

MINUTES

SEPTEMBER 5, 2025

PUBLIC DEFENDER'S OVERSIGHT BOARD MEETING

1. Call to Order

A meeting of the Brazos County Public Defender's Office Oversight Board was held on Friday, September 5, 2025 at 2:00 p.m. in suite 332 of the Brazos County Administration Building, 200 South Texas Avenue, Bryan, Texas. The following members of the Board were present:

Acting County Judge, Kyle Kacal Judge Travis Bryan, III (retired); Judge Willie Blackmon (retired), Absent; Commissioner Wanda J. Watson; Michele Esparza; Fran Duane; Jamie Martin, Absent.

The attached sheet contains the names of officials and citizens that were in attendance.

2. Approval of Minutes from the June 6, 2025 Public Defender's Oversight Board Meeting.

The Board voted unanimously to approve the minutes for the meeting held on June 6, 2025.

Motion: Approve, Moved by Commissioner Wanda J. Watson, Seconded by Michele Esparaza. Passed. 5-0. Ayes: Bryan, III, Duane, Esparaza, Kacal, Watson. Absent: Blackmon, Martin.

3. Recognition of the Public Defender's Office Oversight Board Member Appointments that were approved by Commissioners Court on August 5, 2025.

The Board recognized newly appointed Board Member Fran Duane and welcomed her to the Board. Chief Public Defender Nathan Wood noted that the other newly appointed Board Member Jamie Martin was not in attendance.

4. Recognition of Acting County Judge Kyle Kacal as interim for Judge Duane Peters' position on the Public Defender's Office Oversight Board.

Judge Bryan welcomed Judge Kacal to the Board.

5. Approval of appointment of a chairperson to the Public Defender's Office Oversight Board.

The Board discussed the nomination of the Chairperson to the Public Defender's Office Board. Judge Bryan stated that he would be happy to either let another member serve as Chairman or continue serving in his current capacity.

Michele Esparza nominated Judge Bryan to continue serving as Chairman of the PDO Board for another year. On motion by Ms. Esparza and second by Fran Duane, the Board voted unanimously to reappoint Judge Bryan as Chairman to serve a one year term.

Motion: Approve, Moved by Michele Esparaza, Seconded by Fran Duane. Passed. 5-0. Ayes: Bryan, III, Duane, Esparaza, Kacal, Watson. Absent: Blackmon, Martin.

6. Review and discuss the 2025 Second Quarter Progress Report.

Mr. Wood presented the Second Quarter Progress Report to the Board. He stated that the Judges appear to be pleased with the work that is being done within the PDO. The Board discussed case loads versus work loads and disposition of cases. Judge Bryan questioned the philosophy of the office and Mr. Wood shared their philosophy in providing the best representation to their clients.

A copy of the Second Quarter Progress Report is attached.

7. Review FY 2026 Grant Awards.

Mr. Wood discussed the FY 2026 Grant Awards noting, they will have the funding to hire ten full-time staff members to establish a robust Juvenile Division.

Ms. Duane questioned whether they were confident that they would be able to hire that many qualified attorneys. Mr. Wood explained the PDO hiring practices.

The Board then entered into discussion on the Juvenile Division and needs for a Mental Health Division.

8. Discussion and Approval of the FY 2026 Budget.

The Board entered into discussion on the FY 2026 PDO Budget. Budget Officer Nina Payne and First Assistant Auditor Marci Turner made the Board aware of potential conflicts between the proposed PDO budget and the proposed Brazos County Budget. The Board discussed the issues and the need to urge the Court to consider the presented PDO Budget.

On motion by Michele Esparza and second by Fran Duane, the Board voted to approve the FY 2026 PDO Budget as presented, with 4 in favor and Judge Kacal voting against the motion.

Motion: Approve, Moved by Michele Esparaza, Seconded by Fran Duane. Passed. 4-1. Ayes: Bryan, III, Duane, Esparaza, Watson. Nays: Kacal. Absent: Blackmon, Martin.

9. Discussion of revised policy concerning appointment to cases eligible for the death penalty.

Mr. Wood explained that the policy is being revised to state that the Public Defender's Office is ineligible to be appointed as counsel for capital felony cases or cases that are eligible for the death penalty under Texas Law.

The Board entered into discussion and voted unanimously to approve the revised policy. A copy of the policy is attached.

Motion: Approve, Moved by Michele Esparaza, Seconded by Fran Duane. Passed. 5-0. Ayes: Bryan, III, Duane, Esparaza, Kacal, Watson. Absent: Blackmon, Martin.

10. Approval of amending the by-laws regarding the number of Board Members to the Public Defender's Office Oversight Board.

Ms. Esparza proposed adding defense attorney Jim James to the PDO Board and amending the bylaws to increase the Board to eight voting members. The Board discussed concerns regarding establishing a quorum with eight members and the possibility of tied votes.

Ultimately, the Board voted unanimously to approve the amended bylaws to reflect eight voting members.

Motion: Approve w/ Conditions, Moved by Michele Esparaza, Seconded by Acting County Judge Kyle Kacal. Passed. 5-0. Ayes: Bryan, III, Duane, Esparaza, Kacal, Watson. Absent: Blackmon, Martin.

11. Announcement of interest items and possible future agenda topics.

Ms. Esparza requested that an agenda item be added to the Fourth Quarterly Meeting to appoint Jim James to the Board and an item to evaluate the Chief Public Defender.

Announcements

- 12. Fourth Quarterly Meeting for the Public Defender's Office Oversight Board will be on December 5, 2025 at 2:00 PM.
- 13. Adjourn

The meeting was adjourned at 3:13 p.m.



DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

ITEM: Approval of Minutes from the June 6, 2025 Public Defender's Oversight Board Meeting.

TO: Commissioners Court

DATE: 08/28/2025

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00

ATTACHMENTS:

<u>File Name</u> <u>Description</u> <u>Type</u>

<u>June 6 2025 PDO Oversight Board Meeting Minutes.pdf</u> June 6, 2025 PDO Oversight Board Meeting Minutes Minutes

Minutes

Backup Material



MINUTES

JUNE 6, 2025

PUBLIC DEFENDER'S OVERSIGHT BOARD MEETING

1. Call to Order

A meeting of the Brazos County Public Defender's Office Oversight Board was held on Friday, June 6, 2025 at 2:00 p.m. in suite 332 of the Brazos County Administration Building, 200 South Texas Avenue, Bryan, Texas. The following members of the Board were present:

Judge Duane Peters, Absent; Judge Travis Bryan, III (retired), Absent, Judge Willie Blackmon (retired); Commissioner Wanda J. Watson; Michele Esparaza, Presiding.

The attached sheet contains the names of officials and citizens that were in attendance.

2. Approval of Minutes from the March 7, 2025 Public Defender's Oversight Board Meeting.

The Board voted unanimously to approve the minutes for the meeting held on March 7, 2025.

Motion: , Moved by Commissioner Wanda J. Watson, Seconded by Judge Willie Blackmon. . 3-0. Ayes: Blackmon, Esparaza, Watson. Absent: Bryan, III, Peters.

3. Review and discuss the 2025 First Quarter Progress Report.

Chief Public Defender Nathan Wood provided the First Quarter Progress Report for 2025. He stated that the numbers are looking good. The average number of business days between appointment and the initial interview with clients was five days in March and for Misdemeanors, clients spent an average of four days in Jail prior to the resolution of the case. Mr. Wood shared that his goal is to dispose cases as quickly as possible and ultimately, they will save the County money by decreasing the time that people are spending in the Jail. The Public Defender's Office is working toward fully

staffing the office to help with the caseload. Mr. Wood went on to report that they are currently clearing cases faster than they are receiving them. Judge Dana Zachary confirmed that the Public Defender's Office is moving cases quickly. Further discussion ensued regarding the length of time that people are remaining in Jail.

Ms. Esparza asked how the PDO handles myPadilla consultations. Mr. Wood explained that those consultations are handled through a web-based solution. He then shared how that process works.

A copy of the report is attached.

4. Update on the 2026 Grant submission.

Mr. Wood shared that they submitted three separate grant applications for Fiscal Year 2026 funding. The first is to continue existing programs. The second is for grant funding to create a Juvenile and Appellate division. The third is for a Mental Health Public Defender and case worker. Mr. Wood went on to discuss a need for pay parity with local prosecutors, noting that as part of the grant request, they are asking to increase salaries within the Public Defender's Office to achieve this goal. The grant requests were submitted in time to receive priority consideration and Mr. Wood believes they will have an idea of the decision surrounding the requests in late June.

Consider and possible action on nominations for appointments or reappointments to the Public Defender's Office Oversight Board, including the determination of their terms of office.

Melissa Bouis explained that the Board needs to consider staggering terms. Michele Esparza suggested adding another defense attorney to the Board. Ms. Esparza also stated that she would be willing to serve one more year and have her term overlap with a new defense attorney board member.

The Board voted unanimously to extend Michele Esparza's term for one year.

Motion: Approve, Moved by Commissioner Wanda J. Watson, Seconded by Judge Willie Blackmon. Passed. 3-0. Ayes: Blackmon, Esparaza, Watson. Absent: Bryan, III, Peters.

The Board then discussed the term of appointment for two new board members. Fran Duane recommended one year terms for the mental health representative and community board members. On motion by Commissioner Watson and second by Ms. Esparza, the Board voted unanimously to approve one year terms for the two appointed members of the Board.

Motion: Approve, Moved by Commissioner Wanda J. Watson, Seconded by Michele Esparaza. Passed. 3-0. Ayes: Blackmon, Esparaza, Watson. Absent: Bryan, III, Peters.

6. Discussion to amend office policy to not accept death penalty cases.

Mr. Wood stated that his office received an appointment to a capital murder case earlier in the year. He explained that the Public Defender's Office does not have the resources, nor are they qualified to receive Death Penalty Cases.

Ms. Esparza stated that she does not believe the Public Defender's Office should accept appointments on Capital Murder Cases as first or second chair. The Board agreed that the policy needs to be amended to reflect that the Public Defender's Office

will not accept appointments on Capital Murder Cases for first or second chair. The Board voted unanimously to table the item until changes are made to the policy.

Motion: Table, Moved by Michele Esparaza, Seconded by Judge Willie Blackmon. Passed. 3-0. Ayes: Blackmon, Esparaza, Watson. Absent: Bryan, III, Peters.

7. Announcement of interest items and possible future agenda topics.

Ms. Esparza requested several items be added to a future agenda. First, amending the bylaws to six permanent members to allow for overlapping terms. Second, adding another criminal defense attorney to the Board and third, finalizing the Death Penalty Policy.

Natalie Daniel announced that the Board needs to appoint a new Chairperson at the next meeting because Judge Bryan's term is expiring.

First Assistant Auditor Marci Turner questioned having six Board members. She suggested that instead of adding a Board member, they could bring someone in as an observer and then they could step into Ms. Esparza's place after her term expires.

Mr. Wood asked that the amending of the bylaws be added to the next agenda.

Judge Blackmon requested that our veterans be honored and thanked them for their service.

Announcements

- 8. Third Quarterly Meeting for the Public Defender's Office Oversight Board will be on September 5, 2025 at 2:00 PM.
- 9. Adjourn



DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

ITEM: Recognition of the Public Defender's Office Oversight Board Member Appointments that

were approved by Commissioners Court on August 5, 2025.

TO: Commissioners Court

DATE: 08/28/2025

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00

ATTACHMENTS:

File Name Description Type

2026 Board Approvals- Signed CC.pdf 2026 Board Approvals Backup Material

From:

Natalie K. Havs

To:

Melissa L. Bouis; Marsha D. Anderson

Cc:

Nathaniel T. Wood

Subject:

PDO Board Member Approvals Tuesday, July 29, 2025 9:32:43 AM

Date: Attachments:

Board Approvals 6-25.pdf

Approval Form- Michelle Esparza.pdf Approval Form-Fran Duane.pdf Approval Form- Jamie Martin.pdf

Good morning,

Please find attached the approval forms of oversight board member terms for August 16, 2025-August 15, 2026. Can we have these placed on the agenda for 8/5/2025 Commissioner's Court for approval? If you need any further information, please let me know.

Natalie Daniel

Brazos County Public Defender's Office Office Manager 200 S Texas Avenue, Suite 126 Bryan, Texas 77803 M | 979-361-4581 F | 979-361-4583 Public Defender's Office

Date: June 6, 2025 RE: Nomination of Board Member	Appointment
Approval Item: The position for which Michelle Esparza s Board is scheduled to expire August 1, 2025	erves as a Member of the Public Defender Oversight 5. This position is currently scheduled for nomination.
Recommendation: It is my recommendation that Michelle Espander Oversight Board Member to serve 2/16/25 - 2/15/26. Nathan Wood, Chief Public Defender	arza be (re)appointed to the position of Public e a term of years, from
Oversight Board Member	6/6/25
Oversight Board Member Oversight Board Member	Date Date Date
Oversight Board Member	Date

Date: June 6, 2025

RE: Nomination of Board Member Appointment

Approval Item:

At the First Quarter Oversight Board Meeting, Fran Duane was nominated and approved unanimously to serve on the Oversight Board. The approval form that was signed by the Board Members did not include term limits.

Recommendation: It is my recommendation that Fran Duane 8(16/25 - 8/15/26) December Nathan Wood, Chief Public Defender	e serve a term of $\sqrt{\frac{b}{25}}$ Date	ears from
Board Approval: Oversight Board Member	6 6 25 Date	
Muhle Egaz Oversight Board Member	4/4/25 Date	
Willie Blackur Oversight Board Member	6/6/25 Date	
Oversight Board Member	Date	

Date

Oversight Board Member



APPOINTMENT

The Commissioners Court of Brazos County does hereby approve the appointment of

Michele Esparza

to the

Brazos County Public Defender's Office Oversight Board

The term of this appointment is August 16, 2025 - August 15, 2026.

0

Acting County Judge



APPOINTMENT

The Commissioners Court of Brazos County does hereby approve the appointment of

Fran Duane

to the

Brazos County Public Defender's Office Oversight Board

The term of this appointment is August 16, 2025 - August 15, 2026.

Kacal

Acting County Judge



APPOINTMENT

The Commissioners Court of Brazos County does hereby approve the appointment of

Jamie Martin

to the

Brazos County Public Defender's Office Oversight Board

The term of this appointment is August 16, 2025 - August 15, 2026.

Acting County Judge



DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

Recognition of Acting County Judge Kyle Kacal as interim for Judge Duane Peters' position on the Public Defender's Office Oversight Board. ITEM:

Commissioners Court TO:

08/28/2025 DATE:

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00



DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

ITEM: Approval of appointment of a chairperson to the Public Defender's Office Oversight Board.

