TIDC

TEXAS INDIGENT DEFENSE COMMISSION

Improvement Grant Training

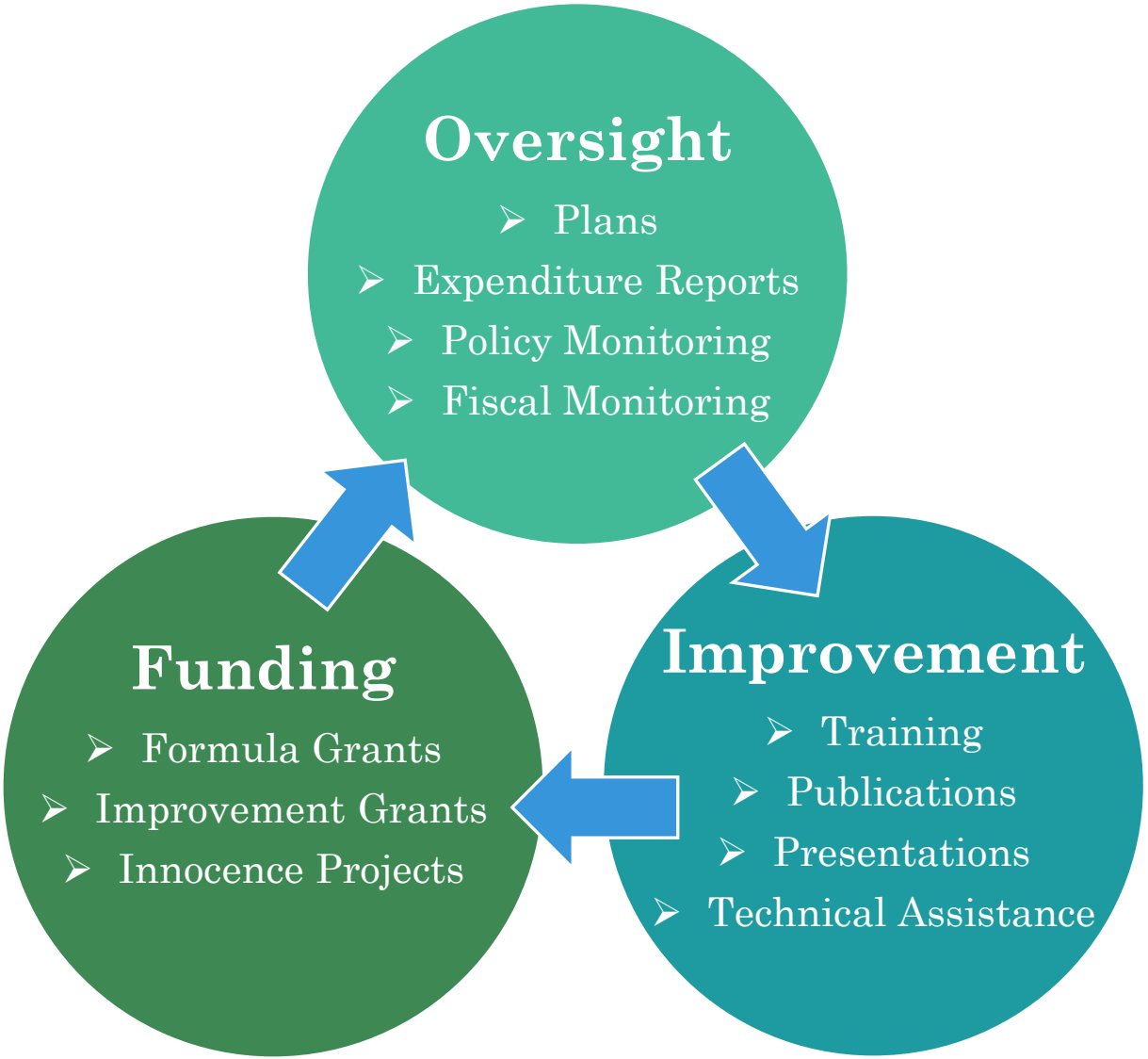
FY 2022 Application Cycle

February 12, 2021

Please stand by,
the presentation will begin shortly.

Our Mission

Protecting the right to counsel, improving public defense



Who we are

TIDC Grants Team

Edwin Colfax
Director of Grant Funding
ecolfax@tidc.texas.gov
512-228-8807

Doriana Torres
Grants Coordinator
dtorres@tidc.texas.gov
512-463-8015

How we can help

TIDC Grants Team

The Grants Team can help with:

- Determining whether an idea is eligible
- Advice and support with the application process
- Award logistics, reporting, & modifications

Who we are

TIDC Improvement Team

Scott Ehlers
Director of Public Defense Improvement
sehlers@tidc.texas.gov
512-936-7551

Kathleen Casey-Gamez
Senior Policy Analyst
kcasey-gamez@tidc.texas.gov
512-463-2573

How we can help

TIDC Improvement Team

TIDC's Improvement Team can help with:

- Planning Studies for PDs and MACs
- Technical Assistance
- Education and Training
- Mentoring Program
- Publications

Overview

A. Grant Types

B. Grant Project Examples

C. How to Apply

Grant Types

Formula Grants

- Based on combination of population and indigent defense spending.
- Almost all counties receive them
- Reimburse a small fraction of indigent defense costs

Improvement Grants

- Program-Specific Funding
- Transform the system to improve indigent defense
- Aimed at programs sustainable beyond the grant

Improvement Grant Program

- Competitive (evaluated by committee of outside reviewers)
- Grant payments made on a reimbursement basis
- Require county matching funds
- Develop new programs or processes to improve indigent defense services
- Support policy initiatives and strategic objectives of TIDC

FY 2022 Improvement Grant Request for Applications (RFA)

Available on TIDC Website:

http://www.tidc.texas.gov/funding/improvement-grants

Essential Reading!

TIDC
TEXAS INDIGENT DEFENSE COMMISSION

FY2022 Indigent Defense Improvement Grant Request for Applications (RFA)

Section I: Overview

The Texas Indigent Defense Commission (Commission) provides financial and technical support to counties to develop and maintain quality, cost-effective indigent defense systems that meet the needs of local communities and the requirements of the Constitution and state law. The Commission may provide Improvement Grants for any program that improves the provision of indigent defense services.

