



**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 Andrew Murr  
Honorable Sherry Radack  
Honorable Vivian Torres

**MEMBERS APPOINTED BY GOVERNOR:**  
Mr. Alex Bunin  
Honorable Richard Evans  
Mr. Don Hase  
Honorable Missy Medary  
Honorable Chris Hill

**EXECUTIVE DIRECTOR:**  
Geoffrey Burkhart

## Report from the Texas Indigent Defense Commission (TIDC) for the February 1, 2019 Texas Judicial Council Meeting

Here is a brief report on TIDC's recent work. If you would like additional information, please contact **Executive Director Geoff Burkhart**: (512) 936-6999 or [gburkhart@tidc.texas.gov](mailto:gburkhart@tidc.texas.gov).

### *TIDC Board and Committee Meetings*

The [TIDC Full Board](#) met December 6, 2018 to discuss the upcoming formula and discretionary grant cycles, recent fiscal and policy monitoring, and legislative recommendations. The meeting included a fond farewell to Bell County Judge Jon Burrows, who concluded his service on the TIDC board after being among its first appointees in 2002. TIDC will soon welcome gubernatorial appointee Chris Hill, who serves as County Judge for Collin County.



### *86th Legislature*

TIDC has submitted its legislative appropriations request (LAR) to the Legislative Budget Board (LBB) and the Governor's Office.

- TIDC's only exceptional item is the restoration of estimated appropriation authority from the Fair Defense Account. TIDC is also requesting one rider revision, which would remove one of the FTE caps to which TIDC is subject. The filed version of the budget bills in both chambers (HB 1 and SB 1) includes \$9 million per year in



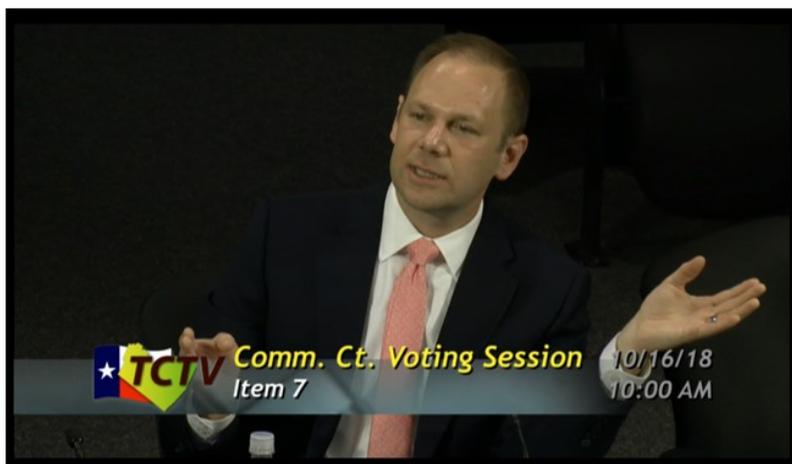
additional funding; however, an additional \$24.9 million is estimated to remain unappropriated in the Fair Defense Account and remains part of TIDC's LAR.

- TIDC's Board also approved 7 legislative proposals for the 86<sup>th</sup> Legislature. Prior to Board approval, the proposals were vetted by an external review committee, TIDC staff, a 28-member legislative workgroup, and TIDC's Policies and Standards Committee.
- Geoff Burkhart presented TIDC's budget at a Senate Finance Committee hearing on January 29<sup>th</sup>.

### ***Staff Update***

In addition to its normal monitoring, grants administration, and data collection, TIDC staff has been involved in the following:

- In early September, Geoff Burkhart traveled to Guantanamo Bay, Cuba to serve as a neutral observer for hearings in the 9-11 case. He spoke to OCA employees about the proceedings on October 18<sup>th</sup>.
- On September 19<sup>th</sup>, Geoff and Dr. Dottie Carmichael (PPRI) presented and led a discussion with State Advisors for the ACT Smart project, sponsored by the United States Department of Justice.
- TIDC hosted the National Legal Aid & Defender Association (NLADA) and Center for Court Innovation (CCI) for a technical assistance site visit. NLADA and CCI are taking a critical look at TIDC's monitoring, mentoring, and system development programs with an eye toward improving efficiency and effectiveness.
- On October 16<sup>th</sup>, Geoff testified on TIDC's planning study for a Travis County Public Defender Office at the Travis County Commissioners Court meeting. You can find his testimony [here](#) under Agenda Item 7.



