

FY 2015
FORT BEND COUNTY COMMISSIONERS COURT
PUBLIC PARTICIPATION FORM

Instructions: Fill out ALL blanks - PLEASE PRINT

Name: Paul Tu Date: 5/5/15
Home Address: 5414 Morningstar Dr, Sugar Land TX 77498
Telephone: (713) 774-2800
Place of Employment: Arrington, Tu - Burnett

Please provide the name, address and phone number of any group or organization you represent, if applicable:

Fort Bend County Criminal Defense Attorney Association

Which agenda item do you wish to address?

#19 Mental Health Public Defenders

In general, are you FOR AGAINST Agenda Item
(Please check one)

I acknowledge that, if called to speak, I will only speak to the agenda item(s) noted above in accordance with Fort Bend County Rules for Procedure, Conduct and Decorum at County Commissioners Court Meetings, and that my comments will be limited to a maximum of three minutes.

Signature: [Handwritten Signature]

NOTE: This Public Participation Form must be presented to the County Clerk prior to the time that the meeting is called to order. Any documentation you wish to provide to the Court should accompany this form when you present it to the County Clerk. This form becomes public record, along with any attachments, and is recorded with materials regarding Commissioners Court.



Presentation Materials by FBCCDAA

- 1) Unanimous Resolution by FBCCDAA Board of Directors against Public Defenders in Fort Bend County
- 2) Petition signed by attorneys against Public Defenders in Fort Bend County
- 3) Internet Poll results with comments
- 4) 2011 Audit of Fort Bend County by the Task Force on Indigent Defense
- 5) Texas Indigent Defense Commission (TIDC) statistics on Fort Bend County indigent defense spending

THE STATE OF TEXAS
COUNTY OF FORT BEND

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§
§

KNOW ALL BY THESE PRESENTS:

**RESOLUTION OF THE FORT BEND COUNTY CRIMINAL DEFENSE ATTORNEYS
ASSOCIATION UNANIMOUS OPPOSITION TO AN EXPANSION OR CREATION
OF ANY PUBLIC DEFENDER'S OFFICE IN FORT BEND COUNTY**

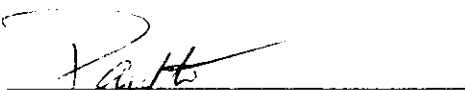
WHEREAS, Fort Bend County, Texas current system of appointed attorneys is one of the best in the State of Texas as determined by the 2011 Texas Task Force on Indigent Defense.

WHEREAS, The Fort Bend County Criminal Defense Attorneys Association Board of Directors unanimous opposition to an expansion or creation of any public defender's office in Fort Bend County including but not limited to a general jurisdiction public defender's office, a capital defense public defender's office, a domestic violence public defender's office, an driving while license invalid or driving while license suspended public defender's office or a criminal appeal public defender's office.

NOW, THEREFORE, BE IT RESOLVED, by the Fort Bend County Criminal Defense Attorneys Association that: "The Fort Bend County Criminal Defense Attorneys' Association does hereby request that the Fort Bend County Commissioners not approve any grant funding for an expansion or creation of any public defender's office in Fort Bend County including but not limited to a general jurisdiction public defender's office, a capital murder public defender's office, a domestic violence public defender's office, an driving while license invalid or driving while license suspended public defender's office or a criminal appeal public defender's office because it is not in the best interest of Ft Bend County."

RESOLVED, PASSED AND APPROVED this the 14th day of April, 2015.

FORT BEND COUNTY CRIMINAL DEFENSE ATTORNEYS ASSOCIATION:



Paul F. Tu, President
Fort Bend County Criminal Defense Attorneys Association





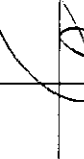
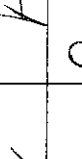
Susan Bourgeois, Secretary
Fort Bend County Criminal Defense Attorneys Association

PETITION TO TEXAS INDIGENT DEFENSE COMMISSION

I, a duly licensed attorney in good standing in the State of Texas, petition the Texas Indigent Defense Commission to not approve any grant funding for an expansion or creation of any public defender's office in Fort Bend County.