TO: Commissioners Court

DATE: 08/28/2025

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00

Date: September 5, 2025 RE: Nomination and Approval of Oversight Board Chair **Approval Item:** The position of Oversight Board Chair is currently held by (retired) Judge Travis Bryan, III. The position of Oversight Board Chair needs confirmation of appointment of a member to serve as Chair for a new term. **Recommendation:** It is my recommendation that Judge Trans Brush be appointed to the position of Public Defender Oversight Board Chair to serve a one-year term. 9-5-2025 Nathan Wood, Chief Public Defender Board Approval ht Board Member Oversight Board Member

Date

Oversight Board Member



DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

ITEM: Review and discuss the 2025 Second Quarter Progress Report.

TO: Commissioners Court

DATE: 08/28/2025

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00

Progress Report for Grant 212-25-C03: Brazos County Public Defender Brazos County

April 1 - June 30, 2025

Submitted by Nathaniel T. Wood at 7/25/2025 1:30:27 PM

Read-Only Access

Change Reporting Period April 1 - June 30, 2025

Question	April 2025 Iblic Defender		May 2025	June 2025
Caseflow Measures	iblio Berender	011100		
Report the average number of business days between appointment of Public Defender and the initial attorney interview.	12	7		4
Report the average number of days clients are in jail prior to resolution of the case for Felonies for the cases disposed each month. (Exclude any clients with MH competency proceedings initiated.)	353	199		153
Report the average number of days clients are in jail prior to resolution of the case for Misdemeanors for the cases disposed each month. (Exclude any clients with MH competency proceedings initiated.)	142	117		101
Use				
Report the number of new Juvenile appointments.	0	0		0
Workload/Caseload Measures				
Report the number of new Misdemeanor appointments.	76	46		51
Report the number of new Felony appointments.	34	15		14
Report the number of new Appeals filed.	0	0		2
Report the number of Felony cases disposed.	. 10	15		14
Report the number of Misdemeanor cases disposed.	49	52		37
Report the number of Juvenile cases disposed.	0	0		0
Report the average number of active Felony cases per attorney on the last day of the quarter.			93	
Report the average number of active Misdemeanor cases per attorney on the last day of the quarter.			57	
Report the average number of active Juvenile cases per attorney on the last day of the quarter.	-		0	
Program Activities				
Report the date the Oversight Board is setup Report the date the Chief Defender is hired.		08/02/2022 12/28/2022		

Report the date the office begins accepting appointments.		03/17/2023	
Report the date the case management system goes live.		03/17/2023	
Report the date the County indigent Defense Plans have been updated to reflect the use of the Public Defender		12/02/2022	
Report the number of Felony cases where charges were reduced or dismissed.	1	5	2
Report the number Misdemeanor cases where charges were reduced or dismissed.	8	10	5
Report the number of Juvenile cases where charges were reduced or dismissed.	0	0	0
Report the number of bench or jury trials (jury empaneled) for Felonies .	•	0	0
Report the number of bench or jury trials (jury empaneled) for Misdemeanors .	0	1	0
Report the number of bench or jury trials (jury empaneled) for Juveniles .	0	0	0
Report the number of Misdemeanor trials that resulted in a not guilty verdict	0	0	0
Report the number of Felony trials that resulted in a not guilty verdict.	0	0	0
Report the number of Juvenile trials that resulted in a not guilty verdict.	0	0	0
Report the number of Misdemeanor cases where an investigator assisted the attorney with investigation of the case for the cases disposed each month.	48	32	23
Report the number of Felony cases where an investigator assisted the attorney with investigation of the case for the cases disposed each month.	10	13	13
Report the number of Juvenile cases where an investigator assisted the attorney with investigation of the case for the cases disposed each month.	0	0	0
Report the number of dispositive motions filed for Misdemeanor cases.	0	0	0
Report the number of dispositive motions filed for Felony cases.	0	0	0
Report the number of bond reduction motions/hearings for Misdemeanor defendants.	3	4	0
Report the number of bond reduction motions/hearing for Felony defendants.	2	1	0
Report the number of detention and review hearings.	0	0	0
Report the number of Juveniles released at detention hearings.	0	0	0
Report the number of writs of habeas corpus filed for Misdemeanors .	2	1	1
Report the number of writs of habeas corpus filed for Felonies .	1	1 .	1

Report the number of post-conviction writs filed.

Describe any additional services provided to defendants (mental health attorneys, immigration consultations, social services. etc.)

Provide any additional details you feel are important about the trials this quarter.

Report the date of the last Board meeting.

Report the number of cases disposed each month by the public defender in which program social workers and/or caseworkers consulted with attorneys.

Summary

Explain any official allegations of misconduct. None

Provide any program highlights for the quarter.

Describe any challenges and the corrective actions taken or being taken.

Describe the activities planned for next quarter.

during the quarter or that are anticipated in the next quarter.

0 0

Many clients referred to community-based services, therapy. and drug treatment.

N/A

10

06/06/2025

15

14

Approval for expansion grants. New divisions headed our way in FY 2026.

We will be challenged for office space as we expand the office. We'll work out remote working policies and procedures. The county is struggling to understand the needs for security and privacy in its design of the new offices for the PDO. We will meet with the project manager to clarify.

Budget to Commissioners Court, posting 10 new FT positions. Recruiting new staff and retaining existing.

Describe any staffing changes which occurred Hired a new attorney to reach a fully staffed office. We have had four (!) attorneys come and go already. I am hoping the new hire is a more stable addition to the team.

If you wish to submit supporting documentation other than text notes entered above, click here. If you have internet mail configured on your computer, a new message window should open up with the To: field filled in. Attach any desired documents and then send the message.

Submitted by Nathaniel T. Wood at 7/25/2025 1:30:27 PM

Home



DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

ITEM: Review FY 2026 Grant Awards.

TO: Commissioners Court

DATE: 08/28/2025

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00

ATTACHMENTS:

File Name	<u>Description</u>	<u>Type</u>
FY26 Brazos Pub Defender Mental Health Expansion Grant Award.pd	FY26 Brazos Pub Defender Mental Health Expansion Grant Award	Backup Material
MH-26-002_Signed.pdf	MH-26-002 Signed	Backup Material
FY26 Brazos PD Juv - Appellate SGA.pdf	FY26 Brazos PD Juv - Appellate SGA	Backup Material
212-26-C14 Signed.pdf	212-26-C14 Signed	Backup Material
FY26_Brazos_Public_Defender_Continuing_SGA.pdf	FY26 Brazos Public Defender Continuing SGA	Backup Material
212-26-C03_Signed.pdf	212-26-C03 Signed	Backup Material



August 10, 2025

CHAIR:
Honorable Missy Medary
Corpus Christi, Presiding Judge,
5th Administrative
Judicial Region of Texas

EX OFFICIO MEMBERS: Honorable Jimmy Blacklock Honorable Brandon Creighton Honorable Emily Miskel Honorable Joseph "Joe" Moody Honorable David J. Schenck Honorable John Smithee

MEMBERS APPOINTED BY GOVERNOR: Mr. James D. "Jim" Bethke Mr. Alex Bunin Mr. Jay Cohen Honorable Valerie Covey Honorable Richard Evans Honorable Missy Medary Honorable James R. "J.R." Woolley, Jr.

EXECUTIVE DIRECTOR: Scott Ehlers

The Honorable Duane Peters Brazos County Judge

Via E-mail: <u>dpeters@brazoscountytx.gov</u>

RE: FY2026 Statement of Grant Award – MH-26-002

Dear Judge Peters:

I am pleased to inform you that the Texas Indigent Defense Commission has awarded Brazos County a **FY2026 Improvement Grant** in the amount of \$250,325 for the Public Defender Mental Health Division Expansion. Your Statement of Grant Award for fiscal year 2026 is attached. Please sign page 2 of the award statement and return the full executed document to <u>Grants@tidc.texas.gov</u> to accept the award and become eligible for payments.

Congratulations to Brazos County on taking the lead in Texas by developing this new indigent defense program. If you have any questions or need clarification of the information contained in this letter or the attached Statement of Grant Award, please contact Edwin Colfax, Director of Grant Funding, at (512) 463-2508 or ecolfax@tidc.texas.gov.

Sincerely,

Missy Medary Chair, Texas Indigent Defense Commission Presiding Judge, 5th Administrative Judicial Region of Texas

Copy: <u>kconner@co.brazos.tx.us</u> ntwood@brazoscountytx.gov



Grant Number: MH-26-002 Grantee: Brazos County

Program: Public Defender Mental Health Division Expansion

Grant Period: 10/1/2025-9/30/2026

Grant Award: **\$250,325**

The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Brazos County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

Direct Costs:	
1) Personnel (Total Number of FTEs: 2)	\$182,280
2) Fringe Benefits	\$78,526
3) Travel and Training	\$4,850
4) Equipment	\$19,800
5) Supplies	\$7,450
6) Contract Services	\$20,000
7) Indirect Costs	\$0
Total Approved Budget	\$312,906
Less Cash from Other Sources- County Match	\$62,581
Total Amount Funded by Commission	\$250,325

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued in February 2025, including the rules and documents adopted by reference in the Commission's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary
 hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already
 spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the "Grant Terms and Conditions" contained in Attachment A <u>which includes the final grant application</u>.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must amend the Indigent Defense Plan for their respective courts to include the program funded under this award as necessary and submit it to the Commission by November 1, 2024.

The authorized official for th Statement of Grant Award in	is grant program has read the preceding and indi- acluded below.	cates agreement by signing the
	Signature of Authorized Official	_
	Name & Title (must print or type)	_
	Date	_

Attachment A

Terms and Conditions

In addition to the program requirements stated in the Request for Applications (RFA) these specific program requirements apply to this funded program.

- 1. FY26 marks the first year of a four-year funding plan for this expansion project. The grant covers 80% of the approved budget this year, 60% in the second year, 40% in the third year, and 20% in the fourth year. The County must submit a brief continuing grant application and TIDC Improvement Grant Resolution to be eligible for continued grants in each successive fiscal year of the funding plan.
- 2. Grant funds are distributed quarterly on a reimbursement basis. The County must submit quarterly grant program expenditure reports to obtain reimbursement of the scheduled percentage of expended funds based on actual expenditures. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
- 3. This grant requires quarterly progress reports. TIDC will create an on-line progress report to document the work performed in this program and other information necessary to evaluate the impact of the program. The county will be able to request modifications to the on-line report when the progress report items do not accurately reflect the work performed. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
- 4. The County must track public defender employee data necessary and submit the public defender salary section of the annual Indigent Defense Expenditure Report detailing hire dates, separation dates, vacancies, and actual salaries for each position funded under the grant.
- 5. The County must develop and maintain a Public Defender Oversight Board in accordance with Texas Code of Criminal Procedure Article 26.045 to oversee the operation of this program. The County must submit a draft policy detailing how the members are selected and the duties and procedures of the board to TIDC for feedback and approval prior to finalization. See TIDC guidance in *A Guide to Public Defender Oversight Boards* at www.tidc.texas.gov/media/8d8ca08fbfc7c34/a-guide-to-public-defender-oversight-boards-jan-2021.pdf.
- 6. The Oversight Board must meet at least quarterly. The program's Oversight Board is responsible for recommending to the Commissioners Court the selection of the Chief Public Defender. The Chief Public Defender will be responsible for the implementation of this program and will hire staff sufficient to operate the department. Staffing with attorneys and support personnel must be supported by sufficient caseloads.
- 7. The County must provide to TIDC the minimum job requirements and a full job description of the staff positions specified under this project for feedback and approval before positions are publicly posted.
- 8. The County must develop or maintain a written policy that includes caseload standards for the public defender office as required in Texas Code of Criminal Procedure Articles 26.044 and that is consistent with research-based weighted caseload guidelines published by TIDC. The caseload policy must require the Chief Public Defender to review caseloads at least quarterly. The Chief Public Defender must notify TIDC and the program's Oversight Board in writing within 30 days if caseloads exceed the adopted standards. TIDC will review caseloads exceeding TIDC published guidelines and may withhold program funding based on excessive caseloads.
- 9. A Public Defender Office Case Representation Policies and Procedures Manual must be developed and provided to the Commission with the second quarterly progress report. The Public Defender Office should consider relevant professional standards of representation such as the Texas State Bar Performance Guidelines for Non-Capital Criminal Defense Representation when developing the manual. Any revised versions of the Policies and Procedures Manual must be submitted with regular quarterly progress reports.
- 10. The program must record attorney and support staff work time in a manner that allows for accurate completion of the Indigent Defense Expenditure Report and Public Defender Addendum. Records must contain sufficient detail to allocate time and salary across categories of offenses (capital, non-capital felony, misdemeanor, juvenile, felony appeals, misdemeanor appeals, and juvenile appeals) and to document the number of cases disposed by attorney for each court.
- 11. The judges must submit a copy of the public defender plan of operation or proposal approved by the applicable commissioners court as part of each indigent defense plan applicable to cases in which the public defender's office will provide representation, as required by Section 79.036(a)(2), Government Code.
- 12. Requests to revise the scope, target, or staffing of the project, or substantively alter project activities require advance written approval from TIDC. Budget adjustments consisting of reallocations of funds among or within budget categories in excess of \$10,000 or ten

- percent of the original approved budget, whichever is less, are considered budget adjustments and are allowable only with prior approval of the executive director of the Commission.
- 13. Equipment and other start-up costs included in the first-year start-up budget will not be carried forward into subsequent years of funding.
- 14. The County must develop a written policy that includes a formal intake process for this program. The policy must include: 1) procedures to refer clients from courts and the private bar; 2) a method to screen and/or assess the defendants who are referred for representation under this program; and 3) a set priority population criteria to determine which clients are to be represented if referrals are greater than caseload capacity. The priority population criteria may include factors of mental health, intellectual or developmental disability, institutionalization history, medical history, personal history of the defendant.
- 15. The County will provide a written plan on how it will coordinate with, and not duplicate the work of, existing mental health systems. The plan must demonstrate how the County will identify and incorporate available mental health screening, assessment, treatment, and community services available to the defendants served by the grant program. The plan must also address how the positions funded under this grant will fit into the County's methods of operation for the identification of mentally ill arrestees and for providing assessment, treatment and bonding options to these arrestees under Article 16.22 and Article 17.032 of the Texas Code of Criminal Procedure.
- 16. Contracts with third parties for indigent defense services under this grant must be provided to TIDC and approved prior to execution.
- 17. Grantees that use grant funds to contract for services must develop and include in the contract provisions to monitor each contract that is for more than \$10,000 per year. These provisions must include specific actions to be taken if the grantee discovers that the contractor's performance does not meet the operational or performance terms of the contract.

