



**TEXAS INDIGENT DEFENSE
COMMISSION**

Fiscal Monitoring Report

Potter County, Texas

FY2023 Indigent Defense Expenses

Final Report

November 2025

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EXECUTIVE SUMMARY

The Texas Indigent Defense Commission (Commission or TIDC) is responsible for fiscal monitoring per Texas Administrative Code, Subchapter D, Sec 173.401, which states: “The Commission or its designees will monitor the activities of grantees as necessary to ensure that Commission grant funds are used for authorized purposes in compliance with laws, regulations, and the provisions of grant agreements.”

TIDC conducted an on-site fiscal monitoring review of Potter County from January 22-26, 2024. Email exchanges continued until March 12, 2024. The fiscal monitor reviewed financial records to determine whether grant funds were spent in accordance with the terms and conditions of TIDC grants. TIDC reviewed the expenditure period of October 1, 2022, through September 30, 2023 (FY2023).

Summary of Findings

- The FY2023 Indigent Defense Expenditure Report (IDER) submitted in accordance with Texas Government Code §79.036(e) was not prepared in the manner required.

TIDC thanks Potter County officials and staff for their assistance in completing this review. TIDC stands ready to provide technical and financial assistance to remedy these issues.

DETAILED REPORT

Background

TIDC selected Potter County for a review through its annual county monitoring selection process, which considers county size, spending, date of last fiscal review (if any), and other reported indigent defense data. The selection process seeks to cycle through counties around the state.

This fiscal review covered the reports filed for FY2023.

County Background

Potter County was created in 1876 and officially organized in 1887. Located in the Texas Panhandle, the County has an estimated population of 115,027, with Amarillo serving as the county seat. Potter County spans 922 square miles, including 14 square miles of water.

Potter County is served by five district courts—the 47th, 108th, 181st, 251st, and the 320th—two county courts-at-law, and the constitutional county court.

TIDC awarded Potter County an Improvement Grant to establish both a public defender’s office (PDO) handling a portion of felony and misdemeanor criminal cases and a managed assigned counsel (MAC) program for the appointment of private counsel in the adult and juvenile criminal cases not handled by the public defender.

Total expenditures for criminal defense representation reported by Potter County for FY2023 were \$3,825,897.88.

Commission Background

In January 2002, the Texas Legislature established the Texas Task Force on Indigent Defense. In May 2011, the Legislature changed the agency’s name to the Texas Indigent Defense Commission (TIDC), effective September 1, 2011. TIDC is a permanent standing committee of the Texas Judicial Council and is administratively attached to the Office of Court Administration (OCA).

TIDC’s mission is to protect the right to counsel and improve indigent defense.

TIDC’s purpose is to promote justice and fairness for all indigent persons accused of crimes, including juvenile respondents, as provided by the laws and constitutions of the United States and the State of Texas. TIDC conducts these reviews based on the directive in Section 79.037, Texas Government Code, to “monitor each county that receives a grant and enforce compliance by the county with the conditions of the grant...,” as well as Section 173.401(a), Texas Administrative Code, which provides that “the Commission or its designees will monitor the activities of grantees as necessary to ensure that grant funds are used for authorized purposes in compliance with laws, regulations, and the provisions of the grant.”

Formula Grant

The County submitted the FY2023 indigent defense online grant application to assist in the provision of indigent defense services. Potter County met the formula grant eligibility requirements and was awarded \$108,151 in Formula Grant funds for FY2023.

Improvement Grant

In FY2023, Potter County was awarded a \$971,700 Improvement Grant to support both a PDO and a MAC serving Potter and Armstrong Counties.

Objective

The objectives of this review were to:

- Determine the accuracy of the Indigent Defense Expenditure Report (IDER) and any other grant report that may have been filed during the review period.
- Determine whether grant funds were used for authorized purposes in compliance with laws, regulations, and the provisions of the grant.
- Validate policies and procedures relating to indigent defense payments.
- Provide recommendations pertaining to operational efficiency.
- Assist with any questions or concerns on the indigent defense program requirements.