Period for Funding and Program Operation: October 1, 2021 to September 30, 2022.

Application Due Date for Priority Consideration: May 7, 2021.
Applications must be submitted online through the Commission's Grant and Plan Management Website (http://tidc.tamu.edu). Applications submitted after this date will be considered for funding based on availability of funds.

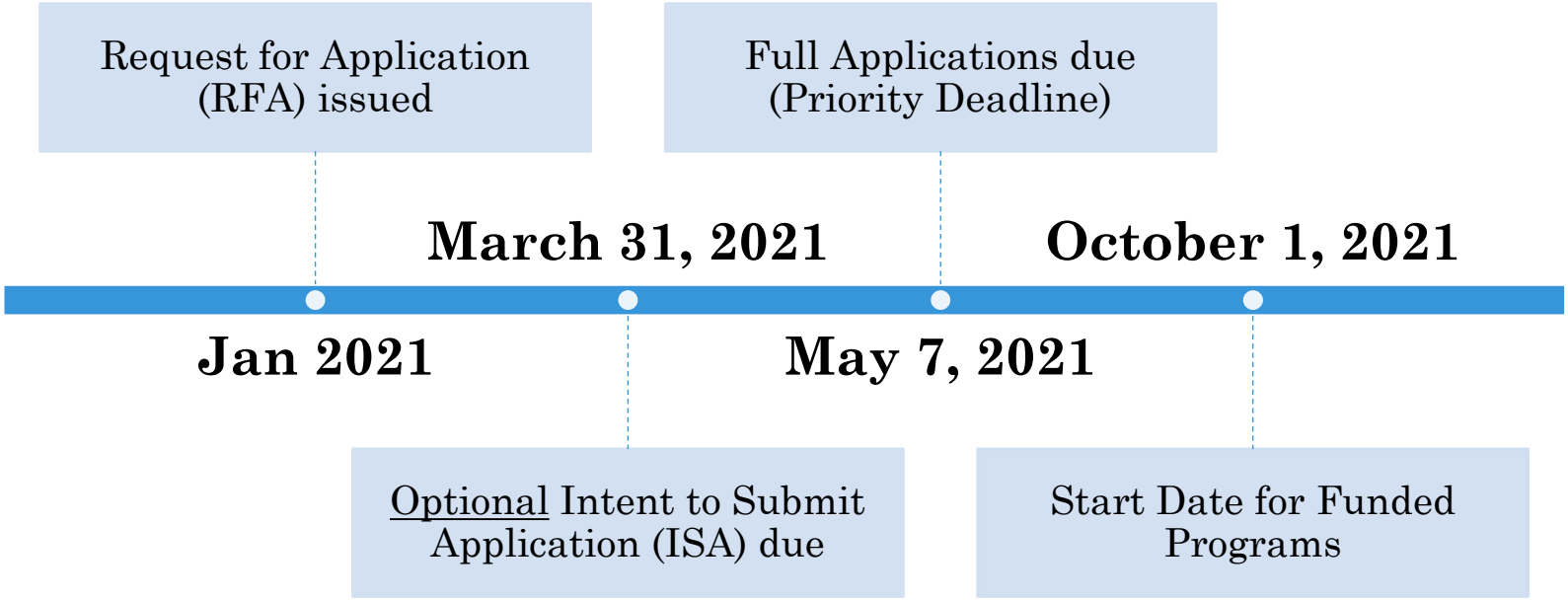
Optional Intent to Submit Application (ISA)
Applicants are strongly encouraged to submit a brief Intent to Submit Application (ISA) online form prior to developing a new grant application. The ISA provides an opportunity for TIDC to provide initial feedback on whether the proposed program is within the scope of the grant program. Although ISAs are optional, counties should submit them by **March 31, 2021** in order to provide sufficient opportunity to incorporate TIDC feedback when developing a full application. Contact the TIDC Grant Team at 512-463-2508 or ecolfax@tidc.texas.gov to initiate an ISA.

Improvement Grant Categories

Multi-Year Improvement Grants
- Minimum of $50,000 per application.
- Funding for direct client service programs serving indigent defendants.
- Provides funding over four years.
- Typically pays up to 80% of total project costs for the first year; 60% for the second year; 40% for the third year; and 20% for the fourth year.
- Awards for multi-year programs are made each fiscal year, with funding of eligible expenses provided on a reimbursement basis. Grantees will be required to re-apply for continued funding each grant year.
- Require a cash match as described above.

Single-Year Improvement Grants
- Minimum of $5,000 per application.

FY2022 Improvement Grant Timeline



Improvement Grant Program

Priority Application Deadline:

May 7, 2021

Applications submitted after this date may be considered based on availability of funds.

FY2022 Funding Details

Grant period:
October 1, 2021 to
September 30, 2022

Quarterly fiscal and progress reports required

Multi-year programs awarded year by year

Improvement Grant Program

Priority Program Areas

- **Managed indigent defense programs** that put in place mechanisms to ensure quality representation (such as managed assigned counsel and public defender programs)
- **Regional** indigent defense services
- **Specialized** (mental health, juvenile) indigent defense services
- Programs serving **rural areas**
- Programs that **measure quality** of representation
- **Online** indigent defense management systems

TIDC Improvement Grants

Key Points

- Program must be specific to indigent defense
- Online application
- Competitive process
- Counties must be in compliance with Fair Defense Act

Multi-Year Grant Program

For Direct Client Service Programs

County match requirement

Reimbursement model usually 80-60-40-20%

Grantees commit to continue program after grant period

Single Year Grant Program

Funding for indigent defense process improvement projects that may include technology.

Minimum request of $5,000

Requires County Match- see RFA p.6 for details.