FY26 Grant Application and Revisions Follow

2026 Brazos County Improvement Grant Application Narrative Brazos County Public Defender's Office Mental Health Division Mental Health Public Defender Improvement

a. Application Form

Counties Represented: Brazos

Fiscal Year: 2026

State Payee Identification Number: 17460004330038

Division To Administer Grant: Brazos County Public Defenders Office

Program Title: Brazos County Public Defender's Office Mental Health Division

Requested Grant Amount: \$329,082.60 Authorized Official: Duane Peters Financial Officer: Katie Conner Program Director: Nathan Wood

Mailing Address: 200 South Texas Avenue; Suite 126; Bryan, TX 77803

b. Introduction (Executive Summary)

Brazos County has a strong need for specialized mental health services and representation where the criminal justice system intersects with mental illness. With grant funding, BCPDO will launch a Mental Health Division with one dedicated defender and one case worker to represent indigent clients whose criminal charges stem from mental illness. The team will coordinate legal advocacy, treatment linkage, and social-service planning; secure prompt release under mental-health bonds; and support Brazos County's new Mental Health Court. Expected outcomes: fewer jail days, competency exams, and repeat arrests, plus faster, higher-quality case resolutions and measurable court savings. Funding this program captures the proven benefits of Texas mental-health defender models.

c. Problem Statement

Brazos County faces a significant challenge in addressing the intersection of mental illness and the criminal justice system. MHMR Authority of Brazos Valley (the local mental health authority) estimates that more than 14,000 individuals in the county live with serious mental illness (SMI). The county's criminal justice system is increasingly overwhelmed by cases involving individuals who require specialized care, treatment, and support. Our current system lacks a dedicated framework for effectively handling these individuals, resulting in costly, inefficient, and often inadequate responses to mental health crises within the justice system.

Data collected from various sources, including the Brazos County Jail, mental health crisis interventions, and law enforcement responses, highlights the extent of the problem. On average, 20.75% of inmates in the county jail are prescribed psychotropic medications, with monthly medication costs totaling \$11,147. Furthermore, between June and August 2024, 76 individuals were identified as having probable mental health disorders, demonstrating the need for more targeted and integrated mental health services. Despite these significant needs, the county continues to rely on traditional, resource-intensive approaches, such as incarceration, rather than proactive diversion or treatment options. The county has recognized these deficiencies by creating a Mental Health Court in 2025.

The social and economic costs of the current system are high. Individuals with mental health disorders often face prolonged incarceration, delayed treatment, and recurring cycles of criminal justice involvement, leading to increased public spending on jail services, medical care, and crisis interventions. Additionally, the lack of a coordinated mental health response exacerbates the challenges of reintegration into society, contributing to higher recidivism rates and increased long-term strain on both the legal and healthcare systems.

Currently, while some efforts are made to connect individuals with mental health resources through crisis intervention and medication management, these efforts are fragmented and insufficient. Without a dedicated mental health division within the Public Defender's Office, there is no formal structure to ensure that individuals with mental health needs are consistently identified, treated, and supported throughout the legal process.

To address these challenges, the proposed activity aims to establish a Mental Health Division within the Public Defender's Office, which will focus on providing comprehensive, coordinated legal representation for individuals with

serious mental illness. This initiative will reduce jail overcrowding, decrease the reliance on emergency psychiatric interventions, and provide more effective, cost-efficient solutions for individuals in the criminal justice system.

d. Objectives

- 1. Division launch. Hire one full time attorney and one full time caseworker who are fully dedicated to providing specialized and holistic representation to clients appointed to the BCPDO. This establishes a dedicated framework that is currently missing.
- 2. Early identification. Coordinate with jail staff, law enforcement, and the local mental health authority to identify arrestees with probable serious mental illness. Work with the indigent defense coordinator and local judges to amend the indigent defense plan to prioritize BCPDO appointment to mental health cases by June 1, 2026.
- 3. Bond relief & pre-trial diversion. Address overcrowding and incarceration costs by securing mental health bonds or specialty court diversion for eligible clients.
- 4. Stakeholder training and outreach. Deliver interdisciplinary training on mental health defense, restoration, and trauma-informed advocacy to PDO staff, local judges, and the defense bar by August 31, 2026, in order to build county-wide capacity to handle mental health cases for effectively.
- 5. Treatment and engagement. Ensure mental health caseload clients attend initial community-based treatment appointment within 14 days of release or case disposition. This will improve continuity of care and lower recidivism.

e. Activities

- 1. Division launch. Recruit and hire attorney and caseworker by December 15, 2025. Recruitment rubric will emphasize mental health experience. On-boarding process will include observation and shadowing of established mental health divisions in other Texas counties. The team will provide courtroom coverage for the Brazos County Mental Health Court, Brazos County Specialty Drug Court, and all mental health dockets established by local judges to address cases involving issues of competency, restoration, court-ordered medication, and filed cases involving a serious mental illness component.
- 2. Early identification. The team will coordinate with the jail medical staff and the local mental health authority to screen incoming arrestees for serious mental illness and route the case to the BCPDO. This screening is already taking place, however, there is no local mechanism in place to quickly route the case to a mental health program or a mental health defender. Rapid assessment and routing will increase diversion eligibility and expedite contact with community-based services.
- 3. Bond relief & pretrial diversion. Within 72 hours of appointment, the caseworker will draft a safety and treatment plan, and the attorney will file a bond motion. Office staff will track bonds filed, bonds granted, and diversions accepted.
- 4. Stakeholder training and outreach. Mental health defender will communicate with local judges, private attorneys, MHMR, jail
- 5. Treatment and engagement. The caseworker will schedule first appointment or visit to appropriate community-based program or service for client and facilitate client's attendance. Client contact and communication will continue with phone calls, emails, text messages, home visits and other means.
- 6. Caseworker provides secondary support for adult non-mental-health caseload as time and responsibilities allow.

Integrated Holistic Defense. Team staffing and coordination with trial division, investigator, mitigation specialist to provide holistic defense. Where charges are filed and prosecuted, the mental health defender and caseworker will be assisted by a trial division defender and investigator to achieve the best possible outcome for the client.

f. Evaluation

- 1. Early Identification. Confirmation that 100% of jail bookings are screened for serious mental illness. Barring conflicts, approximately 90% of SMI-positive cases should be appointed to BCPDO within 48 hrs of indigency determination. Cases involving serious mental illness are flagged in LegalServer case management and the mental health defender is assigned as the responsible attorney. Screening and routing efficiency is reported at weekly meetings and added to the quarterly progress reports. These reports are presented to the Advisory Board and to TIDC.
- 2. Bond relief and diversion. In the first year of prioritized routing of cases, >60% of eligible MH clients receive MH bond *or* specialty-court diversion. Average length of pretrial incarceration is decreased by >10%. Pretrial dispositions of cases and bond reductions are already tracked by the BCPDO, and this information is reported to the Advisory Board and to TIDC through quarterly progress reports.
- 3. Stakeholder Training. 4 hours of CLE and/or continuing education delivered by August 31, 2026. >80% rate content "useful" on exit feedback.
- 4. Treatment and engagement. >75% of MH clients attend 1st community appointment within 14 days of release/disposition. The caseworker will validate attendance on a case-by-case basis and report to mental health attorney and Chief Public Defender each week at weekly meeting. This will require HIPAA releases by clients and HIPAA-compliant exchanges of information with the LMHA. Missed appointments are flagged in the system and followed up on by caseworker and attorney. Attendance rate is reported in quarterly progress reports submitted to Advisory Board and to TIDC.

g. Future Funding

Brazos County recognizes that a dedicated Mental-Health Defense Division is essential to protecting the rights-and improving the clinical outcomes-of justice-involved residents with serious mental illness. TIDC's start-up investment will underwrite Year 1 staffing and launch costs, but the County has already embedded a multi-year match and stepdown plan into its FY 26-FY 29 financial forecast.

Beginning in FY 29, the County will assume 100 % of Division costs. The current Capital Improvement Plan allocates shell office space for the PDO in the new County Annex at 101 N. Texas Avenue, Bryan-eliminating future lease expense and allowing the Mental-Health team to expand without additional facilities funding.

Jail-day savings from mental-health bond releases (projected 1,600 bed-days/year) and reduced psychotropic-medication costs will be tracked, providing a recurring fiscal offset that will help finance the County's share once grant funds sunset.

As caseload capacity stabilizes, the PDO will integrate the Mental-Health Division into a broader regional model, offering representation to neighboring counties under interlocal agreements-spreading fixed costs and sustaining specialized staff.

With this structured financial plan, Brazos County ensures that the Mental-Health Division will not only outlive the four-year grant but will become a permanent, fiscally sound component of the County's indigent-defense system.

h. Budget Narrative and Budget Form

Salaries and Fringe Benefits

Job Title and Narrative	Salary		Fringe		Total	
Mental Health Defender	\$	117,926.00	\$	45,896.37	\$	163,822.37

Narrative/Justification

A Mental Health Public Defender is being requested to oversee the increase of new appointments on cases with an underlying mental health component. This position will center around the creation of the Mental Health Division of the Public Defender's Office and overseeing an Investigator, Legal Assistant and Case Worker. A minimum of ten years' experience in criminal law and a minimum of five years' experience handling mental health caseloads will be required for hiring this position. The Chief Mental Health Public Defender will provide specialized legal representation to clients with mental health issues who are involved in the criminal justice system by advocating for clients' legal rights and needs, coordinating with mental health professionals, and developing individualized defense strategies. This work will ensure that clients receive appropriate treatment and support throughout the legal process. The salary for this position is based on pay parity with chief prosecuting attorneys in Brazos County at \$117,926.00 with fringe benefits of \$45,896.37. The total budget for this position is \$163,822.37.

Job Title and Narrative	Salary		Fringe		Total	
Case Worker	\$	72,030.00	\$	34,530.23	\$	106,560.23

Narrative/Justification

The Case Worker determines client eligibility and referrals for a variety of social services and provides short-term case management. This position researches and establishes connections with service providers in the region on behalf of the Public Defender's Office. The Case Worker spends a significant amount of time communicating with various social service agencies and non-profit organizations to connect clients with housing, substance abuse treatment, and mental health treatment, to name a few. This position is critical and essential to providing holistic defense to indigent clients. The salary is currently set at \$72,030.00 with fringe benefits totaling \$34,530.23, for a total of \$106,560.23

Expense Narrative and Justification

Supplies:

Supplies	Cost		Narrative
			This expense will cover the cost of copier and printing
			supplies. Color printers are required for our office and the
Copier & Printing			cartridge replacements have begun to consume more of the
Supplies	\$	1,000.00	printing supply budget.
			This expense will cover the cost of office supplies. This
			includes supplies that facilitate daily operations. These
			supplies require replacement on a routine basis throughout the
			fiscal year due to attorney and staff consumption. This
Office Supplies	\$	2,000.00	expense has been reduced from last year's proposed budget.
			This expense will cover the cost of printing business cards and
			educational materials that promote connectivity with the
Printing	\$	600.00	Public Defender's Office
			Subscriptions and Publications covers the cost of educational
Subscriptions	\$	3,500.00	resources for attorneys.
-	Ψ	3,500.00	
Copier & Printer			This budget is dedicated to ensuring copiers and printers
Maintenance	\$	350.00	remain operational.
Total	\$	7,450.00	

Travel:

Travel	Cost	Narrative
Conference/Seminars	\$ 5,700.00	This budget will support attorney and staff continuing education.
Travel	\$ 5,000.00	This budget will support attorney and staff continuing education.
Gas	\$ 750.00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case related investigations, witness meetings, client meetings and expert meetings.
Total	\$ 11,450.00	

Equipment:

Equipment	nt Cost Narrative						
		This expense will help cover the cost of office furniture for the					
Furniture	\$ 4,400.00	new employees.					
IT	\$ 13,000.00	This expense will cover the purchase of new equipment.	1				
Laptops, monitors, docks, printers, and scanners will be FY26 Brazos Statement of Grant Award, Public Defender Merital Health Division Expansion 80							

		included in this purchase. \$1500/laptop set up and \$6,000 for a new printer/scanner/fax machine
		The budget for cell phones is \$50/phone line for all FTEs for
Cell Phones	\$ 2,400.00	12 months.
Total	\$ 19,800.00	

Contracts:

Contracts	Cost	Narrative	
		These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court	
Court Costs	\$ 12,000.00	reporters and experts used in trial defense.	
Computer Contract	\$ -		
Interpreters	\$ 8,000.00	These fees are necessarily incurred due to appointments on cases with non-English speaking clients. Interpreters are essential and facilitate communication during client meetings to explain legal proceedings and options.	
Total	\$ 20,000.00	to the same regarded and operations.	

Summary:

Fiscal year 2026 is the first year of the Mental Health Division of the Public Defender's Office. The total cost of this program for Texas Indigent Defense Commission is \$329,082.60.

Personnel Costs		\$270,382.60
FTE's	2.00	
Salary	\$189,956.00	
Fringe Benefits	\$80,426.60	
Travel and Training		\$11,450.00
Equipment		\$19,800.00
Supplies		\$7,450.00
Contract Services		\$20,000.00
Indirect		\$0.00
Total		\$329,082.60
Required County Match		\$0.00
Total less County Match		\$329,082.60

Home

June 18, 2025

To: Edwin Colfax

Re: 2026 Letter Supplement Including Explanation of Costs and Specifically Anticipated Salaries for FY 2026 Grant Applications

Mr. Colfax,

Please see the attached letter supplement following our phone call yesterday. This letter supplement provides more specifically anticipated salary costs for FY 2026 as well as some basis for cost explanations for some individual line items you mentioned.

Our requests were submitted in three separate grant applications:

- D20260210820250509 (Continuing Improvement)
- D20260210220250509 (New Improvement)
- D20260211120250509 (Mental Health)

Please consider the information in the attached supplement as an update for all three applications. In addition to the letter update, I have also attached information relevant to pay parity.

Please contact me directly with any questions you may have.

Sincerely,

Nathan Wood

Brazos County Public Defender's Office

Chief Public Defender 979-361-4581

ntwood@brazoscountytx.gov

SALARIES

Chief Public Defender

The Chief Public Defender position for the BCPDO is salaried at \$145,649.92. The elected Criminal District Attorney of Brazos County receives a salary of \$186,000 (including an \$18,000 supplement from the county). Currently, the First Assistant District Attorney receives a salary of \$173,250. The First Assistant County Attorney receives a salary of \$155,850. In addition, there are five felony prosecutors earning higher salaries than the Chief Public Defender. The salary also falls short of the salary range for Chief Public Defenders recommended by the 2024 TIDC Salary Study.

The Brazos County Public Defender's Office Oversight Board recommends salary changes as necessary to the Commissioners Court. The Oversight Board has encouraged the BCPDO to seek full pay parity with local prosecutor's offices. A salary for this position that is in parity with local prosecutors' offices and consistent with the TIDC 2024 Public Defense Salary Study would be in the range of \$175,000 to \$184,152.

