or annually.

Objective (2) is to utilize the mitigation resource counsel program to develop data that demonstrates whether mitigation leads to better client outcomes and whether mitigation resource counsel programs are effective.

The purpose is to track the effectiveness of both the mitigation evidence to the cases that utilize the MRC program and the effectiveness of the MRC program itself. Please see the "Activities" section for a description of the research and data collection proposal.

The length of the project will be three years due to the length of time it generally takes murder cases to resolve at the trial, motion for new trial, and post-conviction stages. The study focuses on cases that have, on average, the longest time from filing to disposition. The five year average time to disposition for murder charges in Harris County was 750 days (approximately two years). The technical assistance team plans to work with attorneys through the lifecycle of a case and the evaluation will benefit from the disposition information for measuring impact of engagement. Assume a DA files murder charges on the first day of the grant period, it will not be disposed of until the beginning of the third year of the award. A shorter award would limit technical support to appointed attorneys to a period that might not include trial, sentencing, or filing a motion for new trial. Post-conviction work has an even longer time horizon for appeals that are not immediately dismissed. The evaluation would be lopsided with dismissed appeals, motion for new trial decisions (but not the new trials), and dismissed murder cases. Post-conviction is necessarily included in the study because in those cases courts would determine whether mitigation was outcome determinative.

#### e. Activities

With this award, CAPDS would offer a mitigation resource counsel program (MRC) that will one-on-one case-specific mitigation coaching, training, and other resources to any defense attorney with a capital (non-death) murder or murder case at the trial, motion for new trial, or post-conviction stage in select counties to be determined. MRCs will not be providing direct representation but rather will be guiding counsel to ensure a mitigation investigation and presentation consistent with or exceeding prevailing professional norms.

Staffing will include 30% of CAPDS Director of Post-Conviction Programs Stacie Lieberman's time and one full-time mitigation resource counsel. Ms. Lieberman has significant experience leading and litigating mitigation investigations in capital cases.

**Startup Tasks:** (1) hire FTE MRC; (2) advertise program through professional associations and groups and presentations in selected counties; (3) begin to assemble motions databank and lists of investigators and experts for referral.

One-on-one substantive case specific consulting: The MRC's approach would include both general knowledge of how to conduct a thorough mitigation investigation and case-specific review and guidance during the investigation and presentation of mitigation evidence in the case. An MRC with significant experience leading capital mitigation investigations and presentations will offer as much guidance as the requesting attorney desires in developing and executing a plan for a thorough mitigation investigation and presentation to the prosecution, judge, or jury of the results of that investigation. The MRC can also assist in developing a cohesive theory of the case that includes frontloading mitigation evidence. The MRC will also be a resource for specific questions.

At the trial level, the MRC can assist in identifying paths of investigation to follow initially and throughout the pretrial investigation. At the motion for new trial and post-conviction levels, the MRC can assist in identifying additional paths of investigation to follow and paths of investigation that were not pursued by previous counsel.

Key aspects of mitigation investigation that the MRC can guide attorneys through include:

- Gathering information from the client, including interview techniques to identify information that clients are typically reluctant to discuss including the client's support networks, the developmental and environmental context of the client's childhood including indications of a history of abuse, and markers of intellectual disability, cognitive impairment, or mental health issues.
- Gathering information from the client's family, friends, and others (community faith leaders, teachers, neighbors, classmates, co-workers).
- Collecting social history records and analyzing them for substantive information and additional leads.
- Identifying experts to (1) assist in gathering information, analyzing records, and/or (2) conduct mental health and/or neurological testing.



- Identifying funding opportunities for mitigation resources.

Key aspects of the mitigation presentation that the MRC can guide attorneys through include:

- Identifying a cohesive theory of the case.
- Identifying the structure and outline of an effective mitigation presentation.
- For cases in the motion for new trial or post-conviction stage, a presentation of ineffectiveness of trial counsel for failure to investigate and present mitigation evidence.

Non-Substantive Assistance: the MRCs will provide non-substantive assistance to legal teams including assistance with the identification of mitigation resources including investigators and experts, assistance identifying sources of life history information, a pleading databank, and assistance with complex and unusual issues that may arise during a mitigation investigation.

Training: The MRC program will develop and provide trainings to attorneys on how to conduct mitigation investigations and present mitigation evidence. These trainings will include presentations on working with mitigation specialists and experts. There will be one global training and then 10 virtual brown bag trainings per year.

Development of Resources: The MRC will develop a pleading databank and assist with other resources including potential amicus help if necessary.

#### Development of Data:

Dr. Jessy Tyler will be assisting CAPDS with this portion of the project. Non-privileged data would be collected for the evaluation portion of the project to determine if the added resource improves case outcomes.

The project will collect quantitative data collection on defense lawyers (participants, drop-outs, and matched samples), cases, and trainings. The training information will be necessary grant reporting and help refine the training materials for replication. The case, client, and lawyer information will be used to create a dataset to measure impact and efficacy.

A note on the matched samples - we see two control groups, the first is a lawyer with a client whose murder case is not the focus of program engagement but has received technical assistance for another murder client and the second is a lawyer who never engaged with the program. For the latter group, we plan to engage with public information to create a matched sample. There will be a limited number of defendants charged with TPC 19.02 or 19.03 murder and, depending on county size, likely quite easy to identify from local news sources. The county's public facing court record search is very accessible using defendant name and will give case, defendant, and lawyer information. For clients with 11.07 habeas cases, the CCA public records site will provide some scope of information on match cases and these are searchable by county. Though not a perfect matched sample, it does allow the workload and flow to be controlled by the project.

The project will also collect qualitative data for participants and drop-outs on their goals for participation, application of information, and review of trainings. The qualitative analysis seeks to explain training, how that translates to work on the motion or application, and what the impact was for the client, defense counsel, and case. Data will be collected using artifacts from the training and case process and through interviews.

Data analysis is essential to the evaluation. It will also help refine training in real time. The metrics will be included as part of the final report.

#### **f. Evaluation**

CAPDS will produce quarterly reports summarizing success metrics and documenting successes and challenges of the mitigation resource counsel program across the state. Quantitative data will be collected in the following areas: lawyer, case, and program participation. This information will provide descriptive statistics on throughput and outcomes that can be used to measure statistical differences in case resolution between the three groups as one measure of training efficacy. The following variables will be collected about the lawyers and kept in a spreadsheet: (1) year licensed; (2) number of other open cases when training begins; and (3) number of prior murder cases represented by the lawyer. Then, the engagement information will be collected in a way it can be matched. The motions added to the databank will simply be a count of the files. Attendee rosters for the presentations given will be kept with a date at the top, so the information can be aggregated and reported.

The following success metrics will be collected and reported quarterly:

- Number of motions added to the databank



- Number of presentations given and number of attendees
- Number of lawyers requesting mitigation coaching or training
- Number of lawyers dropping out of the program post engagement
- Number and proportion of one-on-one discussions that include gathering info from client or client's community, collecting social history records, and/or identifying experts
- Number of lawyers reporting using the training
- Stage of case for which the coaching or training was requested (trial, motion for new trial, or post-conviction)
- Number of trial level cases disposed (program will keep detailed information on how disposed, reduction in charges, sentence, and sentence length but that is too detailed for grant reporting and requires context)
- Number of Motions for New Trial filed
- Number of Motions for New Trial granted (program will keep detailed information on new trial, new punishment, and differences but that is also too detailed for grant reporting)
- Number of Post-Conviction filed
- Number of Post-Conviction decided (program will keep detailed information on dismissed, remand, reverse, or affirm and any ancillary change but that is also too detailed for grant reporting)
- Qualitative self-memo of challenges and steps to address in the following quarter

At the end of the three-year period, CAPDS will produce a report concerning the MRC program with the results of the data collection. Program evaluation will assess program delivery and applicability using qualitative interviews with participants. Case outcome (disposition type, punishment type, and length of sentence for original cases; MNT outcome and new sentence if applicable; and 11.07 habeas writ outcomes including new disposition type) information will be collected for lawyers engaged with training through program/case end and compared to (1) dropout of the program; (2) not engaged on this case, but engaged for another; and (3) never engaged with the training program. Participants can provide this information, and non-participants will be selected using publicly available court records from matched participant counties.

Qualitative data will be collected in narrative form from structured interviews and general communications with/between the trainer and the lawyer. The raw narrative will also be used to supplement the reports. The identities of the defendants and content of the meetings and training sessions between the lawyers and the trainers will be covered by attorney client and work-product privileges. (1) stage(s) at which mitigation was used (negotiation with prosecutor, during the guilt/innocence phase or penalty phase of the trial); (2) category of mitigation used, to the extent that information is publicly available; (3) form of mitigation presentation; (4) evidence used (records and/or witness testimony); (5) how the mitigation approach was prioritized and why was it selected; and (6) program dropout before mitigation was used, i.e. why the lawyer stopped engaging with the trainer (case dismissed for non-mitigation reason, consultation and training not helpful, training helpful but difficult to schedule, etc.).

The report will include recommendations and lessons learned to serve as a guide for future expansion.

#### **g. Future Funding**

This project is intended to last for three years. Any requests for future funding would be based on the data derived from the project, potentially to expand the mitigation resource program to additional counties/statewide.

#### **h. Budget Narrative and Budget Form**

This three-year project has a cost of \$1,050,906.38. The attached detailed budget supports 1.5 full-time attorney positions and contracted services of a research partner. The managing attorney will be split between existing projects to leverage a staff member's experience and capabilities. One full-time attorney will provide the majority of coaching/mentoring services. CAPDS will either recruit a new hire or, if appropriate, transfer an existing internal candidate to this position. Salary total includes both the salary and the taxes related to salaried positions. Fringe benefits match those received by all CAPDS employees and include medical, dental, vision, disability, retirement, and other incidental benefits.

This budget includes \$81,6000 in contracted services for our research partner who will provide the research, evaluation, review, and publishing of our findings.

While CAPDS will utilize a variety of virtual technologies for coaching, case work, and training, case-related travel is necessary for some of the work to be completed. CAPDS modeled the cost around a series of projected trips based on

three possible counties across the State. In this modeling, we assumed both car travel and air travel may be necessary. We further assumed that both single-day trips and trips up to three days may be necessary.

Equipment costs include one laptop for the full-time staff attorney. No other equipment is expected beyond that normally considered office supplies.

Indirect costs are 3% of ongoing costs.

Personnel Costs		\$817,171.97
FTE's	1.50	
Salary	\$668,260.37	
Fringe Benefits	\$148,911.60	
Travel and Training		\$75,125.00
Equipment		\$2,500.00
Supplies		\$14,100.00
Contract Services		\$113,850.00
Indirect		\$28,159.41
Total		\$1,050,906.38
Required County Match		
Total less County Match		\$1,050,906.38

[Home](#)

## CAPDS Mitigation Advocacy - FY26-FY28

<b><u>PERSONNEL COSTS:</u></b>		<b><u>FY 26 Budget</u></b>	<b><u>FY 27 Budget</u></b>	<b><u>FY 28 Budget</u></b>
Managing Attorney (50% of FTE)		\$ 87,937.50	\$ 92,334.38	\$ 96,951.09
Staff Attorney		\$ 108,442.00	\$ 113,864.10	\$ 119,557.31
<b>SALARY EXPENSE<sup>1</sup></b>		<b>\$ 196,379.50</b>	<b>\$ 206,198.48</b>	<b>\$ 216,508.40</b>
Fringe Benefits (Based on CAPDS standard benefits package)		\$ 46,587.60	\$ 49,627.20	\$ 52,696.80
Taxes (Federal, State, Unemployment, and Workers Comp)		\$ 15,782.00	\$ 16,383.00	\$ 17,009.00
<b>TOTAL PERSONNEL COSTS</b>		<b>\$ 258,749.10</b>	<b>\$ 272,208.68</b>	<b>\$ 286,214.20</b>
<b><u>OPERATING EXPENSES</u></b>				
<b>INSURANCE</b>		\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Professional liability insurance and Commercial General Liability				
<b>STAFF DEVELOPMENT AND PROFESSIONAL MEMBERSHIPS</b>		\$ 4,500.00	\$ 4,725.00	\$ 6,600.00
Travel, training, and professional organization dues for staff				
<b>PROFESSIONAL SERVICES</b>		\$ 750.00	\$ 750.00	\$ 750.00
Accounting/Tax/Bookkeeping/Etc.				
<b>CASE RELATED TRAVEL</b>		\$ 19,100.00	\$ 19,700.00	\$ 20,500.00
Travel costs for investigation, client contact, and necessary case-related travel				
<b>SOFTWARE AND TECHNOLOGY</b>		\$ 8,200.00	\$ 8,500.00	\$ 8,800.00
Users licenses to existing case management and document manage systems				
<b>OFFICE SUPPLIES/MISC/ONGOING TECHNOLOGY</b>		\$ 4,500.00	\$ 4,700.00	\$ 4,900.00
Includes office supplies, ongoing technology services, materials, and necessary expenses				
<b>OPERATING COSTS</b>		<b>\$ 38,550.00</b>	<b>\$ 39,875.00</b>	<b>\$ 43,050.00</b>
<b>TOTAL CAPDS BUDGET</b>		<b>\$ 297,299.10</b>	<b>\$ 312,083.68</b>	<b>\$ 329,264.20</b>
<b>RESEARCH PARTNER</b>		\$ 26,800.00	\$ 27,200.00	\$ 27,600.00
\$83 per hour for research partner up to 250 hours per year, plus travel				
<b>CAPITAL EQUIPMENT</b>		\$ 2,500.00		
Funds for laptop and necessary software licenses				
<b>INDIRECT COSTS (3%)</b>		\$ 8,918.97	\$ 9,362.51	\$ 9,877.93
<b>ANNUAL PROJECT BUDGET</b>		<b>\$ 335,518.07</b>	<b>\$ 348,646.19</b>	<b>\$ 366,742.12</b>

TOTAL PROJECT COST

\$ 1,050,906.38

<sup>1</sup> Attorney salaries are commensurate with salaries in the District Attorney, County Attorney, and Public Defender Offices. Salaries may be reapportioned based on skill and experience, but total salary is fixed.

