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Presiding Judge, Court of Criminal
Appeals

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EXECUTIVE DIRECTOR:
Geoffrey Burkhart

Report from the Texas Indigent Defense Commission (TIDC) for the September 24, 2020 Texas Judicial Council Meeting

Here is a brief report on TIDC's recent work. If you would like additional information, please contact **Executive Director Geoff Burkhart:** (512) 936-6999 or gburkhart@tidc.texas.gov.

TIDC Board and Committee Meetings

The [TIDC Full Board](#) met on Thursday, March 12th to review the 2019 Indigent Defense plan submission status, consider the publication of proposed amendments to policy monitoring rules, and review the policy monitoring processes. The [TIDC Full Board](#) met again on Thursday, June 18th via Zoom to discuss the FY20 budget and the upcoming FY21 Improvement Grant cycle. The TIDC Full Board and staff met for two days in June for strategic planning in preparation for the upcoming legislative session. The [Policies and Standards \(P&S\) Committee](#) met Wednesday, August 19th via Zoom to discuss legislative proposals for the upcoming Texas Legislature, report on Indigent Defense Plan submission and review, and receive an update regarding policy monitoring. The [Grants and Reporting \(G&R\) Committee](#) met on Tuesday, August 21st via Zoom to discuss TIDC's budget and to consider new FY21 Improvement Grant requests. The [TIDC Full Board](#) met on Thursday, August 27th via Zoom and YouTube to report on the P&S and G&R Committee



meetings and to adopt the FY21 TIDC budget. The next Commission meeting will be held in December.

TIDC COVID-19 Update

TIDC staff are working from home. About 90% of our core operations are continuing remotely. Here's a summary of our activities:

- Grant funding
- Indigent defense plan review
- Public defender and managed assigned counsel planning studies
- Publications
- Future Indigent Defense Leaders (FIDL) planning
- Grant review
- Complaints
- Interim charge research
- Drafting fiscal and policy monitoring reports
- Technical assistance to counties

TIDC and the Texas Criminal Defense Lawyers Association hosted six webinars related to Online Courts this summer. The videos are available [here](#).

The topics include the following:

- Online Court for Defense Attorneys (an introduction)
- Online Courts and the Law (UT professor covers legal issues regarding online courts)
- Early Adopters of Online Technology (conversation with practitioners already familiar with the technology and using it widely)
- Tools You Need for Working Virtually in the New Age (focused on private practitioners and how to transition to a paperless office)
- *Padilla* in the Age of Online Courts
- Online Courts: One Month In

TIDC also awarded several micro-grants (\$5,000 or less) for technology to assist counties struggling to adjust to online courts.

Geoff Burkhart was featured in a [The JustPod's podcast episode](#), where he discussed the state of virtual courts.

Staff Update

In addition to its normal monitoring, grants administration, and data collection, TIDC staff has been involved in the following:

- TIDC had two Texas Tech interns, **Rebecca Brogan** and **Jay Evans**, over the summer.
- **Rebecca Brogan** is a rising 2L at Texas Tech School of Law. She attended Texas Tech for undergrad, where she obtained a bachelor's degree, with concentrations in history, political science, and legal studies.



•**Jay Evans** received his bachelor's degree from Texas A&M University and master's degree from Georgetown University. Jay is a rising 2L at Texas Tech University School of Law. Prior to law school, Jay worked for six years as a fundraiser for local, state, and national political campaigns, candidates, and nonprofit organizations.

•TIDC's Fall Intern, **Noorulanne Jan**, began last month.

Noorulanne (BA 2015 Texas Tech University; JD expected 2021) spent her 1L summer with the Fort Bend Public Defender's Office in Richmond, Texas. For her second summer, she worked with the Federal Public Defender's office of the Southern District of Texas in Houston. While in law school, Noorulanne served as a 2019-2020 Mithoff Pro Bono Scholar at UT Law.



- **Scott Ehler** and **Kathleen Casey-Gamez** traveled to Hondo, Texas to present at the Medina County Commissioners Court meeting regarding the Hill Country's Public Defender's Office.
- **Edwin Colfax** and **Doriana Torres** held an Improvement Grant application training webinar in preparation for the upcoming FY21 grant cycle.