Scope

TIDC reviewed the County's criminal and juvenile delinquency indigent defense expenditures to ensure compliance with applicable laws, regulations, and the provisions of the grants for FY2023. Family protection representation expenditures related to cases affecting the parent/child relationship (i.e., CPS cases) were not part of this review. The records reviewed were provided by the Potter County Auditor's Office. Compliance with other statutory indigent defense program requirements was not included in this review.

Methodology

To accomplish the objectives, the fiscal monitor met with staff from the County Auditor's Office, the MAC, and the PDO. The fiscal monitor reviewed:

- General ledger transactions provided by the County Auditor's Office.
- Random samples of paid attorney fee vouchers.
- The IDER.
- The attorney fee schedule.
- Any applicable contracts.
- The County's local Indigent Defense Plan filed with TIDC.
- The grant program expenditure reports.

Review Assessment

Statutory Data Reporting

Under Section 79.036(e) of the Texas Government Code, the county auditor (or other person designated by the commissioners court) must annually prepare and send indigent defense data to TIDC. This data must include the total expenses for cases in which an attorney was appointed for an indigent defendant or indigent juvenile respondent in each district court, county court, statutory county court, and appellate court. Financial data reports must include attorney-level information¹ and shall be prepared in the form and manner prescribed by the Commission.²

To determine the accuracy of the IDER, TIDC requested general ledger transactions used by Potter County to prepare the report. An Excel workbook labeled “Ind Defense FY23” was provided, which included 10 worksheets, each corresponding to a category or general ledger account that was used to classify indigent defense expenditures. The worksheet for criminal attorney fees totaled \$1,777,283.41 in attorney fees and an additional \$4,597.30 in miscellaneous fees paid as reimbursements to attorneys. A second file labeled “IND DEF FY23” was also provided and included a worksheet labeled “Data Sheet.” The Data Sheet included the ledger of the attorney payments included on the IDER. The amount for attorney fees on the Data Sheet totaled \$1,765,363.50, which was the same amount reported on the IDER. A column for miscellaneous fees was also present, and this amount totaled \$5,417.99. TIDC compared the two ledgers and determined that the \$11,919.91 difference in attorney fees was due to the exclusion of “No Charge” cases from the IDER. These cases totaled \$13,785 in payments to attorneys appointed in criminal matters and should have been included on the IDER. If a case is dismissed prior to the filing of an indictment or information and an attorney is compensated, those expenses should be included on the IDER.

Additionally, TIDC identified \$4,330 in attorney fees for vouchers submitted in child support matters that were incorrectly reported as misdemeanors on the IDER. Since child support cases are civil matters, the expenses should not be reported on the criminal IDER. The remaining differences were all related to reimbursement expenditures. According to the ledgers provided, the amount that should have been reported as attorney fees is \$1,774,818.50. This figure reflects the addition of \$13,785 in “No Charge” vouchers and the removal of \$4,330 in child support vouchers from the originally reported \$1,765,363.50.

As indicated above, both spreadsheets provided by Potter County included a column for miscellaneous fees. Although the general ledgers were downloaded from the accounting software, the column for miscellaneous fees was added to the spreadsheet. County staff then completed the cumbersome task of manually entering the amounts originally included as attorney fees into the new miscellaneous fees column and adjusting the attorney fee amount accordingly.

While reconciling the two spreadsheets in the above-mentioned attorney fee task, TIDC identified several discrepancies. One voucher for \$2,715.00 was entered as \$27.15; another voucher for \$774.02, which covered travel reimbursement, should have been excluded from

¹ TEX. GOV'T CODE § 79.036(a-1).