## CAPDS MITIGATION RESOURCE COUNSEL PROGRAM APPENDICES

Appendix A: Research Bibliography

Appendix B: Letters of Support

Appendix C: CLE Advertisements

Appendix D: CAPDS Mitigation Survey Results

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# CAPDS MITIGATION RESOURCE COUNSEL PROGRAM

## APPENDIX B

### LETTERS OF SUPPORT

1. Austin Criminal Defense Lawyers Association (Mark Sampson, Esq.)
2. The Honorable John Board
3. Geoff Burkhardt, Esq.
4. Angelica Cogliano, Esq.
5. Robert Daniel, Esq.
6. Jessica Freud, Esq.
7. Keith Hampton, Esq.
8. Jani Maselli Wood, Esq.
9. Katherine Mayer, M.A., CCDI
10. Hallie Pease, Esq.
11. Professor Thea Posel, Esq.
12. Texas Defender Service (Burke Butler, Esq.)
13. Travis County District Judges (The Honorable Clifford Brown)
14. Tara Witt, Esq.



THE LAW OFFICE OF  
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**MARK A. SAMPSON\***

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FAX: (512) 447-1475

(800) 679-9420

Tuesday, April 29, 2025

Texas Indigent Defense Commission  
 209 West 14th Street, Room 202  
 Austin, Texas 78701

Dear TIDC:

The Austin Criminal Defense Lawyers Association (ACDLA) submits this letter in strong support of the Capital Area Private Defender Service's (CAPDS) application for an award to stand up a program providing individualized mitigation consultation and training. ACDLA is a non-profit professional organization composed of lawyers in the Central Texas area who represent accused citizens.

CAPDS was established in 2014 in collaboration with ACDLA, the Austin Bar Association, and the Travis County Criminal Judiciary. CAPDS was created to administer Travis County's Managed Assigned Counsel Program. Many of our members participate in the Managed Assigned Counsel Program through CAPDS. Those members and their clients have benefited immensely from the resources that CAPDS provides, but those resources are only available for cases in Travis County. It would make a fundamental difference in murder cases in other counties to have similar resources and individualized coaching and training available to those who want and need it.

ACDLA unequivocally supports CAPDS' endeavor to expand its provision of mitigation resources.

Respectfully,

Mark Sampson  
 Presiding Director  
 Austin Criminal Defense Lawyers Association



## Potter & Armstrong Managed Assigned Counsel

900 S. Polk, Ste. 206 | Amarillo, TX 79101 | 806.242.3415

April 23, 2025  
Stacie Lieberman  
Capital Area Private Defender Service  
910 Lavaca St.  
Austin, TX 78701

Re: Need for Mitigation Support

Dear Ms. Lieberman:

I am the Director of the Potter and Armstrong Counties Managed Assigned Counsel office. I supervise and support private practice attorneys who accept indigent criminal defense cases. We utilize the Regional Public Defender for Capital Cases. For non-capital murder cases we utilize either the Panhandle Area Public Defender's office or assign private practice attorneys.

My office currently has 30 murder cases pending wherein we have appointed private practice attorneys. It is our hope to expand this office regionally. Currently our two participating counties are very different. Potter County is an urban and suburban county with approximately 120,000 residents. Armstrong County, by contrast, is a very rural county with a population of only 1,800 people.

This is my first week as Director. Previously I served as Judge of the 181<sup>st</sup> District Court for 20 years and a Visiting Judge for 5 years. So, I believe I have the experience necessary to comment on the great need for mitigation support.

In fact, during my tenure as a judge the only time I saw any meaningful mitigation support for defense counsel was when the Capital Public Defender's office was involved. I am currently in the process of getting feedback from our appointed attorneys on whether they currently have any type of mitigation support. However, I anticipate that the majority, if not all, will report a very limited amount. Our office does supply support from mental health professionals. But, of course, that is not always a factor to be addressed.

As part of our Indigent Defense Plan, we require appointed counsel to adhere to the State Bar of Texas "Performance Guidelines for Non-Capital Criminal Defense Representation". I would note that those guidelines require counsel to investigate and retain expert assistance, when necessary, to: "Mitigate any punishment that may be assessed after a

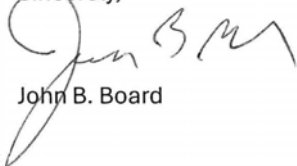
verdict or plea of guilty to the alleged offense.” (Guideline 4.1 Investigation, Paragraph 9 (e) Expert Assistance). So, while we expect counsel to adhere to this requirement; unfortunately, we have little ability to assist them in this regard.

Even if we had a robust mitigation support system locally, which we do not, we have very limited funds to pay for such services. I wish I had data to provide that would assist you in your application. Unfortunately, I can only offer 25 years of experience on the bench and anecdotally note that I have seen very bad outcomes for indigent defendants who lacked access to mitigation resources. It is my understanding that there is a statewide lack of quality data on this point and that part of what you envision is to begin collecting that vital data.

We have a mixture of very seasoned veteran criminal defense lawyers as well as very inexperienced new lawyers on our appointment lists. Both types would benefit greatly from enhanced training on how to effectively present mitigation in their non-death penalty cases. One of my marching orders to provide training for these attorneys and I would definitely utilize any support available.

As a result of the above issues/concerns, I am very excited to learn about the potential opportunity to gain access to meaningful and quality mitigation support – including funding. I remain very willing to do whatever I can to assist you in your quest to improve outcomes for the people we serve.

Sincerely,

A handwritten signature in black ink, appearing to read 'John B. Board', with a stylized flourish at the end.

John B. Board



April 23, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

Dear TIDC:

I write in support of the Capital Area Private Defender Service's (CAPDS) mitigation resource counsel pilot program.

Mitigation has changed the nature of capital representation in Texas. Mitigation results in more just outcomes for clients, including reduction in charges, fairer plea bargains, acquittals, and more reasonable sentences. The results have been so persuasive that it is now difficult to imagine capital litigation without mitigation.

We have yet, however, to apply mitigation on a broad scale to other violent felonies. This project proposes to do just that.

Mitigation is not taught in law school. And mitigation resources are seldom available to attorneys practicing in Texas, particularly in rural areas. CAPDS's proposal for a mitigation pilot program would improve indigent defense by gathering definitive data concerning the necessity of effective mitigation to violent felony cases in Texas state courts. CAPDS's pilot program would also demonstrate whether a mitigation resource counsel model would be an effective method in Texas to improve mitigation investigation and development in appointed cases, as well as compliance with State Bar Guidelines and case law that require it.

As County Executive for Community Legal Services in Travis County, I work with the staff responsible for this program. CAPDS has been the hub for other regional and statewide programs, including myPadilla. Its staff are qualified to make the proposed mitigation resource counsel program a success.

Thank you for your consideration,

Geoff Burkhart

*Geoff Burkhart*

County Executive, Community Legal Services



**CMK Defense, PLLC**

**CAPDS Mitigation** 505 W. 12<sup>th</sup> St. Ste. 206  
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CAROLYNN SOLORIO  
Legal Assistant

May 4, 2025

Texas Indigent Defense Commission  
209 West 14th Street  
Austin, Texas 78701

Dear TIDC:

I write in enthusiastic support of the Capital Area Private Defender Service's proposed pilot program that would provide individual consultation, training, and resources to Texas attorneys representing indigent defendants in murder cases.

I'm a Texas criminal defense attorney practicing in both state and federal court. A substantial portion of my caseload involves appointed work, and I routinely represent indigent clients charged with murder across multiple counties. I've also had the opportunity to present on topics related to indigent defense—both statewide and nationally—through organizations like the Texas Criminal Defense Lawyers Association (TCDLA) and the National Association of Criminal Defense Lawyers (NACDL).

Mitigation is not just important in murder cases—it's essential. When it's thoroughly investigated and strategically presented, mitigation can completely reshape the trajectory of a case. I've seen that firsthand. Last year, I tried a murder case in Comal County for an indigent client charged with shooting his sister's boyfriend—four times in the back, once in the arm. The facts were ugly. The sister had made vague allegations of abuse but wouldn't commit to having been abused the night of the shooting. My client told officers the decedent "came at him" and that he was in a "rage." He admitted to breaking the rifle over the victim's head after the shooting, while the victim was already on the ground. The shattered pieces of the rifle were found scattered in the backyard.


At first glance, there was no clear path forward. But through extensive motions practice, I secured funding for an expert witness who evaluated my client and testified that he was autistic with borderline intellectual functioning. We framed self-defense using both the subjective and objective standards under Texas law—arguing that the jury must assess reasonableness from his perspective, not just their own. Our expert gave jurors the tools to understand how someone with autism processes threat, fear, and sensory overwhelm. After just over an hour of deliberation, the jury returned a verdict of not guilty.

That case, like so many others, turned on mitigation. But it never would have happened without the training I've received, the motions I knew to file, and the experts I've built relationships with over time. This proposed program would give other attorneys the same tools—without requiring them to reinvent the wheel or go it alone.

I've known the CAPDS personnel for years and worked with them many times. They are not only deeply committed to indigent defense—they are experienced, thoughtful, and relentless in making sure defendants get the representation they deserve. This program is a smart, strategic step toward closing the gap between what indigent clients need and what many appointed counsel are equipped to provide.

In short, this pilot program has the power to transform the quality of representation indigent defendants receive in the most serious cases our courts handle. Far too often, critical mitigation evidence is overlooked—not because it doesn't exist, but because lawyers don't have the time, training, or support to develop it. The Capital Area Private Defender Service is uniquely positioned to change that. Their proposed program would raise the standard of defense across Texas and ensure that lawyers like me—committed to doing this work well—can continue to fight for our clients with the full arsenal of tools they deserve. I strongly urge you to support it.

Sincerely, in defense, and with purpose,



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Angelica Cogliano



1411 West Avenue, Suite 100  
Austin, Texas 78701

Tel: (512) 472-1580  
Fax: (512) 727-0236

robert.daniel@rdlawaustin.com

April 7, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

To TIDC:

This letter is intended to express my support for the Capital Area Private Defender Service's proposed program that would provide individual consulting, training, and resources in mitigation to lawyers representing indigent defendants in Texas murder cases. The proposed program would collect data demonstrating the effectiveness of mitigation in murder cases that are not death penalty cases.

I am an attorney with nearly two decades of experience in criminal law in Texas. My practice is 100% criminal appellate law and I am regularly appointed to cases in urban, suburban and rural counties across the state to represent indigent defendants in proceedings ranging from motions to new trial to direct appeals to post-conviction proceedings ("writs"). I also have significant experience at the trial level. During my career, I have worked on numerous non-death penalty murder cases on behalf of indigent clients.

In 2011, the State Bar of Texas published *Performance Guidelines for Non-Capital Criminal Defense Representation*. These guidelines established a duty for attorneys to investigate and present mitigation evidence. This duty is particularly strong in murder cases, where the likely sentence is life imprisonment or its functional equivalent (a sentence of 40 years for someone who is middle-aged, for example).

Based on my observations, attorneys across the state are not following the guidelines as they relate to mitigation investigation and presentation. Based on over 100 cases I have reviewed since entering private practice in 2016, I have observed that there is a widespread failure to conduct thorough mitigation investigations and make effective mitigation presentations in

Texas. This failure occurs in all areas of the state – urban, suburban and rural – but is particularly pronounced in counties with no mitigation resources.