Misdemeanor Defender Positions Under the Continuing Improvement Grant

- 1. One misdemeanor defender with three years of experience receives a salary of \$101,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. The BCPDO specifically anticipates setting the salary for this position as high as \$108,575 depending on cost-of-living and/or merit increases.
- 2. A second misdemeanor defender with 3 years experience receives a salary of \$98,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. The BCPDO specifically anticipates setting the salary for this position as high as \$105,350 depending on cost-of-living and/or merit increases.
- 3. The third misdemeanor defender position is filled by an attorney with 40 years of experience. This attorney is board certified in Criminal Law and Criminal Appellate Law. Currently his salary is set at \$113,024. This salary falls far short of pay parity with local prosecutors. The only comparable prosecutor position to compare this position to is the appellate prosecutor in the DA's office with 35 years of experience who receives a salary of \$150,842. It should be noted that, should an appellate defender position be created in the BCPDO for fiscal year 2026, this attorney will be moved into that position. The salary for this attorney should be set comparable to the appellate prosecutor in the DA's office. The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases. **Note: If this attorney is moved into the anticipated appellate defender position, then the BCPDO anticipates hiring a new misdemeanor defender for this position in the range of \$91,000 to \$95,000.

Felony Defender Positions Under the Continuing Improvement Grant

- 1. One existing felony defender currently employed by the BCPDO with 31 years of experience receives a salary of \$133,099.72. Several felony prosecutors in the DA's office with less experience are compensated at higher salaries: \$147,000 (with 26.5 years experience), \$147,000 (with 14.5 years experience), with \$141,000 (with 15.5 years experience), and \$147,000 (with 22.5 years experience). The DA's office employs one felony prosecutor with 35 years of experience at a salary of \$150, 842. BCPDO specifically anticipates setting the salary for this position at \$148,025, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.
- 2. A second felony defender with the BCPDO receives a salary of \$115,000 with 11 years of experience. (The start date for this employee is July 1, 2025.) Some felony prosecutors with comparable experience receive higher salaries: \$136,500 (with 12.5 years experience), \$147,000 (with 14.5 years experience), \$141,750 (with 15.5. years experience). This position's salary falls within the recommended salary range based on the 2024 Salary Study by TIDC, however, it does not demonstrate pay parity with comparable prosecutors within the county. BCPDO specifically anticipates setting the salary for this position at \$119,500, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.

Anticipated Salary Costs for Attorney Positions Under New Multi-Year Improvement Grant and Mental Health Defender Program Grant

The BCPDO applied for a new multi-year improvement grant to add juvenile and appellate divisions to this office. Specifically anticipated salary costs for these positions are as follows:

- 1. Under the mental health defender program grant, the BCPDO anticipates hiring one mental health defender with ten or more years of experience. The comparable attorney position within the DA's office that deals with mental health cases and the mental health court is an attorney with 11 years of experience who receives a salary of 110,250. The anticipated salary for the Mental Health Defender position is \$110,250 for fiscal year 2026.
- 2. The BCPDO already employs the attorney who will fill the appellate defender position. This is an attorney who is board certified in Criminal Law as well as Criminal Appeals, and who has 40 years of experience. The appellate prosecutor in the DA's office is an attorney with 35 years of experience and who receives a salary of \$150,842. The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases.
- 3. The BCPDO has requested a position for a Managing Juvenile Defender to supervise all aspects of a new juvenile division. Comparable positions in the DA's office receive salaries of approximately \$147,000. In order to recruit and retain a juvenile chief, provide a salary on par with local prosecutors, and set the salary for this managing position in a range of \$139,110 to 162,000, the BCPDO requests that the salary for this position be set at \$159,995.

4. Although the grant application requests salaries for juvenile defender positions be set at \$126,000, this is really the maximum salary or salary cap for this position. The BCPDO anticipates hiring attorneys with 0 to 5 years experience to fill these positions and to make employment offers that are on par with local juvenile prosecutors. The BCPDO anticipates that the specific salaries will be set within a range of \$91,000 to \$105,000 depending on the experience of the attorney.

Investigator Positions Under Both Continuing and New Grants

- 1. The BCPDO currently employs one investigator who receives a salary of \$81,870. Comparable investigators in the DA's office receive salaries of \$93,321 to \$104,734. The requested salary for this position in the BCPDO under the Continuing Multi-Year Improvement grant application is \$93,321. This salary is in approximate pay parity with local prosecutors.
- 2. The BCPDO requested an additional investigator under the new improvement grant to support juvenile and adult felony cases. The requested salary for this position is also \$89,269. This salary is in approximate pay parity with local prosecutors and within recommended guidelines for TIDC.

Support Staff Positions Under the Continuing Multi-Year Improvement Grant

- 1. The requested salary for the Office Administrator position is \$81,565. This position provides direct administrative support to the Chief Public Defender including assistance with budget and grant management and preparation, workflow, procurement through the county's purchasing department and regulations, and providing direct supervision of non-attorney support staff. The requested salary is in parity with equivalent positions in the DA's and CA's offices for positions that provide administrative support directly to the department head: the administrative assistant to the County Attorney receives a salary of \$103,028, and the administrative assistant to the District Attorney receives a salary of \$80, 473.
- 2. The requested salary for our current paralegal position is \$67,192. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. It should be noted that these comparable positions are generally not filled by certified paralegals. The requested salary is in parity with comparable positions in prosecutors' offices in Brazos County. It also reflects the certification of the BCPDO's paralegal.
- 3. The requested salary for the BCPDO's current caseworker is \$76,950. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. The requested salary is in parity with these comparable positions. The salary also reflects that our caseworker has more than 30 years of experience as a probation officer in Brazos County and has a tremendous knowledge of that department's practices as they relate to our clients.

Requested Support Staff Positions Under the Mental Health Defender and New Multi-Year Improvement Grants

- 1. The BCPDO is requesting a new caseworker position be created under the Mental Health Defender grant. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. This is not an entry-level caseworker position. The position will require recruiting and retaining a caseworker with expertise in mental health services. The anticipated salary for the mental health caseworker is \$72,030. This is in parity with local prosecutors' offices and consistent with TIDC recommendations.
- 2. The BCPDO is requesting two new legal assistants for the juvenile division and appellate divisions. The appellate legal assistant will split time between appeals and regular misdemeanors and felonies. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. The requested salary for this position is \$58,420, which is in parity with local prosecutors' offices and consistent with TIDC recommendations.

BASIS OF COSTS FOR VARIOUS LINE-ITEMS

- 1. Travel and Training costs under the continuing improvement grant are anticipated to be the same as for FY 2025. The requested amount in the continuing grant is the same as the budgeted amount for FY 2025. These amounts were sufficient to provide training to 10 FTE's. The department has a county vehicle that was helpful in mitigating travel costs incurred in conjunction with training (i.e., the BCPDO did not have to pay mileage associated with out of town training). It is anticipated that travel costs will increase as we add personnel. Anticipated travel costs under the mental health defender grant should be adjusted to \$2,600 (\$1,300 per employee), and training costs (Conference/Seminars) should be adjusted to \$1,500 (\$750 per employee). Travel costs for the new multi-year improvement grant should be adjusted to \$10,400 (\$1,300 per employee), and training costs should be adjusted to \$6,000 (\$750 per employee). **The BCPDO will use TCDLA public defender stipends to reduce travel and training costs when possible.**
- 2. The desktop scanners requested in the new multi-year improvement grant are the same scanners used by current BCPDO staff. Quotes for this equipment were obtained through the Brazos County IT Department. The BCPDO is a "paperless" office, and it is necessary for staff to frequently use desktop scanners.
- 3. The printer/scanner requested under the mental health defender grant (described in the IT line of the equipment section) can be disregarded. The BCPDO has a copy machine for printing, scanning, copying, and faxing. After further consideration, a second copy machine for printing, copying, faxing and scanning purposes is not essential. The IT line item amount under the Equipment section of the mental health defender grant should be amended to request \$7,000 instead of \$13,000.

Brazos Revised Budget Proposal, MH Div

Mental Health Division

Position	Salary	FICA	Retirement	Insurance	Worker's Comp	Total	
Mental Health Defender	\$ 110,250.00	\$ 8,434.13	\$ 18,742.50	\$ 16,692.00	\$ 126.79	\$ 154,245.41	
Case Worker	\$ 72,030.00	\$ 5,510.30	\$ 12,245.10	\$ 16,692.00	\$ 82.83	\$ 106,560.23	
Total	\$ 182,280.00	\$ 13,944.42	\$ 30,987.60	\$ 33,384.00	\$ 209.62	\$ 260,805.64	

Operational	l Expenses	Gran	Grant Total					
Supplies	\$ 7,450.00	Salaries	\$	182,280.00				
Equipment	\$ 19,800.00	Fringe	\$	78,525.64				
Contract	\$ 20,000.00	Operational Exp	\$	52,100.00				
Travel	\$ 4,850.00	Total	\$	312,905.64				
Total	\$ 52,100.00							

Supplies	Cost	Narrative
Copier & Printing Supplies	\$ 1,000.00	This expense will cover the cost of copier and printing supplies. Color printers are required for our office and the cartridge replacements have begun to consume more of the printing supply budget. This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed
Office Supplies	\$ 2,000.00	budget.
		This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public
Printing	\$ 600.00	Defender's Office
		Subscriptions and Publications covers the cost of educational resources
Subscriptions	\$ 3,500.00	for attorneys.

This budget is dedicated to ensuring copiers and printers remain

Copier & Printer Maintena	\$	350.00	operational.
Total	\$	7,450.00	
Travel		Cost	Narrative
Conference/Seminars	\$	1,500.00	This budget will support attorney and staff continuing education.
Travel	\$	2,600.00	This budget will support attorney and staff continuing education.
			This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case related
Gas	\$	750.00	investigations, witness meetings, client meetings and expert meetings.
Total	\$	4,850.00	
Equipment		Cost	Narrative
			This expense will help cover the cost of office furniture for the new
Furniture	\$	4,400.00	employees.
			- 1.
			This expense will cover the purchase of new equipment. Laptops, monitors, docks, printers, and scanners will be included in this purchase.
IT	\$	13,000.00	·
	•		<u> </u>
Cell Phones	\$	2,400.00	The budget for cell phones is \$50/phone line for all FTEs for 12 months.
Total	\$	19,800.00	
Contracts		Cost	Narrative
Court Costs	\$		These costs cover fees associated with representation of clients.
Computer Contract	\$	-	
Interpreters	\$	8,000.00	These fees are necessarily incurred due to appointments on cases with

Timeline for Reporting and Fund Distribution

Reports will be submitted on-line at <u>tidc.tamu.edu</u>.

Reporting Period	Type Report Due	Date Report Due	Fund Distribution Date
October 2025 through December 2025	Grant Expenditure Report Progress Report	January 15, 2026	February 2026
January 2026 through March 2026	Grant Expenditure Report Progress Report	April 15, 2026	May 2026
April 2026 through June 20206	Grant Expenditure Report Progress Report	July 15, 2026	August 2026
July 2026 through September 2026	Grant Expenditure Report Progress Report	October 15, 2026	December 2026



August 10, 2025

CHAIR:
Honorable Missy Medary
Corpus Christi, Presiding Judge,
5th Administrative
Judicial Region of Texas

EX OFFICIO MEMBERS: Honorable Jimmy Blacklock Honorable Brandon Creighton Honorable Emily Miskel Honorable Joseph "Joe" Moody Honorable David J. Schenck Honorable John Smithee

MEMBERS APPOINTED BY GOVERNOR:
Mr. James D. "Jim" Bethke
Mr. Alex Bunin
Mr. Jay Cohen
Honorable Valerie Covey
Honorable Richard Evans
Honorable Missy Medary
Honorable James R. "J.R."
Woolley, Jr.

EXECUTIVE DIRECTOR: Scott Ehlers The Honorable Duane Peters Brazos County Judge Via E-mail: dpeters@brazoscountytx.gov

RE: FY2026 Statement of Grant Award - MH-26-002

Dear Judge Peters:

I am pleased to inform you that the Texas Indigent Defense Commission has awarded Brazos County a **FY2026 Improvement Grant** in the amount of \$250,325 for the Public Defender Mental Health Division Expansion. Your Statement of Grant Award for fiscal year 2026 is attached. Please sign page 2 of the award statement and return the full executed document to Grants@tidc.texas.gov to accept the award and become eligible for payments.

Congratulations to Brazos County on taking the lead in Texas by developing this new indigent defense program. If you have any questions or need clarification of the information contained in this letter or the attached Statement of Grant Award, please contact Edwin Colfax, Director of Grant Funding, at (512) 463-2508 or ecolfax@tidc.texas.gov.

Sincerely,

Missy Medary Chair, Texas Indigent Defense Commission Presiding Judge, 5th Administrative Judicial Region of Texas

Copy: <u>kconner@co.brazos.tx.us</u> <u>ntwood@brazoscountytx.gov</u>



Grant Number:

MH-26-002

Grantee:

Brazos County

Program:

Public Defender Mental Health Division Expansion

Grant Period:

10/1/2025-9/30/2026

Grant Award:

\$250,325

The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Brazos County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

Direct Costs:	
1) Personnel (Total Number of FTEs: 2)	\$182,280
2) Fringe Benefits	\$78,526
3) Travel and Training	\$4,850
4) Equipment	\$19,800
5) Supplies	\$7,450
6) Contract Services	\$20,000
7) Indirect Costs	\$0
Total Approved Budget	\$312,906
Less Cash from Other Sources- County Match	\$62,581
Total Amount Funded by Commission	\$250,325

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued in February 2025, including the rules and documents adopted by reference in the Commission's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the "Grant Terms and Conditions" contained in Attachment A which includes the final grant application.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must amend the Indigent Defense Plan for their respective courts to include the program funded under this award as necessary and submit it to the Commission by November 1, 2024.

The authorized official for this grant program has read the preceding and indicates agreement by signing the Statement of Grant Award included below.

Signature of Authorized Official

KYLE KACAL, ACTENG COUNTY JUDGE

Name & Title (must print or type)

AUGUST 19, 2025

Date



August 10, 2025

CHAIR:
Honorable Missy Medary
Corpus Christi, Presiding Judge,
5th Administrative
Judicial Region of Texas

EX OFFICIO MEMBERS: Honorable Jimmy Blacklock Honorable Brandon Creighton Honorable Emily Miskel Honorable Joseph "Joe" Moody Honorable David J. Schenck Honorable John Smithee

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Honorable Missy Medary
Honorable James R. "J.R."
Woolley, Jr.

EXECUTIVE DIRECTOR: Scott Ehlers

The Honorable Duane Peters Brazos County Judge

Via E-mail: <u>dpeters@brazoscountytx.gov</u>

RE: FY2026 Statement of Grant Award – 212-26-C14

Dear Judge Peters:

I am pleased to inform you that the Texas Indigent Defense Commission has awarded Brazos County a **FY2026 Improvement Grant** in the amount of \$987,560 for the Public Defender Juvenile & Appellate Expansion program. Your Statement of Grant Award for fiscal year 2026 is attached. Please sign page 2 of the award statement and return the full executed document to Grants@tidc.texas.gov to accept the award and become eligible for payments.

Congratulations to Brazos County on taking the lead in Texas by developing this new indigent defense program. If you have any questions or need clarification of the information contained in this letter or the attached Statement of Grant Award, please contact Edwin Colfax, Director of Grant Funding, at (512) 463-2508 or ecolfax@tidc.texas.gov.

