



Judicial Council Meeting

**June 30, 2017
Austin, TX**

Texas Indigent Defense Commission Members

Honorable Sharon Keller	Chair, Presiding Judge, Court of Criminal Appeals
Honorable Jon Burrows	Vice Chair, Temple, Bell County Judge
Honorable Nathan L. Hecht	Austin, Chief Justice, Supreme Court of Texas
Honorable Brandon Creighton	Conroe, State Senator
Honorable Andrew Murr	Junction, State Representative
Honorable Sherry Radack	Houston, Chief Justice, First Court of Appeals
Honorable Linda Rodriguez	Hays County
Honorable John Whitmire	Houston, State Senator
Honorable Joe Moody	El Paso, State Representative
Honorable Missy Medary	Nueces County, Texas District 347 Judge
Honorable Richard Evans	Bandera, Bandera County Judge
Mr. Alex Bunin	Houston, Chief Public Defender, Harris County Public Defender Office
Mr. Don Hase	Arlington, Attorney, Ball & Hase

The mission of the Texas Indigent Defense Commission is to provide financial and technical support to counties to develop and maintain quality, cost-effective indigent defense systems that meet the needs of local communities and the requirements of the Constitution and state law.

TIDC's Director's Report



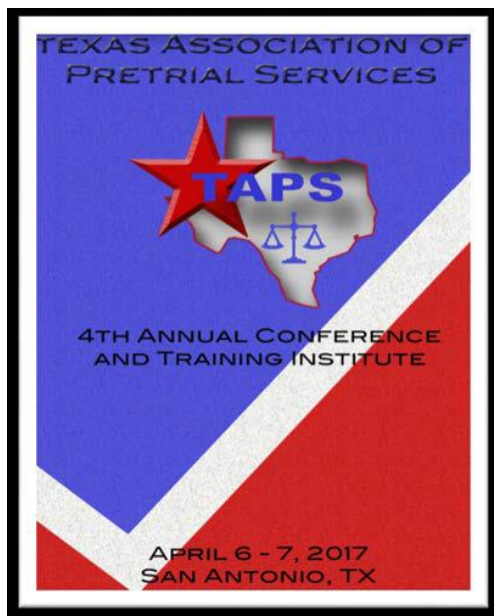
**Susan Stradley– Law Clerk
2L University of Texas School of Law**



**Rebecca Yung– Law Clerk
2L University of Texas School of Law³**

Director's Report – *continued*

Trainings and Events



Texas Association of Pretrial Services, 4th Annual Conference & Training Institute, April 7, 2017

Indiana Law Review Symposium: 50th Anniversary, Implementing Gideon's Promise: The Right to Counsel in the Nation and Indiana, April 7, 2017

Texas association of Specialty Courts, 2017 Annual Training Conference, April 11, 2017

Mexican American Bar Association, Overview of Texas Indigent Defense, April 27, 2017

Galveston Roundtable on Indigent Defense, May 11, 2017

Global Advisory Committee Meeting, May 15, 2017


Smart Defense Inter-Site Summit, Texas Smart Defense Data Portal, May 15, 2017

Executive Forum for Criminal Justice Planners, May 19, 2017

30th Annual Rusty Duncan Advanced Criminal Law Course, June 22, 2017

Director's Report – *continued*

Publications and Events



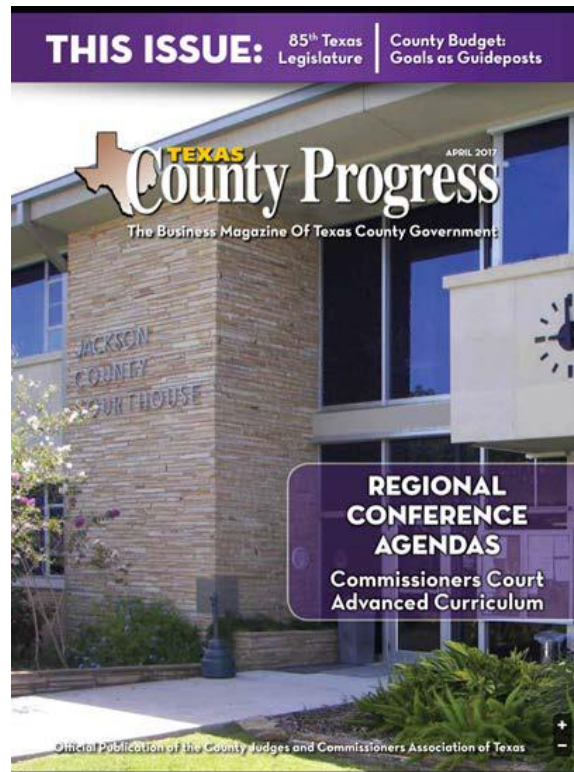
The Power of Choice

The Implications of a System Where Indigent Defendants Choose Their Own Counsel

M. Elaine Nugent-Borakove
Franklin Cruz
with contributions by Norman Lefstein

March 2017

An Evaluation of the Client Choice Program in Comal County, Texas
By The Justice Management Institute, commissioned by Comal County, with funding from the Texas Indigent Defense Commission