For example, in 2023 I successfully urged a motion for new trial on behalf of a man who was convicted of murder in Travis County. My client is a disabled veteran with post-traumatic stress disorder. His trial lawyer admitted during a post-trial hearing that she was aware of my client's PTSD, but she did not investigate further because she did not believe it would help. A forensic psychologist testified that my client's PTSD affected him at the moment in question: the shooting occurred after the deceased attacked my client and my client's wife with a sledgehammer. The attack broke my client's leg less than a minute before my client shot the deceased, who had a history of assaulting my client, my client's wife, and other women. The trial court judge granted the motion for a new trial "in the interest of justice," and the Third Court of Appeals affirmed the trial court's order.

This case is just one example of how mitigation can change the narrative of the case for the jury in an effective way, and how if attorneys had the proper training and understanding, clients would benefit immeasurably.

There is a significant, observable need for the type of program CAPDS is proposing. Additionally, a data set demonstrating what we already know anecdotally – that mitigation in non-capital murder cases works to the benefit of indigent defendants – would be an invaluable resource for defense attorneys to obtain critical resources for our appointed cases, such as funding for investigation and expert services.

If the proposed program is funded, I would surely make use of it. I am a solo practitioner who often finds himself working against tight deadlines (30 days to file a motion for new trial, 180 days to resolve contested issues in 11.07 writ cases, etc.) If I had access to a quality motions bank, I would spend less time drafting pleadings, and more time investigating the case. Also, if I had access to mitigation resource counsel, my investigation would be more efficient. In short, this program would allow me to provide better legal representation to my clients.

CAPDS's proposal would improve the state of indigent defense in Texas. I know the CAPDS personnel and have informally worked with them over the years. They are more than qualified to make this project a success.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Daniel", with a stylized flourish at the end.

Robert Daniel



May 5, 2025

Texas Indigent Defense Commission  
209 West 14th Street  
Austin, Texas 78701

Dear Texas Indigent Defense Commission:

I am an attorney who practices criminal appellate law statewide in Texas including urban, suburban and rural counties such as McLennan, Bell, Coryell, Comanche, Travis, Williamson, Dallas, Tarrant, Parker, Hood, Harris, Hidalgo, Cameron, Nueces, and Bexar. My practice includes motions for new trials, direct appeals, and post-conviction. I also have more than a decade of trial-level experience, including first-degree murder cases and I am approved by the Third Administrative Judicial Region to act as assistant court-appointed trial counsel in death penalty cases.

In my practice, I have witnessed a widespread mitigation failure at the trial level. The Bar of the State of Texas requires mitigation investigations and presentations through its Performance Guidelines for Non-Capital Criminal Defense Representation, but based on my observations having reviewed hundreds of felony cases, attorneys are not living up to the promise of the Performance Guidelines. I have been appointed to several major murder cases in which it was clear that mitigation was critical to the case and no mitigation investigation or presentation took place. This is, unfortunately, the norm rather than the exception.

Thorough mitigation investigations and effective presentation of mitigation evidence works to the benefit of indigent clients, particularly those from historically underserved populations. A comprehensive mitigation investigation and presentation to the District Attorney's Office can lead to a reduction or dismissal of the charges. An effective presentation of mitigation evidence during the guilt phase of a trial (a practice commonly referred to as "frontloading mitigation") can lead to outright acquittals. And a comprehensive mitigation investigation and presentation is critical in sentencing: it leads the sentencer (the jury or judge) to understand how the client came to sit before them. Sentencers who understanding the biopsychosocial history of the defendant and the nexus between that history are more likely to vote in favor of outcomes more favorable to the indigent client – this has been demonstrated time and again in death penalty and juvenile life without parole cases.

It is for these reasons that I unequivocally support the Capital Area Private Defender Service (CAPDS)'s proposal to educate and train attorneys how to conduct effective mitigation investigations and make effective mitigation presentations in murder cases. Likewise, I support CAPDS's efforts to collect data to demonstrate that comprehensive mitigation is an effective method of combatting excessive sentencing in non-capital murder cases. The project CAPDS is proposing to undertake is necessary, and critical to the effective defense of indigent defendants in Texas. I have informally worked with CAPDS staff on mitigation issues, and they have the experience and knowledge to make this project a success.

Thank you for your consideration of this critical resource.

In Support,

A handwritten signature in black ink, appearing to read 'Jessi Freud', written in a cursive style.

Jessica “Jessi” S. Freud

**Keith S. Hampton**

Attorney At Law  
Board Certified-Criminal Law & Criminal Appellate Law  
Texas Board of Legal Specialization

P.O. Box 66488  
Austin, Texas 78766  
512-476-8484 (office)  
512-762-6170 (cell)  
*keithshampton@gmail.com*

April 11, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

To TIDC:

I am an attorney who has been practicing criminal law in Texas for more than 30 years. I have handled multiple murder cases at the trial, appellate, and post-conviction levels. Thorough mitigation investigation and proper presentation of mitigation evidence is critical in murder cases because, if presented correctly, it can result in a reduced charge, a lesser sentence, and in some cases in which mitigation evidence is properly presented during the guilt phase of a trial, an outright acquittal. That is why it is crucial that attorneys learn how to conduct mitigation investigations and work with mitigation specialists, as well as learn to effectively present the fruits of such investigations. It is for that reason that I unequivocally support the Capital Area Private Defender Service's proposal to provide such education and consultation to attorneys working on these cases.

Mitigation evidence, if gathered and presented correctly, is a powerful and, in light of the wide ranges of punishment for felonies, necessary to attenuate the harsh sentences rendered, particularly in first degree felonies (5-99/life). It is also the least costly endeavor; mitigation specialists, often trained in social work, are far cheaper than experts. Before a lawyer seeks funding for an expert in a case where the only issue is punishment, he ought to get a mitigation specialist first. The reason is that the investigation that a mitigation specialist conducts will inform the defense attorney about what experts he really needs.

For example, in a murder case my mitigation specialist suspected my client had an intellectual disability; accordingly, we did not seek a

psychiatrist, but a psychologist specializing in an intellectual disability. In another case (sexual assault of a child), my mitigation specialist obviated the need for additional expertise by doing an extremely detailed investigation of the entire family going back at least one generation, thereby putting my client's crime in much larger context. In that case, my client faced hundreds of years in a tough county, but the prosecutor was persuaded to offer 20 years.

Mitigation specialists are professional sponges – they can and do walk into homes and interview people and identify all sorts of flags that completely elude lawyers. Time and time again, they spot relationships and conditions others (including myself) did not recognize. For example, a specialist suspected my client, accused of solicitation of a minor, was autistic and his words to the minor were misunderstood; after hiring a psychologist to administer the appropriate testing, he was discovered – for the first time in his life – that he fell within the autism spectrum, a diagnosis that turned out to be crucial to the case – he was acquitted.

The other great utility of mitigation specialists is that, unlike most investigators and lawyers, they are highly skilled listeners. They have the uncanny ability to get people to open up about matters they would prefer to keep secret. Those secrets, time and time again, shape the direction of the defense attorney's investigation. For example, neither my client nor any member of his family would disclose why he suddenly murdered his uncle before the eyes of his horrified mother. I found a mitigation specialist who spoke a Mayan dialect, got the family to open up, and the entire story of what led to the murder was laid bare.

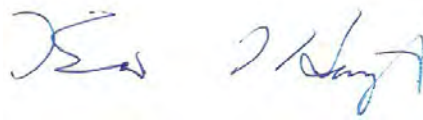
I first encountered mitigation specialists during an intense period of representing people accused or convicted of capital murder, the latter having been sentenced to death. My experience in those cases made it clear that they would be key in non-death cases. Most especially in cases where a guilty verdict is foregone, a mitigation specialist can help inform juries about the offender and his offense far more than they currently are, and experience has shown that the more jurors know, the severity of their punishment decision is tempered.

A pilot program like the one proposed would serve two purposes. First, it would help train indigent defense attorneys to develop and effectively

present mitigation evidence – a skill that is not taught in law school. Second, it would yield data to demonstrate that mitigation in non-capital felony cases is critical to an effective defense. I would recommend any attorney working on an appointed case avail themselves of such a program.

I have worked with CAPDS attorneys on various other projects and know that they have the experience to effectively mentor other attorneys in the use of mitigation specialists and the development and presentation of mitigation evidence.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. E. Wright". The signature is written in a cursive, flowing style.



1310 Prairie St, 4<sup>th</sup> Floor  
Houston, Texas 77002  
713.274.6700  
713.368.9278 Fax

May 5, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

RE: CAPDS grant proposal for mitigation resource counsel

Dear Commission Members:

I write this letter in wholehearted support for the Capital Area Private Defender Service to receive a grant for the creation of a mitigation resource counsel program.

Mitigation is often the very heart of what criminal defense work entails. While attorneys focus on fighting the charges, we know that most defendants are convicted. And for that reason, preparing a mitigation case is a critical part of representing the accused.

At the Harris County Public Defender's Office, the first thing our appellate division does when assigned a new case is to investigate for a possible motion for new trial. And the number one reason we file the motion, and often see it granted, is because of failure to prepare a mitigation case which is frequently ineffective assistance of counsel.

While anecdotal, our office handled a case where a young woman was given 27 years for injury to a child in an open plea to a PSI. Our appellate division found the trial attorney failed to prepare a mitigation case. After having the client reviewed by a psychologist as well as her many years of medical records, a motion for new trial was filed. The same judge that had given her 27 years reversed herself and gave our client probation. It was especially moving when the judge

tried to explain her change of heart and ultimately said, “I don’t have to explain why.” We all knew why – the mitigation evidence demonstrated our client as a fragile and complex person deserving of mercy. That is what mitigation can do.

Wouldn’t it be better to do the mitigation upfront? Rather than to try and undo a conviction – the system should work to ensure that each client gets adequate representation which is absolutely required in non-capital cases. *See e.g., Lopez v. State*, 462 S.W.3d 180, 187(Tex. App – Houston [1st Dist.] 2015, no pet.), and *Ex Parte Hudgins*, No. WR-89,979-01, 2024 WL 3050758 (Tex. Crim. App. Jun. 19, 2024) (not designated for publication).

The skill set of mitigation investigation is not discussed or taught in law schools. Even if a lawyer has an idea to look at mitigation, it’s a complicated area that requires expertise. Mitigation works for trial cases as well as plea bargain cases. And it creates confidence in our criminal justice system that all accused are represented effectively.

What CAPDS is trying to do is monumental for clients and the community. I am available for any other information you might need. Thank you.

Very sincerely,

*Jani Maselli Wood*

Jani Maselli Wood  
Chief, Appellate Division





## MAYER CONSULTING

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May 5, 2025

Texas Indigent Defense Commission  
209 West 14<sup>th</sup> Street, Room 202  
Austin, Texas 78701

Dear Texas Indigent Defense Commission,

This letter is provided in support of the Capital Area Private Defender Service's proposal to create a program focused on mitigation consultation and training. I am a mitigation specialist with substantial experience in both capital and non-capital cases in Texas.

On the ground level, I have observed that there is a significant need for this sort of program. I have consistently observed that attorneys representing indigent defendants lack the necessary education concerning how to conduct a mitigation investigation and how to prepare a mitigation presentation. I have also consistently observed a lack of resources to provide this education. This lack of education and resources has resulted in a noticeable failure to meet the State Bar's Performance Guidelines for Non-Capital Criminal Defense Representation in indigent defense cases. The result is that indigent defendants are frequently subjected to much harsher sentences than they would be if consultation and education resources for attorneys were widely available.

I am not aware of any data that demonstrates what we know: thorough mitigation investigations and effective mitigation presentation make a difference in criminal cases apart from death penalty cases. I have been a part of defense teams all over Texas where mitigation made a significant difference in the sentencing of the case. Below are just a few in recent years with favorable outcomes:

- In Kinney County, a smuggling of persons case ended in a plea of 5 years rather than a sentence of 99 years.
- In Travis County, a murder resulted in a sentence of 10 years for manslaughter as a result of mitigation.

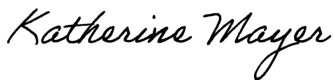
<sup>1</sup> In Texas, “capital murder” means first-degree murder cases in which the State is either seeking the death penalty or life without the possibility of parole. A defendant can be charged with capital murder without the State seeking the death penalty. [Page 1 of 2](#)

- In McLennan County, a capital murder charge resulted in an NGRI where the client was sent to the state hospital for the treatment.

Based on my significant experience, I believe that if independent, individual consulting and procedural assistance was provided along with specific mitigation trainings, it would significantly improve attorney representation of indigent clients and ensure better outcomes and reasonable sentences in their cases. I believe, based on my experience, that CAPDS’s proposed program would significantly improve indigent defense in Texas.