² TEX. GOV'T CODE § 79.036(e).

attorney fees; and several smaller reimbursements remained in the attorney fees column, even though the amount was identified in the miscellaneous fees column. After reconciling these issues, it appears that \$5,418.39 in miscellaneous reimbursements to attorneys was erroneously reported as attorney fees. Although Potter County identified and removed the miscellaneous fees from the attorney fee payments, they did not include these expenses on the IDER. These expenditures are allowable and should be reported on the IDER in the “Other Litigation Expenditures” category.

The investigation category of expenses on the IDER totaled \$18,931, which matched the total amount on the investigator expense worksheet. The expert witness category on the IDER totaled \$8,050, corresponding to the total of the four vouchers listed on the expert witness worksheet. Records clearly supported reported expenditures in these categories.

Other worksheet tabs were labeled CPS, mediators, evaluations, court reporters, drug court, interpreter, and medical hearings. The CPS worksheet listed the attorney fees paid for CPS cases. CPS attorney fees, mediators, and medical hearings are all civil case expenses and would not appear on the criminal IDER court reports.

The evaluations worksheet included competency to stand trial vouchers, which would not be allowable to report on the IDER. However, if any attorney requested an evaluation for the exclusive use by the defense, this expense should be included on the IDER. There were descriptions included on the worksheet that possibly identified the expense as something other than a competency evaluation. The support that would indicate that the expense is exclusive to the defense usually has an *ex parte* motion attached to it.

The expense for a court reporter to be in a courtroom for hearings and other procedures is not allowable for reporting on the IDER. However, the expense for preparing a transcript of a proceeding that an attorney needs in order to file an appeal is an allowable expense and should be reported on the IDER. A review of the court report worksheet described the invoices paid as court reporter services or court reporter record, so it was difficult to determine if the services provided were for time in the courtroom or if the expense was for transcribing a record.

The drug court worksheet included thirteen invoices. Twelve vouchers were for one vendor, Cathy Blakley Miller, who was paid monthly, and one voucher was for another vendor, Annette C. Stanley. If Cathy Blakely Miller is a contracted defense attorney in the drug court, those expenses would be eligible for inclusion on the IDER, provided that contract attorney rules were followed. However, the thirteenth voucher was labeled as a civil refusal and general judicial expense, making it not allowable for inclusion on the IDER.

Finally, the interpreter worksheet included two invoices that listed an attorney to be paid. If these expenses were to reimburse an attorney on a criminal case for hiring an interpreter to communicate with clients, then these expenses should be reported on the IDER and classified as “other litigation expenses.” However, if an attorney was compensated to serve as a translator of court proceedings, that expense would not be eligible for reporting on the IDER.

The IDER requires counties to classify expenses and case counts by counsel type. While the majority of cases were appointed by the MAC, all cases and expenses, except public defender cases, were reported under the assigned counsel category. The PDO and MAC programs began

in FY2022, so it is possible that some of the final dispositions could have been “regular” assigned counsel and not necessarily appointed through the MAC program. However, the spreadsheets for attorney fees contained a column titled “MAC/PD” that appeared to identify each case as appointed by the MAC or PDO. This column included the initials MAC, CRT, or the column was left blank, suggesting the case counts and amounts paid could have been identified and properly categorized.

In addition to the court reports on the IDER, there are supplemental addenda used to capture other indigent defense costs. For Potter County, two addenda were submitted: one to record the MAC administration costs and another to record costs of the PDO. As both offices were supported by an Improvement Grant, the quarterly Improvement Grant Expenditure Reports for FY2023 should equal the combined total of each of these addenda. However, the amounts were not equal. The MAC addendum reported \$299,792.54, and the PDO addendum reported \$1,684,554.84, for a total of \$1,984,347.38 (see Table 1).