Changes to Improvement Grant Program for FY2022

- Technical Support Grants now incorporated into competitive Improvement Grant Program
- Additional application requirements for Public Defender and Managed Assigned Counsel
  - Include plan for oversight board and leadership recruitment

Examples of Grant Funded Programs

Multi-Year Improvement Grant Program Examples

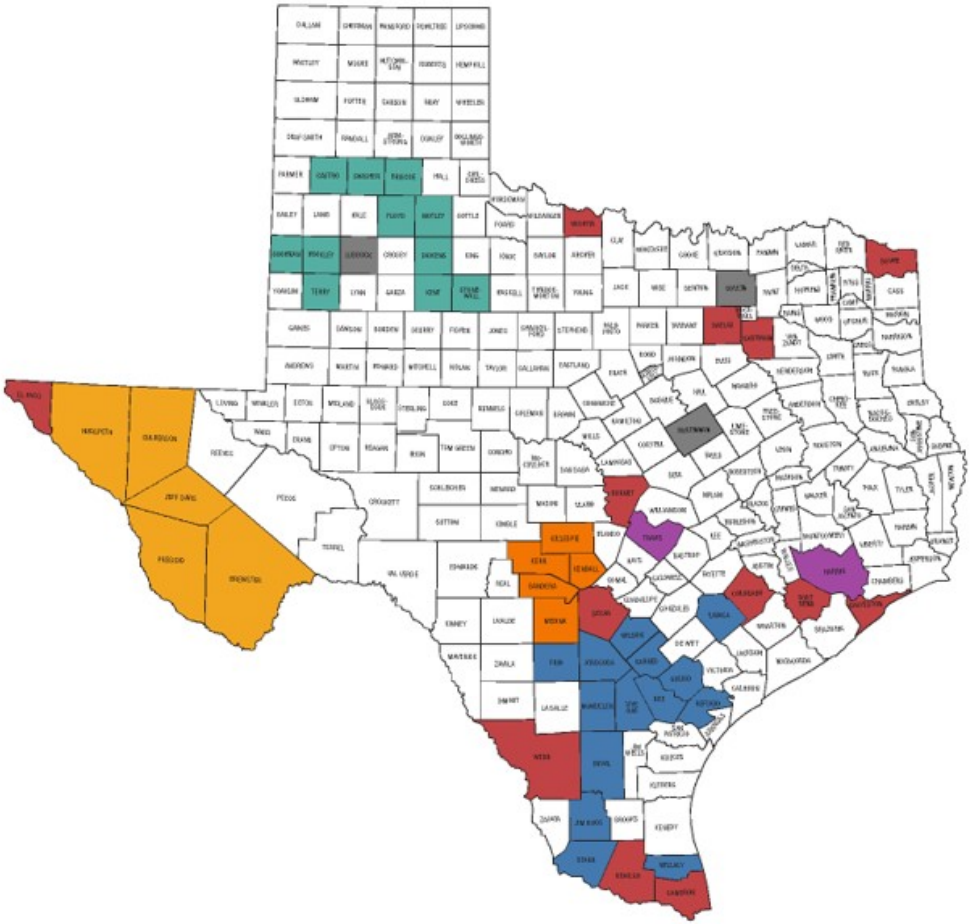
- Public Defender Programs (local and regional)
- Managed Assigned Counsel Programs
- Programs for Defendants with Mental Illness
- Indigent Defense Coordinators
- Criminal/Immigration Consulting Attorneys ("*Padilla* attorneys" focused on immigration-related collateral consequences)

Managed Defender Offices

(multi-year)

Public Defender: Full-time employees (attorneys and support staff) provide representation.

Managed Assigned Counsel: Private attorneys are appointed, supported, and paid by a defense management organization.



Managed Defender Offices

About 53 counties are served by a public defender or managed assigned counsel program.

Benefits of Managed Defender Offices

- Independence
- Oversight
- Efficiency
- Reliability
- Compliance
- Training

- In short:
  - Better management
  - Better representation
  - Better outcomes

Public Defenders

Staff attorneys provide defense representation as a cohesive department

Provide greater transparency, oversight, accountability and quality control

Regularly staff court dockets and reduce delays due to attorney schedule conflicts

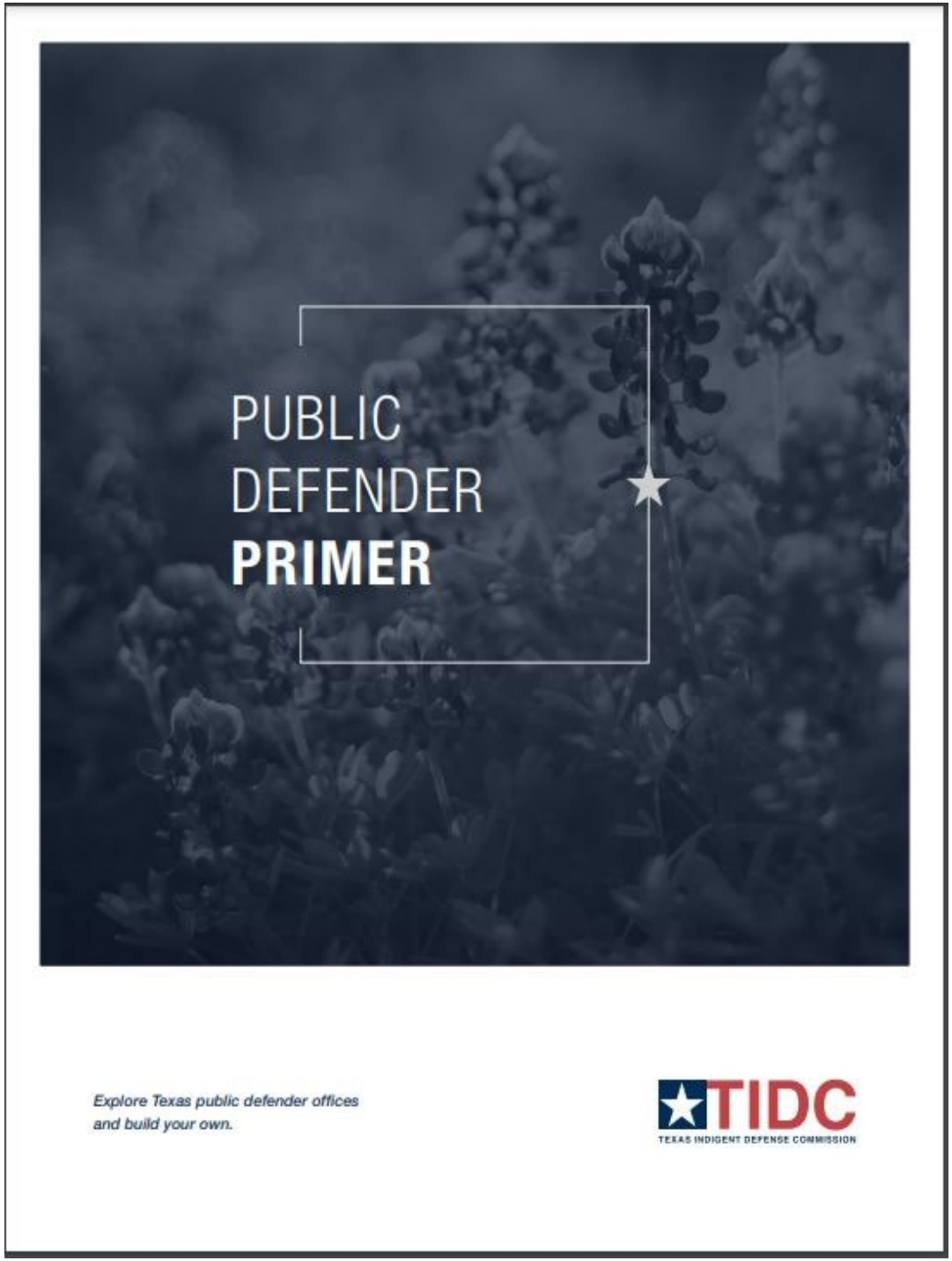
Provide support services such as staff investigators, caseworkers, administrative support, training