Thank you for considering this important matter.

Regards,



Katherine Mayer, M.A, CCDI  
Mitigation Specialist  
Owner of Mayer Consulting, LLC



## CAPDS Mitigation

**To: Texas Indigent Defense Commission**  
**From: Hallie Pease, Bexar County MAC Trial Division Director**  
**Subject: Letter of Support**  
**Date: April 29, 2025**

### **Dear Texas Indigent Defense Commission:**

I am writing to express my strong support for the implementation of a Mitigation Resource Counsel Program under the Capital Area Private Defender Service. This initiative is not only crucial for enhancing the quality of legal defense in non-death penalty murder cases, but also necessary to meet the growing demands for specialized legal training and resources that are currently unmet in our field.

Our current legal landscape reveals a significant gap in the proper investigation and presentation of mitigating evidence in non-death penalty murder cases. This deficiency stems largely from a lack of specific training and funding. Mitigation is a complex and nuanced field that is rarely covered adequately in law school curricula or in continuing legal education (CLE) programs. Additionally, the constrained budgets most defense attorneys operate under do not typically allow for the thorough and effective exploration of mitigating circumstances, which is a disservice to the defendants and the justice system alike.

Compliance with the State Bar Guidelines further necessitates the establishment of such a program. Anecdotal evidence strongly supports the effectiveness of well-presented mitigation in altering case outcomes favorably, yet there is a notable absence of formal data to systematically demonstrate this effect across non-death penalty murder cases.

The Mitigation Resource Counsel Program would serve as a valuable resource for appointed attorneys involved in the multitude of cases managed by MAC programs. By providing specialized attention and support, this program would not only uplift the standard of defense in murder cases but also extend its benefits to appointed lawyers in counties lacking a Managed Assigned Counsel office or Public Defender's Office.

Furthermore, this initiative would serve as a valuable networking and relationship-building platform for younger attorneys, enhancing their capabilities and fostering a community of practice that prioritizes continuous learning and mutual support.

The collection and analysis of data from this program are pivotal. It would inform and encourage appointed attorneys to invest more significantly in the development and presentation of mitigating evidence. Educating funders through tangible data would also empower defense teams to secure

necessary resources such as mitigation specialists and experts, thereby directly improving outcomes for indigent defendants.

The establishment of a Mitigation Resource Counsel Program would help bridge current gaps in our indigent defense system and also set some guideposts for data-driven improvements in legal defense strategies across Texas. I highly recommend that the Texas Indigent Defense Commission support this valuable initiative, which promises to enhance the capabilities of our defense community and ensure more equitable justice for all.

Thank you in advance for consideration of this program that will strengthen are our legal defense infrastructure.

Sincerely,

A handwritten signature in black ink, appearing to read "Hallie D. Pease", with a stylized flourish at the end.

Hallie D. Pease  
Bexar County Managed Assigned Counsel  
Trial Division Director

April 29, 2025

To Whom It May Concern:

This letter is in support of the Capital Area Private Defender Service's pilot program to provide individual training and consultation to attorneys working on murder cases in which the State is not seeking the death penalty.

I am a clinical assistant professor at the University of Texas Steve Hicks School of Social Work and the Capital Punishment Clinic at the UT School of Law. I have worked on and with capital defense teams from pre-trial preparation and consulting to state and federal post-conviction. I have spent the majority of my career conducting and teaching others how to conduct complete mitigation investigations and how to present them effectively in death penalty cases.

Comprehensive mitigation investigations and compelling presentation of the evidence those investigations yield have been an integral part of defense work in capital murder cases for decades. These practices have been increasingly recognized as essential in other criminal cases, such as non-capital murder cases. Over time, the role of mitigation has evolved both in scope of the evidence that is considered potentially mitigating and the cases in which it is accepted as relevant. This is clear from the State Bar's adoption of the Non-Capital Performance Guidelines, which require mitigation investigation and presentation in cases even where the State is not seeking the death penalty.

"Comprehensive" mitigation investigations refer to a holistic approach in which defense teams investigate, develop, and present decision-makers (such as district attorneys, judges and juries) with the client's full personhood so that decision-makers can more easily understand the narrative of the client's life and how the client came to find him or herself in the criminal justice system. Effective presentation of mitigation evidence provides the decision-maker with a full picture of who the defendant is as a human being and a window into how that person came into the circumstances that led them to be a criminal defendant. There are several ways in which mitigation development and presentation can change the picture of murder cases beyond simply attacking elements of the charge: in bond reduction arguments, in presentation to district attorneys to reduce or dismiss the charges, to juries during the guilt phase of the trial (a strategy known as "frontloading mitigation") to lay the groundwork for acquittal or to prime the sentencer for more mitigation during the penalty phase, and to the sentencer during the penalty phase.

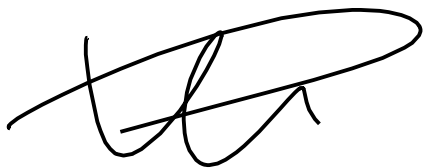
Evidence demonstrates that comprehensive mitigation development and presentation leads to better outcomes for indigent defendants in death penalty cases and juvenile life without parole cases. Effective mitigation presentations require sufficient pretrial investigation and resources to develop the true story of each individual case and provide the sentencer with sufficient information to arrive at the appropriate sentence. Anecdotal evidence I have compiled demonstrates that comprehensive mitigation development and presentation is effective in Texas murder cases and even cases as simple as drug distribution:

- Sandra Melgar, Harris County—convicted of beating and stabbing her husband approximately 50 times and staging the homicide scene in 2012, Sandra Melgar was sentenced to 27 years in prison. Her life history and background included 32 years of marriage before her husband's murder, participation in the Jehovah's Witness community, and a host of health issues including epilepsy and other chronic conditions.

- Edgar Barahona, Travis County—convicted of two counts of murder and sentenced to 35 years in prison for a 2022 double homicide. Barahona’s age (19 at the time) was a mitigating factor)
- Brooke Craig, Hunt County—initially charged with capital murder for the 2017 shooting death of boyfriend’s 7-year-old child and fleeing the scene. Ultimately pled to murder and was sentenced by a jury to 30 years in prison after considering her life history.
- Paul Bateman, Bexar County—pled guilty to murder of a 10-year-old girl in 2018, sentenced to 35 years in prison. Mitigating factors included Bateman’s history of mental health issues and acceptance of responsibility.
- Taymor McIntyre, Bexar County—convicted of a lesser charge of murder on a capital murder prosecution, sentenced to 80 years after testimony from a psychologist and McIntyre’s sister revealing generational trauma including drug abuse, violence, abuse, and multiple foster care placements.
- Marcus Jones, Williamson County—initial offer of 20 years prison time for possession of controlled substance resolved for 10 years community corrections after mitigation presentation to prosecutors’ office which contextualized Mr. Jones’s addiction to pain medicine and investigation led to evidence substantiating repeated attempts to access treatment at pain management clinic, and letters of support and employment assistance from community members.

Each of these cases represents a just and appropriate resolution that was not apparent from the initial charging documents, or the supplemental police reports. These resolutions were made possible by defense investigation, interviewing of life history witnesses, engagement with proper experts, and independent record collection. From double homicides to killings of children to non-homicide drug charges, resolutions by plea agreement to sentencing verdicts by juries, these are just a few examples of the ways in which sufficient pretrial investigation and resources enable defense teams to provide decisionmakers with sufficient information to arrive at the appropriate sentence.

In sum, Capital Area Private Defender Service’s innovative pilot program to provide individual training and consultation to attorneys working on murder cases in which the State is not seeking the death penalty has the potential to drastically change outcomes in individual cases as well as change the standard of practice in murder defense in Texas. Please don’t hesitate to contact me if I can be of assistance in any way.



Thea Posel  
Clinical Assistant Professor University  
of Texas at Austin  
Steve Hicks School of Social Work and School of Law





May 1, 2025

## TEXAS DEFENDER SERVICE

P.O. Box 82236  
Austin, TX 78708  
[v] 512.320.8300  
[f] 512.477.2153

[www.texasdefender.org](http://www.texasdefender.org)

To the Texas Indigent Defense Commission:

The Texas Defender Service (TDS) is a nationwide leader in the fight to end the death penalty. Through a quarter century of litigation and advocacy, TDS has given voice to the humanity of our clients, their families, and their communities, and led transformative policy initiatives for people facing death sentences, including creation of a statewide public defender office to represent capital defendants in their state habeas proceedings and achieving the passage of a law – the first of its kind – to permit new trials for defendants whose convictions were premised on junk science. TDS has argued – and won – five cases before the United States Supreme Court and achieved countless victories for clients who faced the death penalty because of their mental illness, intellectual disability, or race. TDS has driven down new executions and death sentences from their starting height in 2000 to just a trickle today.

TDS has a team of seven mitigation specialists who investigate our clients' life histories for capital trial and post-conviction teams across the state, inspiring district attorneys and juries with stories of the humanity of our clients. In 2022, we expanded our mission to include serving people facing other excessive sentences in Texas. In addition to direct representation, TDS provides intensive legal consultation and support to trial and post-conviction teams working on death penalty cases across Texas. TDS also trains trial teams and mitigation specialists about how to protect their clients from the death penalty and other harsh sentences.

At TDS, we know transformative change is possible in the State of Texas. Texas is the epicenter of excessive punishment and mass incarceration in the United States. Texas has the largest prison population in the country and wields incredible influence nationally when it comes to criminal justice. Harsh sentences do not make us safer; instead, research shows that long sentences can increase people's chances of reoffending by destabilizing their lives. Beyond harming public safety, harsh sentences hurt marginalized Texas communities and families. Eighty percent of incarcerated Texans have minor children at home, and half a million Texas children have been separated from a parent serving time in prison.

At the heart of our society's crisis of excessive punishment is a system that fundamentally dehumanizes people and their families. One antidote to harsh punishment is storytelling: showing decisionmakers that people facing excessive punishments are complex human beings. This is done through thorough, comprehensive mitigation investigations and the effective presentation of mitigation evidence to decisionmakers. We investigate our clients' uniquely human stories and present our clients as whole human beings. Time and again, our work has led decisionmakers to choose more humane sentencing options.



Recent examples of the benefit and impact of TDS's mitigation-led strategy include:

-Of our 28 pre-trial clients whose cases were settled for a non-death-outcome from 2018- 2023, 18 of our clients' cases have been finally resolved (the remaining clients no longer face the death penalty but have pending criminal charges).

-Of those 18 clients whose cases were finally resolved from 2018-2023:

- 9 clients had their charges dismissed altogether or received sentences ranging from 14 to 50 years rather than a death or life sentence.
- 1 client received a life with parole sentence.
- 8 clients, or only 44%, received a sentence of life without parole.

-Seven post-conviction clients with intellectual disability received legal rulings that they were exempt from the death penalty.

-Two capital-charged clients received life sentences at trial after juries decided the mitigation stories that TDS compiled warranted mercy instead of death.

We know that mitigation works in murder cases in Texas. We also know from TDS's experience that training of and individual consultation with lawyers works to improve outcomes for clients. I am unaware of any research that demonstrates its effectiveness in murder cases in which the death penalty is not sought and such data is necessary to compel attorneys to employ mitigation in their cases and to achieve statewide systematic change. It is for these reasons that we support the Capital Area Private Defender Service's proposal to pilot a program that provides individual mitigation training and consultation to attorneys and collects data that demonstrates that mitigation is an effective defense tool.

With Thanks,

A handwritten signature in blue ink, appearing to read 'B. Butler', with a stylized, cursive script.

Burke Butler  
Executive Director



Texas Indigent Defense Commission  
290 West 14th Street, Room 202  
Austin, Texas 78701

Dear Texas Indigent Defense Commission:

We write in support of the Capital Area Private Defender Service's (CAPDS) application for an award to start a mitigation resource counsel program. CAPDS is an integral part of the Travis County justice system in addition to providing statewide support with the myPadilla program. CAPDS does critical work to uphold the rule of law: the Managed Assigned Counsel program seeks to prevent wrongful convictions before they occur, and its post-conviction division (The Forensic Project and the CAPDS Wrongful Conviction Project) seeks to right injustices. We fully support CAPDS's endeavor to expand its services to improve indigent defense.

CAPDS was created to improve the quality representation provided to indigent defendants in Travis County. CAPDS has accomplished this by establishing meaningful standards for quality representation, working with appointed counsel to exceed those standards, overseeing the work of appointed counsel, and providing educational and mentoring resources to appointed counsel. In 2016, CAPDS established The Forensic Project to review cases that may have been affected by problems identified in the Austin Police Department DNA Laboratory and problems with mixture interpretation in the Department of Public Safety DNA Laboratory. To date, the work of the CAPDS Forensic Project has resulted in overturned convictions in two cases relating to the APD DNA lab.