Table 1. MAC and PDO Expenditures According to the FY23 IDER

MAC Administration - IDER	
Expense Category	Amount
Personnel	\$258,539.00
Travel	\$7,589.40
Equipment	\$5,609.51
Other Direct Expenses	\$28,054.63
Total	\$299,792.54
PDO Expenditures - IDER	
Expense Category	Amount
Attorney Salary and Fringe	\$1,515,819.73
Mental Health Professional Salary and Benefits	\$75,884.03
Admin Support Salaries and Fringe	\$62,731.02
PD Travel and Training	\$11,911.89
PD Equipment	\$7,710.99
PD Other Operating	\$10,497.18
PD Other Direct Court-Related Expenses	\$0.00
Total PDO Expenditures per IDER	\$1,684,554.84
Total MAC and PDO Expenditures per IDER	\$1,984,347.38

The total of the FY2023 quarterly grant reports was \$1,418,223.50 (see Table 2), leaving \$566,123.88 over-reported on the addenda, assuming the quarterly reports were accurate (see Table 3).

Table 2. Total FY23 MAC and PDO Expenditures Reported on Quarterly Grant Reports

Expense Category	Amount
Personnel	\$974,652.07
Fringe	\$372,197.83
Travel & Training	\$19,501.29
Equipment	\$13,320.50
Supplies	\$15,011.65
Contract Services	\$23,540.16
Total Grant Expenditures Reported	\$1,418,223.50

Table 3. FY23 MAC and PDO Expenditures: IDER vs. Quarterly Grant Reports

FY23 Expenditure Report	Amount
Indigent Defense Expenditure Report (IDER)	\$1,984,347.38
Improvement Grant Quarterly Expenditure Reports	\$1,418,223.50
Difference	\$566,123.88

To determine the accuracy of the Improvement Grant Expenditure Reports, TIDC reviewed each of the quarterly reports submitted by Potter County and compared them to the actual expenditures from the general ledger accounts for divisions 2282 MAC and 2290 PD office.

The first quarter ledgers indicated \$387,495.42 in expenses, while the first quarter grant report indicated \$354,939.91. This \$32,555.91 difference was attributed to the omission of the following items from the grant quarterly report: \$21,000.00 in server onboarding expenses, \$5,500.00 in payments to attorneys on case work, and the payroll summary dated October 14, 2022, in the amount of \$6,055.51.

The second quarter grant report included the October payroll summary that was missed in the first quarter. All other expenses were reported. The third quarter general ledger included expenses totaling \$357,822.78, yet only \$352,065.00 was reported, leaving \$5,757.78 unreported. These expenditures included \$4,297.50 in investigation and \$89.44 in medical records for direct defendant services. Three other line items on the general ledger totaling \$1,407.44 were also not included: one for the July copier rental charge and two payments to Thompson Reuters West Payment Center. One expenditure of \$36.60 was a duplicate entry and should have been excluded. Fourth quarter payments from the general ledger all appeared on the grant reports.

The direct defendant services payments mentioned above are case-specific expenses and should not have been paid from the MAC administration budget. Instead, they should have been

recorded on the IDER in the court reports in which the cases were handled. It is understood that these expenses were charged to the grant budget as an error when the programs were first getting started. The \$5,500 in attorney fees was included in the criminal attorney fee ledger and reported on the IDER in the court reports. However, the investigation ledger did not include the remaining \$4,366.94 of direct litigation costs charged to the 73010 account for the MAC and PDO. Therefore, the IDER court reports are understated.

The quarterly grant reports are close to accurate; however, they could be up to \$22,370.84 higher for equipment and supplies expenses, depending on why these expenses were not included. Additionally, the first payroll of FY2023 was an accrual of only the payroll that applied in the reporting period. Therefore, the final payroll should have included the accrual for days worked in FY2023 but paid in FY2024 in order to consistently capture expenses. The final payroll included in the grant report was the last one paid in FY2023.

