



CHAMBERS OF  
JUDGE JOHN B. STEVENS, JR.  
CRIMINAL DISTRICT COURT  
JEFFERSON COUNTY COURTHOUSE

Judge Jeff Branick  
Jefferson County, Texas, County Judge  
1001 Pearl Street  
Beaumont, Texas 77701

RE: Response to the Texas Indigent Defense Commission's Second Follow-up Review of Jefferson County, Texas, on October 2022.

Dear Judge Branick:

Texas Indigent Defense Commission (TIDC) representatives conducted an on-site visit to Jefferson County on April 12-14, 2022, to follow up on recommendations made by the previous TIDC June 2020 initial follow up review. Upon completing that review, TIDC noted one new issue and a still pending 2020 issue in its "Second Follow-up Review of Jefferson County's Indigent Defense Systems" dated October 2022. However, overall, Jefferson County has made great strides in achieving the objectives of the code, administrative regulations, and the TIDC's specifically articulated issues. We enjoy a professional and collegial relationship with TIDC representatives.

## I.

Concerning the new issue, TIDC identified it as follows:

**Requirement 4: appoint counsel promptly.**

**2022 Recommendation 1:** Appointments of counsel are delayed for defendants making bail in the period between Article 15.17 counsel requests and the court coordinator making appointments of counsel.

To address this issue to the satisfaction of the TIDC, the Indigent Defense Coordinator is now timely appointing counsel within one (1) working day in response to the magistrate's ruling made during the Article 15.17 hearing, irrespective of bail status. In the event of the Indigent Defense Coordinator's absence from the office, another Court Clerk in the office will be instructed to make the appointments timely.

## II.

Concerning the old 2020 issue, the TIDC identified it as follows:

**Requirement 5: Attorney Selection Process.**

**2022 Recommendation 2:** Jefferson County must follow the minimum caseload terms set in its contracts with attorneys handling felony cases.

To address this issue to the satisfaction of TIDC, this Court would note the following. The Contract Attorney maximum caseload threshold has been increased to 175 cases in accordance with the Indiana Project

Guidelines as cited on Page 6 of the “Response to the Texas Indigent Defense Commission’s June, 2020 Follow-Up Review of Jefferson County’s Indigent Defense Systems” previously filed by this Court with your office.

Furthermore, in response to the increase in the outstanding felony caseload due to the coronavirus emergency<sup>1</sup>, one additional Contract Public Defender has been added to all felony courts, thereby increasing the number of public defenders by one-third.

Notably, case closure rates currently meet guidelines as the County is only two months into its fiscal year. However, the “Second Follow-up Review of Jefferson County’s Indigent Defense Systems” dated October 2022 noted on P. 14 that “[b]ased on interviews with officials and staff, there is no current method in place to measure appointments as they are made.”

This Court directed staff to make inquiry with the Jefferson County Management Information Systems (M.I.S.) to ascertain if this can be done. This Court has been informed that this CANNOT be done using current legacy systems. (Workflow and AS400).

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<sup>1</sup>Despite Jefferson County being the 21st largest County in Texas, it has the 14th highest felony rate per capita.

In any event, to write software code to make this happen, even if possible, is not appropriate due to the almost completed approximately one-and-a-half year process of converting the Court's case management system to the Tyler Technologies' Odyssey system at a cost of millions of dollars, and due to go "live" in March 2023. Other nearby jurisdictions, including, but by no means limited to, Galveston County, have used Tyler Technologies' Odyssey system for years, of which I am sure the TIDC is well aware. It is my understanding that this data can be readily extracted from the Tyler Technologies' Odyssey database.

Accordingly, once the Odyssey system goes "live," the Indigent Defense Coordinator, or her designee when she is unavailable, will query the system as needed to ensure that the 175 caseload limit is not breached.

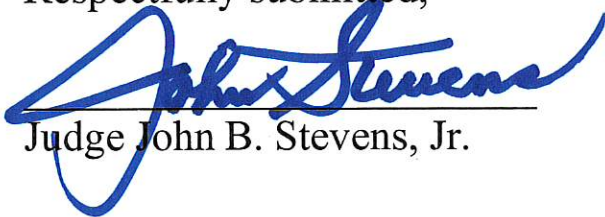
### III.

Finally, the TIDC expressed financial assistance and grant funding opportunities in the "Second Follow-up Review of Jefferson Counties Indigent Defense Systems." P. 4; P. 15, 1st full ¶; P. 15, 2nd full ¶. Accordingly, it seems TIDC wishes to provide funding to assist, and has the funds to do so. Although the 2022 report does not list the

permissible scope of grant funding or the amounts available, this Court would note that in addition to obvious areas such as computer hardware and software, grant funding could also potentially be utilized to fund a TIDC Compliance Officer, Coordinator or Monitor, even if only part-time, and/or a dedicated Indigent Defense Coordinator Assistant to ensure that all requirements are timely met notwithstanding any one employee's absence for vacation, sick leave or personal leave.

This letter of response to the TIDC Recommendations in its October, 2022 Second Follow-up Review of Jefferson County's Indigent Defense Systems is a collaborative product of the Criminal Court Judges of Jefferson County. All four (4) Criminal Court Judges have reviewed this letter, agree with the contents, and accept responsibility for ensuring the representations made herein are fulfilled.

Respectfully submitted,



Judge John B. Stevens, Jr.