THIS ISSUE: 85th Texas Legislature | County Budget: Goals as Guideposts

TEXAS County Progress APRIL 2017
The Business Magazine Of Texas County Government

JACKSON COUNTY
COURTHOUSE

REGIONAL CONFERENCE AGENDAS
Commissioners Court
Advanced Curriculum

Official Publication of the County Judges and Commissioners Association of Texas



CATALYST FOR CHANGE: WORKSHOP

Building Off What's Working and Changing What's Not. Join us as we review recent developments and consider opportunities to improve the state's indigent defense system.

THURSDAY & FRIDAY
SEPTEMBER 21 & 22, 2017
AUSTIN, TX

Mark your calendars now for the *Catalyst for Change: Indigent Defense Workshop*. Elected officials (judges, commissioners, clerks), attorneys, public defenders, indigent defense coordinators, and court administrators are welcome to attend.

Priority will be given to jurisdictions committed to bringing a team that includes at least one elected official.

REGISTRATION INFORMATION WILL BE AVAILABLE IN JULY

For questions, please send them to mkubinski@tidc.texas.gov
www.tidc.texas.gov

TIDC
TEXAS INDIGENT DEFENSE COMMISSION

Report on 85th Legislature

TIDC Legislative Appropriation

- **Capped** appropriation of \$33,793,124 for FY18 and \$32,642,588 for FY19, totaling **\$66.48 million over the FY18/19 biennium.**
- Compare to \$71.13 million in FY16/17, **approximately 7% reduction.**
- Did not grant TIDC's exceptional item requests for new funding.
- Increases the TIDC administrative allocation for operations by \$100,000/year

Budget Rider on Cost Containment Grants

The budget adopted by the 85th Legislature includes the following language:

“Of this amount [appropriated to TIDC], **\$2,566,528** in fiscal year 2018 and **\$2,474,370** in fiscal year 2019 shall be distributed to counties that **implement cost containment initiatives designed to limit local indigent defense cost increases**. . . . TIDC shall submit a report to the Legislature no later than December 1, 2018, detailing the effectiveness of various cost containment measures implemented by counties and proposing additional measures to reduce county operating costs with respect to indigent defense.”

Budget Rider on Innocence Projects

Innocence Projects. Out of amounts appropriated above in Strategy D.1.1., Texas Indigent Defense Commission, \$600,000 in each year of the biennium from the General Revenue-Dedicated Fair Defense Account No. 5073 shall be used by the Commission to contract with law schools at the University of Houston, the University of Texas, Texas Tech University, Texas Southern University, University of North Texas and Texas A&M University **to support innocence project screening, investigation and litigation activities regarding claims of actual innocence in non-capital cases.in Texas and associated expenses necessary to conduct those activities.** The intent of this funding is to provide direct assistance to investigate actual innocence cases post-conviction and pursue relief for defendants with credible claims of actual innocence. While providing this funding to law schools provides opportunities for student involvement in innocence work, **this funding is not intended for legal clinic expenses, teaching and student supervision. . .**

New Funding on the Horizon

SB 2053: *Related to the distribution of the consolidated court cost.*

- Increase in GR-Dedicated revenue to the Fair Defense Account of approximately \$15 to \$17 million per year.
- Need authority to spend.

Substantive Legislation

SB 1214: *Relating to a succession plan for a regional public defender's office that primarily handles capital cases.*

- Provides a mechanism for the continuation of RPDO if the commissioners court of the county in which the central administrative office of the public defender's office is located ceases for any reason to be a party to the agreement creating or designating the public defender's office.

TIDC Bills

Legislative Proposal	Bill Author	Bill No.	Last Action
TIDC Commission Terms- 2 years to 6 years	Rep. Murr Sen. Rodriguez	HB 978 SB 1701	HB 978 Passed House and was placed on Senate Intent Calendar in waning days of session, but did not pass
Public Defender Indigency Determinations	Rep. Walle Sen. Garcia	HB 2237 SB1581	HB 2237 passed out of House Criminal Jurisprudence Committee but did not reach House Floor
Innocence Project Grant Program and Rider	Rep. Moody Sen. Menendez	HB 1967 SB 2183	HB 1967 passed out of House Criminal Jurisprudence Committee and was placed on House Floor Calendar, but did not pass