



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 Nicole Collier
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

EXECUTIVE DIRECTOR:
Geoffrey Burkhart

Report from the Texas Indigent Defense Commission (TIDC) for the August 20, 2021 Texas Judicial Council Meeting

Here is a report on TIDC’s work from March 1—July 31. If you would like additional information, please contact **Executive Director Geoff Burkhart**: (512) 936-6999 or gburkhart@tidc.texas.gov.

TIDC Board and Committee Meetings

The TIDC Full Board met on Thursday, [March 4](#), for updates from the Funding, Improvement, and Oversight teams. The Grants and Reporting Committee met on Friday, [June 11](#) to discuss Improvement Grant requests for FY22. The Full Board met on Thursday, [June 17](#) to discuss the recent legislative session, Improvement Grant requests, and updates from the Improvement and Oversight teams. The Grants and Review Committee met on [August 13](#) to discuss Improvement Grant requests for FY22, and the Full Board met on [August 19](#).

Late last month, TIDC's Board held an Emergency Meeting to discuss Operation Lone Star. TIDC awarded over \$400,000 in funding to provide legal counsel along the border.



TIDC at the Texas Legislature

The Legislature restored TIDC’s 5% budget cut (~\$4.5 million for the biennium) and added \$500,000 for grants to counties, for a total of \$5 million. The Legislature also passed HB 295, filed by Representative Andy Murr. HB 295 allows TIDC to fund nonprofits that provide

indigent defense services in Texas. It also puts public defender offices and private assigned counsel on equal footing when it comes to counties' abilities to raise revenues for indigent defense.



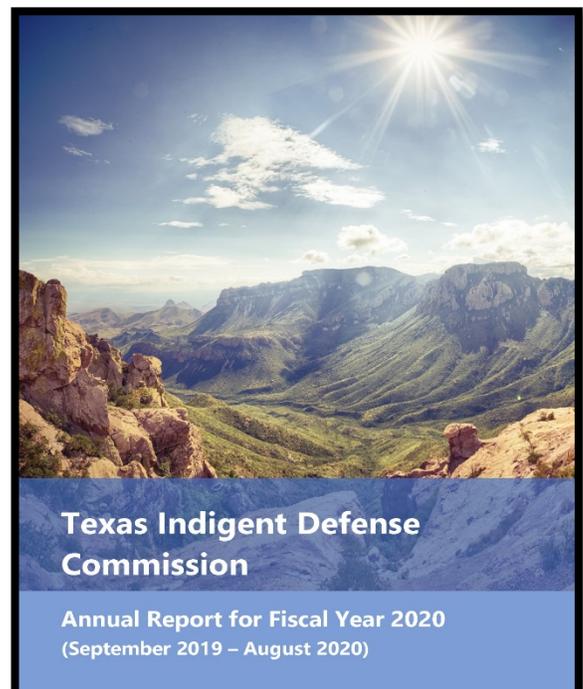
Wesley Shackelford testified virtually at the [House Criminal Jurisprudence Committee meeting](#) (March 1), Presiding Judge Keller testified at the [House Appropriations – Subcommittee on Art I, IV, & V](#) (March 3), and Scott Ehlers testified at the [House Criminal Jurisprudence Committee meeting](#) (March 8). Geoff

Burkart testified on HB 2864 (Chair Nicole Collier) and HB 2446 (Representative Canales) at the [House Criminal Jurisprudence Committee hearing](#) (March 29). Geoff also testified on HB 3482 at the [House Ways and Means Committee meeting](#) (April 19). He testified on SB 1322 at the [Senate Criminal Justice Committee meeting](#) (April 20) and on HB295 at the [Senate Committee on Jurisprudence](#) meeting (May 20).

Staff Update

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

- TIDC issued its [FY 20 Annual Report](#) (Note: TIDC's Annual Report is released later than most agencies, as it takes time to wrap up the previous year's data collection).
- The State Bar of Texas has awarded TIDC Senior Policy Analyst [Claire Buetow](#) the 2021 Michael K. Moore Award for Excellence in Research or Writing in the Area of Indigent Criminal Defense for her role in drafting TIDC's [Public Defender Primer](#). Read more [here](#).
- **Kenna Titus, Zach Kump, and Kevin Roberts** interned with TIDC this summer.