Supervision and professional development

Can be a county department (like prosecutor) or contract with a non-profit organization (such as Texas Rio Grande Legal Aid)

Can be regional program serving multiple counties

Public Defender Offices



Managed Assigned Counsel Programs

- A relatively new option for Texas counties
- Private attorneys provide defense with the coordination and support of managing attorneys
- Provides access to support services such as investigation, mental health caseworkers, and other specialized support
- Independence from the judiciary and more proactive coordination, management
- Quality control and professional development
- Judges are relieved of the burden of coordinating defense services, which distracts from core responsibilities

Managed Assigned Counsel Programs

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Primer on Managed Assigned Counsel Programs

September 2017

Regional Programs

Smaller counties may not have the critical mass of indigent cases to justify a new program on their own.

Counties can collaborate on regional programs.

A “lead” county applies for a grant on behalf of group of participating counties.

Regional programs are structured through inter-local agreements.

Participating counties pay the lead (or host) county for their share of program cost.

Rural Regional Public Defender Programs

Counties under 100k population may be eligible for 2/3 sustainability funding.

Contact TIDC to explore regional options.

Specialized Mental Health Defender Programs

Can be Public Defender or Managed Assigned Counsel

Specially trained lawyers coordinate with social workers to represent defendants with mental illness.

Programs help stabilize defendants and link them with treatment and resources.

Can generate cost savings through diversion from jail, reduced recidivism

Specialized Mental Health Defender Programs

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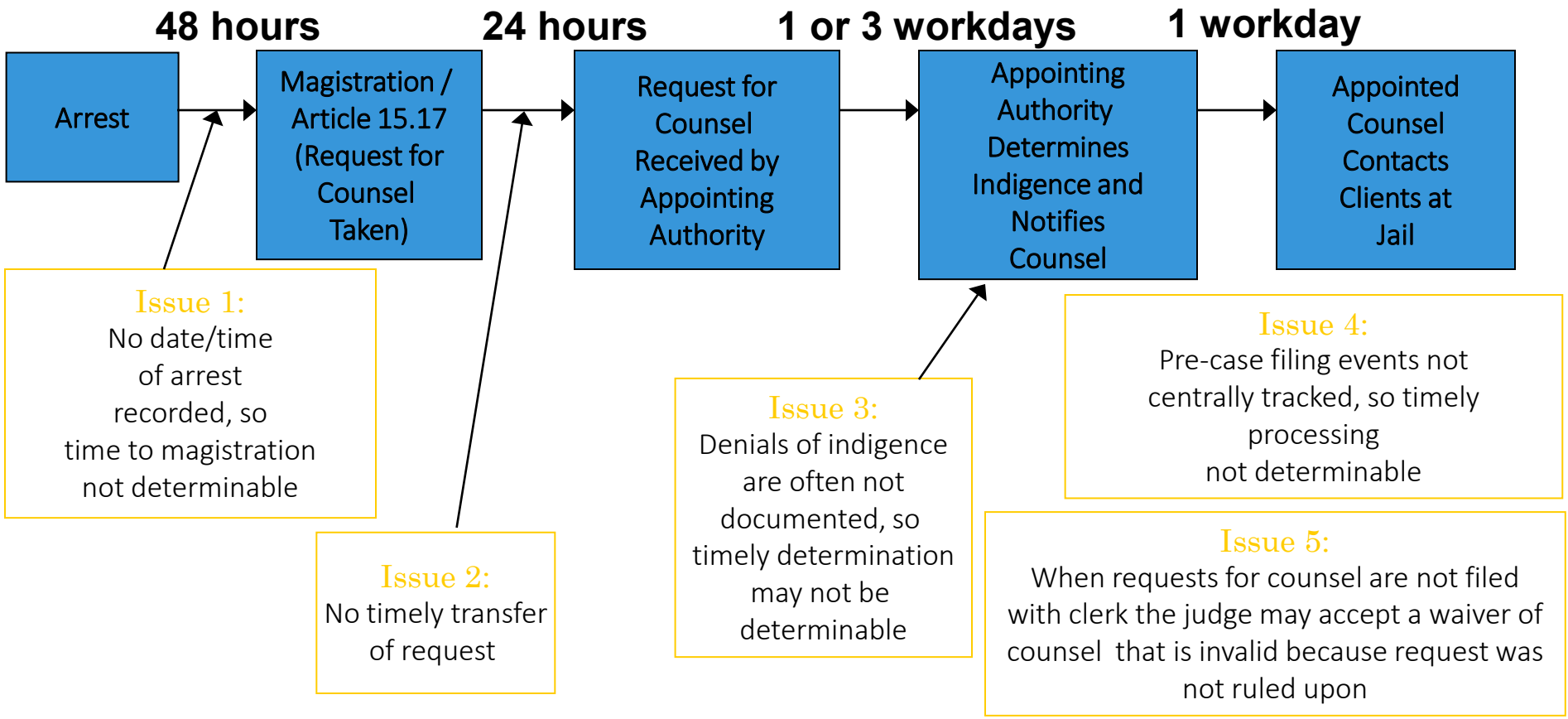
Texas Mental Health Defender Programs