The current system of appointed attorneys is one of the best in the State of Texas determined by the Texas Task Force on Indigent Defense 2011 Audit. I am in opposition to an expansion or creation of any general defender's office in Fort Bend County including but not limited to the following divisions:

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- (5) a criminal appeal public defender's office



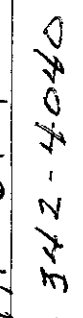

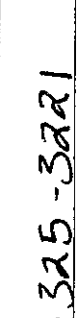
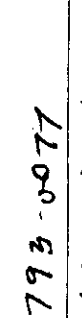
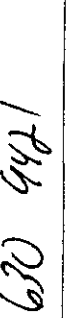
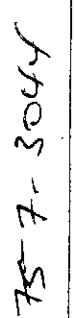
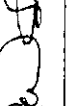
Name	Phone Number	Signature	Texas Bar Number
J. Christian Becerra	281 344 2512		27006920
Ronald Cohen	281 762 0492		04509010
James A. Stevens	832 283 9905	James A. Stevens	1918 3800
Lewis Clark	281-468-1197		04739300
Ralph L. Gonzalez	281-342-0241	Ralph L. Gonzalez	08120400
	713-621-6611	F. Fernando	07258700
Carolyn McDaniel	281 342 6541	Carolyn McDaniel	13514300
Jana Cain	832 724 7565	Jana Cain	03604500

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- (4) a driving while license invalid or driving while license suspended public defender's office
- (5) a criminal appeal public defender's office








Name	Phone Number	Signature	Texas Bar Number
KEIGH LOVE	832-471-6904		24058364
JEFFREY B. DULOTE	832-471-6904		20511695
STEVEN D. MONKS	281-342-4040		14266960
Andrew Dornburg	832-449-6116		24049861
Ahmad G. Azam	713-325-3221		24071775
Rosendo R. Torres	(281) 793-0077		24060740
Syngman K. Stevens	281 620 9471		24043219
	(281) 757-3044		24046301

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Name	Phone Number	Signature	Texas Bar Number
William D. Keefe	281-313-5300		24037470
Kevin Feld			24052075
Richard J. Thomas	713-409-1471		19858550
LARRY E THOMAS	713-434-1286		20582550
L.A. Villaverde	713-522-5222		24031105
Johnny G. Garcia	713-409-1471		00787484
Patti Seduta	713-857-6297		

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- (5) a criminal appeal public defender's office






Name	Phone Number	Signature	Texas Bar Number
GRACE NWA NGUMA	281-341-1771		24011046
Tot Kim La	713-226-7007		24026988
Sheela Burnett	713-774-2800		24035113
DEAN ZAND	281-299-1294		24058614
LAURI ANDERSON	409 713-773-8787		00783545
Stacey L Jones	409-789-3234		00790984
Frank J. Fraloy	713.668.4496		07350350
Tony K. Duckett	281 239 6995		24027292





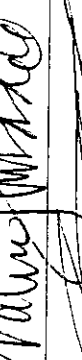





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- (5) a criminal appeal public defender's office

Name	Phone Number	Signature	Texas Bar Number
Lee D. Cox	281-762-7345		00790520
FAEL Spielman	713-981-4200		18933350
Rosario Starnello	832-298-4791	Rosario Starnello	24008095
LAWRENCE T McEwen	832-865-5058	Lawrence T McEwen	14962000
Lonic Foster	2814943156		24032188
Kasey Doggett	281-342-3321		24050522
STEPHEN DOGGETT	281-635-5057		05545700
Timothy M. Quill	281-403-6600	Timothy M. Quill	16430550



Name	Phone Number	Signature	Texas Bar Number
Fauk/evanb	281-214-0425		00793076
Dawn Zell Wright	832-701-5297		24033498
Sahar Hasanah	281-491-4838		24087679
Mike Elliott	832-496-5000		06546540
Valene H. Waddell	281-240-7979		24013209
Harris, Wood, Jr.	281-924-5876		21894400
Chad Dick	281-242-5555		24045782
Lloyd Van Oosterwijk	713-665-4400		24056467
Joyce Phoenix	281-633-0980		19708150
Carinna Steele	281-633-0224		19099570

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Name	Phone Number	Signature	Texas Bar Number
Jamie Zard	281-702-2482		24066851
Andrew A. Weigert	713-581-0457		24060856

PUBLIC DEFENDER'S OFFICE

Survey Results

Survey of Criminal Defense Attorneys Practicing in Fort Bend County

ZELL WRIGHT LAW OFFICES, PLLC

April 24, 2015

Authored by: Dawn Zell Wright

PUBLIC DEFENDER'S OFFICE

Survey Results

Survey of Criminal Defense Attorneys Practicing in Fort Bend County

Purpose:

In response to an effort made by the Fort Bend County Commissioners to start a Fort Bend County Public Defender's Office (PDO), the Fort Bend County Criminal Defense Attorney's Association (FBCCDAA) conducted a survey of 336 FBCCDAA members. The purpose of the survey was to gauge the member's opinions of whether Fort Bend County should establish a PDO or a specialized PDO.

Survey Responses:

The survey was conducted through Survey Monkey. It ran from April 14, 2015 through April 19, 2015. A total of 125 attorneys responded to the survey.