Sincerely,

Missy Medary Chair, Texas Indigent Defense Commission Presiding Judge, 5th Administrative Judicial Region of Texas

Copy: kconner@co.brazos.tx.us ntwood@brazoscountytx.gov



Grant Number: 212-26-C14 Grantee: Brazos County

Program: Public Defender Juvenile & Appellate Expansion

Grant Period: 10/1/2025-9/30/2026

Grant Award: \$987,560

The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Brazos County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

Direct Costs:	
1) Personnel (Total Number of FTEs: 8)	\$807,129
2) Fringe Benefits	\$333,422
3) Travel and Training	\$17,400
4) Equipment	\$38,400
5) Supplies	\$13,500
6) Contract Services	\$25,000
7) Indirect Costs	\$0
Total Approved Budget	\$1,234,851
Less Cash from Other Sources- County Match	\$247,291
Total Amount Funded by Commission	\$987,560

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued in February 2025, including the rules and documents adopted by reference in the Commission's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary
 hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already
 spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the "Grant Terms and Conditions" contained in Attachment A which includes the final grant application.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must amend the Indigent Defense Plan for their respective courts to include the program funded under this award as necessary and submit it to the Commission by November 1, 2024.

Signature of Authorized Official
Name & Title (must print or type)
 Date

The authorized official for this grant program has read the preceding and indicates agreement by signing the

Attachment A

Terms and Conditions

In addition to the program requirements stated in the Request for Applications (RFA) these specific program requirements apply to this funded program.

- 1. FY26 marks the first year of a four-year funding plan for this expansion project. The grant covers 80% of the approved budget this year, 60% in the second year, 40% in the third year, and 20% in the fourth year. The County must submit a brief continuing grant application and TIDC Improvement Grant Resolution to be eligible for continued grants in each successive fiscal year of the funding plan.
- 2. Grant funds are distributed quarterly on a reimbursement basis. The County must submit quarterly grant program expenditure reports to obtain reimbursement of the scheduled percentage of expended funds based on actual expenditures. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
- 3. This grant requires quarterly progress reports. TIDC will create an on-line progress report to document the work performed in this program and other information necessary to evaluate the impact of the program. The county will be able to request modifications to the on-line report when the progress report items do not accurately reflect the work performed. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
- 4. The County must track public defender employee data necessary and submit the public defender salary section of the annual Indigent Defense Expenditure Report detailing hire dates, separation dates, vacancies, and actual salaries for each position funded under the grant.
- 5. The County must develop and maintain a Public Defender Oversight Board in accordance with Texas Code of Criminal Procedure Article 26.045 to oversee the operation of this program. The County must submit a draft policy detailing how the members are selected and the duties and procedures of the board to TIDC for feedback and approval prior to finalization. See TIDC guidance in *A Guide to Public Defender Oversight Boards* at www.tidc.texas.gov/media/8d8ca08fbfc7c34/a-guide-to-public-defender-oversight-boards-jan-2021.pdf.
- 6. The Oversight Board must meet at least quarterly. The program's Oversight Board is responsible for recommending to the Commissioners Court the selection of the Chief Public Defender. The Chief Public Defender will be responsible for the implementation of this program and will hire staff sufficient to operate the department. Staffing with attorneys and support personnel must be supported by sufficient caseloads.
- 7. The County must provide to TIDC the minimum job requirements and a full job description of the staff positions specified under this project for feedback and approval before positions are publicly posted.
- 8. The County must develop or maintain a written policy that includes caseload standards for the public defender office as required in Texas Code of Criminal Procedure Articles 26.044 and that is consistent with research-based weighted caseload guidelines published by TIDC. The caseload policy must require the Chief Public Defender to review caseloads at least quarterly. The Chief Public Defender must notify TIDC and the program's Oversight Board in writing within 30 days if caseloads exceed the adopted standards. TIDC will review caseloads exceeding TIDC published guidelines and may withhold program funding based on excessive caseloads.
- 9. A Public Defender Office Case Representation Policies and Procedures Manual must be developed and provided to the Commission with the second quarterly progress report. The Public Defender Office should consider relevant professional standards of representation such as the Texas State Bar Performance Guidelines for Non-Capital Criminal Defense Representation when developing the manual. Any revised versions of the Policies and Procedures Manual must be submitted with regular quarterly progress reports.
- 10. The program must record attorney and support staff work time in a manner that allows for accurate completion of the Indigent Defense Expenditure Report and Public Defender Addendum. Records must contain sufficient detail to allocate time and salary across categories of offenses (capital, non-capital felony, misdemeanor, juvenile, felony appeals, misdemeanor appeals, and juvenile appeals) and to document the number of cases disposed by attorney for each court.
- 11. The judges must submit a copy of the public defender plan of operation or proposal approved by the applicable commissioners court as part of each indigent defense plan applicable to cases in which the public defender's office will provide representation, as required by Section 79.036(a)(2), Government Code.
- 12. Requests to revise the scope, target, or staffing of the project, or substantively alter project activities require advance written approval from TIDC. Budget adjustments consisting of reallocations of funds among or within budget categories in excess of \$10,000 or ten

percent of the original approved budget, whichever is less, are considered budget adjustments and are allowable only with prior approval of the executive director of the Commission.

- 13. Equipment and other start-up costs included in the first-year start-up budget will not be carried forward into subsequent years of funding.
- 14. Contracts with third parties for indigent defense services under this grant must be provided to TIDC and approved prior to execution.
- 15. Grantees that use grant funds to contract for services must develop and include in the contract provisions to monitor each contract that is for more than \$10,000 per year. These provisions must include specific actions to be taken if the grantee discovers that the contractor's performance does not meet the operational or performance terms of the contract.

FY26 Grant Application and Revisions Follow

2026 Brazos County Improvement Grant Application Narrative Division Expansion-New Grant Application Multi-year

a. Application Form

Counties Represented: Brazos

Fiscal Year: 2026

State Payee Identification Number: 17460004330038

Division To Administer Grant: Brazos County Public Defenders Office

Program Title: Division Expansion-New Grant Application

Requested Grant Amount: \$1,045,654.51

Authorized Official: **Duane Peters**Financial Officer: **Katie Conner**Program Director: **Nathan Wood**

Mailing Address: 200 South Texas Avenue; Suite 126; Bryan, TX 77803

b. Introduction (Executive Summary)

Brazos County seeks TIDC Improvement Grant funding to expand the Brazos County Public Defender's Office (BCPDO) through the creation of a dedicated Juvenile Division and Appellate Division. This grant will fund three full-time juvenile defenders, one appellate defender, and supporting staff necessary to implement holistic, high-quality indigent defense services for youth and indigent appellants. The expansion aims to reduce case delays, ensure constitutional representation, and create a sustainable infrastructure for long-term indigent defense across Brazos County.

c. Problem Statement

Brazos County's juvenile and appellate indigent defense systems are currently under-resourced, fragmented, and unsustainable. Juvenile filings in Brazos County have surged post-pandemic-from 401 new juvenile cases in 2022 to 553 in 2023. In the first quarter of 2025 alone, 115 new juvenile cases were added, signaling a continued high demand for juvenile representation. As is the case with adult indigent defense, as the demand for representation increases, the number of attorneys accepting juvenile and appellate cases is low.

Historically, the County contracted with a private law firm for juvenile appointments, but this model no longer meets demand. Detention hearings occur almost daily, and the District Attorney's Office dedicates three prosecutors, an investigator, and multiple staff to juvenile cases. In contrast, there are no public defenders exclusively dedicated to juveniles. This imbalance strains the courts and fails to ensure constitutionally adequate representation.

In 2024, the TIDC Board and the Brazos County Commissioners Court approved our request to provide appellate representation for indigent defendants in Brazos County. At the time, there was only a single private attorney accepting such appointments, and the BCPDO had a defender on staff who is board certified in Criminal Appeals. That attorney was (and continues to) occupy a misdemeanor defender position. Despite carrying a misdemeanor caseload, this public defender has handled 25 appellate matters on behalf of the county since the BCPDO was approved to handle appeals. These matters have included high level felonies such as murder, sexual assaults, crimes against children, and other charges that carry a high range of punishment.

The demand for appellate representation for indigent defendants in Brazos County is high, and without a dedicated appellate position, BCPDO resources will be inadequate to meet that demand while also providing indigent defense services on adult misdemeanor and felony cases.

d. Objectives

- Establish a Juvenile Division within BCPDO, staffed with three full-time juvenile defenders to represent youth charged with delinquent offenses in Brazos County. These defenders will be dedicated exclusively to juvenile cases and will attend daily detention hearings, adjudications, and post-dispositional matters in both misdemeanor and felony-level cases.
- Hire a Dedicated Appellate Defender to provide high-quality representation in direct criminal appeals and other post-conviction matters. The position will also assist with internal legal research, training, and litigation strategy across the office.
- 3. Ensure TIDC Caseload Compliance by limiting juvenile defender caseloads to no more than 140 cases annually (with investigator support) and the appellate defender to no more than 31 appeals per year, 180 Brazos Statement of Grant Award, Public Defender Expansion Juvenile & Appellate

consistent with national and state workload standards.

- 4. Recruit and Support New Staff by hiring a dedicated juvenile investigator, a legal assistant, and a caseworker who will prioritize juvenile cases but may also assist with adult clients as needed. These positions ensure the office can provide holistic, team-based defense in line with national best practices.
- 5. Enhance Timely and Consistent Client Engagement, ensuring that all new clients are contacted within 72 hours of appointment and interviewed within 10 business days. In juvenile cases, where pretrial detention carries especially severe consequences, BCPDO will maintain a goal of attending all detention hearings and actively pursuing bond advocacy.
- 6. Improve Outcomes and Reduce Systemic Inefficiencies by reducing the number of continuances, achieving earlier and more appropriate case resolutions, minimizing unnecessary detention and incarceration, and reducing reliance on competency evaluations and institutional placements.
- 7. Increase the Pool of Qualified Defense Attorneys in Brazos County by prioritizing the hiring of attorneys not previously engaged in indigent defense and investing in training and mentoring, thereby expanding the community of well-trained, locally experienced defenders.
- 8. Promote Holistic, Client-Centered Representation by coordinating legal advocacy with social services, mental health treatment, educational supports, and family engagement-particularly critical in juvenile cases where outcomes have life-long impact.
- 9. Strengthen Institutional Capacity for Long-Term Sustainability by growing BCPDO's infrastructure in anticipation of housing expanded operations at the future county facility located at 101 N. Texas Avenue and positioning BCPDO as a central hub for indigent defense, including potential regional expansion.
- 10. Serve as a Training and Professional Development Hub by incorporating structured onboarding, peer review, and continuing legal education for all new staff, including cross-training in trauma-informed defense, adolescent development, and appellate advocacy.
- 11. Ensure Data-Driven Oversight and Accountability by tracking appointment rates, caseloads, time to disposition, client contact metrics, and outcome trends in both juvenile and appellate cases, with transparent annual reporting to the Indigent Defense Commission and Commissioners Court.

e. Activities

- 1. Post and Fill New Positions. Positions will be posted on national and state job boards (TIDC, NLADA, TCDLA, Indeed, Brazos County website, and law school career services). Selection will prioritize applicants with experience in juvenile law, appellate practice, or holistic indigent defense. The Chief Public Defender will conduct interviews and make offers, with administrative support from HR.
- 2. Update Internal Policies. The Brazos County Indigent Defense Plan and the BCPDO Operating Plan will be revised to include juvenile and appellate policies, onboarding procedures, and workflows aligned with TIDC and State Bar Performance Guidelines.
- 3. Secure Space and Resources. Allocate space at BCPDO's current location and coordinate with County Facilities to prepare future space at 101 N. Texas Avenue. Purchase technology, software, and furnishings for all new positions (laptops, remote access setup, case management system licenses).
- 4. Begin Accepting Juvenile Appointments. As vacant positions are filled, the BCPDO will notify juvenile court judges and begin accepting court appointments in juvenile cases. Attorneys will be scheduled to appear at all juvenile detention hearings (held 4 days/week), conduct client interviews within 72 hours, and engage in holistic advocacy at every stage of the case. The juvenile investigator and caseworker will work closely with defenders to conduct fact

investigation, family outreach, records collection, and service referrals. Our caseload target would be 125-135 juvenile appointments per defender per year pursuant to TIDC caseload guidelines. Once all three juvenile defenders are in place, the office will build toward accepting the majority of indigent juvenile appointments in Brazos County-up to ~420-450 annually.

- 5. Continue Handling Appellate Appointments. The Appellate Defender will coordinate with the District Clerk and judges to prioritize the appointment of the BCPDO on appellate matters. They will handle notices of appeal, records requests, briefing, and oral argument. The position will also support the office with internal legal research and litigation strategy as needed. The caseload target for this position is 31 appeals per year, aligned with TIDC recommendations.
- 6. Client Communication Protocols. Staff will follow internal timelines for initial contact, bond review, and case planning. Client outreach will include jail/detention center visits, phone contact, and coordination with families in juvenile cases. Clients should be interviewed within 10 business days of appointment and maintain routine communication throughout representation.
- 7. Establish Metrics and Reporting Procedures. Appellate and juvenile matters will be calendared, tracked, and monitored using the BCPDO's case management platform. Relevant metrics will be input into the system by attorneys and administrative staff. Attorneys will log their activities throughout representation, caseloads will be reviewed at weekly meetings, and cases will be staffed collaboratively across the full resources of the BCPDO.
- 8. Monitor and Adjust for Sustainability. The Chief Public Defender will review operations quarterly to assess attorney workloads, client outcomes, staffing needs, and case processing times. This review will be logged and reported to the Advisory Board and to TIDC through quarterly progress reports. Adjustments will be made to increase efficiency and maintain TIDC compliance.
- 9. Coordination with Courts and System Stakeholders. The BCPDO will maintain strong partnerships with judges, prosecutors, juvenile probation, the juvenile board, and mental health authorities. Staff will participate in stakeholder meetings and training events to foster collaboration and shared problem-solving.

f. Evaluation

- 1. The Chief Public Defender and the Juvenile Chief will monitor and evaluate ongoing program activity. This includes ensuring initial client contact is taking place within 72 hours of appointment and that new clients are interviewed within 10 days of appointment. By adding a juvenile division, this will include monitoring the number of detention hearings where the BCPDO represents juveniles. Additionally, the Chief Public Defender will monitor and track the use of investigators and caseworkers providing support in juvenile matters. This information is reported to the Advisory Board and to TIDC through quarterly progress reports.
- 2. The Chief Public Defender and the Juvenile Chief Defender will evaluate outcomes and impact on a case by case basis. Compliance with TIDC caseload guidelines will ensure that each defender has the necessary time and resources to provide a high level of representation to each client. The BCPDO will track dismissals, deferred prosecutions, acquittals, and downward departures in dispositions.
- 3. Quantifiable metrics only give part of the full picture, however, when it comes to the quality of the representation being provided by criminal defense attorneys. The Chief Public Defender will continue to use the State Bar Performance Guidelines for Non-Capital Criminal Defense Representation as a measure of the quality of representation being provided. Additionally, the Chief Public Defender will establish procedures for measuring client satisfaction and case outcomes. Finally, the Chief Public Defender will set goals for training, mentorship and skill development for attorneys and staff members.
- 4. The Chief Public Defender will handle required grant status reporting to TIDC and the Brazos County Auditor will handle all financial reporting as required by statute. The Chief Public Defender will provide information requested by the County Auditor to achieve timely completion of required expenditure reports.

g. Future Funding

Brazos County remains firmly committed to providing high-quality indigent defense and views the Brazos County Public Defender's Office (BCPDO) as a cornerstone of its long-term strategy to ensure constitutional representation. With the foundational support of the Texas Indigent Defense Commission, the County successfully launched a public defender office in 2023. This next phase of expansion-into juvenile and appellate defense-represents a natural and necessary progression of that investment.

