



CHAIR:
The Honorable Sharon Keller
Presiding Judge, Court of Criminal
Appeals

EX OFFICIO MEMBERS:
Honorable Sharon Keller
Honorable Nathan Hecht
Honorable John Whitmire
Honorable Brandon Creighton
Honorable Joseph "Joe" Moody
Honorable Reggie Smith
Honorable Sherry Radack
Honorable Vivian Torres

MEMBERS APPOINTED BY GOVERNOR:
Mr. Alex Bunin
Honorable Richard Evans
Mr. Gonzalo Rios
Honorable Missy Medary
Honorable Valerie Covey

INTERIM EXECUTIVE DIRECTOR:
Scott Ehlers

Report from the Texas Indigent Defense Commission (TIDC) for the June 30, 2023 Texas Judicial Council Meeting

This report primarily covers TIDC’s work from February 1—May 31. If you would like additional information, please contact Interim Executive Director **Scott Ehlers**: (512) 936-6994 or SEhlers@TIDC.Texas.Gov.

TIDC Board and Committee Meetings

The TIDC Full Board met on [March 30](#) for updates on TIDC’s Legislative Proposals for the 88th Legislature, preliminary results from the FY22

Indigent Defense Expenditure Reports (IDER), and for a presentation on the use of investigators by defense counsel in the state. The Grants and Reporting (G&R) Committee met on June 28 and the Full Board met yesterday to review grant recommendations from the G&R Committee and for updates from the Grants, Improvement, and Policy Teams.



TIDC at the Texas Legislature



On February 15, **Geoff Burkhart** testified on TIDC’s Legislative Appropriations Request (LAR) at the [Senate Finance Committee hearing](#). On February 21, **Geoff** testified at the [House Criminal Jurisprudence Committee Hearing](#), then testified later that week before the [House Appropriations Committee](#) on

February 23. **Geoff** testified on [HB 409](#), by Representative **Nicole Collier**, at the [House Criminal Jurisprudence Committee](#) on March 7. HB 409, signed by Gov. Abbott, adds one managed assigned counsel (MAC) director or an indigent defense expert and one magistrate to TIDC's Board. **Geoff** testified on the state of public defense in the [House County Affairs Committee hearing](#) on March 8. **Scott Ehlers** testified before the [House Criminal Jurisprudence Committee](#) on March 14. The House and Senate observed Gideon Day, which celebrates the 60th anniversary of the *Gideon v. Wainwright* decision, on the chamber floors with honorary resolutions from Senator **Royce West** and Representative **Reggie Smith**. **Scott** testified on [HB 352](#) by Representative **Jessica González** as a resource witness at the [Criminal Jurisprudence s/c on Criminal Procedure hearing](#) on March 21. **Geoff** testified on Rep. **Smith's** [HB 4487](#), which seeks to create loan repayment assistance for prosecutors and appointed criminal defense lawyers practicing in rural counties, before the [House Higher Education Committee](#). **Crystal Leff-Pinon** served as a resource witness on [SB 2120](#) before the Senate State Affairs Committee on April 11. Gov. Abbott signed the bill into law, which will establish a family protection representation program within TIDC.



FY24/25 TIDC Budget Summary

- The Legislature appropriated **\$154,964,080** to TIDC for the FY24/25 biennium, an **increase of \$30,271,194** over the current biennium.
- The method of finance for TIDC's budget now includes **more than half from General Revenue**, with the balance coming from the General Revenue-Dedicated Fair Defense Account.
- **Approx. \$41 million** was included for defense in Operation Lone Star cases.
- A new rider earmarks **\$5 million** for an assessment of public defender services in rural areas and providing new public defender services in those areas.
- The Legislature approved TIDC's request for an additional **6 FTEs**.

Staff Update

In addition to its normal monitoring, grants administration, and data collection, TIDC staff has



been involved in the following:

- After 5+ years as Executive Director, **Geoff Burkhart** departed TIDC in May. TIDC also said ‘goodbye’ to Policy Analyst, **Olivia Lee** in February, Spring intern, **Donovan Estrada** in April, and Senior Policy Analyst, **Kathleen Casey-Gamez**, who moved back to Indiana this month.
 - TIDC’s Texas Law summer interns this year are **Alexander Walheim**, **Gabriel Loya**, and **Noah Aldea**.
 - TIDC staff has traveled to Milam, Henderson, Smith, Van Zandt, Hays, for fiscal or policy monitoring visits.
- TIDC staff presented at several workshops and trainings, including the Texas Association of Counties (TAC) [County Court Assistants Training Conference](#), the [Certified Texas Contract Manager \(CTCM\) Training](#), the [National Association for Public Defense’s National Conference](#), an Operation Lone Star training in Austin, the Juvenile Training Immersion Program Establishing Trust with Youth and Effective Detention Hearing Advocacy, and the [Texas Association of Pretrial Services Annual Conference](#) in Rockwall.
 - The TIDC Grants Team held an [Improvement Grant Application Training Webinar](#) in February to prepare for the upcoming FY24 Improvement Grant cycle. TIDC staff helped with the 4th Cohort of the [Future Indigent Defense Leaders \(FIDL\)](#) training program in Austin. TIDC hosted the [Virtual Juvenile Appointments Training](#) in May. TIDC hosted monthly Texas Chief Public Defenders meetings. TIDC staff is preparing to host the



Indigent Defense Workshop this October 25 & 26 in Austin at the Texas Association of Counties.

- TIDC celebrated the 60th anniversary of the *Gideon v. Wainwright* decision with multiple events in March. TIDC hosted a virtual panel, *Public Defense Careers: Protecting Gideon's Legacy* in March, where public defenders met with law students to discuss careers and honor the 60th anniversary of the historic decision. TIDC also held a small reception to celebrate Gideon Day with local stakeholders and office neighbors. On March 17, The Texas Tribune and TIDC held a [half-day symposium on the legacy of *Gideon v. Wainwright*](#) at the Texas Capitol. Geoff discussed the 'State of the Right to Counsel Across the Nation' at the St. Mary's University School of Law's Gideon Day event.
- TIDC staff attended the Regional Public Defender for Capital Cases Board of Directors meetings, the Robert O. Dawson Juvenile Law Conference and State Bar of Texas (SBOT) Juvenile Section meeting, the Hockley County Commissioner's Court meeting on the High Plains Regional Public Defender Office planning study, the Far West Texas Regional Public Defender Board meeting, the SBOT Juvenile Section's Council meeting, the SBOT Legal Services to the Poor in Criminal Matters Committee meeting, and the SBOT Board of Directors' Affordable Legal Services Subcommittee meeting.