Results:

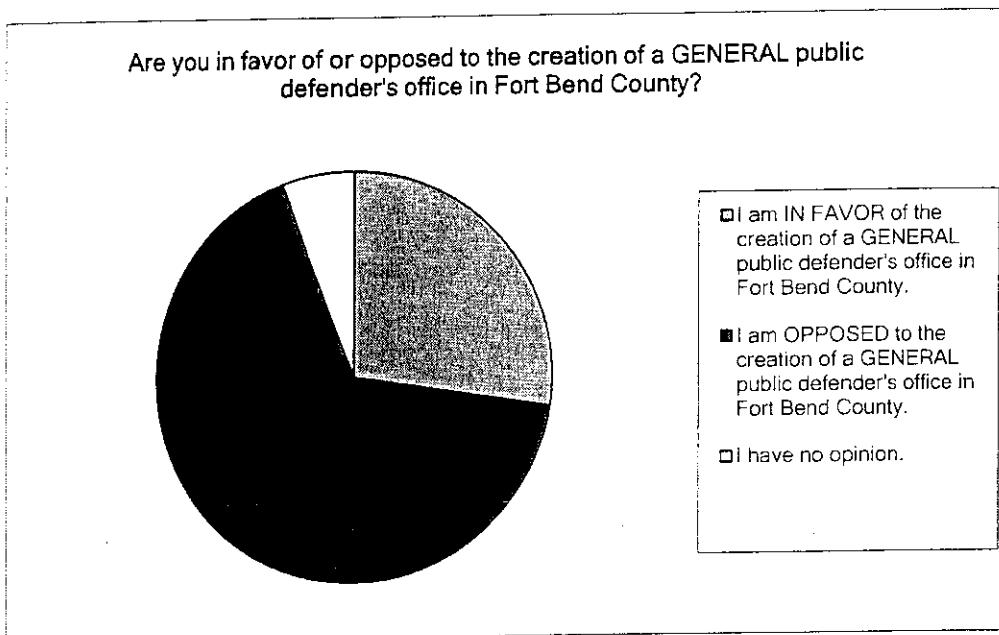
The results of the survey are summarized as follows, with the survey detail attached:

- When asked whether the person was in favor of a General PDs Office, 66.94% (83) responded they were **opposed**, while 27.42% (34) answered they were in favor. Seven (5.6%) did not state an opinion.
- When whether the person was in favor of a Capital PDs Office, 49.6% (62) responded they were **opposed**, while 41.6% (52) answered they were in favor. Eleven (8.8%) did not state an opinion.
- When whether the person was in favor of an Appeals PDs Office, 53.6% (67) responded they were **opposed**, while 36.8% (46) answered they were in favor. Twelve (9.6%) did not state an opinion.
- When whether the person was in favor of a Domestic Violence PDs Office, 66.4% (83) responded they were **opposed**, while 25.6% (32) answered they were in favor. Ten (8.0%) did not state an opinion.
- When whether the person was in favor an DWLS PDs Office, 69.6% (87) responded they were **opposed**, while 23.2% (29) answered they were in favor. Nine (7.2%) did not state an opinion.

Survey: Public Defender's Office in Fort Bend County

Q1: Are you in favor of or opposed to the creation of a GENERAL public defender's office in Fort Bend County?

Answer Options	Response Percent	Response Count
I am IN FAVOR of the creation of a GENERAL public	27.4%	34
I am OPPOSED to the creation of a GENERAL public	66.9%	83
I have no opinion.	5.6%	7
	<i>answered question</i>	124
	<i>skipped question</i>	1

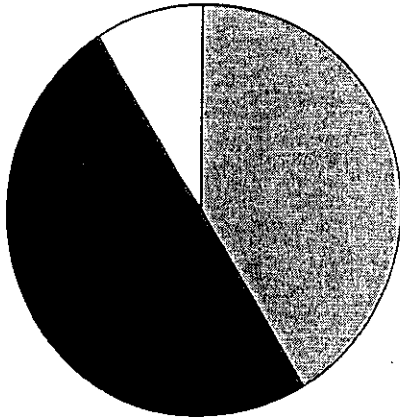


Survey: Public Defender's Office in Fort Bend County

Q2: Are you in favor of or opposed to the creation of a CAPITAL public defender's office in Fort Bend County?

Answer Options	Response Percent	Response Count
I am IN FAVOR of the creation of a CAPITAL public	41.6%	52
I am OPPOSED to the creation of a CAPITAL public	49.6%	62
I have no opinion.	8.8%	11
	answered question	125
	skipped question	0

Are you in favor of or opposed to the creation of a CAPITAL public defender's office in Fort Bend County?