When comparing the two addenda to the total of the grant expenditure reports, the expenditures for Travel & Training, Equipment, Supplies, and Contract services line up with each other. The area of concern is the reporting of personnel costs (salaries and fringe). The amount reported on the PDO IDER addendum for salaries and fringe (\$1,654,434.78) is more than the total grant report for both programs (\$1,418,223.50), which appears to be incorrect (see “Total of Salaries and Fringe – PDO” in Table 4 and compare to “Total Grant Expenditures Reported” in Table 2). Therefore, it appears that Potter County over-reported expenditures on the IDER. This could mean that the FY2024 formula grant for Potter County was greater than would have been authorized.

Table 4. MAC & PDO Personnel Expenditures According to the IDER

MAC Administration - IDER	
Expense Category	Amount
Personnel	\$258,539.00
PDO Expenditures - IDER	
Expense Category	Amount
Attorney Salary and Fringe	\$1,515,819.73
Mental Health Professional Salary and Benefits	\$75,884.03
Admin Support Salaries and Fringe	\$62,731.02
Total of Salaries and Fringe - PDO	\$1,654,434.78
Total MAC and PDO Salaries and Fringe	\$1,912,973.78

When comparing the payroll summary reports to the detailed payroll reports, TIDC noted a discrepancy of one employee who was charged to the grant program but not included in the detailed report. Upon further review, it was determined that the department code for this employee was entered as 22PD instead of 2290, which excluded the information from the detailed reports; however, as this employee was included on the summary report, TIDC found the payroll summary reports supported the quarterly grant report. Still, the end-of-year FY2023 payroll accrual entry should have been added to each addendum.

IDER addenda for the MAC and PDO should have been reported in one of the two scenarios listed below (see Table 5 and Table 6). The totals for the two addenda will equal \$1,418,223.50 in both of the following scenarios.

Table 5. Scenario One: IDER Addenda for the MAC and PDO Reported According to General Ledgers

MAC Administration Addendum per Department 2282 Ledgers	
Expense Category	Amount
Personnel	\$518,304.08
Travel	\$7,589.40
Equipment	\$5,609.51
Other Direct Expenses	\$28,054.63
Total Mac Expenses	\$559,557.62
PD Addendum per Department 2290 Ledgers	
Expense Category	Amount
Attorney Salary and Fringe	\$689,930.77
Mental Health Professional Salary and Benefits	\$75,884.03
Admin Support Salaries and Fringe	\$62,731.02
PD Travel and Training	\$11,911.89
PD Equipment	\$7,710.99
PD Other Operating	\$10,497.18
PD Other Direct Court-Related Expenses	\$0
Total PDO Expenses	\$858,665.88
Total MAC & PDO Expenses per General Ledgers	\$1,418,223.50

Included with the MAC expenses are two fellows who handled indigent defense cases as full-time salaried attorneys. Therefore, those costs could be shifted from the MAC to the PDO addendum because they were providing direct services and not merely administrative oversight and coordination. Below is the information for the addenda if the expense for the fellows was moved between programs (see Table 6).

Table 6. Scenario Two: IDER Addenda for the MAC and PDO Based on Salaries for Attorney Fellows Included in PDO Expenses Rather than MAC Expenses

MAC Administration with Fellows Moved Over to PDO	
Expense Category	Amount
Personnel	\$337,843.68
Travel	\$7,589.40
Equipment	\$5,609.51
Other Direct Expenses	\$28,054.63
Total	\$379,097.22
PD Addendum with Fellows Transferred from MAC Program	
Expense Category	Amount
Attorney Salary and Fringe	\$870,391.17
Mental Health Professional Salary and Benefits	\$75,884.03
Admin Support Salaries and Fringe	\$62,731.02
PD Travel and Training	\$11,911.89
PD Equipment	\$7,710.99
PD Other Operating	\$10,497.18
PD Other Direct Court-Related Expenses	\$0
Total	\$1,039,126.28
Total MAC & PDO Expenses with Fellow Expenses Moved from MAC to PDO	\$1,418,223.50

Promulgate Standard Attorney Fee Schedule and Payment Process

Article 26.05(c) of the Texas Code of Criminal Procedures (CCP) reads in part:

Each fee schedule adopted shall state reasonable fixed rates or minimum and maximum hourly rates, taking into consideration reasonable and necessary overhead costs and the availability of qualified attorneys willing to accept the stated rates, and shall provide a form for the appointed counsel to itemize the types of services performed. No payment shall be made under this article until the form for itemizing the services performed is submitted to the judge presiding over the proceedings or, if the county operates a managed assigned counsel program under Article 26.047, to the director of the program, and until the judge or director, as applicable, approves the payment. If the judge or director disapproves the requested amount of payment, the judge or director shall make written findings stating the amount of payment that the judge or director approves and each reason for approving an amount different from the requested amount.

To validate compliance with the above statute and other policies and procedures relating to indigent defense payments, a random sample of 40 attorney fee vouchers was selected to perform attribute testing.

The ten attributes tested were:

- 1) Is the voucher for an allowable expense?
- 2) Was the voucher submitted by the attorney?

- 3) Is the payment related to a criminal matter?
- 4) Is more than one case presented on the voucher? If yes, does the county have a method for accurately tracking case counts to ensure all cases are reported?
- 5) Does the voucher itemize the service performed?
- 6) Is the court identified on the voucher?
- 7) Are the fees paid consistent with the published fee schedule?
- 8) Is the voucher being paid within 60 days of submission?
- 9) Is the voucher approved by the judge?
- 10) If the judge does not agree with the amount requested, is a written explanation provided for the changed amount?

The review of the 40 attorney fee vouchers selected found no issues related to items tested. The one attorney fee voucher that had an approved amount different from the attorney's requested amount had a written explanation as required.

Establish Minimum Attorney Qualifications

Under Article 26.04(d) of the Code of Criminal Procedure, private attorneys wishing to take court appointments must apply to be on an appointment list. The list must contain objective qualifications, including a minimum annual continuing legal education (CLE) requirement of at least six hours per year in criminal or juvenile law. Assigned counsel attorneys must be approved by a majority of judges presiding over criminal and juvenile matters.

Because this fiscal review was conducted in concurrence with a TIDC policy review, the attorney selection and CLE requirements were not undertaken by this fiscal review.

Findings and Recommendations

Statutory Data Reporting

Finding

Under §79.036(e) of the Texas Government Code, the county auditor or designated person shall prepare and send to the Commission in the form and manner prescribed by the Commission an analysis of the amount expended by the county for indigent defense in each court and in each case in which appointed counsel are paid. Potter County prepared and submitted the FY2023 Indigent Defense Expenditure Report (IDER). However, the financial data provided did not fully support the FY2023 IDER submitted.

Recommendation

Because the county auditor's office underwent changes in staff, TIDC recommends that the new staff carefully review the IDER Manual to understand the expenses that are allowable and required to be reported on the IDER.

The County should separate allowable defense-related attorney expenses from court expenses on the general ledger so that they are easily obtained for the IDER. An example would be to

separate the cost of the court reporter transcript invoices required by the defense for an appeal (eligible) from the court reporter costs for time in the courtroom (ineligible) into separate ledgers.

County Response

Root Cause:

The largest discrepancy stemmed from errors in salary categorization where auditing staff used the wrong column in an internal workpaper while separating felony vs. misdemeanor salaries for the PD office, leading to inaccurate financial data in the IDER. Overstating PD salaries because the salary and fringe of the "total" column was reported as "misdemeanor". A smaller issue related to staff not properly allocating payroll accruals across fiscal years. Other minor issues are addressed below as well such as potential items that could be included were left off report and ensuring the proper reporting classification of attorneys.