October 2018

Indigent Defense Coordinators

- Improve appointment process and compliance with the Fair Defense Act
- Dedicated staff person performs appointments based on the wheel (authority delegated by judges)
- Review attorney vouchers for consistency with fee schedule prior to judicial approval
- Develop procedures for tracking attorney contact with clients
- Tracks compliance with attorney CLE
- Tracks and reports on complaints
- See RFA for required program elements

Front-end Timelines & Processing Issues



Single-Year Improvement Grant Program Examples

Videoconferencing Systems for Indigent Defense

Technology Programs for Indigent Defense Process Management

Conference of Urban Counties

TechShare Program

- Indigent Defense Management Software
- Cloud-Based
- Operating in 19 counties
- Streamlines appointment & payment processes
- Tracks compliance with Fair Defense Act
- Enhances transparency

TEXAS Conference of Urban Counties

TechShare Indigent Defense Program

Conference of Urban Counties

Eligibility Screening – Defendant financial information is entered, analyzed and issues a recommendation on eligibility for an appointed attorney.

Automates the selection and appointment of the next qualified attorney from the county's appointment list based on charged offense.

Attorneys submit electronic fee vouchers which are routed to judges for review and approval. Approved vouchers are sent electronically to the auditor for payment.

Can be used to streamline preparation the Indigent Defense Expenditure Report (IDER)

Indigent Defense

Video-conferencing

Must focus on three indigent defense-specific uses:

- Attorney-Client Communication
- Magistration/Request for Counsel
- Eligibility Screening Interviews

Technical Support Grants

Technical Support Grants focus on special projects such as indigent defense research, program evaluations, or pilot projects.

The projects help build the knowledge base about indigent defense and explore processes that can be applied in other counties.

All technical support projects must result in a paper that describes the implementation, the benefits the county may have received, a discussion on implications, and suggestions for other similar projects.

Ideas for Exploring New Grant Projects

Getting Started: Dialogue with Stakeholders

- District and County Court Judges
- Constitutional County Court Judges and Commissioners
- JPs and Magistrate Judges
- Sheriffs
- Auditors
- Defense Bar
- Local Mental Health Authority
- Community Leaders/Advocates

Getting Started: Questions to Help Identify Opportunities for Improvement

What are the challenges we face in indigent defense?

Is there confidence that the county knows what it is getting for its money in indigent defense spending?

Is the quality of representation monitored? Does the system have effective oversight and accountability?

Are we tracking the right data to evaluate our indigent defense system and its compliance with the Fair Defense Act?

Are jail costs higher than they should be because of indigent defense-related delays and unnecessary incarceration?

Could a different approach to providing services improve quality or provide cost savings?

Are there delays moving the docket related to defense counsel availability?

Is there a risk of defendants without counsel getting lost in the system?

Getting Started: Questions to Help Identify Opportunities for Improvement

Are significant numbers of mentally ill defendants cycling through the system?

Are defendants getting prompt access to counsel?

Are there effective and efficient processes for managing indigent defense?

Is the processing of indigent defense payments accurate and efficient?

Are there difficulties in preparing state-required indigent defense expenditure reporting?

Are attorney appointment processes fair and neutral?

Do new providers of indigent defense have opportunities for meaningful mentoring?

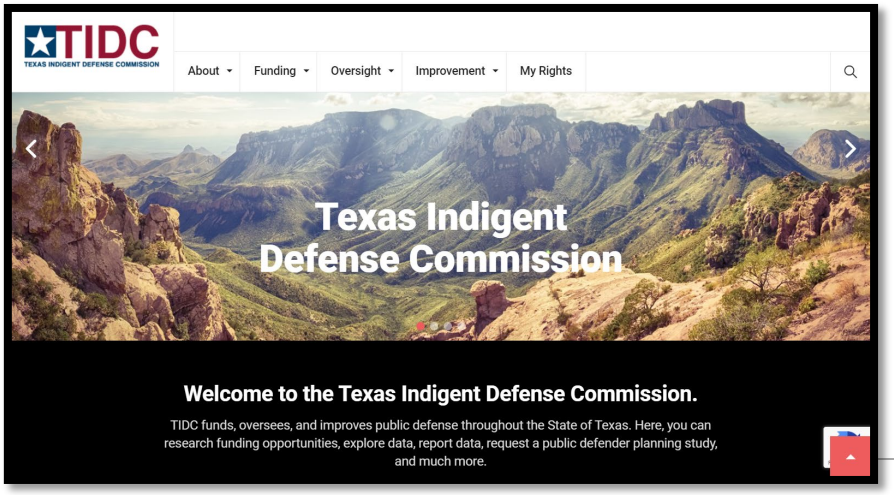
How to Apply

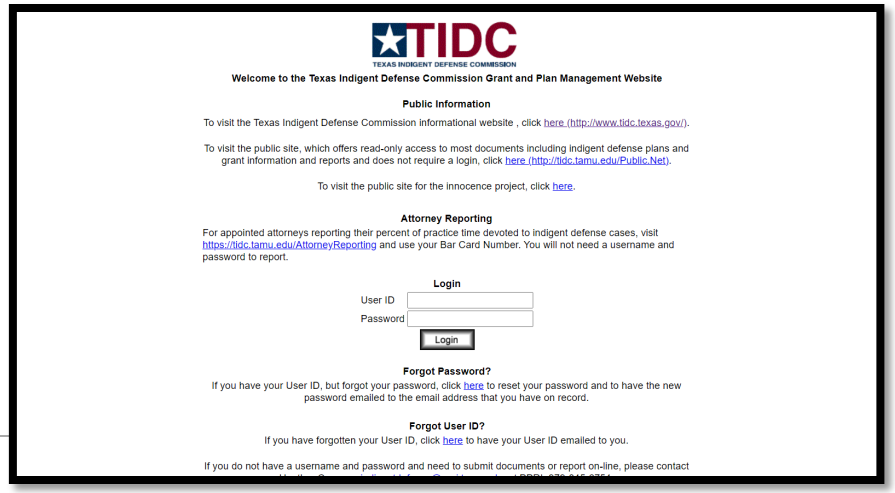
Improvement Grants

How to Apply

- January: Receive Request for Applications (RFA) in January
- March: Submit Intent to Submit Application (ISA) form [**optional*]
- May: Submit full application with Commissioners Court Resolution
- October: Begin program