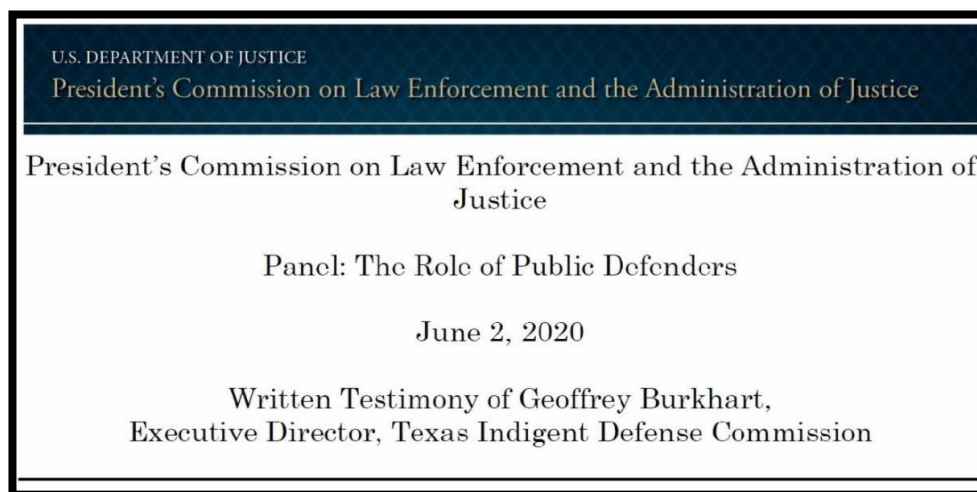


• **Geoff Burkhart** testified at the Travis County Commissioners Court meeting on March 10th.

• **Kathleen** was sworn in as a Texas attorney. The oath was administered by TIDC Chair and Texas Court of Criminal Appeals Presiding Judge **Sharon**

Keller.

- **Geoff** spoke on a panel regarding building a public defender office in Hays County, Texas on May 6th.
- **Wesley Shackelford, Joel Lieurance, Scott, Claire Buetow, and Kathleen** observed Hudspeth County court proceedings on May 11-12th.
- **Geoff** and **Claire** met virtually with Theo Stamos from the President's Commission on Law Enforcement and the Administration of Justice in mid-May.
- **Geoff** attended a meeting with the Presidential Commission on Law Enforcement and the Administration of Justice.
- On June 1st, Geoff testified before the [President's Commission on Law Enforcement and the Administration of Justice](#) on Hearing 10: The Role of Public Defense. **Geoff's** testimony begins at the 7:20 mark of the recording.



- **Geoff, Wesley, and Kathleen** led the National Association for Public Defense's (NAPD) Indigent Defense Commissions Workgroup in June.

- Toward the end of June, **Kathleen** hosted the [Future Indigent Defense Leaders \(FIDL\) program kickoff event](#) for 2020.



- **Geoff, Wesley, Scott,** and **Kathleen** led the Texas Chief Public Defenders Summer meeting, which was held virtually and included three national public defense speakers.
- TIDC's External Grant Review Committee met with TIDC staff in June to discuss the Improvement Grant requests for FY21.
- TIDC Board Member, Chair **Nicole Collier**, attended the Texas Chief Public Defender's meeting with **Geoff, Wesley, Kathleen,** and **Scott**.
- Policy monitoring reports and responses are available on the TIDC website for Jim Wells ([Initial Report](#) & [County Response](#)), Kleberg ([Follow-up Report](#) & [County Response](#)), Scurry ([Initial Limited Scope Report](#) & [County Response](#)), Tarrant ([Initial Report](#) & [County Response](#)), Dawson ([Second Follow-up Report](#) & [County Response](#)), Gaines ([Second Follow-up Report](#) & [County Response](#)), and Jefferson ([Follow-up Report](#) & [County Response](#)) Counties.
- TIDC staff has issued final fiscal monitoring reports for [Camp](#), [Jasper](#), [Tarrant](#), and [Jefferson](#) Counties.
- TIDC staff has conducted policy or fiscal monitoring in Tarrant, Gaines, Dawson, Terry, Yoakum Counties.

Indigent Defense in the Media

[Travis County Hires Law Professor As Its First-Ever Public Defender](#) (February)

[Commissioners Approves TIDC Grant For Counsel At First Appearance Trial](#) (February)

[Coronavirus pauses many Texas court proceedings. For some, that means more time in jail.](#) (March)

[Examining the Effectiveness of Indigent Defense Team Services: A Multisite Evaluation of Holistic Defense in Practice, Project Summary](#) (April)

[Could Zoom jury trials become the norm during the coronavirus pandemic?](#) (May)

[Texas tries a pandemic first: a jury trial by Zoom](#) (May)

[Building Holistic Defense: The Design and Evaluation of a Social Work Centric Model of Public Defense](#) (June)

[*Video Enabled Justice Evaluation*](#) (June)

[Early Intervention by Counsel: A Multi-Site Evaluation of the Presence of Counsel at Defendants' First Appearances in Court](#) (June)

[Order in the Auditorium: Texas Courts Venture Into Unusual Spaces Amid Pandemic](#) (July)

[New study! Evaluating Counsel at First Appearance in Hays County, TX](#) (July)

[Pandemic, hiring freeze impact launch of new Travis County Public Defender Office](#) (July)

[Just a Public Defender's Perspective \(Podcast episode\)](#) (August)