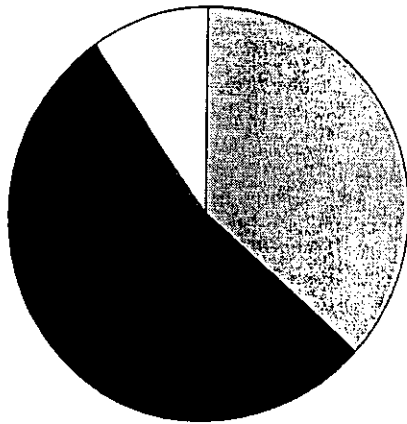
- I am IN FAVOR of the creation of a CAPITAL public defender's office in Fort Bend County.
- I am OPPOSED to the creation of a CAPITAL public defender's office in Fort Bend County.
- I have no opinion.

Survey: Public Defender's Office in Fort Bend County

Q3: Are you in favor of or opposed to the creation of an APPEALS public defender's office in Fort Bend County?

Answer Options	Response Percent	Response Count
I am IN FAVOR of the creation of an APPEALS public	36.8%	46
I am OPPOSED to the creation of an APPEALS public	53.6%	67
I have no opinion.	9.6%	12
	<i>answered question</i>	125
	<i>skipped question</i>	0

Are you in favor of or opposed to the creation of an APPEALS public defender's office in Fort Bend County?



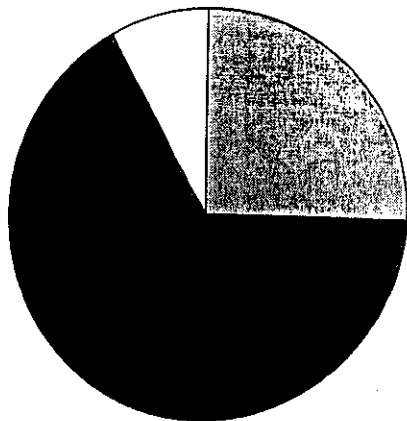
- I am IN FAVOR of the creation of an APPEALS public defender's office in Fort Bend County.
- I am OPPOSED to the creation of an APPEALS public defender's office in Fort Bend County.
- I have no opinion.

Survey: Public Defender's Office in Fort Bend County

Q4: Are you in favor of or opposed to the creation of a DOMESTIC VIOLENCE public defender's office in Fort Bend County?

Answer Options	Response Percent	Response Count
I am IN FAVOR of the creation of a DOMESTIC	25.6%	32
I am OPPOSED to the creation of a DOMESTIC	66.4%	83
I have no opinion.	8.0%	10
	<i>answered question</i>	125
	<i>skipped question</i>	0

Are you in favor of or opposed to the creation of a DOMESTIC VIOLENCE public defender's office in Fort Bend County?



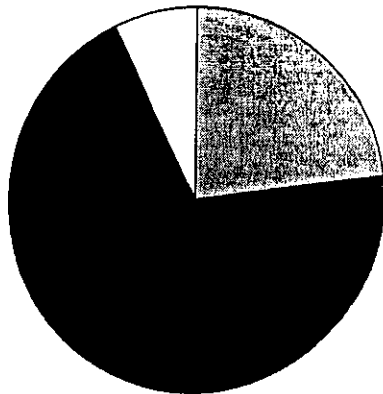
- I am IN FAVOR of the creation of a DOMESTIC VIOLENCE public defender's office in Fort Bend County.
- I am OPPOSED to the creation of a DOMESTIC VIOLENCE public defender's office in Fort Bend County.
- I have no opinion.

Survey: Public Defender's Office in Fort Bend County

Q5: Are you in favor of or opposed to the creation of a DRIVING WHILE LICENSE SUSPENDED (DWLS) public defender's office in Fort Bend County?

Answer Options	Response Percent	Response Count
I am IN FAVOR of the creation of a DWLS public	23.2%	29
I am OPPOSED to the creation of a DWLS public	69.6%	87
I have no opinion.	7.2%	9
	<i>answered question</i>	125
	<i>skipped question</i>	0

Are you in favor of or opposed to the creation of a DRIVING WHILE LICENSE SUSPENDED (DWLS) public defender's office in Fort Bend County?



- I am IN FAVOR of the creation of a DWLS public defender's office in Fort Bend County.
- I am OPPOSED to the creation of a DWLS public defender's office in Fort Bend County.
- I have no opinion.

Survey: Public Defender's Office in Fort Bend County

Q6: Do you agree that the current Fort Bend County indigent defense system works?