TIDC Online





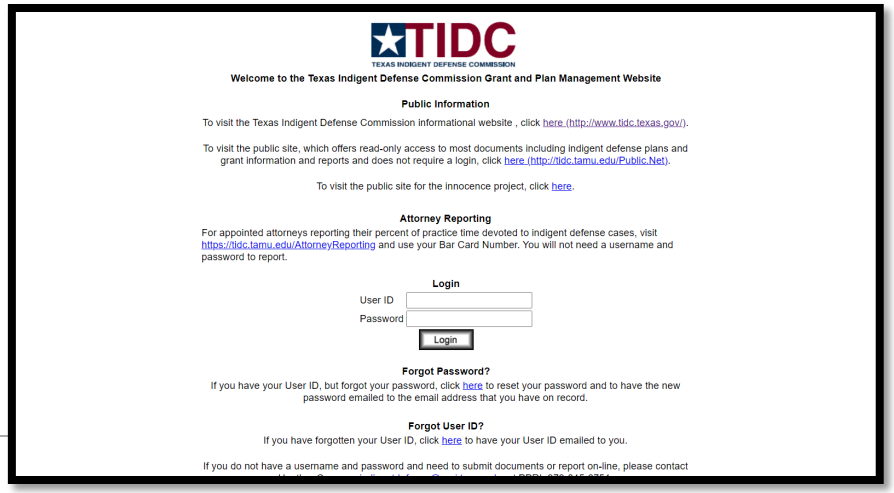
http://tidc.texas.gov

http://tidc.tamu.edu

Online Grant Applications

Grant applications are submitted online. County officials need login credentials to gain access to the application pages.

Contact Heather Caspers for password/log-in assistance.



TIDC
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Welcome to the Texas Indigent Defense Commission Grant and Plan Management Website

Public Information

To visit the Texas Indigent Defense Commission informational website , click here (http://www.tidc.texas.gov/).

To visit the public site, which offers read-only access to most documents including indigent defense plans and grant information and reports and does not require a login, click here (http://tidc.tamu.edu/Public.Net).

To visit the public site for the innocence project, click here.

Attorney Reporting

For appointed attorneys reporting their percent of practice time devoted to indigent defense cases, visit https://tidc.tamu.edu/AttorneyReporting and use your Bar Card Number. You will not need a username and password to report.

Login

User ID

Password

Login

Forgot Password?

If you have your User ID, but forgot your password, click here to reset your password and to have the new password emailed to the email address that you have on record.

Forgot User ID?

If you have forgotten your User ID, click here to have your User ID emailed to you.

If you do not have a username and password and need to submit documents or report on-line, please contact

tidc@ppri.tamu.edu
Phone: 979-845-1041

http://tidc.tamu.edu

Optional Online Intent to Submit Application (ISA)

- Problem statement (Why is program needed?)
- Objectives (What are the goals?)
- Activities (What will you do to accomplish these goals?)
- Evaluation (How will you measure success?)
- General cost estimate

Full Grant Application

- Work with TIDC staff
- Solicit review and input from stakeholders
- Secure written support from courts, commissioners, or other involved parties
- E-mail scanned Commissioners Court resolution and supporting documents to Commission

Problem Statement

Use data to support

If county does not collect data, explain how the grant will help provide data

What drew attention to this issue?

Why does this matter?

Objectives

- State the outcome if funding works as intended
- Develop SMART Goals
  - Specific
  - Measurable
  - Attainable
  - Realistic
  - Time-based
- Do not enter activities here

Activities

Two Parts

- **Implementation – Steps to start program**
- **Operation- Core activities of the program**

Provide details to help reviewers understand how activities meet objectives

Activities

ADDRESS HOW GRANT PROPOSAL CONNECTS TO EXISTING PROGRAMS (COUNTY DEPARTMENTS & STAKEHOLDERS)

BE CLEAR FOR OUTSIDERS – NO JARGON OR UNDEFINED ACRONYMS

DESCRIBE CONTRACT SELECTION OR PROCUREMENT PROCESS

CONTRACT MONITORING PROCESS

Budget

- **Budget narrative should provide detail and explanation for all proposed costs.**
- **"Show the math" – Include attachment if necessary to provide detailed basis of cost.**
- All costs must be reasonable, allowable, and allocable.

Evaluation

Think Ahead

What data will demonstrate that your activities achieved the program objectives?

How will that data be collected?

Don't just plan to document what you do, but also collect data that shows how what you do *improves the system*.

Tie back directly to "SMART" objectives

Qualitative and quantitative elements

Tips

Review	• Carefully review the RFA and contact TIDC with any questions
Consult	• Identify and discuss with all stakeholders
Complete	• Complete ALL sections of the application with specificity
Check	• Double check work before submitting
Support	• Commissioners Court Resolution and documentation of judicial support required with application
Call	• Call TIDC if you need help!

TIDC
TEXAS INDIGENT DEFENSE COMMISSION

Welcome Edwin Colfax. Your last login was at 2/11/2021 2:18:46 PM

The email address that we have on file for you is "**ecolfax@tidc.texas.gov**". If this is incorrect, please update it in your profile. This is important in case you forget your password or if we need to contact you.

