Grants to Address Pandemic-Related Backlogs

Supplemental FY22/23 RFA
March 25, 2022

Please stand by, the presentation will begin shortly.
TIDC’s Mission

Protecting the right to counsel, improving public defense

Oversight
- Plans
- Expenditure Reports
- Policy Monitoring
- Fiscal Monitoring

Funding
- Formula Grants
- Improvement Grants
- Innocence Projects

Improvement
- Training
- Publications
- Presentations
- Technical Assistance
Who we are

**Edwin Colfax**
Director of Grant Funding
ecolfax@tidc.texas.gov
512-463-2508

**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 and budget development
- Review and feedback on draft applications
- Award logistics, reporting, & modifications
Who we are

**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
TIDC Improvement Team

TIDC’s Improvement Team can help with:

- Planning Studies for PDs and MACs
- Technical Assistance
- Education and Training
- Mentoring Program
- Publications
A. Pandemic Backlog Grant Overview
B. Eligible Programs
C. How to Apply
D. Q&A
The Texas Legislature appropriated $13.9 million received under the American Rescue Plan Act (ARPA) to TIDC for indigent defense grants addressing pandemic-related case backlogs.
Special FY22/23 Supplemental Request for Applications

1. $13.9 million for indigent defense programs that address pandemic-related case backlogs
2. $5 million for programs representing defendants with mental health challenges (approx. $3 million remaining)

Today’s focus is pandemic-related backlog grants.

- Up to two years of 100% funding
- Programs may start immediately.
FY 22/23 Supplemental Improvement Grant Request for Applications (RFA)

Available on TIDC Website:

Essential Reading!

Indigent Defense Improvement Grant Program Supplemental Request for Applications (RFA) FY2022/FY2023

Mental Health Defender Programs
and
Indigent Defense Programs to Address Pandemic-Related Backlogs

Overview

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

In addition to TIDC’s regular appropriation for the FY2022-2023 Biennium supporting grants to improve indigent defense in Texas counties, two special appropriations are available to support certain types of projects:

- The Legislature has appropriated $14 million to support grants for indigent defense that help to address pandemic-related case backlogs. Eligible projects should expand indigent defense representation capacity in affected counties or otherwise support indigent defense needs related to case backlogs.

- The Legislature has appropriated $5 million for grants to create or expand Mental Health Defender Programs. Eligible programs will be new or existing public defender offices or managed assigned counsel programs providing specialized representation of indigent defendants with a mental illness. Grants may expand the capacity of existing mental health defender programs, establish mental health defender programs in counties currently without these programs, and/or sustain effective mental health defender programs. See TIDC’s publication Texas Mental Health Defender Programs for program examples.

Application opens January 10, 2022 and proposals will be considered on a rolling basis. Potential applicants are strongly encouraged to contact TIDC early in the application process to discuss potential grant applications and confirm eligibility. Contact Edwin Colfax, Director of Grant Funding, at ecolfax@tidc.texas.gov or 512-463-2508 to discuss potential grant applications and confirm eligibility.
FY22/23 Supplemental Improvement Grant Timeline

- Applications considered on a rolling basis as long as funds remain available.

- Awards must be approved at quarterly Commission meeting.

- Counties are urged to apply by May 2nd for the best chance of grant approval.

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Demonstrating eligibility: Statistics that support pandemic-related backlog needs.

- Compare cases pending in district and/or county courts today to pre-Covid levels.
- District and County Clerks will have latest figures.
Other statistics that support pandemic-related backlog defense needs

- Decrease in attorneys taking court appointments
- Increase in pending cases going to trial
- Excessive caseloads per attorney in counties with backlogs
Eligible programs build new indigent defense capacity in areas affected by pandemic-related backlogs

Examples:
- New public defender offices
- Expansion of existing public defender offices
- Other programs that add new indigent defense capacity
Applications should explain how the proposed program will help to address pandemic-related backlogs.

How will impact be measured?
Pandemic-related backlog grants

Programs must have quality control mechanisms to ensure that representation is consistent with professional standards.

- Oversight and supervision
- Reasonable caseloads
- Use of investigators
- Client communication, etc.
Opportunity to Build Programs that Meet Future Needs

- Programs that add defense capacity to address backlogs may help communities meet ongoing indigent defense needs.

- Proposals that build permanent capacity will be considered in the competitive award process.
Adding Capacity Through Public Defender Offices

| 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 organized as a county department or through contract with a qualified non-profit organization |
| Can be regional program serving multiple counties |
Public Defender Offices

PUBLIC DEFENDER PRIMER

Explore Texas public defender offices and build your own.
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.
Counties under 100k population may be eligible for 2/3 sustainability funding.

Contact TIDC to explore regional options.
Pandemic-Related Backlog Grants

Future Funding

- May be eligible for funding beyond two years (with county match) under TIDC’s regular grant program if funds are available.

- Rural regional public defender programs may be eligible to convert to 2/3 sustainability funding if funds are available.
How to Apply
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.

indigentdefense@ppri.tamu.edu
Phone: 979-845-6754

http://tidc.tamu.edu
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.

### 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

**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

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: idoran@co.anderson.tx.us

**Chairman of the Juvenile Board**

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

**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
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

Authorized Official

Rob Kelly
700 Main Street
Kerrville, TX 78028
phone: 830-792-2211
Fax: 830-792-2218
email: cojudge@co.kerr.tx.us

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
Application Sections:

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?
Application Sections:

Objectives

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

Activities

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

Provide details to help reviewers understand how activities meet objectives
Application Sections:

Budget and Budget Narrative

- 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.
While backlog grant programs may be temporary, counties should address any plans for continuation of programs beyond the two-year funding period.
Application Sections:

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!
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 ____________ 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 ____________ DESIGNATED BY THE COMMISSIONERS’ COURT is designated as the Program Director for this grant and the ________________ or ________________ 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

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
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:

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<th>Date</th>
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Pandemic backlog grants are one of several current TIDC grant opportunities.

- Metal Health Defender Programs
- Managed Assigned Counsel Programs
- Indigent Defense Coordinators
- TechShare Indigent Defense Process Management
- *Padilla* Attorneys
- Cost Containment Projects
- Other projects that improve access to and the quality of indigent defense.

Most programs require county matching funds. Contact TIDC for details and to explore eligibility.
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
Applications considered on a rolling basis as long as funds remain available.

Awards must be approved at quarterly Commission meeting.

Counties are urged to apply by May 2\textsuperscript{nd} for the best chance of grant approval.

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Questions?

Please type your questions into the Zoom Q&A
Thank You!

Edwin Colfax
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ecolfax@tidc.texas.gov
512-228-8807

Doriana Torres
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