Answer Options

Yes, because... 74.5%
 No, because... 19.1%
 I have no opinion... 10.6%

Participants answered question: 94
 Participants skipped question: 31

Yes, because...
1 Yes and it's cheaper
2 well qualified local attorneys provide the type of criminal defense that the accused defendants deserve.
3 yes
4 defendants rights are constitutionally protected
5 Yes, because it provides indigents with very cost effective and good legal service. The expense is much less than the cost of a general Public defender's office. Also, I depend on this for part of my income.
6 Generally the right lawyer does a good job of representing indigent clients in Fort Bend County.
7 The system is fair and defendants can benefit from the expertise of many seasoned attorneys as opposed to a specific few in a PD office
8 Private attorneys work efficiently with their clients and are not backlogged with heavy caseloads.
9 The local attorneys who take appointments are professionals and treat these cases the same as private clients.
10 the key is good faith of the appointing judges
11 I do believe it works. But I also believe a public defenders office might be more efficient.
12 Yes
13 More than adequate representation at affordable cost
14 of the wheel system and qualification requirements
15 The quality of the legal representation is good now.
16 it is economical and gives clients the best representation possible
17 eager hardworking attorneys seek appointments and do a good job for the defendants.
18 It gives the defendants a proper defense as opposed to an overworked public defender
19 We are one of the best in Texas, very helpful to all lawyer & will monitor ourselve.
20 It generally works ok, but there are problems.
Yes, I feel that the indigent are currently getting a quality defense with the current system. I live in this county and feel that a public defender's office would cost the county far more money in the long run than the current system.
21
22 It continues to provide fair, just, and equitable representation

23	Variety of quality attorneys
24	it stacks up well against other systems.
25	the dockets are moving and defendants are getting quality representation more often than they would with an over worked crony judge's pet public defender.
26	We have some very experience attorneys participating.
27	very experienced lawyers are available for appointment
28	aspects of the defense bar support the assigned attorneys in a mentoring network
29	It is efficient, less expensive for tax payers, less institutionalized therefore less political
30	I believe the system is efficient and gives defendant's quality representation. The sheer cost savings of what a PD's office would entail is a great benefit to Fort Bend County. A PD's office does not save the county any money and it could possibly diminish the quality of representation that some defendant's receive.
31	Given the results of the last study by the Indigent Defense Project, it is efficient and the most cost effective.
32	defendant's have an opportunity to be represented by some of our most seasoned attorneys.
33	there are more than enough qualified defense attorneys and they do an outstanding job of representing indigents
34	However there are some attorneys that probably should be removed from the court appointed list
35	representation is provided without the difficulties associated with bureaucracy
36	Good defense lawyers
37	the lawyers on the wheel are qualified and it is up to the defense bar to insure that people get quality representation
38	yes
39	Local attorneys take care of their clients promptly and attend court regularly. The problem is the Jarris County attorneys that go their first because it is closer to their office
40	lawyers are permitted to work the case.
41	it allows those who cannot afford attorneys to be represented by reputable attorneys
42	when you have a public defender's office the pool of attorneys practicing criminal law becomes smaller and the defense bar suffers because it becomes less innovative. The cities with the most active defense bars and criminal lawyers pushing the boundaries of criminal law practice are those cities WITHOUT a public defender's office. Public defender's offices do not lower costs because they create a separate bureaucracy within the county system with employees who receive benefits. The media loves public defender's offices but they work when you have a certain issue which is labor intensive and very specialized such as defendants with mental illness but otherwise I question their value. The proponents of public defender's offices oftentimes NEVER worked in one and usually are elites within the criminal defense practice who would never represent the typical client assigned to a public defender.
43	the Judges are in the best position to know which lawyers to keep and those to cut. And, the appointed attorneys are not accountable to the commissioners court
44	I HAVE SEEN GOOD WORK AND GOOD RESULTS ON APPOINTED CASES.
45	it is more cost effective
46	there are very qualified defense attorneys

	the system is efficient and indigent individuals get better representation from the private bar than overworked and underpaid government employees. Also the private bar has been doing a great job uncovering and fighting injustices and shady dealings by law enforcement as well as the D.A.'s office.
47	Thereby keeping these entities honest
48	Lawyers have small enough caseloads to work their cases well
49	It is fair and gives citizens a wide range of Attorney's
50	It's fair and attorney's are screened
51	detaches to a good job monitoring the attorneys and it makes more financial sense
52	The lawyers here do a good job.
53	The attorney's are top notch and do a great job
54	Fort Bend Lawyers are some of the best advocates in Texas.
55	The problem lies with the inefficiency at the District Attorney's Office
56	There are some true believers on the court appointed list
57	Cost effective
58	yes because the tier system ensures qualified attys and the AOD system compliments that well.s
59	As the 2011 Audit report indicates the current system works and has worked well for years. We have quality local attorneys
60	Quality efficient representation
61	appointments are assigned by the wheel system. The court appointment list has competent attorneys who do their jobs well.
62	sometimes. There are some really good attorneys working hard for indigent defense.
63	Seems to work
64	The attorneys are actually paid for their time and are incentivized to do a good job
65	Absolutely. Indigent clients are receiving superior representation from attorneys who would normally charge ten to 15 thousand dollars for the SAME representation.
66	there are good lawyers doing good work.
67	We have used the information from past surveys to try and adapt to the changing circumstances
68	its a good system and it works fairly for ALL parties including Defendants and Attorneys
69	it is effective and taking care of the business.
70	More feasible
	No, because...
71	poor people have no way to pay. Plus I am ineligible to receive court appointments.
72	It can be better. I true PD office will help make indigent defense better.
73	there are too many lawyers with little to no experience and that have lied on their application as to their trial experience to get appointments
74	the system permits the continued appointment of counsel that are largely ineffective and also creates financial incentives that force individual defense attorneys to reset then plead clients rather than demanding they invest the requisite but significant time and resources to zealously defend clients.
75	the County needs to allocate appropriate funds for the attorneys who take these cases.
76	it does not rely on beaurocrats to get the job done.