- Geoff traveled to Baltimore, Maryland in mid-October to attend the first-ever Indigent Defense Commission Work-group meeting.
- On October 23<sup>rd</sup>, Edwin Colfax and Andrew Friedrichs of the Governor's Criminal Justice Division moderated a panel discussion with state grantees providing mental health services for

veterans and their families. The program was organized by the Meadows Mental Health Policy Institute and the State Behavioral Health Coordinating Council.

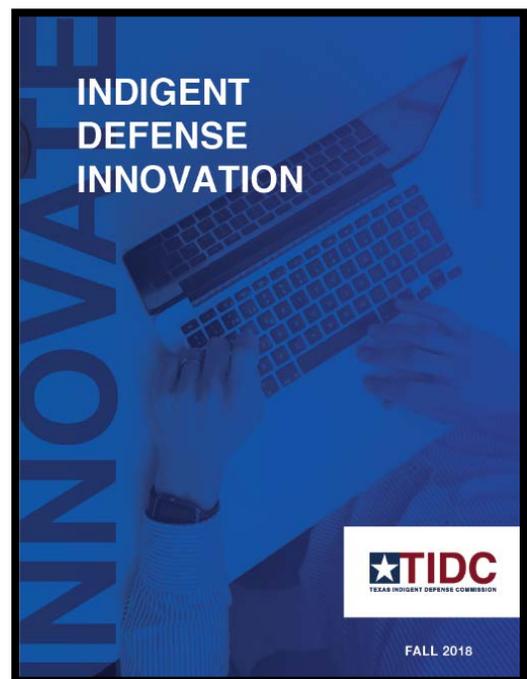
- Geoff was a guest on San Antonio's "The Source" NPR program to discuss indigent defense in Texas. You can stream the interview [here](#).
- On Friday December 14<sup>th</sup>, Geoff and Dr. Dottie Carmichael presented to the Indigent Defense Research Association (IDRA) regarding the ACT Smart data system.
- Geoff has been invited to serve on the Steering Committee for the National Association for Public Defense (NAPD).
- TIDC staff have attended several presentations and training sessions, including the Lubbock Private Defender's Office Mentoring Project training session, Texas Association for Court Administration (TACA) conference, OCA Pretrial Summit, the Biennial Legislative Communication Conference, NAPD's 5<sup>th</sup> anniversary seminar, Judicial Summit on Mental Health, NLADA's Annual Conference, PPRI's 35<sup>th</sup> Anniversary Conference, the Annual Symposium on Ethics, 2018 Texas Tech Mental Health Law Symposium, National Association for Criminal Defense Lawyer's (NACDL) Rural Defender Caucus, and Previewing the 86<sup>th</sup> Legislature: a Texas Tribune Symposium.

### ***Recent Publications***

TIDC recently released [Indigent Defense Innovation](#). This first-of-its-kind publication catalogs indigent defense innovations from across Texas and the nation—like automation, text alerts, checklists, and early representation—that can make lawyers more effective and efficient advocates.

The 85<sup>th</sup> Legislature asked TIDC to report on ways to contain indigent defense costs. TIDC, working with Texas A&M's PPRI, recently submitted Indigent Defense Spending and Cost Containment in Texas, available [here](#).

TIDC is also proud to announce a recent publication, [Texas Mental Health Defender Programs](#), which focuses on the intersection of mental health and criminal justice. The report describes how Texas addresses mental illness and crime, explores the benefits of mental health defender programs, and profiles a dozen defender programs in Texas.



## ***Indigent Defense in the Media***

[Courts to explain more trials, fewer inmates](#) (September)

[Bexar needs to study indigent defense system](#) (September)

[An unnecessary obstacle to bail representation](#) (September)

[A Public Defender's Office in Travis County?](#) (October)

[County looks at legal community for public defender office task force](#) (October)

[Travis County digs deeper into idea of public defender's office](#) (October)

[2 Harris County judges responsible for 1 in 5 children sent to state juvenile prisons](#) (October)

[County finalizes Indigent Legal Services work group](#) (November)

[Collin County delays payments to attorney whose bills for indigent defense now top \\$500,000 for fiscal year](#) (November)

[Justice Department quietly probing Harris County juvenile justice system](#) (November)

[New study finds holistic defense effective in reducing mass incarceration](#) (November)

[How Lubbock became the model for indigent defense in Texas](#) (December)

[Court makes move toward public defender's office](#) (January)

[Analysis: Unfunded state mandates have a new enemy — the governor of Texas](#) (January)

[Group shaping future of county public defenders seeks public input](#) (January)