Mitigation work is critical in murder cases. How to conduct, guide, and oversee a mitigation investigation, particularly in a murder case, is not a skillset taught in law school and it is not experience that has traditionally been taught in the same vein as guilt/innocence investigations. Since CAPDS began assisting Travis County's indigent defense panel, the quality of mitigation investigations and presentations necessarily improved. CAPDS has an experienced, skilled team of attorneys who collectively have decades of experience undertaking mitigation investigations and making mitigation presentations in murder cases. CAPDS is the ideal entity to stand up a program that assists individual lawyers with case-specific coaching and training on this issue.

We fully support CAPDS' request for an award to create a program that can serve as a foundation to establishing a fundamental statewide resource.

Signed on behalf of the Travis County Judiciary on the 9<sup>th</sup> day of April, 2025

DocuSigned by:

*Cliff Brown*

1F597F5020F9474...

Judge Cliff Brown, 147<sup>th</sup> District Court  
Presiding Judge of the Criminal Courts

[Appendix A, New FY26 Grant Applications](#)



Law Office of Tara Lynn Witt  
IN DEFENSE OF TEXANS

May 5, 2025

To Whom It May Concern:

I am an attorney with more than 17 years of experience practicing criminal law. As a public defender in New Hampshire, I spent 13 years litigating thousands of serious felony cases. I was a member of the New Hampshire Public Defender's litigation support team focusing on competency and mental health issues. For approximately three years, I was an attorney at the Texas Office of Capital and Forensic Writs, a state government office representing clients in post-conviction following a death sentence. Since 2023, my practice has primarily been defending serious felonies on behalf of indigent clients in Texas state court at all levels – trial, appeals, and post-conviction.

I am well-versed in the expectations for trial lawyers to investigate and present mitigation in murder cases. Based on my observations of the practice in state court, there is a widespread failure to investigate and present mitigation at the trial level in serious felony cases. For example, in an aggravated assault for bigamy, there was no mitigation completed, and the client was sentenced more harshly than in other comparable cases in Travis County. Similarly, the lack of mitigation in a felony stalking case resulted in additional penalties where the truth about the client's mental health struggles and trauma background would have resulted in a lower penalty.

I fully support the Capital Area Private Defender Service's proposal to pilot a program that would do much to stem the tide of the mitigation failure. One-on-one training and consultation will provide lawyers with an opportunity to learn how to perform a comprehensive mitigation investigation and the best ways to synthesize and present that information to decision-makers. We know mitigation works if the client's life history is properly investigated and presented. Additionally, I believe that data demonstrating that mitigation works would help persuade trial attorneys to incorporate a more thorough approach into their case strategies in serious felony cases. This program could be a game-changer for indigent defendants in Texas.

Respectfully,

Tara Lynn Witt  
SBOT #24086945

# CAPDS MITIGATION RESOURCE COUNSEL PROGRAM

## APPENDIX C

### CLE PROGRAMS

1. SBOT Advanced Criminal Law 2025

2. SBOT Criminal Law 14 2024

3. SBOT Criminal Law CLEs

4. SBOT Mitigation Search

5. TCDLA Mental Health 2025

6. TCDLA CLE Schedule

7. TCDLA Core Concepts 2025

8. TCDLA Guaderrama 2025

9. TCDLA Indigent Defense 2025

10. TCDLA Rusty Duncan 2025

11. UTCLE Mitigation Search

12. CAIL Upcoming Events

CAPDS MITIGATION RESOURCE COUNSEL PROGRAM  
APPENDIX D  
CAPDS MITIGATION SURVEY RESULTS

1. Results of 2024 Survey
2. Results of 2025 Survey

Responses Overview Active

Responses

56

Average Time

03:03

Duration

387 Days

1. Is there a resource in your community to assist with mitigation in murder cases charged under Penal Code sections 19.02 and 19.03 in which the death penalty is NOT sought?



2. What is the resource and do you use it? If not, why not?

24 Responses

Latest Responses

"CAPDS Social Worker"

"I don't know what you mean by "resource" in the community. My office has a soci..."

"Our office is fortunate to have 2 investigators who we can enlist for mitigation iss..."

...

6 respondents (25%) answered psychologists for this question.



3. In your experience, how often does the funder of indigent defense in your area provide for non-attorney mitigation in murder cases in which the death penalty is NOT sought (social worker, mitigation specialist, expert assistance, etc.)?



4. Would you find free individual **consulting/coaching** from attorneys with experience in developing and presenting mitigation cases in murder cases beneficial?



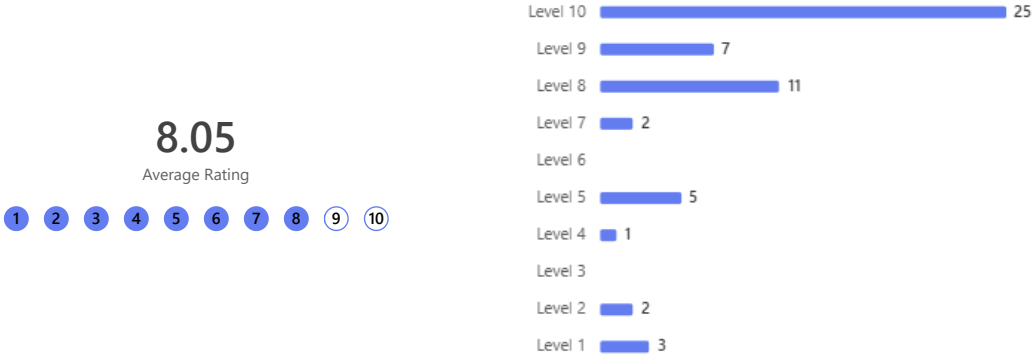
5. Would you find free individual **training** on the development and presentation of mitigation in murder cases beneficial?



6. Would you find a manual on how to develop and present mitigation in murder cases helpful?

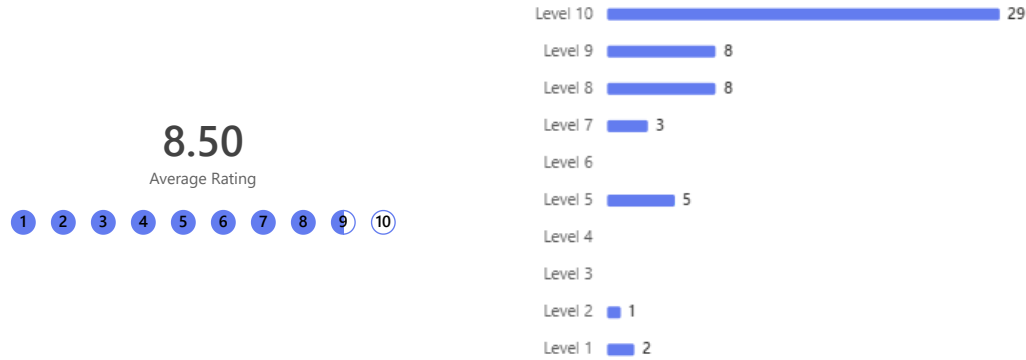


7. How likely are you to use free mitigation resources such as individual consulting/coaching, training, and a manual in murder cases in which the death penalty is NOT sought if it was available to you?





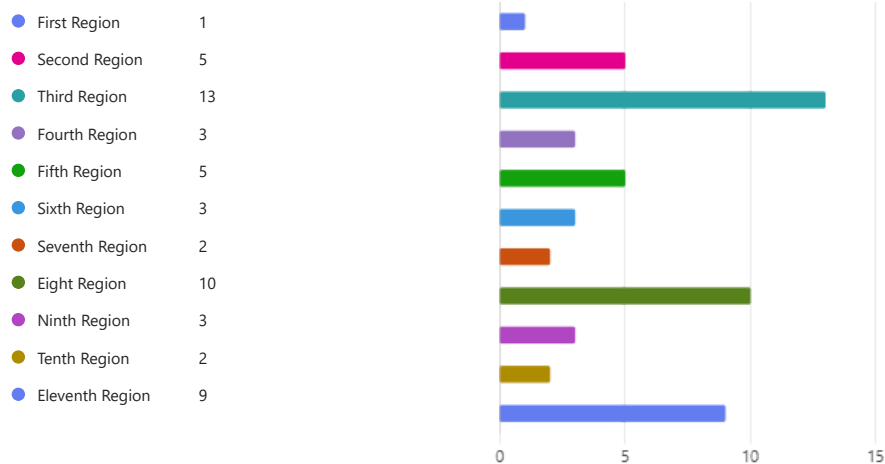
8. How helpful do you think free mitigation counseling/coaching in murder cases provided by experienced attorneys would be to the development and presentation of successful mitigation cases?



9. Is your primary county of practice rural, suburban, or urban?



10. Which judicial administrative region do you practice in? If more than one, please answer with the primary judicial administrative region.



Responses Overview Active

Responses

53

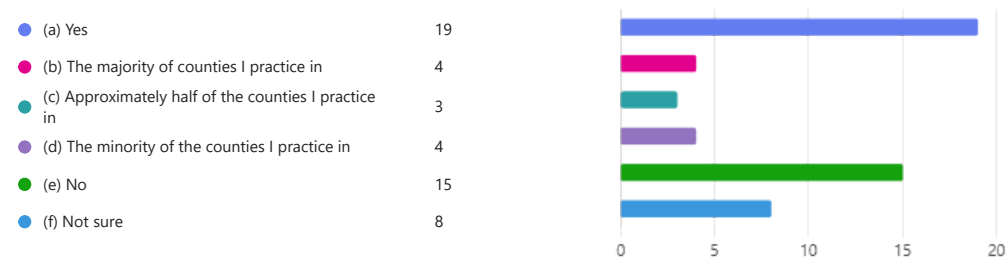
Average Time

12:48

Duration

35 Days

1. Are there resources in the counties where you practice to assist with mitigation investigations and presentations in these cases?



2. What are the resources available?

29

Responses

Latest Responses

"Funding for experts, including mitigation"

...

12 respondents (41%) answered Experts for this question.

mitigation investigation

Public Defender case

social workers

Experts and investigators

Funding for experts

**Experts**

Funded

Mitigation investigators

investigators

mitigation specialists

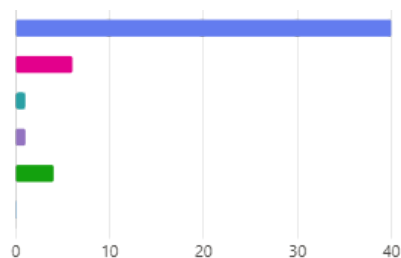
3. Do you use any of the resources?





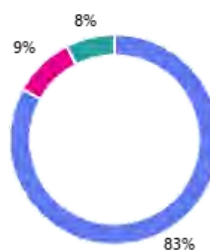
8. In your experience, is there a need for resources for mitigation development and presentation for appointed cases in the counties you practice in?

Yes	40
Yes, in the majority of them	6
Yes, in about half of them	1
Yes, in the minority of them	1
No	4
Not sure	0



9. Would free 1-on-1 consulting/coaching from an attorney experienced in developing and presenting mitigation in murder cases (a mitigation resource counsel) be helpful for your cases?

Yes	44
No	5
Not sure	4



10. Would you find free individual **training** on the development and presentation of mitigation in murder cases beneficial?

Yes	49
No	3
Not sure	1

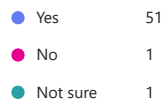


11. Would a mitigation resource counsel that can refer resources such as mitigation specialists and experts be helpful to you in developing mitigation?

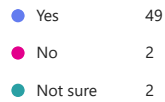
Yes	51
No	1
Not sure	1



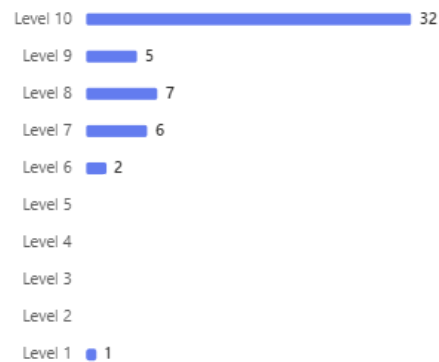
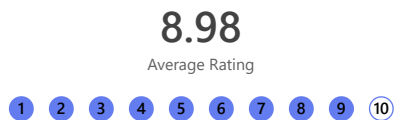
12. Would a resource that can provide a motions bank for mitigation development be helpful?