- TIDC is [hiring](#) for four positions left vacant when COVID hit.
- **Kathleen Casey-Gamez** has led regular National Association for Public Defense's (NAPD) Indigent Defense Commissions Workgroup meetings with TIDC staff in attendance.
- **Geoff Burkhart** has served on the National Association for Public Defense's (NAPD) Steering Committee and has attended regular meetings.



- **Kathleen** was asked to continue serving on the Public Defender Committee and the Women's Committee of the Texas Criminal Defense Lawyers Association (TCDLA) and has attended regular meetings.

- **Scott Ehlers** has attended regular [Statewide Behavioral](#)

[Health Coordinating Council](#) meetings on behalf of TIDC and OCA.

- In March, TIDC staff attended the [National Association for Public Defense \(NAPD\) We The Defenders Virtual Conference](#). **Kathleen** moderated panels compassion fatigue, innovation, attorney relationships, and defender workloads.
- **Scott** presented on indigent defense at the Texas Association of Counties (TAC) Judicial Conference in Lubbock.
- **Edwin Colfax** and **Scott** presented a Public Defender Office Planning Study in Ellis County.

- TIDC staff presented its Harris County policy and fiscal monitoring report to County officials on April 15.



- **Wesley Shackelford** presented to the Texas Association of Pretrial Services' (TAPS) virtual spring training on appointment of counsel processes, counsel at magistration, and indigent defense on April 27.



- **Debra Stewart** presented on new CPS reporting requirements on the TIDC Indigent Defense Expenditure Report (IDER) at the [Texas Association of County Auditors virtual conference](#).
- On May 10, **Kathleen** presented at the SMU Dedman School of Law STAR Externship Program Orientation on "Professionalism and the Realities of Practice" to externs going to practice at prosecutor and public defender offices across the State.
- **Geoff** presented "Options for Indigent Defense and What's on the Horizon" at an event hosted by the Texas Center for the Judiciary on May 13.
- TIDC staff attended the [Rusty Duncan Advanced Criminal Law Course](#) in June.
- **Scott** presented a rundown on legislation dealing with indigent defense to the Capital Area Private Defender Service on June 18.
- The TIDC Fiscal-Policy Monitoring team presented their review findings to Montgomery County on June 28.



- **Megan Bradburry** attended the [International Association of Administrative Professionals \(IAAP\) Virtual Summit](#).

- **Geoff** was invited to join an expert roundtable on “Measuring Justice” with the International Legal Foundation and the Clooney Foundation.
- **Kathleen** presented at the [2021 Gideon’s Promise Summer Session](#) on virtual court technology last month.
- TIDC staff has issued final fiscal monitoring reports for [Kleberg](#), [Navarro](#), [San Jacinto](#), and [Ellis](#) Counties.

Indigent Defense in the Media

[New public defender office open for business](#) (March)

[Ask A Public Defender](#) (March)

[Potter County Commissioners’ Court discusses potential of new indigent defense system](#) (March)

[San Angelo attorney reappointed to Governing Board of the Texas Indigent Defense Commission by Governor Abbott](#) (March)

[She’s got a small caseload, but this Travis County public defender hopes to make a big impact](#) (April)

[Zoom Court Is Changing How Justice Is Served](#) (May)

[Hays County to consider grant application for public defender office](#) (May)

[Hays County inches closer to indigent defense fund](#) (May)

[Bexar County may create system to manage indigent defense cases, help reduce jail population](#) (June)

[UPDATE: Bexar County Receives \\$3.4 Million To Improve Defending The Poor](#) (June)

[Potter County Commissioners approve grant application for county-led indigent defense plan](#) (July)

[\\$2.3 million grant will fund Concho Valley Public Defender Office which will streamline court process, save taxpayers’ money](#) (July)