The County understands and accepts that this multi-year improvement grant requires matching funds and a commitment to step-down reimbursement over a four-year period. Brazos County is prepared to meet this obligation and to sustain the expanded program once grant funding ends. Specifically, the County is committed to absorbing costs over time to ensure continuity of services beyond the grant period.

Plans are currently underway for the development of new County offices at 101 N. Texas Avenue in Bryan. This space will house the expanded BCPDO, providing the infrastructure needed to support full-time juvenile and appellate defenders, holistic support staff, and additional program growth. The facility is being designed with scalability in mind to accommodate future regional collaborations or practice-area expansion.

As Brazos County continues to build institutional capacity, it is anticipated that the BCPDO will grow to handle the majority of the County's indigent defense caseload, including juvenile and appellate matters, while remaining in full compliance with TIDC caseload guidelines. This expansion ensures not only sustainability but also a long-term cost-effective and quality-driven model of public defense.

h. Budget Narrative and Budget Form

Job Title and Narrative	Salary		Fringe		Total	
Managing Juvenile Defender	\$	162,000.00	\$	56,721.30	\$	218,721.30

Narrative and Justification

The Managing Juvenile Defender will be responsible for supervising the Juvenile Division of the Public Defender's Office. This individual will be responsible for 2 attorneys and 3 support staff members. This position will require 10 or more years of experience in Juvenile Justice to be considered for the position as well as a strong preference for Board Certification in Juvenile Criminal Law. The position will be set at \$162,000.00 with \$56,721.30 in fringe benefits for a total of \$218,721.30. This salary is based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative		Salary	Fringe	Total
Juvenile Defender	\$	126,996.00	\$ 48,142.56	\$ 175,138.56
Juvenile Defender	\$	129,996.00	\$ 48,142.56	\$ 175,138.56

Narrative and Justification

The Juvenile Defenders of the Public Defender's Office will work only on pending juvenile cases. They will report directly to the Managing Public Defender. Qualifications for this position include 5 years or experience in criminal and/or juvenile law. Each position is budgeted for \$126,996.00 with \$48,142.56 in fringe benefits for a total of \$175,138.56 for each position. These salaries are based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative	Salary		Fringe	Total		
Investigator	\$	91,269.00	\$ 39,294.77	\$	130,563.77	

Narrative and Justification

The Investigator for the juvenile division of the Public Defender's Office primary responsibilities is to assist juvenile defender attorneys and gather evidence for them in criminal trials. The investigator also participates in planning programs, policies, and objectives for the Juvenile Division. This is an essential support staff position. This position is budgeted for a salary of \$91,269.00, fringe benefits of \$39,294.77 for a total budget of \$130,563.77. This salary is based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative	Salary		Fringe		Total	
Case Worker	\$	72,030.00	\$	34,530.23	\$	106,560.23

Narrative and Justification

The Case Worker determines client eligibility and referrals for a variety of social services and provides short-term case management. This position researches and establishes connections with service providers in the region on behalf of the Public Defender's Office. The Case Worker spends a significant amount of time communicating with various social service agencies and non-profit organizations to connect clients with housing, substance abuse treatment, and mental health resources. This salary is based on the 2024 Texas Public Defense Salary Study.

I health treatment, to name a few. This position is critical and essential to providing holistic defense to indigent clients.

Job Title and Narrative	Salary		Fringe		Total	
Legal Assistant	\$	58,420.00	\$	31,159.71	\$	89,595.71

Narrative and Justification

The legal assistant for the juvenile division will provide administrative support to the attorneys. The Legal Assistant provides support to the juvenile defenders, communicates with the public and other county departments to ensure effective, efficient and productive workflow. This work is confidential in nature and requires the use of problem-solving skills and independent decision-making. This position is budgeted for \$58,420.00 in salary, \$31,159.71 for fringe benefits and a total of \$89,595.71 for the position. This salary is based on the 2024 Texas Public Defense Salary Study.

Position	Salary	Fringe	Total	
Appellate Defender	\$ 162,000.00	\$ 56,811.30	\$ 218,811.30	

Narrative/Justification

An Appellate Defender position is being requested due to the lack of court appointed attorneys handling cases on appeal. The position will only handle court appointed appeals and provide legal support for public defenders and private attorneys representing indigent clients. The requested budget for the position is \$162,000.00. This will be considered a managing position, with plans on expanding the division in future years. The fringe benefits are \$56,811.30. The total budgeted amount requested for the position is \$218,811.30. This salary is based on the 2024 Texas Public Defense Salary Study.

Job Title and Narrative	Salary		Fringe		Total	
Legal Assistant	\$	58,420.00	\$	31,159.71	\$	89,595.71

Narrative and Justification

The legal assistant for the appellate division will provide support to the attorneys. The Legal Assistant provides support to the appellate defender, communicates with the public and other county departments to ensure effective, efficient and productive workflow. This work is confidential in nature and requires the use of problem-solving skills and independent decision-making. This position is budgeted for \$58,420.00 in salary, \$31,159.71 for fringe benefits and a total of \$89,595.71 for the position. This salary is based on the 2024 Texas Public Defense Salary Study.

Expense Narrative and Justification

Supplies:

Supplies	Cost	Narrative
		This expense will cover the cost of copiers and printing supplies. Color printers are required for our office and
Copier & Printing		cartridge replacements have begun to consume more of
Supplies	\$ 1,500.00	the printing supply budget.
Office Supplies	\$ 3,500.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed budget.
Printing	\$ 1,000.00	This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public Defender's Office
_		Subscriptions and Publications cover the cost of
Subscriptions	\$ 7,000.00	educational resources for attorneys.
Copier & Printer		This budget is dedicated to ensuring copiers and printers
Maintenance	\$ 500.00 It of Grant Award, Public Defender	remain operational.

9 of 18

Total	\$ 13,500.00	

Travel:

Travel	Cost		Narrative
Conference/Seminars	\$ 10,2	200.00	This budget will support attorneys and staff continuing education.
Travel	\$ 7,0	00.00	This budget will support attorneys and staff continuing education.
Car	g 1.0	000 00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations, witness meetings, client meetings and
Gas	\$ 1,0	00.00	expert meetings.
Total	\$ 18,2	00.00	

Equipment:

Equipment	Cost	Narrative
Furniture	\$ 8800.00	This expense will cover the cost of new chairs and desks for employees: \$1,100 for each employee.
IT	\$ 26,800.00	This expense considers the cost of new electronic equipment for each new employee-\$3350 for each employee.
Cell Phones	\$ 5760.00	This expense covers the cost of cell phone for each employee @ \$60/month
Scanner	\$ 4,000.00	This is to cover 3 scanners- 1 for each support staff member @ \$1,000.
Total	\$ 45,360.00	

Contracts:

Contracts	Cost	Narrative
Court Costs	\$ 15,00	These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters and experts used in trial defense.
Computer Contract	\$	-
		These fees are necessarily incurred due to appointments on cases with non-English speaking clients. Interpreters are essential and facilitate communication during client
Interpreters	\$ 10,00	0.00 meetings to explain legal proceedings and options.
Total	\$ 25,00	0.00

Personnel Costs		\$1,204,093.14
FTE's	8.00	
Salary	\$858,131.00	
Fringe Benefits	\$345,962.14	
Travel and Training		\$18,200.00
Equipment		\$45,360.00
Supplies		\$13,500.00
Contract Services		\$25,000.00
Indirect		\$0.00
T ()		64 000 450 44

Home

June 18, 2025

To: Edwin Colfax

Re: 2026 Letter Supplement Including Explanation of Costs and Specifically Anticipated Salaries for FY 2026 Grant Applications

Mr. Colfax,

Please see the attached letter supplement following our phone call yesterday. This letter supplement provides more specifically anticipated salary costs for FY 2026 as well as some basis for cost explanations for some individual line items you mentioned.

Our requests were submitted in three separate grant applications:

- D20260210820250509 (Continuing Improvement)
- D20260210220250509 (New Improvement)
- D20260211120250509 (Mental Health)

Please consider the information in the attached supplement as an update for all three applications. In addition to the letter update, I have also attached information relevant to pay parity.

Please contact me directly with any questions you may have.

Sincerely,

Nathan Wood

Brazos County Public Defender's Office

Chief Public Defender 979-361-4581 ntwood@brazoscountytx.gov

SALARIES

Chief Public Defender

The Chief Public Defender position for the BCPDO is salaried at \$145,649.92. The elected Criminal District Attorney of Brazos County receives a salary of \$186,000 (including an \$18,000 supplement from the county). Currently, the First Assistant District Attorney receives a salary of \$173,250. The First Assistant County Attorney receives a salary of \$155,850. In addition, there are five felony prosecutors earning higher salaries than the Chief Public Defender. The salary also falls short of the salary range for Chief Public Defenders recommended by the 2024 TIDC Salary Study.

The Brazos County Public Defender's Office Oversight Board recommends salary changes as necessary to the Commissioners Court. The Oversight Board has encouraged the BCPDO to seek full pay parity with local prosecutor's offices. A salary for this position that is in parity with local prosecutors' offices and consistent with the TIDC 2024 Public Defense Salary Study would be in the range of \$175,000 to \$184,152.

Misdemeanor Defender Positions Under the Continuing Improvement Grant

- 1. One misdemeanor defender with three years of experience receives a salary of \$101,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. The BCPDO specifically anticipates setting the salary for this position as high as \$108,575 depending on cost-of-living and/or merit increases.
- 2. A second misdemeanor defender with 3 years experience receives a salary of \$98,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. The BCPDO specifically anticipates setting the salary for this position as high as \$105,350 depending on cost-of-living and/or merit increases.
- 3. The third misdemeanor defender position is filled by an attorney with 40 years of experience. This attorney is board certified in Criminal Law and Criminal Appellate Law. Currently his salary is set at \$113,024. This salary falls far short of pay parity with local prosecutors. The only comparable prosecutor position to compare this position to is the appellate prosecutor in the DA's office with 35 years of experience who receives a salary of \$150,842. It should be noted that, should an appellate defender position be created in the BCPDO for fiscal year 2026, this attorney will be moved into that position. The salary for this attorney should be set comparable to the appellate prosecutor in the DA's office. The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases. **Note: If this attorney is moved into the anticipated appellate defender position, then the BCPDO anticipates hiring a new misdemeanor defender for this position in the range of \$91,000 to \$95,000.

Felony Defender Positions Under the Continuing Improvement Grant

- 1. One existing felony defender currently employed by the BCPDO with 31 years of experience receives a salary of \$133,099.72. Several felony prosecutors in the DA's office with less experience are compensated at higher salaries: \$147,000 (with 26.5 years experience), \$147,000 (with 14.5 years experience), with \$141,000 (with 15.5 years experience), and \$147,000 (with 22.5 years experience). The DA's office employs one felony prosecutor with 35 years of experience at a salary of \$150, 842. BCPDO specifically anticipates setting the salary for this position at \$148,025, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.
- 2. A second felony defender with the BCPDO receives a salary of \$115,000 with 11 years of experience. (The start date for this employee is July 1, 2025.) Some felony prosecutors with comparable experience receive higher salaries: \$136,500 (with 12.5 years experience), \$147,000 (with 14.5 years experience), \$141,750 (with 15.5. years experience). This position's salary falls within the recommended salary range based on the 2024 Salary Study by TIDC, however, it does not demonstrate pay parity with comparable prosecutors within the county. BCPDO specifically anticipates setting the salary for this position at \$119,500, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.

Anticipated Salary Costs for Attorney Positions Under New Multi-Year Improvement Grant and Mental Health Defender Program Grant

The BCPDO applied for a new multi-year improvement grant to add juvenile and appellate divisions to this office. Specifically anticipated salary costs for these positions are as follows:

- 1. Under the mental health defender program grant, the BCPDO anticipates hiring one mental health defender with ten or more years of experience. The comparable attorney position within the DA's office that deals with mental health cases and the mental health court is an attorney with 11 years of experience who receives a salary of 110,250. The anticipated salary for the Mental Health Defender position is \$110,250 for fiscal year 2026.
- 2. The BCPDO already employs the attorney who will fill the appellate defender position. This is an attorney who is board certified in Criminal Law as well as Criminal Appeals, and who has 40 years of experience. The appellate prosecutor in the DA's office is an attorney with 35 years of experience and who receives a salary of \$150,842. The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases.
- 3. The BCPDO has requested a position for a Managing Juvenile Defender to supervise all aspects of a new juvenile division. Comparable positions in the DA's office receive salaries of approximately \$147,000. In order to recruit and retain a juvenile chief, provide a salary on par with local prosecutors, and set the salary for this managing position in a range of \$139,110 to 162,000, the BCPDO requests that the salary for this position be set at \$159,995.

4. Although the grant application requests salaries for juvenile defender positions be set at \$126,000, this is really the maximum salary or salary cap for this position. The BCPDO anticipates hiring attorneys with 0 to 5 years experience to fill these positions and to make employment offers that are on par with local juvenile prosecutors. The BCPDO anticipates that the specific salaries will be set within a range of \$91,000 to \$105,000 depending on the experience of the attorney.

Investigator Positions Under Both Continuing and New Grants

- 1. The BCPDO currently employs one investigator who receives a salary of \$81,870. Comparable investigators in the DA's office receive salaries of \$93,321 to \$104,734. The requested salary for this position in the BCPDO under the Continuing Multi-Year Improvement grant application is \$93,321. This salary is in approximate pay parity with local prosecutors.
- 2. The BCPDO requested an additional investigator under the new improvement grant to support juvenile and adult felony cases. The requested salary for this position is also \$89,269. This salary is in approximate pay parity with local prosecutors and within recommended guidelines for TIDC.