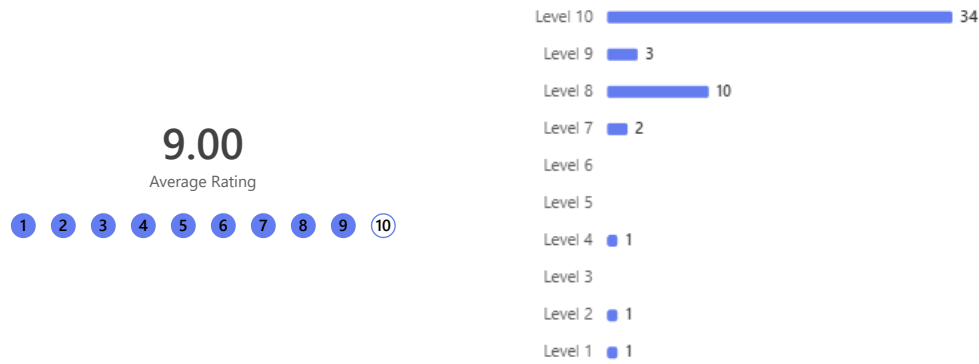
13. Do you think, based on your experience, that a free resource that provides coaching and consulting services for mitigation in murder cases would improve the quality of indigent defense in the counties that you practice in?



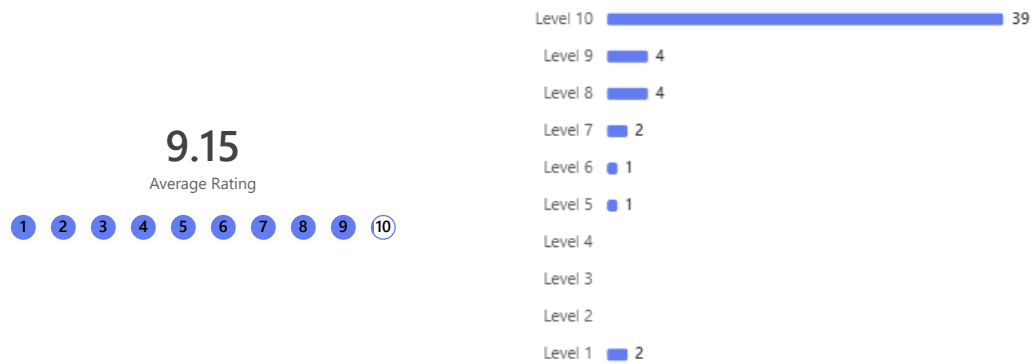
14. On a scale of 1-10, with 10 being very likely, how likely are you to use free coaching and consulting services in the development and presentation of mitigation in murder cases?



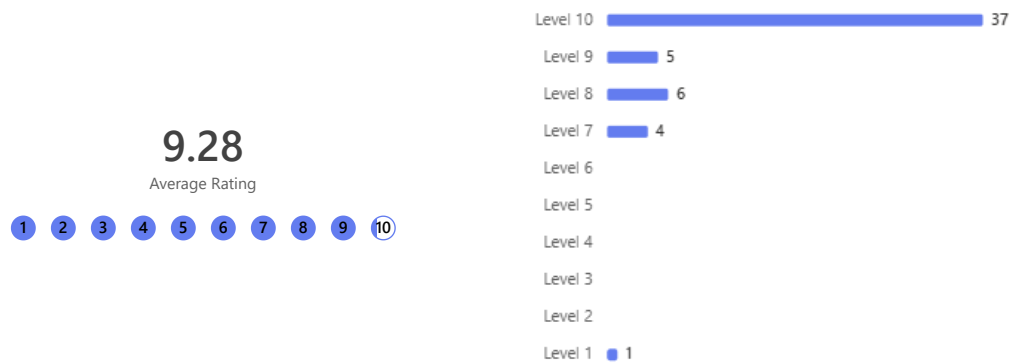
15. On a scale of 1-10, with 10 being very likely, how likely are you to use free mitigation training?



16. How likely are you to use a free mitigation motions bank?

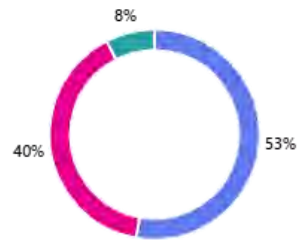


17. How likely are you to seek referrals for investigators and experts from a mitigation resource counsel?



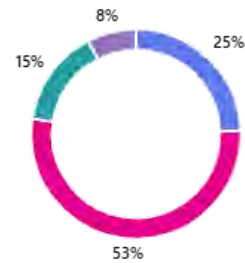
18. Have you attended a CLE program that has included mitigation in non-death penalty cases in the last 24 months?

Yes	28
No	21
Not sure	4



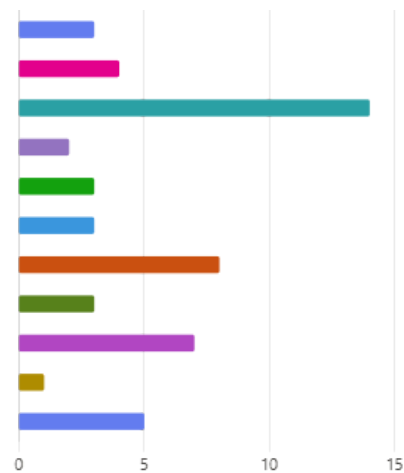
19. Is your primary county of practice rural, suburban, or urban?

Rural	13
Urban	28
Suburban	8
Other	4



20. Which judicial administrative region do you practice in? If more than one, please answer with the primary judicial administrative region.

First Region	3
Second Region	4
Third Region	14
Fourth Region	2
Fifth Region	3
Sixth Region	3
Seventh Region	8
Eight Region	3
Ninth Region	7
Tenth Region	1
Eleventh Region	5





21. Do you work in a public defender office?



22. Please provide any additional information that may be helpful to determining the need for mitigation services in appointed murder case s and whether such services would be utilized

14  
Responses

Latest Responses  
...

5 respondents (36%) answered Mitigation for this question.



## **Capital Area Private Defender Service (CAPDS)**

### **FY 2026 Two-Year Technical Support Grant Request**

#### **CAPDS Wrongful Conviction Project**

	Year 1	Year 2	TOTAL
Total Program Cost	\$368,987	\$379,099	\$748,086
County Match	\$0	\$0	\$0
FY26 Grant Request	\$368,987	\$379,099	\$748,086
TIDC/County Share	100% / 0	100% / 0	100% / 0

#### **Program Summary**

Capital Area Private Defender Service (CAPDS) is seeking funding for a two-year project in which they currently have 6 cases in active investigation and have approximately 20 remaining additional cases for review. The office will litigate all remaining wrongful conviction cases where viable claims are identified. This grant request will support 1.3 attorneys. To date CAPDS has reviewed 34 cases identified as potential wrongful convictions as a part of a 2022 grant from the U.S. Department of Justice, however that grant has not been renewed. CAPDS argues they are the best entity to continue this work because they have the institutional knowledge and organizational support necessary to make this project a success.

#### **Summary of External Grant Review Committee Comments**

Reviewers ranked this at the bottom and had significant reservations about TIDC funding this program. All agreed that TIDC's priority should be to improve direct services covered by the 6<sup>th</sup> Amendment. Post-Conviction reviews divert scarce resources from more fundamental priorities more likely to have positive impacts.

#### **Staff Recommendation**

Not recommended for TIDC funding.

While this is a county-specific wrongful conviction case review project, no county matching funds are contemplated. The other rare instances when TIDC has provided grants for case reviews have been in response to discrete crises, such as the DNA mixture analysis protocol issue or a documented bad actor in a forensic context. These cases appear to be unrelated by such a common denominator or particular episode or breakdown. Further, funding this may set a precedent for funding other generalized county-specific wrongful conviction reviews which would divert resources away from improvements to trial level representation covered by the 6<sup>th</sup> Amendment.

**2026 Capital Area Private Defender Service (CAPDS) County Improvement Grant Application Narrative**  
**CAPDS Wrongful Conviction Project**  
**Multi-year**

**a. Application Form**

Counties Represented: **Travis**  
 Fiscal Year: **2026**  
 State Payee Identification Number: **14718648414001**  
 Division To Administer Grant: **CAPDS**  
 Program Title: **CAPDS Wrongful Conviction Project**  
 Requested Grant Amount: **\$748,085.92**  
 Authorized Official: **Bradley E Hargis**  
 Financial Officer:  
 Program Director: **Stacie Lieberman**  
 Mailing Address: **910 Lavaca Street; Austin, TX 78701**

**b. Introduction (Executive Summary)**

The program focuses on reviewing, investigating, and litigating numerous complex cases with hallmarks of wrongful convictions. This program operated under a federal grant that will not be renewed. The cases under review all involve indigent defendants who were convicted in Travis County. The CAPDS Forensic Project's experienced attorneys identified the cases and determined that they may not have involved DNA evidence, but that the cases showed signs of wrongful convictions necessitating additional review and investigation. Without funding, approximately 25 cases will need post-conviction assistance and Travis County's appointment panel does not have the capacity for them.

**c. Problem Statement**

CAPDS runs The Forensic Project, which reviewed approximately 700 cases that potentially involved flawed DNA evidence from the DPS and former APD labs. During that review, experienced post-conviction attorneys identified multiple cases that have hallmarks of wrongful conviction but do not fit within the parameters of The Forensic Project. In 2022, CAPDS was able to obtain grant funding from the United States Government through the Department of Justice to review and potentially litigate the identified cases. To date, CAPDS has reviewed 34 cases, approximately 20 cases remain to be reviewed and five cases have been identified for writ investigation and possible litigation so far. Unfortunately, the grant will not be renewed by the Department of Justice and CAPDS will lose funding for the project.

When CAPDS loses funding for this program, there is no route to access justice for the defendants at issue. Travis County does not have an appellate defender. The CAPDS appellate list for appointments does not have the capacity to handle the caseload. See Appendix A, Letters of Support (Cogliano, Daniel, Freud, Witt). The Innocence Project of Texas screens for actual innocence and only accepts a small number of cases referred to it. See Appendix B (IPTX Requirements for Case Submission).

CAPDS is the best entity to continue this work. In addition to the institutional knowledge of the cases, the CAPDS post-conviction team has the experience necessary to make this project a success. See Appendix A. The CAPDS Forensic Project is, upon information and belief, the most successful defense-side DNA review project in Texas and the most successful project focused on crime lab failures in the country. The CAPDS Forensic Project has filed two amended writs that have resulted in relief for the clients and that have been added to the National Registry of Exonerations. Additionally, CAPDS has obtained the recommendation for relief from a district court judge in a third case that is currently pending before the Texas Court of Criminal Appeals.

Objective data underscores this success. Per the National Registry, 15 exonerations have occurred in Travis County since 1989. Three of those exonerations have occurred since 2019. Two of the three resulted from the hard work and dedication of CAPDS's experienced post-conviction lawyers, and the third was the result of work by the national Innocence Project and two large law firms. Data from the National Registry shows that habeas relief is seldom granted in violent felony cases. In 2023, only eight violent felony exonerations are listed for Texas, and one of CAPDS's cases is on that list. CAPDS post-conviction lawyers know how to win and obtain relief in post-conviction cases. Finally, like the CAPDS Forensic Project, this project is led by a woman and staffed entirely by women.

**d. Objectives**

The program's objectives are to review cases for indications of wrongful convictions, conduct writ investigations, and file and litigate habeas petitions on behalf of indigent defendants.

CAPDS is actively investigating several cases for litigation and has a backlog of 20 additional cases that will require review to determine if writ investigation is warranted. CAPDS will complete its investigation of the six cases, begin its review of the additional 20 cases, and litigate all wrongful conviction cases for which viable claims are identified.

This program is a multi-year review and litigation program. Case reviews will be completed in FY26. Writ investigation will continue in FY26. Writ litigation will begin in FY26.

#### **e. Activities**

The program will complete investigation of the initial cases referred by the Forensic Project, begin its review of an additional twenty referred cases, and begin to litigate all wrongful conviction cases for which viable claims were identified. Case reviews will be completed in FY26. Writ investigation will continue in FY26. Writ litigation will begin in FY26. The program's specific activities are summarized below.

For the cases currently in writ investigation, the program staff will continue those investigations and determine whether post-conviction litigation is appropriate. If it is determined that post-conviction litigation is appropriate, program staff will initiate and undertake that litigation.

For the additional twenty cases referred by the Forensic Project, program staff will visit more indigent defendants in prisons throughout Texas to obtain their consent to gather additional documents, request documents as needed from prior counsel and prosecutors, submit public records requests as needed, and determine which cases should proceed to writ investigation. Once those cases have been selected, program staff will identify viable claims, conduct any additional necessary investigation and discovery, and draft writ petitions to obtain relief in those cases.

#### **f. Evaluation**

Evaluation of the program will center on its successful ability to fulfill its objectives. Evaluations will consider whether program staff completed their review of all cases referred by the Forensic Project and determined which cases involve wrongful convictions. Next, evaluations will consider whether program staff finished filing writ petitions in the wrongful conviction cases where viable claims were identified and where any additional discovery deemed necessary to filing such petitions was provided.