Corrective Actions

1. **Staff Training and Process Review:** Conduct recurring training for all staff involved on the IDER Manual to ensure comprehensive understanding of procedures for accurate reporting and compliance.
2. **Data Entry Protocol:** Implement cross-training between grant clerks and accountants. Require full County Auditor review and workpaper comparison prior to submission, with personal verification of all post-year-end salary allocations for accuracy (effective FY2025). Enhance payroll accrual confirmations. Reviewed staff data consolidation since issue notification; enforce reconciling protocols and proper classification before report submission.
3. **Staff role transition:** Reclassify grant clerk to full-time Accountant. Designated staff, with extensive general accounting and reconciliation experience, will reconcile quarterly reports to the general ledger and ensure the annual report aligns with the sum of quarterly reports and the general ledger, enhancing workflow efficiency.
4. **Future GL Account Adjustments:** Propose creating distinct general ledger accounts to segregate allowable defense-related attorney expenses (e.g., appeal transcript invoices) from ineligible court costs (e.g., courtroom reporter time in courtroom) during FY26-27 budget planning; implement October 1, 2026, pending approval.
5. **ERP System Modernization:** Upgrade to a modern ERP system to enhance financial and payroll reporting. The current outdated system relies on non-intuitive Microsoft Access, which staff lack expertise in. New system offers robust reporting; conversion targeted for completion by March 2026.

Contact Person(s)

Brandon Boston, County Auditor

Email:

BrandonBoston@co.potter.tx.us

Phone: (806) 349-4805

Completion Date

October 1, 2026 (to coincide with #5, GL Account Number Adjustments that would need to be part of the next Budget Cycle)

Promulgate Standard Attorney Fee Schedule and Payment Process

NO FINDINGS

Conclusion

TIDC appreciated the professionalism and assistance provided by Randall County officials and staff. TIDC staff stand ready to provide technical and financial assistance to remedy these issues and ensure full compliance with the Fair Defense Act.

APPENDICES

Appendix A – Indigent Defense Expenditure Report

Potter County Indigent Defense Expenditures			
	2020	2021	2022
Population Estimate (non-census years are estimates)	115,471	115,471	115,027
Juvenile Assigned Counsel	\$85,156	\$91,143	\$62,773
Capital Murder	\$0	\$56,004	\$0
Adult Non-Capital Felony Assigned Counsel	\$959,368	\$1,097,180	\$1,261,282
Adult Misdemeanor Assigned Counsel	\$176,827	\$353,940	\$527,792
Juvenile Appeals	\$0	\$0	\$13,860
Adult Felony Appeals	\$40,500	\$18,615	\$43,002
Adult Misdemeanor Appeals	\$0	\$0	\$0
Licensed Investigation	\$8,671	\$14,919	\$17,495
Expert Witness	\$3,777	\$1,268	\$1,500
Other Direct Litigation	\$54,031	\$17,601	\$55,833
Total Court Expenditures	\$1,328,329	\$1,650,668	\$1,983,537
Administrative Expenditures	\$0	\$0	\$0
Funds Paid by Participating County to Regional Program	\$49,206	\$49,206	\$49,206
Total Public Defender Expenditures	NA	NA	\$273,195
Total Court and Administrative Expenditures	\$1,377,534	\$1,699,874	\$2,523,643
Formula Grant Disbursement	\$128,551	\$100,954	\$104,628
Reimbursement of Attorney Fees	\$219,875	\$209,064	\$151,226
Reimbursement by State Comptroller for Writs of Habeas Corpus	\$0	\$0	\$0
Total Public Defender Cases	NA	NA	3
Total Assigned Counsel Cases	2,088	2,506	2,769