Support Staff Positions Under the Continuing Multi-Year Improvement Grant

- 1. The requested salary for the Office Administrator position is \$81,565. This position provides direct administrative support to the Chief Public Defender including assistance with budget and grant management and preparation, workflow, procurement through the county's purchasing department and regulations, and providing direct supervision of non-attorney support staff. The requested salary is in parity with equivalent positions in the DA's and CA's offices for positions that provide administrative support directly to the department head: the administrative assistant to the County Attorney receives a salary of \$103,028, and the administrative assistant to the District Attorney receives a salary of \$80, 473.
- 2. The requested salary for our current paralegal position is \$67,192. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. It should be noted that these comparable positions are generally not filled by certified paralegals. The requested salary is in parity with comparable positions in prosecutors' offices in Brazos County. It also reflects the certification of the BCPDO's paralegal.
- 3. The requested salary for the BCPDO's current caseworker is \$76,950. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. The requested salary is in parity with these comparable positions. The salary also reflects that our caseworker has more than 30 years of experience as a probation officer in Brazos County and has a tremendous knowledge of that department's practices as they relate to our clients.

Requested Support Staff Positions Under the Mental Health Defender and New Multi-Year Improvement Grants

- 1. The BCPDO is requesting a new caseworker position be created under the Mental Health Defender grant. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. This is not an entry-level caseworker position. The position will require recruiting and retaining a caseworker with expertise in mental health services. The anticipated salary for the mental health caseworker is \$72,030. This is in parity with local prosecutors' offices and consistent with TIDC recommendations.
- 2. The BCPDO is requesting two new legal assistants for the juvenile division and appellate divisions. The appellate legal assistant will split time between appeals and regular misdemeanors and felonies. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. The requested salary for this position is \$58,420, which is in parity with local prosecutors' offices and consistent with TIDC recommendations.

BASIS OF COSTS FOR VARIOUS LINE-ITEMS

- 1. Travel and Training costs under the continuing improvement grant are anticipated to be the same as for FY 2025. The requested amount in the continuing grant is the same as the budgeted amount for FY 2025. These amounts were sufficient to provide training to 10 FTE's. The department has a county vehicle that was helpful in mitigating travel costs incurred in conjunction with training (i.e., the BCPDO did not have to pay mileage associated with out of town training). It is anticipated that travel costs will increase as we add personnel. Anticipated travel costs under the mental health defender grant should be adjusted to \$2,600 (\$1,300 per employee), and training costs (Conference/Seminars) should be adjusted to \$1,500 (\$750 per employee). Travel costs for the new multi-year improvement grant should be adjusted to \$10,400 (\$1,300 per employee), and training costs should be adjusted to \$6,000 (\$750 per employee). **The BCPDO will use TCDLA public defender stipends to reduce travel and training costs when possible.**
- 2. The desktop scanners requested in the new multi-year improvement grant are the same scanners used by current BCPDO staff. Quotes for this equipment were obtained through the Brazos County IT Department. The BCPDO is a "paperless" office, and it is necessary for staff to frequently use desktop scanners.
- 3. The printer/scanner requested under the mental health defender grant (described in the IT line of the equipment section) can be disregarded. The BCPDO has a copy machine for printing, scanning, copying, and faxing. After further consideration, a second copy machine for printing, copying, faxing and scanning purposes is not essential. The IT line item amount under the Equipment section of the mental health defender grant should be amended to request \$7,000 instead of \$13,000.

Revised Budget Proposal, Juvenile Appellate Expansion

Juv/App Expansion Grant

			W. L. L				
Juvenile Division		Salaries	Worker's FICA Retirement Insurance Comp Total				
Managing Juvenile Defender	\$	159.995.00					
Juvenile Defender	\$	105,000.00					
Juvenile Defender	\$	105,000.00	\$ 8,032.50 \$ 17,850.00 \$ 16,692.00 \$ 120.75 \$ 147,695.25				
Investigator	\$	89,269.00					
Case Worker	\$	72,030.00					
Legal Assistant	\$	58,420.00	\$ 4,469.13 \$ 9,931.40 \$ 16,692.00 \$ 67.18 \$ 89,579.71				
Appellate Division Appellate Defender	\$	150 005 00	\$ 12,163.12 \$ 27,029.15 \$ 16,692.00 \$ 182.84 \$ 215,062.11				
Legal Assistant	\$	158,995.00 58,420.00					
Total	\$	807,129.00					
		,	, , , , , , , , , , , , , , , , , , , ,				
Operational Expenses							
Supplies	\$ \$	13,500.00					
Equipment Contract	\$	38,400.00 25,000.00					
Travel	\$	17,400.00					
Total	\$	94,300.00	=				
Expenses							
Supplies		Cost	Narrative				
			This expense will cover the cost of copiers and printing supplies. Color printers				
Copier & Printing Supplies	\$	1 500 00	are required for our office and cartridge replacements have begun to consume more of the printing supply budget.				
Copici a i iliting cappacs	Ψ	1,000.00	more of the printing supply subget.				
			This expense will cover the cost of office supplies. This includes supplies that				
			facilitate daily operations. These supplies require replacement on a routine basis				
			throughout the fiscal year due to attorney and staff consumption. This expense				
Office Supplies	\$	3,500.00	has been reduced from last year's proposed budget.				
			This expense will cover the cost of printing business cards and educational				
Printing	\$	1,000.00	materials that promote connectivity with the Public Defender's Office				
			Subscriptions and Publications cover the cost of educational resources for				
Subscriptions	\$	7,000.00	attorneys.				
Conjor & Drinter Maintenance		500.00	This hudget is dedicated to ansuring conjugation and printers remain energianal				
Copier & Printer Maintenance Total	\$ \$	13,500.00	This budget is dedicated to ensuring copiers and printers remain operational.				
Total	Ψ	10,000.00					
Travel		Cost	Narrative				
Conference/Seminars	\$	6,000.00	This budget will support attorneys and staff continuing education.				
Travel		10 100 00	This budget will account about a set of a set in the set of				
Havet	\$	10,400.00	This budget will support attorneys and staff continuing education. This budget will cover the cost of fuel for the department vehicle which is used				
			for transportation to and from (but not limited to) case-related investigations,				
Gas	\$	1,000.00					
Total	\$	17,400.00					
Equipment		Cost	Narrative				
Eurnituro	\$	7 700 00	This expense will cover the cost of new chairs and desks for employees: \$1,100 for each employee.				
Furniture	φ	7,700.00	This expense considers the cost of new electronic equipment for each new				
IT	\$	23.500.00	employee-\$3350 for each employee.				
	•	20,000.00	simple years an easily simple year.				
Cell Phones	\$	4,200.00	This expense covers the cost of cell phone for each employee @ \$60/month				
C		2 000 00	This is to account 2 and a few and the first that for a second and a few and				
Scanner Total	\$ \$	38,400.00	This is to cover 3 scanners- 1 for each support staff meember @ \$1,000.				
70141	•	00,100.00					
Contracts		Cost	Narrative				
			These costs cover fees associated with representation of clients. Including, but				
Court Costs	\$	15,000.00	not limited to, transcriptions by court reporters and experts used in trial defense.				
Computer Contract	\$	-					
			These fees are necessarily incurred due to appointments on cases with non-				
			English speaking clients. Interpreters are essential and facilitate communication				
Interpreters	\$	10,000.00					
Total	\$	25,000.00					

Timeline for Reporting and Fund Distribution

Reports will be submitted on-line at <u>tidc.tamu.edu</u>.

Reporting Period	Type Report Due	Date Report Due	Fund Distribution Date
October 2025 through December 2025	Grant Expenditure Report Progress Report	January 15, 2026	February 2026
January 2026 through March 2026	Grant Expenditure Report Progress Report	April 15, 2026	May 2026
April 2026 through June 20206	Grant Expenditure Report Progress Report	July 15, 2026	August 2026
July 2026 through September 2026 Grant Expenditure Report Progress Report		October 15, 2026	December 2026



CHAIR: Honorable Missy Medary

Corpus Christi, Presiding Judge, 5th Administrative Judicial Region of Texas

Ex Officio Members: Honorable Jimmy Blacklock Honorable Brandon Creighton Honorable Emily Miskel Honorable Joseph "Joe" Moody Honorable David J. Schenck Honorable John Smithee

MEMBERS APPOINTED BY GOVERNOR:
Mr. James D. "Jim" Bethke
Mr. Alex Bunin
Mr. Jay Cohen
Honorable Valerie Covey
Honorable Richard Evans
Honorable Missy Medary
Honorable James R. "J.R."
Woolley, Jr.

EXECUTIVE DIRECTOR: Scott Ehlers

August 10, 2025

The Honorable Duane Peters
Brazos County Judge
Via E-mail: dpeters@brazoscountytx.gov

RE: FY2026 Statement of Grant Award - 212-26-C14

Dear Judge Peters:

I am pleased to inform you that the Texas Indigent Defense Commission has awarded Brazos County a **FY2026 Improvement Grant** in the amount of \$987,560 for the Public Defender Juvenile & Appellate Expansion program. Your Statement of Grant Award for fiscal year 2026 is attached. Please sign page 2 of the award statement and return the full executed document to Grants@tidc.texas.gov to accept the award and become eligible for payments.

Congratulations to Brazos County on taking the lead in Texas by developing this new indigent defense program. If you have any questions or need clarification of the information contained in this letter or the attached Statement of Grant Award, please contact Edwin Colfax, Director of Grant Funding, at (512) 463-2508 or ecolfax@tidc.texas.gov.

Sincerely,

Missy Medary Chair, Texas Indigent Defense Commission Presiding Judge, 5th Administrative Judicial Region of Texas

Copy: kconner@co.brazos.tx.us ntwood@brazoscountytx.gov



Grant Number:

212-26-C14

Grantee:

Brazos County

Program:

Public Defender Juvenile & Appellate Expansion

Grant Period:

10/1/2025-9/30/2026

Grant Award:

\$987,560

The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Brazos County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

Direct Costs:	
1) Personnel (Total Number of FTEs: 8)	\$807,129
2) Fringe Benefits	\$333,422
3) Travel and Training	\$17,400
4) Equipment	\$38,400
5) Supplies	\$13,500
6) Contract Services	\$25,000
7) Indirect Costs	\$0
Total Approved Budget	\$1,234,851
Less Cash from Other Sources- County Match	\$247,291
Total Amount Funded by Commission	\$987,560

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued in February 2025, including the rules and documents adopted by reference in the Commission's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary
 hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already
 spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the "Grant Terms and Conditions" contained in Attachment A which includes the final grant application.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must amend the Indigent Defense Plan for their respective courts to include the program funded under this award as necessary and submit it to the Commission by November 1, 2024.

The authorized official for this grant program has read the preceding and indicates agreement by signing the Statement of Grant Award included below.

Signature of Authorized Official

KYLE KACAL, ACTING COUNTY JUDGE
Name & Title (must print or type)

August 19, 2025
Date

2 of 18



CHAIR:

Honorable Missy Medary Corpus Christi, Presiding Judge, 5th Administrative Judicial Region of Texas

EX OFFICIO MEMBERS: Honorable Jimmy Blacklock Honorable Brandon Creighton Honorable Emily Miskel Honorable Joseph "Joe" Moody Honorable David J. Schenck Honorable John Smithee

MEMBERS APPOINTED BY GOVERNOR:
Mr. James D. "Jim" Bethke
Mr. Alex Bunin
Mr. Jay Cohen
Honorable Valerie Covey
Honorable Richard Evans
Honorable Missy Medary
Honorable James R. "J.R."
Woollev, Jr.

EXECUTIVE DIRECTOR: Scott Ehlers

August 10, 2025

The Honorable Duane Peters
Brazos County Judge
Via E-mail: dpeters@brazoscountytx.gov

RE: FY2026 Statement of Grant Award - 212-26-C03

Dear Judge Peters:

I am pleased to inform you that the Texas Indigent Defense Commission has awarded Brazos County a **FY2026 Continued Improvement Grant** in the amount of \$1,003,349 for the Brazos County Public Defender. Your Statement of Grant Award for fiscal year 2026 is attached. Please sign page two of the award statement and return via e-mail to <u>Grants@tidc.texas.gov</u> to accept the award and become eligible for payments.

Congratulations to Brazos County on taking the lead in Texas by developing and continuing this new indigent defense program. If you have any questions or need clarification of the information contained in this letter or the attached Statement of Grant Award, please contact Edwin Colfax, the Commission Director of Grant Funding at (512) 463-2508 or ecolfax@tidc.texas.gov.

Sincerely,

Missy Medary Chair, Texas Indigent Defense Commission Presiding Judge, 5th Administrative Judicial Region of Texas

Copy: kconner@co.brazos.tx.us

Phone: 512.936.6994



Grant Number: 212-26-C03
Grantee Name: Brazos County

Program Title: Brazos County Public Defender

Grant Period: 10/1/2025-9/30/2026

Grant Award: **\$1,003,349**

The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Brazos County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

Direct Costs:	
1) Personnel (Total Number of FTEs: 10)	\$1,141,573
2) Fringe Benefits	\$449,630
3) Travel and Training	\$16,873
4) Equipment	\$14,164
5) Supplies	\$9,800
6) Contract Services	\$40,207
7) Indirect Costs	\$0
Total Approved Budget	\$1,672,247
Less Cash from Other Sources- County Match	\$668,898
Total Amount Funded by Commission	\$1,003,349

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued in February 2025, including the rules and documents adopted by reference in the Commission's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the "Grant Terms and Conditions" contained in Attachment A <u>which includes the final grant application</u>.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must amend the Indigent Defense Plan for their respective courts to include the program funded under this award as necessary and submit it to the Commission by November 1, 2024.

The authorized official for t	this grant program has read the preceding and indica	ates agreement by signing the
Statement of Grant Award	included below.	
		_
	Signature of Authorized Official	
		-
	Name & Title (must print or type)	
		-
	Date	

Attachment A

Terms and Conditions

In addition to the program requirements stated in the Request for Applications (RFA) these specific program requirements apply to this funded program.