This website is an online system for collecting and viewing Indigent Defense Plans for all Texas counties and for administrative functions related to the application for, review of, and reporting on Indigent Defense Grants.

Update My Contact Information - Use this link to update your address, email, or phone numbers whenever there are changes.

CHANGE COUNTY/GRANTEE:
Anderson County
SELECT YEAR:
2022

Formula Grant
- 2022 ANDERSON APPLICATION
- COUNTY DATASHEET
- MULTI-COUNTY DATA SHEET[M]
- GRANT REPORT
- GRANTS AND PAYMENTS
- STATUS REPORT
- FGP CHECKLIST[M]
- BASELINE ADJUSTMENTS[A]
- BASELINE ADJUSTMENTS REPORT[M]
- FG RESOLUTION LINKS[M]
- BULK FGP UPDATES[A]

Improvement Grant
- START NEW 2022 IG APPLICATION
- STATUS REPORT[M]
- ISA STATUS REPORT[M]
- REPORTING STATUS
- REVIEW REPORT
- GRANT PAYMENTS
- PROGRESS REPORT DOCUMENTS
- PROG. RPT. ANNUAL SUMMARY[M]
- ISA DUMP[M]
- PROG. RPT. Q & R[M]
- PROG. RPT. Q & R DUMP[A]
- PROGRESS REPORT ITEMS (NEW)[A]
- ASSIGN PROG RPT QUESTIONS[A]
- DISPLAY QUESTIONS FOR GROUP[A]
- MANAGE GRANT [M]
- APPLICATION REVIEW
- APPLICATION REVIEW SUMMARY

ID Expenditure Report
- REPORTED ATTORNEYS
- IDER STATUS REPORT
- EXPENDITURE REPORT RESULTS[M]

⊟ **Calendar**

Contact Information for Anderson County

Constitutional County Judge

Robert Johnston
703 N. Mallard, Suite 101
Palestine, TX 75801
phone: 903-723-7406
fax: 903-723-7494
email: rjohnston@co.anderson.tx.us
Change

Local Administrative District Judge

Deborah Oakes Evans
118 E. Commerce Street Rm 406
Fairfield, TX 75840
phone: 903-389-4836
fax: 903-389-0422
email: judge87th@gmail.com
Change

Other Counties: Freestone (LADJ) (JBC), Leon (LADJ)

Local Administrative Statutory County Court Judge

(or County Judge if there is no statutory court within the county)

Jeff Doran
500 N. Church St.
Palestine, TX 75801
phone: 903-723-7469
fax: 903-723-7803
email: jdoran@co.anderson.tx.us
Change

Chairman of the Juvenile Board

Jeff Doran
500 N. Church St.
Palestine, TX 75801
phone: 903-723-7469
fax: 903-723-7803
email: jdoran@co.anderson.tx.us
Change

County Administrative Contact(s)

No County Administrative Contact on Record

County Administrative Contacts are editable only by administrative users Add

Auditor

Stan Chambers
703 N. Mallard Street
Room 110
Palestine, TX 75801
phone: 903-723-7427
fax: 903-723-7808
email: schambers@co.anderson.tx.us
Change

Grant Type	Examples of Programs
Single-Year Improvement Grant	Technology or Process Improvement Programs
Multi-Year Improvement Grants	Direct Client Services Programs, Indigent Defense Coordinators, Managed Assigned Counsel Programs, Public Defender Programs

For more information see: Official Requests for Applications (RFA) Notice on the Texas Indigent Defense Commission website.

Which type of improvement grant do you wish to apply for?

- ○ Single-Year Improvement Grant
- ○ New Multi-Year Improvement Grant

☐ **Skip Intent to Submit Application (ISA)** and go straight to application.

Start Cancel

Grant Officials

The Program Director must be an officer or employee responsible for the program operation or monitoring and who will serve as the point-of-contact regarding the program's day-to-day operations. The Authorized Official must be authorized to apply for, accept, decline, modify, or cancel the grant for the applicant county. A county judge or a designee authorized by the governing body in its resolution may serve as the authorized official. The program director and the authorized official may be the same person. The financial officer may not serve as the program director or the authorized official. *Texas Government Code §173.301(a)*

Program Director

Rob Kelly
700 Main Street
Kerrville, TX 78028

phone: 830-792-2211
Fax: 830-792-2218
email: cojudge@co.kerr.tx.us

Change

Authorized Official

Rob Kelly
700 Main Street
Kerrville, TX 78028

phone: 830-792-2211
Fax: 830-792-2218
email: cojudge@co.kerr.tx.us

Change

Resolution / Internet Submission Form: Click on link to open new window with Sample resolution. This may be printed or copied (Ctrl+A, Ctrl+C) and pasted (Ctrl+V) into Word Processing software for editing. Word Version

Printable Indigent Defense Improvement Grant Program Cooperation Agreement

Application Narrative

View Instructions
Introduction (Executive Summary)
Problem Statement
Objectives
Activities
Evaluation
Future Funding
Budget Narrative and Budget Form

Commisioners Court Resolution

Sample Resolution/Internet Submission Form
Indigent Defense Discretionary Grant Program

MUST BE PRINTED FROM ONLINE SYSTEM

WHEREAS, under the provisions of the Texas Government Code § 79.037 and Title 1 of the Texas Administrative Code Chapter 173, counties are eligible to receive grants from the Texas Indigent Defense Commission to provide improvements in indigent defense services in the county; and

WHEREAS, the commissioners court authorizes this grant program and application to assist the county in the implementation and the improvement of the indigent criminal defense services in this county; and

WHEREAS, _____County Commissioners Court has agreed that in the event of loss or misuse of the funds, _____County Commissioners assures that the funds will be returned in full to the Texas Indigent Defense Commission.

NOW THEREFORE, BE IT RESOLVED and ordered that the **OFFICIAL DESIGNATED BY THE COMMISSIONERS' COURT** of this county is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Indigent Defense Discretionary Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that the **OFFICIAL DESIGNATED BY THE COMMISSIONERS' COURT** is designated as the Program Director for this grant and the **County Auditor or County Treasurer if the county does not have an auditor (per TAC § 173.301(a)** is designated as the Financial Officer for this grant.