Indigent Defense Expenditure Reporting

Source: Texas Indigent Defense Commission records

Potter County				
	2020	2021	2022	Texas 2022
Population (non-census years are estimates)	115,471	115,471	115,027	29,741,214
Felony Charges Disposed (from OCA report)	1,363	1,814	1,843	281,347
Felony Cases Paid	1,506	1,627	1,529	223,839
% Felony Charges Defended with Appointed Counsel	110%	90%	83%	80%
Felony Trial Court-Attorney Fees	\$959,368	\$1,153,183	\$1,261,282	\$157,670,919
Total Felony Court Expenditures	\$1,005,444	\$1,186,408	\$1,328,594	\$174,347,222
Misdemeanor Charges Disposed (from OCA report)	877	1,026	1,399	375,151
Misdemeanor Cases Paid	404	746	1,114	180,468
% Misdemeanor Charges Defended with Appointed Counsel	46%	73%	80%	48%
Misdemeanor Trial Court Attorney Fees	\$176,827	\$353,940	\$527,792	\$46,781,394
Total Misdemeanor Court Expenditures	\$180,839	\$354,158	\$531,277	\$47,403,096
Juvenile Charges Disposed (from OCA report)	125	83	94	16,039
Juvenile Cases Paid	164	122	103	25,808
Juvenile Attorney Fees	\$85,156	\$91,143	\$62,773	\$8,615,991
Total Juvenile Expenditures	\$85,189	\$91,192	\$66,728	\$8,777,828
Total Attorney Fees	\$1,908,708	\$1,616,881	\$1,908,706	\$216,689,397
Total ID Expenditures	\$2,523,643	\$1,699,874	\$1,377,535	\$343,434,379
Increase in Total Expenditures over 2001 Baseline	15%	42%	111%	287%
Total ID Expenditures per Population	\$11.93	\$14.72	\$21.94	\$11.53
Commission Formula Grant Disbursement	\$128,551	\$100,954	\$104,628	\$20,386,969
Cost Recouped from Defendants	\$219,875	\$209,064	\$151,226	\$8,675,431

Source: Texas Indigent Defense Commission records

Appendix B – Criteria

Criteria

- Texas Grant Management Standards
- Texas Government Code, Section 79.036, Indigent Defense Information
- Texas Government Code, Section 79.037, Technical Support; Grants
- Code of Criminal Procedure, Art 26.04, Procedures for Appointing Counsel
- Code of Criminal Procedure, Art 26.05, Compensation of Counsel Appointed to Defend
- Texas Administrative Code - Title 1, Part 8, Chapter 174, Subchapter A, Rule 174.1
- Texas Administrative Code - Title 1, Part 8, Chapter 174, Subchapter A, Rule 174.2
- Texas Administrative Code - Title 1, Part 8, Chapter 174, Subchapter B, Definitions
- FY2023 Indigent Defense Expenditure Report Manual found at:
<https://www.tidc.texas.gov/media/ruffnxs/fy2023-ider-manual-final.pdf>

Appendix C – Distribution List

The Honorable Nancy Tanner
Potter County Judge
500 S Filmore, Ste 103
Amarillo, TX 79101
nancytanner@co.potter.tx.us

The Honorable Steven Denny
Local Administrative District Judge
320th District Court
350 SE 6th St., Ste 4A
Amarillo, TX 79101
dennys@pottercsd.org

The Honorable Matt Hand
Local Administrative Statutory County
Court Judge
500 S Filmore, Ste 402
Amarillo, TX 79101
HandM@pottercsd.org

The Honorable Walt Weaver
Chairman of the Juvenile Board
500 S Filmore, Ste 402
Amarillo, TX 79101
MorrisA@pottercsd.org

Mr. Brandon Boston
County Auditor
900 S Polk St Ste 716
Amarillo, TX 79101
auditing@co.potter.tx.us

Mr. Scott Ehlers
Executive Director, Texas Indigent
Defense Commission
209 W. 14th Street, Room 202
Austin, TX 78701
SEhlers@tidc.texas.gov

Mr. Wesley Shackelford
Deputy Director, Texas Indigent
Defense Commission
209 W. 14th Street, Room 202
Austin, TX 78701
WShackelford@tidc.texas.gov

Mr. Edwin Colfax
Grants Program Manager, Texas Indigent
Defense Commission
209 W. 14th Street, Room 202
Austin, TX 78701
EColfax@tidc.texas.gov