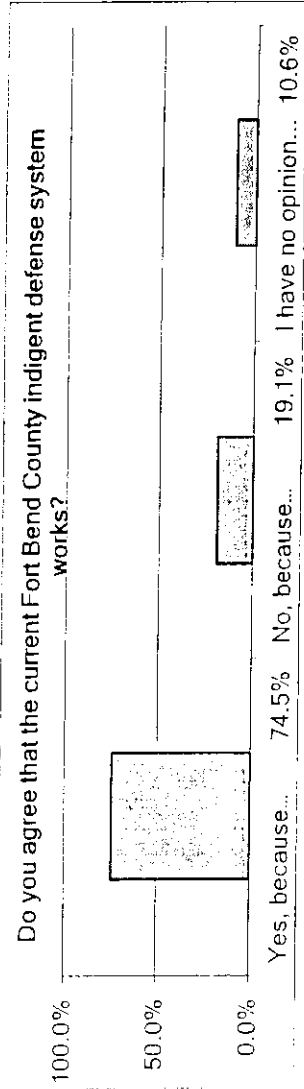
77	It incentives quick pleas. No mechanism to alert attorneys with docket changes like on civil dockets.
78	Far too often appointments do not reach the attorneys in time, and judges still appoint to favorites (particularly in appeals) so that not all appointed attorneys are utilized.
79	There are too many attorneys from out of Fort Bend County who do not appear for court or appear very late. Frequently you hear people in court claiming that they have never met or even got a phone call from their court appointed attorney. The Court Appointed attorney list needs to be restricted to those who have their PRIMARY Office or residence in Fort Bend County ONLY
80	there needs to be a cap on the number of attorneys on the list. When there is an opening on the list then new attorneys can be added at that time.
81	Needs a geographic restriction!
82	The attorney's allegiance can not be to two servants.
83	appointed defense counsel lack the administrative and investigative support and consistency that institutional defenders bring.
84	Too many lawyers leave too few appointments for the veterans
85	Too many unqualified attorneys.
86	some attorneys who are appointed seem to treat their clients differently depending whether the client is appointed or retained.
87	Court appointments do not provide quality and effective assistance of counsel.
88	Not fair
	I have no opinion.
89	na
90	I have no opinion.
91	exactly
92	There are great lawyers working but there is room for improvement
	I have not handled criminal law in Fort Bend County. However, I have seen both systems work, so I think either would be fine here. Nevertheless, if
93	the current system isn't broke--why fix it?
94	No opinion
	I don't believe creating a PDs office will change the perception. Just like there are perceived to be good prosecutors and bad prosecutors, there are
95	perceived to be good defense attorneys and bad defense attorneys.
96	Has problems with some of lawyers on list
97	Not familiar enough to make an informed decision

Survey: Public Defender's Office in Fort Bend County

Do you agree that the current Fort Bend County indigent defense system works?

Response Percent

74.5%
19.1%
10.6%



Survey: Public Defender's Office in Fort Bend County

Q7: In what ZIP code is your primary office and your home located?
(enter 5-digit ZIP code; for example, 77469)

Number	Primary Office	Home
1	77478	77478
2	77469	77471
3	77478	77494
4	77469	77450
5	77469	77498
6	77469	77433
7	77511	77511
8	77036	77077
9	77478	77494
10	77478	77479
11	77469	77450
12	77002	77095
13	77459	77459
14	77002	77094
15	77002	77058
16	77479	77584
17	77005	77005
18	77002	77479
19	77459	77459
20	77074	77545
21	77083	77083
22	77478	77479
23	77057	77494
24	77478	77479
25	77035	77035
26	77478	77498
27	77074	77469
28	77469	77469
29	77074	77478
30	77471	77450
31	77469	77459
32	77493	77493
33	77054	77489
34	77450	77450
35	78956	78956
36	0	0
37	77054	77477
38	77414	77414
39	77402	77401
40	77002	77034
41	77074	77478
42	77002	77023
43	77469	77083
44	77469	77406
45	77478	77479

