

**Building a Public Defender Office**

**Request for a Planning Study**

If you would like TIDC to draft a public defender planning study, please (1) complete this form and (2) have an elected official agree to submit the request.

If you have questions about your submission, please email William “Bill” Cox or Kristin Meeks at planningstudy@tidc.texas.gov with “Help” in the subject line.

Submit the completed form and any attachments to planningstudy@tidc.texas.gov with “Planning Study Request” in the subject line.

*Note: TIDC provides ongoing 2/3rds funding for rural regional public defender offices operating in counties with a population under 100,000. A rural regional public defender office should serve 3 or more counties.*

**Section 1: General Information**

**Requestor Information**

Requestor Name: Click or tap here to enter text.

Requestor Title: Click or tap here to enter text.

County: Click or tap here to enter text.

Email: Click or tap here to enter text.

Phone Number: Click or tap here to enter text.

Mailing Address: Click or tap here to enter text.

**Other local officials who should be consulted:**

Official Name: Click or tap here to enter text.

Official Title: Click or tap here to enter text.

County: Click or tap here to enter text.

Email: Click or tap here to enter text.

Phone Number: Click or tap here to enter text.

**Type of System**

Would this program operate in a single county or would it operate as a regional program?

[ ]  Single County

[ ]  Regional

Which county or counties will the public defender office serve?

Click or tap here to enter text.

If the office will serve multiple counties, which county will have the administrative responsibility for the public defender office? (This county serves as the program hub.)

Click or tap here to enter text.

In which cities will the physical office(s) of the public defender office be located?

Click or tap here to enter text.

Is this request to build a program that is fully or partially dedicated to representing defendants with mental illness or intellectual/developmental disability (IDD)?

[ ]  Fully – a program dedicated to only representing defendants with mental illness or IDD

[ ]  Partially – some but not all of the defendants represented by the program will be diagnosed with a mental illness or IDD

[ ]  None – the program will not represent any defendants with a mental illness or IDD

What percentage of the program’s clients do you estimate would be diagnosed with a mental illness or IDD? Please tell us what information you used to make this estimate or respond “Guess.”

Click or tap here to enter text.

**Section 2: Purpose**

**Reasons for a public defender office**

Why does your county want to build a public defender office? (Select all that apply)

 [ ]  Improve the quality of representation

 [ ]  Save money on jail beds

 [ ]  Attract attorneys to our county/region

 [ ]  Increase accountability and oversight of the defense function

 [ ]  Improve court efficiency

 [ ]  Access TIDC sustainability funding for rural regional public defender offices

 [ ]  Increase services to our mental health population

 [ ]  Access TIDC dedicated funds for mental health defender programs

 [ ]  Other:

Click or tap here to enter text.

**Section 3: Governance and Leadership**

**A** **public defender office should be governed by an oversight board.**

Consider the following when creating the oversight board:

* Have an odd number of members
* Limit the number of members to between 5 and 13
* Avoid board members with conflicts (*e.g.*, prosecutors, police, judges before whom the office will practice law)

Which stakeholders would your county (or counties) be interested in having on the oversight board and carrying out its responsibilities, including selecting the Chief Public Defender and providing office oversight?

Potential Options:

[ ]  Commissioner’s Court Representative

[ ]  Bar Association Representative

[ ]  Community Representative

[ ]  Person Impacted by the Criminal Justice System

[ ]  Public Defender from Another County

[ ]  University Professor with Criminal Justice Experience

[ ]  Retired Judge

[ ]  Other (please list):

Click or tap here to enter text.

**Section 4: Organization Type**

**County Department, Nonprofit, or Local Government Corporation**

Will the public defender office be a county department, a nonprofit corporation, or local government corporation?

All are permissible under Texas Code of Criminal Procedure 26.044. Select multiple responses if you would like TIDC to model more than one option in the planning study.

[ ]  County Department

[ ]  Nonprofit Corporation

[ ]  Local Government Corporation

[ ]  I don’t know. I would like to discuss our options with a TIDC staff member.

**Section 5: Types of Cases**

**Case Types and Proportion of Caseload**

What percentage of the county’s overall appointed caseload should the public defender office handle for each case type?

|  |  |
| --- | --- |
| * Misdemeanors:
 | % |
|  |  |
| * Felony:
 | % |
|  |  |
| * Juvenile:
 | % |
|  |  |
| * Appeals:
 | % |

*Note: If you would like the program to handle all indigent defense cases except those where there is a conflict of interest due to co-defendants or other conflicts, type 100 for the percentage of the county’s overall appointed caseload for each type of case. TIDC will calculate the percentage of cases that will not be represented by the public defender’s office due to conflicts.*

For a public defender office that is fully or partially dedicated to representing defendants with mental illness or intellectual/developmental disability, what percentage of the county’s mental health cases should the public defender office handle for each case type?

|  |  |
| --- | --- |
| * Misdemeanors:
 | % |
|  |  |
| * Felony:
 | % |
|  |  |
| * Juvenile:
 | % |
|  |  |
| * Appeals:
 | % |

**Section 6: Staffing and Salaries**

TIDC recommends, at minimum, pay parity with county and district attorney offices. Salaries should be reasonable and competitive so that the office may attract and retain qualified staff.

For single county programs, please include county salary schedules and fringe benefits rates. For regional programs, please include the hub county’s salary schedules and fringe benefits rates.

Please insert the salary schedule information for the county attorney’s office staff here or upload the document with your completed form.

Click or tap here to enter text.

Please insert the salary schedule information for the district attorney’s office staff here or upload the document with your completed form.

Click or tap here to enter text.

Please insert the county fringe benefit rate or schedule information here or upload the document with your completed form.

Click or tap here to enter text.

**Section 7: Operations**

**Logistics and Cost Estimates**

Is there existing physical space for the public defender office? [ ] Yes [ ] No

If yes, what are the anticipated capital improvement costs needed to build out the office?

Click or tap here to enter text.

If no, what is the estimated annual cost to lease out office space?

*Note: TIDC’s planning studies usually estimate space and lease costs at 150 sq. ft. per employee @ $15 per square ft. per year. We can use this formula, but if you provide us with the estimated annual cost per square ft. of office space in your area or an annual lease amount, that will assist us in making your planning study as accurate as possible.*

Please select and complete **one** of the following calculation choices:

|  |  |  |
| --- | --- | --- |
| a) |   | Use TIDC’s formula to estimate annual lease costs (# employees x 150 sq. ft. per employee x $15 per sq. ft. per year). |
|  |  |  |
| b) Use the following formula to estimate annual lease costs: |
|  |  | sq. ft. per employee |
|  | $  | cost per square ft. |
|  |
| c) Use this annual amount for lease costs: |
|  | $  | per year |

Provide additional information here if necessary:

Please provide any additional cost information you have for office equipment. If you don’t know, answer “DK.”

Desks: Click or tap here to enter text.

Computers: Click or tap here to enter text.

Case management system: Click or tap here to enter text.

Phone system: Click or tap here to enter text.

Other: Click or tap here to enter text.

**OFFICIAL REQUEST FOR A PLANNING STUDY**

**By typing your name in the box below, you are agreeing with the following statement and making an official request for a planning study:**

I, an elected official, formally request that the Texas Indigent Defense Commission conduct a planning study for a public defender office.

**Requestor Name:** Click or tap here to enter text.

**Requestor Title:** Click or tap here to enter text.

**Requestor County:** Click or tap here to enter text.

**Submit the completed form and any attachments to**

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**with “Planning Study Request”**

**in the subject line.**