Adopted this _____day of _____, 20___.

This is a **Sample**. Submitted resolution submitted MUST BE PRINTED FROM ONLINE SYSTEM

County Judge

Attest:

_____

County Clerk

INTERNET SUBMISSION FORM

After submitting the discretionary application online, the following Internet submission confirmation number was received #____ ___ . This grant application submission was in accordance with the Commissioners' Court Resolution above.

_____

Authorized Official

Documentation of Judicial Support

Attachment B

HARRIS COUNTY INDIGENT DEFENSE MULTI-YEAR DISCRETIONARY GRANT PROGRAM COOPERATION AGREEMENT

Harris County has applied for a discretionary grant from the Task Force on Indigent Defense (Task Force) to assist in funding **Harris County Public Defender Office**. Implementation of this program will affect the courts below. The undersigned judges agree to support and/or participate with the program pursuant to the county's discretionary grant application to the Task Force and any special conditions of the grant award to the county. This commitment includes participating in the data collection efforts required in the program, as well as utilization of the services to be provided by the program.

To be considered for funding this program cooperation agreement must be signed by the judges of all of the statutory county / district courts hearing criminal matters punishable by incarceration or juvenile matters in the county.

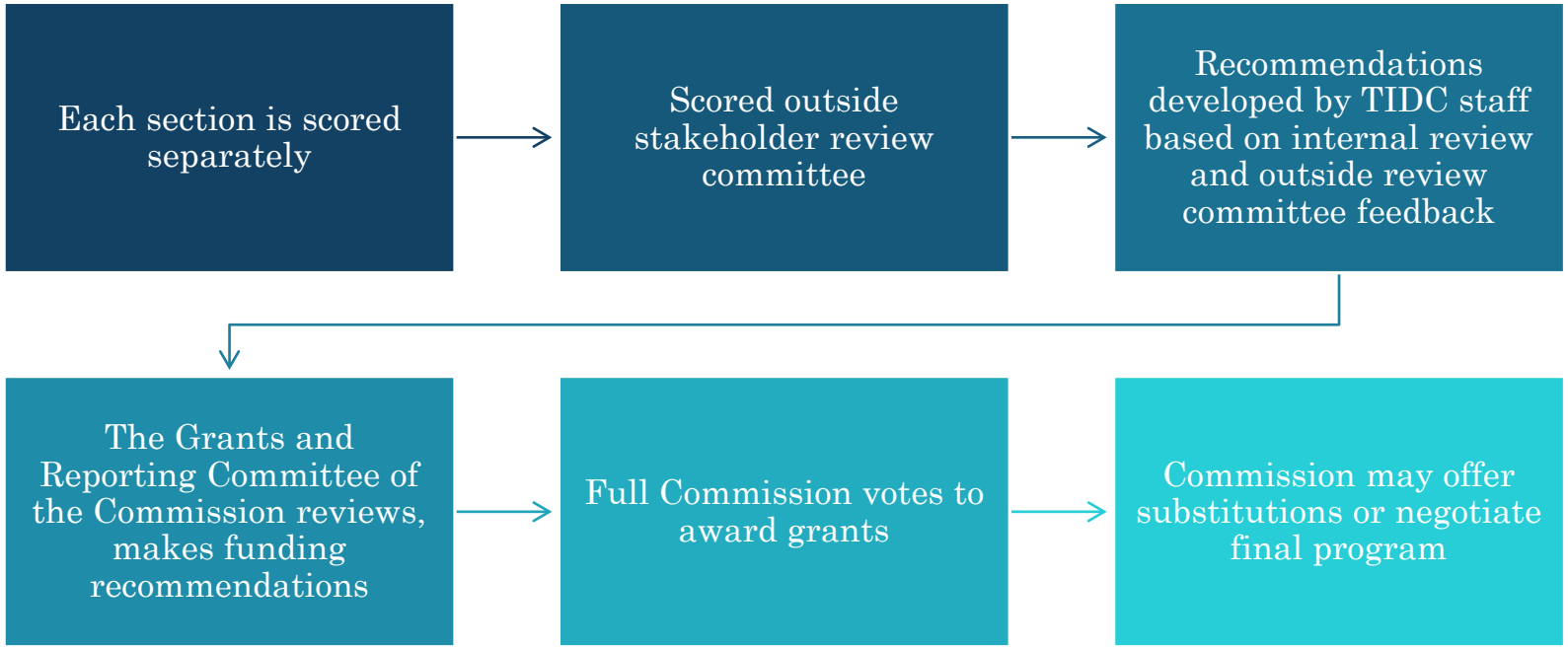
Acknowledged and Approved by all statutory county / district courts hearing criminal matters punishable by incarceration or juvenile matters in the county:

Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title
Signature of Judge	Date	Printed Name and Title

Pitfalls to Avoid

- Not building broad support with other stakeholders
- Creating an application that includes non-indigent defense specific costs
- Vague descriptions of how activities will improve indigent defense
- Lack of plan for evaluating data and documenting impact of program

Review Process



FY2022 Improvement Grant Deadlines

OPTIONAL INTENT TO SUBMIT APP. DUE MARCH 31, 2021

FULL APPLICATIONS DUE MAY 7, 2021 (PRIORITY DEADLINE)

START DATE FOR FUNDED PROGRAMS: OCTOBER 1, 2021

Contact TIDC for help!

The TIDC Grants Team can:

- Help you explore program ideas
- Put you in touch with other counties that have implemented successful programs
- Meet with you and your stakeholders to build consensus on a project plan
- Provide feedback on application drafts

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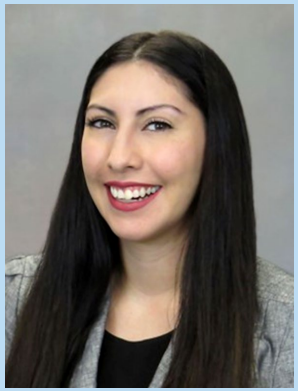
Thank You!

Edwin Colfax
Director of Grant Funding
ecolfax@tidc.texas.gov
512-228-8807



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Senior Policy Analyst
kcasey-gamez@tidc.texas.gov
512-463-2573