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Presiding Judge  
Court of Criminal Appeals

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December 5, 2017

The Honorable Robert E. Hebert  
Fort Bend County Judge  
Via email: [county.judge@fortbendcountytexas.gov](mailto:county.judge@fortbendcountytexas.gov)

Dear Judge Hebert:

I am pleased to inform you that the Texas Indigent Defense Commission (TIDC) has increased Fort Bend County's FY2017 Formula Grant Award to **\$782,014**. **Your amended FY2017 Formula Grant Statement of Grant Award is attached.**

Fort Bend County's *original* FY17 Formula Grant award was \$604,686 and the first three quarterly payments have been disbursed. In early September we sent you a notice of the *anticipated* increase in this award. The amount above reflects the **final** award amount calculated after final accounting of FY17 funds was completed. The increased amount will be added to the final quarterly payments for FY17 Formula Grants, which will be disbursed in December.

As you may be aware, the 85<sup>th</sup> Legislature reduced TIDC's spending authority by approximately 7% for the FY18/19 biennium. As a result, funds available for formula grants are expected to be reduced by 7%, or approximately \$3.5 million, over the next two years.

This increase in the FY17 Formula Grant award will more than offset anticipated reductions in FY18 and FY19 grants for all counties. **Please be aware for budgeting purposes that this will be a one-time special increase due to unusual budget circumstances. Most counties will receive less in formula grant funds in FY18 and FY19 than the original amount awarded for FY17.**

We are pleased that we can increase your FY17 award. If you have any questions regarding this letter or the Formula Grant Program, please contact Edwin Colfax, Grant Program Manager, at [ecolfax@tidc.texas.gov](mailto:ecolfax@tidc.texas.gov) or 512-463-2508.

Sincerely,

Sharon Keller  
Chair, Texas Indigent Defense Commission,  
Presiding Judge, Texas Court of Criminal Appeals

CC: [ed.sturdivant@fortbendcountytexas.gov](mailto:ed.sturdivant@fortbendcountytexas.gov)



### Statement of Grant Award FY17 Formula Grant

Date Issued <del>Amended:</del>	<del>January 30, 2017</del>	<b>December 5, 2017</b>
Grant Number:	212-17-079	
Grantee Name:	Fort Bend County	
Program Title:	Formula Grant Program	
Grant Period:	10/01/2016-9/30/2017	
Grant Award Amount:	<del>\$604,686</del>	<b>\$782,014</b>

The Texas Indigent Defense Commission (Commission) has awarded the above-referenced grant for indigent defense services. Formula Grants are provided by the Commission to meet its statutory mandates and to promote Texas counties' compliance with standards adopted by the Commission.

#### Grant Calculation

- The sum of \$5,000 plus;
- A calculation applied to the funds budgeted for FY2017 formula grants by the Commission based:
  - 50 percent on the County's percent of state population; and
  - 50 percent on the County's percent of statewide FY2016 direct indigent defense expenditures (as defined in Title 1, Part 8, Texas Administrative Code Sec. 173.202(1)-(3)):
    - less discretionary funds provided by the Commission for expenditures defined in Title 1, Part 8, Texas Administrative Code Sec. 173.202(1)-(3)
    - less the reimbursed costs of operating a regional program
    - The baseline requirements contained in the Request for Applications do not apply to counties with a 2000 Census population of less than 10,000 but do apply to all other counties.
- The County shall not receive more in funds than what was actually spent by the county in the prior year.

#### Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, agree to the terms of the grant as written in the FY17 Formula Grant Program Request for Applications issued in September 2016, including the rules and documents adopted by reference in the Commission on Indigent Defense's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- Any plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
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