Program staff will track milestones, accomplishments, and timelines, and will report regularly to CAPDS leadership.

Benchmarks for use in evaluating the program include:

1. Cases with initial review completed.
2. Cases closed.
3. Cases in writ investigation phase.
4. Cases in litigation phase.
5. Cases in which relief is granted, including exonerations and retrial/resentencing.

#### **g. Future Funding**

CAPDS anticipates that future funding may be needed, depending on the ultimate number of cases that proceed into writ investigation and writ litigation and the time necessary to complete both. CAPDS will continue to pursue federal, local, and private funding.

#### **h. Budget Narrative and Budget Form**

This two-year project has a cost of \$748,085.92. The attached detailed budget supports 1.3 full-time attorney positions. The managing attorney will be split between existing projects to leverage an existing staff member's experience and capabilities. One full-time attorney will provide the majority of legal services. CAPDS will either recruit a new hire or, if appropriate, transfer an existing internal candidate to this position. Salary total includes both the salary and the taxes related to salaried positions. Fringe benefits match those received by all CAPDS employees and include medical, dental, vision, disability, retirement, and other incidental benefits.

This budget includes \$258,000 in contracted services to utilize contracted investigators and experts as necessary for these challenging cases. CAPDS maintains a panel of attorneys who work on investigations at the rates set by Travis County, currently \$60 per hour. This grant assumes 1,000 hours of investigator time across all cases in each year.

Equipment costs include one laptop for the full-time staff attorney. No other equipment is expected beyond that normally considered office supplies.

Indirect costs are 3% of ongoing costs.

Personnel Costs

\$434,069.83

## CAPDS Wrongful Conviction

FTE's	1.30	
Salary	\$356,294.13	
Fringe Benefits	\$77,775.70	
Travel and Training		\$15,500.00
Equipment		\$2,500.00
Supplies		\$5,800.00
Contract Services		\$268,500.00
Indirect		\$21,716.09
Total		\$748,085.92
Required County Match		
Total less County Match		\$748,085.92

[Home](#)

## CAPDS Wrongful Conviction Budget - FY26 - FY27

<b><u>PERSONNEL COSTS:</u></b>		<b><u>FY 26 Budget</u></b>	<b><u>FY 27 Budget</u></b>
Managing Attorney (30% of FTE)		\$ 52,762.50	\$ 55,400.63
Staff Attorney		\$ 108,000.00	\$ 113,400.00
<b>SALARY EXPENSE<sup>1</sup></b>		<b>\$ 160,762.50</b>	<b>\$ 168,800.63</b>
Fringe Benefits (Based on CAPDS standard benefits package)		\$ 37,541.90	\$ 40,233.80
Taxes (Federal, State, Unemployment, and Workers Comp)		\$ 13,058.00	\$ 13,673.00
<b>TOTAL PERSONNEL COSTS</b>		<b>\$ 211,362.40</b>	<b>\$ 222,707.43</b>
<b><u>OPERATING EXPENSES</u></b>			
<b>INSURANCE</b>		\$ 1,000.00	\$ 1,000.00
Professional liability insurance and Commercial General Liability			
<b>STAFF DEVELOPMENT AND PROFESSIONAL MEMBERSHIPS</b>		\$ 1,500.00	\$ 2,000.00
Travel, training, and professional organization dues for staff			
<b>PROFESSIONAL SERVICES</b>		\$ 750.00	\$ 750.00
Accounting/Tax/Bookkeeping/Etc.			
<b>CASE RELATED TRAVEL</b>		\$ 6,000.00	\$ 6,000.00
Travel costs for investigation, client contact, and necessary case-related travel			
<b>SOFTWARE AND TECHNOLOGY</b>		\$ 3,400.00	\$ 3,600.00
Users licenses to existing case management and document manage systems			
<b>OFFICE SUPPLIES/MISC/ONGOING TECHNOLOGY</b>		\$ 2,800.00	\$ 3,000.00
Includes office supplies, ongoing technology services, materials, and necessary expenses			
<b>EXPERT FEES &amp; EXPENSES</b>		\$ 64,000.00	\$ 64,000.00
<b>INVESTIGATION</b>		\$ 65,000.00	\$ 65,000.00
Contrat investigation at approved Travis County rate of \$65 per hour			
<b>OPERATING COSTS</b>		<b>\$ 144,450.00</b>	<b>\$ 145,350.00</b>
<b>TOTAL CAPDS BUDGET</b>		<b>\$ 355,812.40</b>	<b>\$ 368,057.43</b>
<b>CAPITAL EQUIPMENT</b>			
Funds for laptop and necessary software licenses		\$ 2,500.00	
<b>INDIRECT COSTS (3%)</b>		\$ 10,674.37	\$ 11,041.72
<b>ANNAUL PROJECT BUDGET</b>		<b>\$ 368,986.77</b>	<b>\$ 379,099.15</b>

TOTAL PROJECT COST

\$ 748,085.92

<sup>1</sup> Attorney salaries are commensurate with salaries in the District Attorney, County Attorney, and Public Defender Offices. Salaries may be reapportioned based on skill and experience, but total salary is fixed.

## CAPDS WRONGFUL CONVICTION PROJECT APPENDIX A

### LETTERS OF SUPPORT

1. Austin Criminal Defense Lawyers Association (Mark Sampson, Esq.)
2. Angelica Cogliano, Esq.
3. Robert Daniel, Esq.
4. Jessica Freud, Esq.
5. Keith Hampton, Esq.
6. Travis County District Court Judges (The Honorable Clifford Brown)
7. Tara Witt, Esq.





THE LAW OFFICE OF  
**MARK A. SAMPSON, P.C.**  
 605 WEST OLTORF STREET  
 AUSTIN, TEXAS 78704

**MARK A. SAMPSON\***

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(512) 320-8363

FAX: (512) 447-1475

(800) 679-9420

Tuesday, April 29, 2025

Texas Indigent Defense Commission  
 209 West 14th Street, Room 202  
 Austin, Texas 78701

Dear TIDC:

The Austin Criminal Defense Lawyers Association (ACDLA) submits this letter in strong support of the Capital Area Private Defender Service's (CAPDS) application for funding to support its Wrongful Conviction Project. ACDLA is a non-profit professional organization composed of lawyers in the Central Texas area who represent accused citizens.

CAPDS was established in 2014 in collaboration with ACDLA, the Austin Bar Association, and the Travis County Criminal Judiciary. CAPDS was created to administer Travis County's Managed Assigned Counsel Program. Many of our members participate in the Managed Assigned Counsel Program through CAPDS.

When the problems with the former Austin Police Department DNA laboratory became public, ACDLA was a stakeholder in the remedial effort, including supporting the creation of the CAPDS Forensic Project. Post-conviction petitions in Texas are commonly referred to as writs, and there are few attorneys who specialize in non-capital writ work. There are fewer who take writ appointments for indigent persons.

Travis County benefits from a defense entity review of older convictions. CAPDS' review of the DNA cases led to the identification of multiple cases that did not fit within the contours of the DNA programs but nonetheless had hallmarks of wrongful conviction. CAPDS would use the funding requested to continue to review and litigate those cases. In 2022, Texas was third in the nation for exonerations behind Illinois and Michigan.<sup>1</sup> The number of exonerations in Texas doubled from 2022 to 2023, in large part due to the fallout from the investigation of Gerald

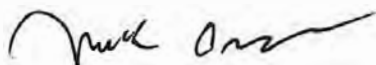
<sup>1</sup> [NRE Annual Report 2022.pdf \(umich.edu\)](#)

Goines in Harris County.<sup>2</sup> Of the 23 exonerations in 2023, 13 were from Harris County, two were from Dallas County, two were from Travis County, and Henderson, Galveston, Bexar, Ector, and Lubbock counties each had one.<sup>3</sup> Of the two in Travis County, one was due to the excellent work of the CAPDS Forensic Project<sup>4</sup> and the other was due to a long dogged fight by the national Innocence Project.<sup>5</sup> In 2024, Texas saw 26 exonerations.<sup>6</sup> None of the 26 came from Travis County: 18 originated in Harris County, four in Dallas, and one each in Smith, Montgomery, Midland, and Tarrant.<sup>7</sup>

Billy Faircloth was sentenced to 60 years for assault in 2012. The CAPDS Forensic Project was able to overturn his conviction and today he is a free man. That is in large part because the post-conviction staff are highly qualified to provide post-conviction services. Mr. Faircloth is the CAPDS Forensic Project's second exoneration. In 2022, their client Lamarcus Turner's conviction for Drug Possession or Sale was overturned. So far this year, the CAPDS Forensic Project has obtained a recommendation from the district court for relief for a third client; that case is currently pending before the CCA.<sup>8</sup> All wrongfully convicted people in Travis County should have access to the experienced, dedicated attorneys at CAPDS who helped Mr. Faircloth, Mr. Turner, and Mr. Caesar.

Until CAPDS stood up the Wrongful Conviction Project, no defense entity specific to Travis County handled non-capital writ cases that fall outside The Forensic Project's work on DNA cases. The wrongfully convicted deserve the experience and resources that CAPDS is able to provide. ACDLA unequivocally supports the continued funding of CAPDS's Wrongful Conviction Project.

Respectfully,



Mark Sampson  
Presiding Director  
Austin Criminal Defense Lawyers Association

<sup>2</sup> See, e.g., [Harris County DA to review 1,400 cases that embattled narcotics officer Gerald Goines worked on \(chron.com\)](#). According to the National Registry of Exonerations, 12 of Texas' 23 exonerations in 2023 were in Harris County and the convictions were for Drug Possession or Sale.

<sup>3</sup> [Exoneration Detail List \(umich.edu\)](#)

<sup>4</sup> [Billy Faircloth - National Registry of Exonerations \(umich.edu\)](#); [Austin PD's Bad DNA Analysis Nearly Cost This Man His Life - The Texas Observer](#)

<sup>5</sup> [Rosa Jimenez - National Registry of Exonerations \(umich.edu\)](#)

<sup>6</sup> [Exoneration Detail List](#)

<sup>7</sup> Id.

<sup>8</sup> [Judge calls for new trial in 2012 Austin burglary case over DNA flaws | kvue.com.](#)

ANGELICA COGLIANO  
Attorney At Law

ADDY MIRÓ  
Attorney At Law

J. DENIZ KADIRHAN  
Attorney At Law

MAGGIE GORRY  
Paralegal

CAROLYNN SOLORIO  
Legal Assistant

May 4, 2025

Texas Indigent Defense Commission  
209 West 14th Street  
Austin, Texas 78701

Dear TIDC,

I write in strong and unequivocal support of continued funding for the Capital Area Private Defender Service's (CAPDS) Wrongful Conviction Project.

I am a criminal defense attorney practicing in both trial and appellate courts, with a focus on cases involving forensic science. A significant portion of my work is based in Travis County, where I have previously been appointed to post-conviction writ matters. I am the immediate past Presiding Director of the Austin Criminal Defense Lawyers Association, and I currently serve on the boards of both the Texas Criminal Defense Lawyers Association (TCDLA) and the National Association of Criminal Defense Lawyers (NACDL). I also serve on the Licensing Advisory Committee, Portal Advisory Committee, and Rapid DNA Working Group for the Texas Forensic Science Commission.

Over the past six years, I've witnessed CAPDS's post-conviction division evolve into the gold standard for wrongful conviction litigation in Travis County. These cases are notoriously difficult to win. According to the National Registry of Exonerations, only 15 exonerations have occurred in Travis County. CAPDS's Forensic Project is responsible for two of them—both relying, at least in part, on claims brought under Article 11.073 of the Texas Code of Criminal Procedure. This is no small feat. A 2024 report shows that out of 74 applications filed statewide under Article 11.073, only 15 resulted in relief—a grant rate of just 20%. CAPDS's project accounts for two of those 15. That kind of success in a landscape where the odds are so heavily stacked against the accused speaks volumes about the quality and commitment of their work.

Wrongful conviction work demands specialized knowledge, resources, and experience—especially when forensic science is involved. Research shows that problems in key areas in forensic sciences result in higher rates of wrongful convictions. Misapplication of forensic science has been identified as a factor in more than half of the Innocence Project's exoneration cases and nearly a quarter of all known wrongful convictions since 1989. The CAPDS post-conviction team brings a rare and necessary expertise in this area. Their ability to identify flawed forensic evidence and translate that into effective litigation is essential for justice.

If funding for this project is lost, I understand that at least 25 ongoing cases would require new appointed counsel. As someone who has handled these cases, I can say without hesitation that there simply are not enough qualified attorneys available to take them on. I personally do not have the capacity to absorb more, and I believe the same is true for most of my colleagues. Without CAPDS, those clients would be left without meaningful representation.