46	77469	77407
47	77437	77488
48	77471	77469
49	77065	77429
50	77469	77025
51	77098	77406
52	77469	77469
53	77081	77081
54	77074	77479
55	77488	77488
56	77478	77498
57	77478	77407
58	77469	77469
59	77469	77471
60	77469	77461
61	77002	77469
62	77494	77494
63	77002	77025
64	77071	77071
65	77493	77573
66	77002	77057
67	77074	77063
68	77469	77471
69	77469	77459
70	77057	77057
71	77469	77479
72	77036	77088
73	77002	77459
74	77478	77096
75	77487	77407
76	77002	77494
77	77074	77479
78	77478	77478
79	77478	77450
80	77469	77098
81	77008	77450
82	77002	77005
83	77479	77479
84	77478	77031
85	77469	77471
86	77469	77479
87	77478	77096
88	77479	77469
89	77406	77469
90	77478	77459
91	77469	77007
92	77459	77459
93	77477	1
94	77478	77578
95	77469	77406
96	77479	77459
97	77494	77494

98	77479	77479
99	77479	77479
100	77004	77004
101	77002	77025
102	77469	77487
103	77002	77401
104	77002	77450
105	77469	77469
106	77006	77377
107	77494	77494
108	77469	77469
109	77469	77478
110	77074	77449
111	77478	77477
112	77469	77406
113	77074	77498
114	77469	77469
115	77002	77019
116	77469	77478
117	77494	77494
118	77578	77546

Task Force on Indigent Defense
Review of Fort Bend County's Indigent Defense Systems

August 16, 2011

Executive Summary

In December 2010, Senator Rodney Ellis and Representative Ron Reynolds requested that the Task Force on Indigent Defense (Task Force) assess the indigent defense processes of Fort Bend County. The Task Force interviewed representatives from various departments in the criminal justice system, observed a variety of court proceedings, examined indigent defense records, and conducted a criminal defense bar survey—the results, commendations, and findings of which are presented in this report.

Fort Bend County is located southwest of Harris County (Houston) and includes the southwest portion of Houston and Katy, suburban areas in and around Sugar Land, and rural areas south of Richmond, the county seat. The 2010 US Census found that there were 585,375 residents in the County, making it the tenth largest county in Texas.¹ According to Office of Court Administration (OCA) Statistics, the County had 2,803 new felony cases, 5,592 new misdemeanor cases, and 705 new juvenile cases added to the County's dockets in FY2010 (October 2009 – September 2010).² Fort Bend County has four statutory county courts and six district courts (four of which handle criminal cases) to manage this criminal and juvenile caseload.

The Task Force review compared County procedures with the requirements of the Fair Defense Act (FDA) and found that the County has several laudable qualities. For instance, the Task Force found the Auditor's Office to have solid processes for making timely reports and for maintaining supporting data. In addition, both adult and juvenile indigent defense plans cover all core requirements of the FDA. There are sound procedures to assist arrestees with requests for counsel. The County makes use of appointment lists that separate cases that tend to be complex from cases that tend to be simple. The County further has a fair method to appoint counsel, a fair method to pay appointed counsel, and utilizes a mental health public defender office to represent persons with special needs. Each of these admirable practices contributes to providing effective representation for the poor. The Task Force would like to praise Fort Bend officials for their commitment to indigent defense and concern for ensuring that those in need are provided with their constitutionally protected right to representation.

While the Task Force identified several praiseworthy local practices, the Task Force also identified areas where the County must implement changes in order to be fully compliant with the FDA. The FDA statutorily requires judges to adopt and publish countywide procedures governing indigent defense. The procedures should be designed to create uniformity across courts for a given jurisdiction within each county. The procedures set qualifications for attorneys who apply to be on the appointment list, financial standards for determining indigence, a methodology for appointing counsel timely, and a standard payment process. As noted above, the County has developed indigent defense plans, but the indigent defense plans do not include all indigent defense practices that are carried out in the County.

In addition, not all indigent defense practices that are utilized in Fort Bend County comply with either the local plan or the FDA. The Task Force's primary areas for concern are summarized in the Key Findings section of the report. The general theme from these findings is that the County must examine certain indigent defense practices and must either improve existing procedures or implement new countywide procedures to manage the requirements of the FDA. The areas where the County has an opportunity for improvement include the following: provide prompt magistration;

¹ US Census Bureau, data available at <http://2010.census.gov/2010census/data/>.

² Office of Court Administration, data available at <http://www.dm.courts.state.tx.us/oca/reportselection.aspx>.

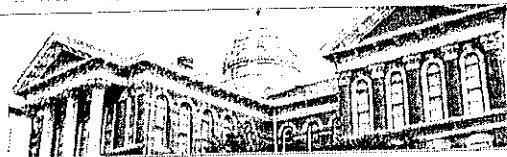
make indigence determinations that are in line with statute, case law, and the local indigent defense plan; appoint counsel that is from the approved appointment list; and make timely appointments of counsel for both adults and juveniles.

To summarize, Fort Bend County has put in place many admirable local practices that safeguard the interests of indigent defendants. Fort Bend County must also revise certain practices in order to meet the requirements of the FDA. Fort Bend County officials appear willing to make essential changes. As mandated by statute, we will monitor the County's transition and process improvements regarding Task Force findings.



INDIGENT DEFENSE DATA FOR TEXAS

Welcome to the Texas Indigent Defense Commission's clearinghouse of information on indigent defense. The purpose of this website is to provide information to the public and to serve Texas counties.



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County Dashboard

Fort Bend County Dashboard

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 [View Attorney Caseload Report](#)

Quick Stats 2013

Current Population Estimate	Total Indigent Defense Costs	Formula-Based Grant Amount	Discretionary Grant Amount	Non-Capital Felony Trial-Level Cases Paid	Misdemeanor Trial-Level Cases Paid	Juvenile Trial-Level Cases Paid	Appeals Cases Paid	Capital Cases Paid
633,313	\$5,473,380.76	\$442,319.00	\$146,741.00	1,744	2,116	397	49	12

FORMULA GRANTS

Fiscal Year	Formula Grant Allocation	Adjusted Allocation	Formula Grant Funds Disbursed	Equalization Award Amount
2007	\$215,610.00		\$215,610.00	\$18,109.00
2006	\$225,340.00		\$225,340.00	\$0.00
2005	\$170,396.00	\$193,054.00	\$193,054.00	\$0.00
2004	\$146,598.00	\$168,800.00	\$168,800.00	\$0.00
2003	\$146,598.00	\$170,751.00	\$170,751.00	\$0.00

DISCRETIONARY GRANTS

Fiscal Year	Grant Number	Type	Grant Title	Award Amount	Grant Funds Disbursed	Reported Expenditures
2014	212-04-D23	Multi	Fort Bend County Mental Health Defender Program	\$36,685.00	\$36,685.00	\$183,426.34
2013	212-03-D23	Multi	Fort Bend County Mental Health Defender Program	\$146,741.00	\$146,741.00	\$550,279.00
2012	212-02-D18	Multi	Fort Bend County Mental Health Defender Program	\$254,464.00	\$221,094.52	\$478,118.30
2011	212-01-D18	Multi	Fort Bend County Mental Health Defender Program	\$406,853.00	\$353,866.92	\$521,969.87
2011	212-TS-079	Tech	Evaluation of Fort Bend Mental Health Public Defender Office	\$75,000.00	\$18,901.00	\$56,704.00
2010	212-10-D18	Multi	Fort Bend County Mental Health Defender Program	\$517,824.00	\$316,047.47	\$395,059.34
2003	212-03-D07	Single	Indigent Defense Coordinator Office	\$142,958.00	\$61,953.48	\$61,953.48

EXPENDITURE REPORT

Fiscal Year	2001 Baseline	Direct Court Costs	County Administrative Costs	Public Defender Costs	Total Indigent Defense Costs	Contract * Counsel Case Counts	Assigned * Counsel Case Counts	Public Defender Case Counts	Total Case Count
2014	\$870,299.00	\$5,245,883.80	\$182,818.82	\$607,389.44	\$6,036,092.06	0	4,118	270	4,388
2013	\$870,299.00	\$4,747,014.36	\$170,547.49	\$555,818.91	\$5,473,380.76	0	4,101	217	4,318
2012	\$870,299.00	\$4,219,359.91	\$164,053.29	\$478,118.30	\$4,861,531.50	0	3,560	206	3,766
2011	\$870,299.00	\$3,350,619.17	\$165,710.14	\$520,805.19	\$4,037,134.50	0	3,182	126	3,308

From 2003 to 2005 Contract Counsel Cases and Assigned Counsel Cases were combined under the Assigned Counsel case count.

FORMULA GRANT DOCUMENTS

- [2015 Fort Bend Formula Grant Resolution.pdf](#)
- [2014 Fort Bend Formula Grant Resolution.pdf](#)
- [2013 Fort Bend Formula Grant Resolution.pdf](#)
- [2012 Fort Bend Formula Grant Resolution and Internet Submission Form.pdf](#)
- [2011 Fort Bend Formula Grant Resolution and Internet Submission Form.pdf](#)

[Display Formula Grant Archives](#)

DISTRICT, COUNTY, AND JUVENILE INDIGENT DEFENSE PLANS

- [Fort Bend District Court and County Court Plan \(last updated 10/25/2013\)](#)
- [Fort Bend Juvenile Board Plan \(last updated 10/28/2013\)](#)

[Display ID Plans Prior to the 2009 Biennium](#)

REGIONAL DEATH PENALTY PLAN