CAPDS is not only qualified to handle these cases—they have proven they can achieve extraordinary outcomes. Their continued funding is not just warranted—it is urgently necessary. I strongly support the renewal and expansion of funding for the CAPDS Wrongful Conviction Project. The stakes—for both justice and our clients—are simply too high to do otherwise.

Sincerely, in defense, and with purpose,



---

Angelica Coglianò



**CAPDS Wrongful Conviction**

May 1, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

To TIDC:

This letter is intended to express my support for the Capital Area Private Defender Service's Wrongful Conviction Project.

I am an attorney with nearly two decades of experience in criminal law in Texas. My practice is 100% criminal appellate law and I am regularly appointed to represent indigent defendants in proceedings ranging from motions to new trial to direct appeals to post-conviction proceedings ("writs"). I have significant experience with post-conviction proceedings across the State and particularly in Travis County. I am on the appellate wheel in Travis County and for the past seven years have been regularly appointed on post-conviction matters here.

Success in post-conviction almost always requires extra-record evidence, which necessitates a thorough re-investigation of the case. A competent post-conviction lawyer must review the pre-trial investigation and proceedings and the trial and appellate record. The lawyer must also investigate both guilt/innocence and punishment issues, which includes employing the assistance of necessary experts. This is a cumbersome task that requires adequate funding and resources. Unfortunately, there is an overall lack of resources for this type of representation.

Post-conviction investigations can be particularly difficult when forensic evidence was presented by the State at trial, but the defense attorney did not seek the assistance of necessary experts. This creates a difficult situation: post-conviction attorneys need experts to investigate potential claims, but there is no statewide statutory funding mechanism to obtain funds for hiring those experts.

In cases in which hallmarks of wrongful conviction are identified post-conviction, the defendant needs a post-conviction lawyer. In Travis County, post-conviction lawyers that are available for appointment are in short supply.

The post-conviction division of CAPDS, led by The Forensic Project, has been a leader in post-conviction representation locally. The Forensic Project has been singularly effective in its mission – it has won every case it has litigated to date. It is my understanding that it is the most successful defense-side DNA project in Texas. CAPDS knows how to correct wrongful convictions and has effectively taken some of the weight of post-conviction appointments off of the few attorneys in Travis County willing to take them.

It is my understanding that if CAPDS does not obtain new funding to continue the Wrongful Conviction Project, there are more than 20 cases that need to be reviewed and five cases in writ investigation that may need to be litigated. I do not have the capacity to take on these cases, or even a portion of these cases.

I support the continuation of funding for the Wrongful Conviction Project to protect the rights of those who may have been wrongfully convicted and may not have access to post-conviction counsel otherwise.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Daniel", with a stylized flourish at the end.

Robert Daniel



May 5, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

Dear Texas Indigent Defense Commission:

I am an attorney who practices criminal appellate law statewide in Texas, including in Travis County. I have extensive experience litigating post-conviction cases, particularly cases of wrongful conviction involving serious violent felonies. I am on the appellate appointment panel for post-conviction cases in Travis County, and several surrounding and contiguous counties such as Williamson, Bell and McLennan Counties.

Post-conviction cases, such as wrongful conviction and actual innocent cases, are uniquely difficult to litigate for several reasons including limited financial resources to conduct necessary reinvestigation. Most post-conviction cases are older, and the witnesses have moved, memories fade, evidence has been misplaced or lost, and case files are destroyed. Post-conviction law requires the assertion of violation of constitutional and statutory rights and post-conviction lawyers must master how to navigate procedural bars that can prevent relief for the client. A practice focused on this niche area of law is typically necessary to achieve justice for clients.

The difficulty of these cases is borne out by the data: Of the 509 Texas exonerations listed in the National Registry of Exonerations, it appears only 15 are from Travis County. That number is notable in comparison to other counties with major cities: Bexar (23), Dallas (71), Harris (227). Data from the National Registry shows that it is even more difficult to achieve relief in innocence cases when the offense is a violent felony. Of the 509 exonerations, it appears that only 210 are for serious felonies (arson, assault, attempted murder, burglary, child abuse, child sexual assault, kidnapping, manslaughter, murder, robbery, and sexual assault); of those Travis has 13, Bexar has 16, Dallas has 64, and Harris has 27.

Most exonerated Texans are indigent and have had the benefit of appointed lawyers, innocent projects, law school clinics, pro bono lawyers, and the CAPDS Forensic Project. All these forms of representation are in short supply; this is particularly true in Travis County where the writ appointment panel is very small (I have been told only three practitioners, including me).

CAPDS's direct representation post-conviction division – starting with The Forensic Project – has set the standard for post-conviction representation in Travis County. The Forensic Project has won both cases it litigated, making up two of Travis County's 15 listed exonerations and two-thirds of Travis County's listed exonerations since 2019. The Forensic Project's successes are particularly demonstrative of CAPDS's ability to right wrongful convictions because both cases involved changed forensic science under Texas's junk science statute (C.C.P. 11.073).

It is my understanding that should CAPDS lose funding for the Wrongful Conviction Project, there would be approximately 20 cases left to review and five cases in writ investigation that would likely need to be litigated. I do not have the capacity to take on more than two or three of



these cases at a time. I am confident my other colleagues likewise would not have the bandwidth to take on more than that at one time either. Wrongful conviction cases require experienced post-conviction attorneys. There is a deficit of post-conviction attorneys available to be appointed to indigent defense cases in Travis County. CAPDS's is experienced and skilled in this area. I strongly support the continued funding for CAPDS' Wrongful Conviction Project.

In Support,

A handwritten signature in black ink, appearing to read 'Jessi Freud', written in a cursive style.

Jessica "Jessi" S. Freud

**Keith S. Hampton**

Attorney At Law  
Board Certified-Criminal Law & Criminal Appellate Law  
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May 5, 2025

Texas Indigent Defense Commission  
209 West 14<sup>th</sup> Street, Room 202  
Austin, Texas 78701

Dear TIDC:

I am an attorney with more than 30 years of experience in criminal law at all stages of litigation, including on post-conviction writs.

I have worked on a number of cases that resulted in exonerations across the state. Among them, the best known are the “San Antonio 4” in Bexar County, Fran and Dan Keller and Lachesha Murray in Travis County, Greg Kelley in Williamson County, and most recently Kerry Max Cook in Smith County.

Post-conviction writ work is not easy: attorneys must reinvestigate the entire case, including the pretrial, trial, and appellate records relating to both the guilt/innocence and punishment phases of trial; review the State’s file and evidence; interview witnesses; collect and review records; and consult with experts. Success in post-conviction rests almost entirely on evidence that was not a part of the original trial. A post-conviction investigation is a weighty endeavor and requires attorneys and investigators with experience and knowledge. Likewise, writ litigation requires experienced attorneys because it involves assertions of constitutional and statutory law and the navigation of numerous procedural bars that do not exist at the trial and appellate stages of litigation.

Indigent defendants convicted of serious felonies have few options for post-conviction counsel, even if they are wrongfully convicted. There is a paucity of resources. Unless an indigent defendant can obtain pro bono representation from a private attorney, organization like an innocence project, or a law school clinic, that person can only get representation

through appointed counsel. In order to get counsel appointed, a district judge must make a determination that such counsel is warranted. Unless a district attorney asks for such an appointment, indigent defendants are forced to rely in most cases on pro se requests. Even if an indigent defendant is lucky enough get over this hurdle, there are few lawyers in Travis County qualified to take these cases who are willing to do it.

I have worked closely with the attorneys in CAPDS's Forensic Project for several years. They are more than qualified to work on post-conviction writ cases. They have won every case they have litigated, resulting in two exonerations in the last three years. The Forensic Project is the most successful defense-side DNA project in Texas and may be the most successful defense-side lab review project in the country.

CAPDS's Wrongful Conviction Project currently has approximately 20 cases remaining to review and five cases that are currently in writ investigation and likely need to be litigated. If CAPDS is unable to obtain funding to continue this project, it will likely be extremely difficult to find attorneys to take these cases.

I strongly support CAPDS's application for continued funding for them.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Scott".



Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, TX 78701

Dear Texas Indigent Defense Commission:

We write in support of the Capital Area Private Defender Service's (CAPDS) application for funding to continue its wrongful conviction work. CAPDS is an integral part of the Travis County justice system. It does critical work to uphold the rule of law: the Managed Assigned Counsel program seeks to prevent wrongful convictions before they occur, and its post-conviction division (The Forensic Project and the CAPDS Wrongful Conviction Project) seeks to right injustices. We fully support CAPDS's successful expansion of its post-conviction program.

CAPDS was created to improve the quality representation provided to indigent defendants in Travis County. CAPDS has accomplished this by establishing meaningful standards for quality representation, working with appointed counsel to exceed those standards, overseeing the work of appointed counsel, and providing educational and mentoring resources to appointed counsel. In 2016, CAPDS established The Forensic Project to review cases that may have been affected by problems identified in the Austin Police Department DNA Laboratory and problems with mixture interpretation in the Department of Public Safety DNA Laboratory. The Forensic Project litigates a small number of these cases in which they believe a wrongful conviction has occurred due in large part to the DNA evidence. To date, the work of the CAPDS Forensic Project has resulted in overturned convictions in two cases relating to the APD DNA lab, with a third pending in the Court of Criminal Appeals with a recommendation that relief be granted.

Travis County is a leader in Texas on the issue of criminal justice but does not have a county-funded defense entity that is able to evaluate, investigate, and litigate cases of wrongful conviction where faulty DNA evidence was not used at trial. The only entity focused on Travis County that performs that work is CAPDS and the service CAPDS is providing is invaluable. All wrongfully convicted persons deserve quality post-conviction representation. The CAPDS post-conviction unit has worked diligently to set up such a provision of services. Post-conviction is a niche practice that requires specialized knowledge, skills, and experience. The CAPDS team fit this role and have demonstrated that they are quite capable of the job.

The CAPDS Wrongful Conviction Project is working to address claims of actual innocence for several indigent clients, all of whom belong to underrepresented populations. In Travis County, such cases would otherwise be assigned an attorney via the Managed Assigned Counsel Program, however, the appellate list in Travis County is lacking in qualified attorneys to handle post-conviction writ cases. Without the CAPDS post-conviction programs, the wrongfully convicted in Travis County would not have an avenue to justice.

Post-conviction litigation to achieve justice where a wrongful conviction has occurred is critical to upholding the rule of law. We fully support CAPDS's request for continued funding for the Wrongful Conviction Project.

Signed on behalf of the Travis County Judiciary on the 9<sup>th</sup> day of April, 2025

DocuSigned by:

*Cliff Brown*

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Judge Cliff Brown, 147<sup>th</sup> District Court  
Presiding Judge of the Criminal Courts



Law Office of Tara Lynn Witt  
IN DEFENSE OF TEXANS

May 7, 2025

Texas Indigent Defense Commission  
209 West 14th Street, Room 202  
Austin, Texas 78701

Dear TIDC:

I am an attorney with more than 17 years of experience practicing criminal law. As a public defender in New Hampshire, I spent 13 years litigating thousands of serious felony cases. For approximately three years, I was an attorney at the Texas Office of Capital and Forensic Writs. Since 2023, my practice has primarily been defending serious felonies on behalf of indigent clients in Texas state court at all levels – trial, appeals, and post-conviction. My practice is focused in Travis County and I am on the appointment list for post-conviction writs in Travis County.

Post-conviction cases -- particularly those in which potential wrongful convictions have been identified and violent felony cases – require resources to achieve success. In my experience, there is an overall lack of resources for these types of cases. That includes the availability of appointed attorneys to take these cases. Normally, if there is a potential wrongful conviction, the district attorney or client request counsel, who is then appointed from the list. The list of available lawyers to take these cases is extremely small. CAPDS's post-conviction division has lessened the load for the tiny Travis County serious felony writ panel (there are three of us) by handling multiple wrongful conviction cases.

Not only has CAPDS's direct representation in post-conviction cases lessened the weight of writ appointments on an overburdened panel, but CAPDS has also emerged as a leader in post-conviction defense. The Forensic Project has an objectively stellar record of achieving relief for its clients and has raised the bar for quality representation in indigent post-conviction cases in Travis County.

It is my understanding that if CAPDS loses funding for the Wrongful Conviction Project, there will be approximately 20 cases that would still need to be reviewed and approximately five cases that are already in writ investigation and will likely need to be litigated. I do not have the capacity to take these cases on.

I unequivocally support the continued funding for the CAPDS Wrongful Conviction Project.

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8705 Shoal Creek Boulevard, Suite 202, Austin, TX 78757  
(737) 333-1557      www.lawtlw.com

Respectfully,



Tara Lynn Witt