- 1. This FY26 grant marks the second year of phase two of this program's funding under which grant reimbursement of the approved program budget is 60%. The County must submit a brief continuing grant application and TIDC Improvement Grant Resolution to be eligible for continued grants in each successive fiscal year of the funding plan.
- 2. Grant funds are distributed quarterly on a reimbursement basis. The County must submit quarterly grant program expenditure reports to obtain reimbursement of the scheduled percentage of expended funds based on actual expenditures. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
- 3. This grant requires quarterly progress reports. TIDC will create an on-line progress report to document the work performed in this program and other information necessary to evaluate the impact of the program. The county will be able to request modifications to the on-line report when the progress report items do not accurately reflect the work performed. See the Timeline for Reporting and Fund Distribution at the end of this document for dates.
- 4. The County must track public defender employee data necessary and submit the public defender salary section of the annual Indigent Defense Expenditure Report detailing hire dates, separation dates, vacancies, and actual salaries for each position funded under the grant.
- 5. The County must develop and maintain a Public Defender Oversight Board in accordance with Texas Code of Criminal Procedure Article 26.045 to oversee the operation of this program. The County must submit a draft policy detailing how the members are selected and the duties and procedures of the board to TIDC for feedback and approval prior to finalization. See TIDC guidance in *A Guide to Public Defender Oversight Boards* at www.tidc.texas.gov/media/8d8ca08fbfc7c34/a-guide-to-public-defender-oversight-boards-jan-2021.pdf.
- 6. The Oversight Board must meet at least quarterly. The program's Oversight Board is responsible for recommending to the Commissioners Court the selection of the Chief Public Defender. The Chief Public Defender will be responsible for the implementation of this program and will hire staff sufficient to operate the department. Staffing with attorneys and support personnel must be supported by sufficient caseloads.
- 7. The County must provide to TIDC the minimum job requirements and a full job description of the staff positions specified under this project for feedback and approval before positions are publicly posted.
- 8. The County must develop or maintain a written policy that includes caseload standards for the public defender office as required in Texas Code of Criminal Procedure Articles 26.044 and that is consistent with research-based weighted caseload guidelines published by TIDC. The caseload policy must require the Chief Public Defender to review caseloads at least quarterly. The Chief Public Defender must notify TIDC and the program's Oversight Board in writing within 30 days if caseloads exceed the adopted standards. TIDC will review caseloads exceeding TIDC published guidelines and may withhold program funding based on excessive caseloads.
- 9. A Public Defender Office Case Representation Policies and Procedures Manual must be developed and provided to the Commission with the second quarterly progress report. The Public Defender Office should consider relevant professional standards of representation such as the Texas State Bar Performance Guidelines for Non-Capital Criminal Defense Representation when developing the manual. Any revised versions of the Policies and Procedures Manual must be submitted with regular quarterly progress reports.
- 10. The program must record attorney and support staff work time in a manner that allows for accurate completion of the Indigent Defense Expenditure Report and Public Defender Addendum. Records must contain sufficient detail to allocate time and salary across categories of offenses (capital, non-capital felony, misdemeanor, juvenile, felony appeals, misdemeanor appeals, and juvenile appeals) and to document the number of cases disposed by attorney for each court.
- 11. The judges must submit a copy of the public defender plan of operation or proposal approved by the applicable commissioners court as part of each indigent defense plan applicable to cases in which the public defender's office will provide representation, as required by Section 79.036(a)(2), Government Code.
- 12. Requests to revise the scope, target, or staffing of the project, or substantively alter project activities require advance written approval from TIDC. Budget adjustments consisting of reallocations of funds among or within budget categories in excess of \$10,000 or ten

percent of the original approved budget, whichever is less, are considered budget adjustments and are allowable only with prior approval of the executive director of the Commission.

- 13. Equipment and other start-up costs included in the first-year start-up budget will not be carried forward into subsequent years of funding.
- 14. Contracts with third parties for indigent defense services under this grant must be provided to TIDC and approved prior to execution.
- 15. Grantees that use grant funds to contract for services must develop and include in the contract provisions to monitor each contract that is for more than \$10,000 per year. These provisions must include specific actions to be taken if the grantee discovers that the contractor's performance does not meet the operational or performance terms of the contract.

FY26 Continued Grant Application and Revisions Follow

2026 Brazos County Improvement Grant Application Narrative Brazos County Public Defender Continued Multi-Year Improvement Grants

a. Application Form

Counties Represented: Brazos

Fiscal Year: 2026

State Payee Identification Number: 17460004330038

Division To Administer Grant: Brazos County Public Defenders Office

Program Title: Brazos County Public Defender

Requested Grant Amount: \$1,110,286.09

Authorized Official: **Duane Peters**Financial Officer: **Katie Conner**Program Director: **Nathan Wood**

Mailing Address: 200 South Texas Avenue; Suite 126; Bryan, TX 77803

b. Introduction (Executive Summary)

The Brazos County Public Defender's Office seeks continuation funding through TIDC to sustain a skilled team, align defender salaries with local prosecutors and statewide norms, and strengthen constitutionally mandated representation. Support will maintain coverage of >25% of misdemeanor appointments, raise felony and 3(g) representation from 10% to 15%, and keep every attorney within TIDC caseload guidelines. By relieving an increasingly thin private attorney appointment wheel, the grant stabilizes indigent defense, shortens jail stays, and ensures sustainable, data-driven services for Brazos County.

c. Problem Statement

Brazos County faces a shortage of qualified attorneys who provide effective and zealous representation for indigent defendants. Despite criminal court case numbers trending upward and county-wide population growth, the number of attorneys taking appointments has been in gradual decline since 2019. As of May 6, 2025, aside from the Public Defender's Office, there are:

- 17 attorneys accepting misdemeanor appointments. This number is down from 36 attorneys in 2019 and 19 attorneys at the time of the county's original 2022 grant application.
- 22 attorneys taking felony appointments. This number is down from 36 in 2019.
- 11 attorneys accepting aggravated "3g" felony appointments. This number is down from 21 in 2019 and 13 at the time of the county's original 2022 grant application.
- 7 attorneys accepting aggravated cases involving crimes against children.
- 1 attorney accepting appeals.

While the appointment wheels continue to shrink, the number of criminal cases filed into Brazos County Courts trends upward over time. The number of case dispositions also trends upward, despite an ever decreasing number of attorneys handling cases. This situation implies that indigent defense is being inadequately provided in Brazos County.

Fewer attorneys handling more cases can lead to each attorney having a higher caseload. This often results in less time available per case, which can affect the quality of representation each defendant receives. Overworked attorneys may struggle to provide thorough, diligent defense services, which is crucial for fair legal proceedings.

With higher caseloads and fewer attorneys, there's an increased risk that legal defenses may not be as robust or well-prepared, potentially compromising defendants' rights to effective counsel as guaranteed by law. This can lead to suboptimal outcomes for defendants, including possible wrongful convictions or harsher sentences than might be warranted if more thorough defenses were possible.

A lack of available and qualified attorneys can lead to longer jail stays for defendants awaiting trial or final case dispositions. This not only has significant human and social costs but also financial implications for Brazos County in terms of higher jail staffing and operational costs.

Consistently high caseloads, coupled with a perception of rushed or inadequate legal representation, erodes public confidence in the justice system's ability to administer justice fairly and effectively.

The BCPDO currently employs 3 public defenders working full time to represent clients on misdemeanor cases. In FY 2024, even as the office was not fully staffed, the firm received orders appointing on 459 misdemeanor cases and disposed of 326 misdemeanor cases. On average, an attorney for the BCPDO conducted the initial interview with each client in 9.5 days. Clients spent an average of 34 days in jail pending the disposition of their misdemeanor cases.

The BCPDO employs 2 public defenders working full time to represent clients on felony cases, and the Chief Public Defender carries a half-sized caseload. In FY 2024, the BCPDO received orders appointing on 179 felony cases and disposed of 102 felony cases. Our clients spent an average of 97.5 days in jail pending disposition of their felony cases. During this time, the felony defender positions were not fully staffed, and this position also experienced turnover.

Data is not collected tracking this information for private attorneys on the wheel, but the BCPDO has already built a reputation of moving quickly and resolving cases with our local judges, the jail, as well as prosecutors.

In addition to the adult misdemeanor and felony representation the BCPDO was created to provide, the TIDC Board and the Brazos County Commissioners Court approved the BCPDO for providing appellate representation in 2024. Despite having no dedicated attorney to provide appellate representation, the county's need for appellate defense attorneys resulted in the BCPDO taking on 25 appellate appointments to date (May 6, 2025). These appeals account for nearly all appellate representation in Brazos County criminal cases.

At this point, the BCPDO has exceeded it's initial goal of accepting 25% of new misdemeanor appointments. Currently, with three full-time misdemeanor defenders and support staff, the BCPDO currently takes 9 out of 26 wheel slots (approximately one third). The BCPDO also takes in nearly 10% of new felony appointments, and will look to exceed that since the office is currently (and recently) fully staffed.

Our ability to continue taking cases with our current staffing levels depends primarily on two concerns. First, the BCPDO will rely on continued grant funding from TIDC of our multi-year improvement grant at a level of 60% with a 40% county match to continue funding existing services. Second, this current grant application for continued funding includes an upward step in salaries for all positions in order to bring salaries into parity with local prosecutors' offices.

TIDC's 2024 statewide study found public defense pay lags market rates by 20-29%, and Brazos payroll data show entry level prosecutors already earn \$90k-95k, climbing to \$110-135 at 4-10 years-well above current PDO scales. The salary study also flags attorney positions as the most difficult to retain in Texas public defense offices. Continuation funding bringing defender compensation in line with local prosecutors is essential to retain staff, stabilize caseload distribution, and ensure timely, effective representation for Brazos County's indigent defendants.

d. Objectives

- 1. Salary Parity. In order to directly address the risk of attrition and position vacancies within the BCPDO, the FY '26 budget will set all salaries at a competitive level informed by pay parity and the 2024 TIDC salary study. By October 1, 2025 (the first day of FY 2026), the BCPDO will implement a new pay scale placing every PDO position between the 50th and 75th salary percentiles in the 2024 TIDC study or on a scale that is at parity with the Brazos County District Attorney and County Attorney for similar levels of experience.
- 2. Retention and Stability. Competitive salaries prioritize retention of trained staff. The BCPDO will keep voluntary turnover at less than 10% of full-time employees during FY 26.
- 3. Caseload Compliance. In order to prevent the erosion of the quality of representation as filings and appointments rise, the BCPDO will ensure that every attorney remains within TIDC caseload guidelines. These caseloads will be audited monthly.
- 4. All new clients will be contacted within 72 hours upon receipt of the Order Appointing.
- 5. The BCPDO will strive to interview all new clients within 10 business days following appointment. FY26 Brazos County Statement of Grant Award, Public Defender Program

- 6. The BCPDO will attempt to reduce the duration of pretrial incarceration for all clients. We will achieve this by seeking bond reductions unless there is a clear strategic reason for not doing so.
- 7. Once appointed, public defenders will continue representing clients at all phases of prosecution, and caseworkers will continue working with clients even after cases are disposed.
- 8. In-house staff including investigators and caseworkers will be utilized to ensure efficient and thorough plans of action for clients.
- 9. As the BCPDO reaches full staffing and is efficiently achieving its goals within the County, the BCPDO will seek to expand into a regional office.
- 10. TIDC caseload guidelines and procedures will be followed.

e. Activities

1. Salary Parity. Through open records requests, the BCPDO obtained current salaries for all full time positions in the District Attorney's Office and the County Attorney's Office. The requested information also included a hire date. For attorney positions, the licensure date was obtained through the state bar website. Using current salary, years of service, and years of practice experience, as well as the 2024 TIDC salary study, the following pay scale was developed to be within approximate parity with local prosecutors and/or statewide compensation:

Attorneys:

Entry level attorneys (0 to 3 years experience) - \$90,000 to \$95,000 4-10 years of criminal law practice - \$110,000 to \$135,000 11-20 years of criminal law practice - \$135,000 to 150,000 20+ years of criminal law practice - \$130,000 to \$170,000

Attorney salaries in Brazos County appear to be almost strictly tied to years of experience. For example, one recently hired attorney in the DA's office with 15 years of experience receives a salary of \$147,000.

Investigators:

0-5 years - \$70,000 to \$80,000 6-10 years - \$80,000 to \$90,000 11-15 years - \$90,000 to \$100,000 16+ years - \$100,000 to \$115,000

Paralegals / Legal Assistants (add one tier for a paralegal):

0-2 years - \$55,000 to \$59,000 3-5 years - \$59,000 to \$63,000 6-9 years - \$63,000 to 67,000 10+ years - \$67,000 to \$75,000

Caseworkers:

0-2 years - \$57,000 to \$61,000 3-5 years - \$61,000 to \$68,000 6-9 years - \$68,000 to \$75,000 10-14 years - \$75,000 to \$85,000 15+ years - \$85,000 to \$95,000

- 2. Budget Adoption. The Chief Public Defender will present the FY 2026 budget (with pay parity) to Commissioners Court and secure approval with the matching funds resolution.
- 3. Continuation of Ongoing Core Activities. Monthly review of caseloads to ensure compliance with TIDC caseload guide the special state of the continuation of clients providing holistic defense

through a team approach involving attorney, paralegal, caseworker and investigator support.

- 4. Regional Expansion Planning. Establish a steering committee or group to explore regional expansion opportunities in neighboring counties.
- 5. Investigator Protocols. Formalize procedures for requesting investigator assistance, prioritizing high level felony cases.
- 6. Prioritize In-Office Training. Establish quarterly CLE's for attorneys and training sessions for non-attorney support staff.
- 7. Early and Effective Client Contact. Increased emphasis on early contact with clients and pretrial release including filing and tracking motions and writs seeking bond reduction and relief from pretrial bond conditions. The goals here are reduction in jail incarceration, early identification of community services for the client, and rapid resolution of the client's criminal charges.
- 8. Forms Bank. Create and maintain pattern forms for office use.

f. Evaluation

The Advisory Board in conjunction with the Chief Public Defender will monitor the program's progress and efficiency. This will include monitoring and adjusting the balance between attorney caseloads, workloads, and annual dispositions. Specific, quantitative goals based on case complexity are to be clearly communicated to all attorneys and monitored and discussed at weekly meetings. In addition to tracking caseload and disposition, the Chief Public Defender, with the assistance of the Office Manager, will also evaluate progress and efficiency based on other quantifiable metrics such as: days to contact new clients, days to the initial interview of new clients, days from appointment till disposition, number of bond reductions sought and achieved, number of days PDO clients spend in jail pending disposition, reductions and dismissals, as well as number of jury trials and verdicts.

Quantifiable metrics only give part of the full picture, however, when it comes to the quality of the representation being provided by criminal defense attorneys. The Chief Public Defender will continue to use the State Bar Performance Guidelines for Non-Capital Criminal Defense Representation as a measure of the quality of representation being provided. Additionally, the Chief Public Defender will establish procedures for measuring client satisfaction and case outcomes. Finally, the Chief Public Defender will set goals for training, mentorship and skill development for attorneys and staff members.

The Chief Public Defender will handle required grant status reporting to TIDC and the Brazos County Auditor will handle all financial reporting as required by statute. The Chief Public Defender will provide information requested by the County Auditor to achieve timely completion of required expenditure reports.

Additionally, the BCPDO will implement certain specific objective-oriented practices as detailed here:

- 1. Salary Parity. Annual confirmation that each full time employee's salary is within the approved range. This confirmation can be included in the final quarterly report for the year submitted to TIDC as well as the BCPDO Advisory Board.
- 2. Retention and Stability. Voluntary turnover should not exceed 1 attorney or 1 non-attorney for the year. Evaluation will involve an exit interview for departing employees to provide honest feedback either verbally or in written form. Changes in staff are documented in quarterly progress reports to TIDC and to the BCPDO Advisory Board.
- 3. Caseload Compliance. All (100%) or attorneys should be below TIDC caps. Caseloads are discussed and evaluated at weekly meetings and reported on to the Advisory Board and to TIDC through quarterly progress reports. The BCPDO will transition to LegalServer for its case management platform in FY 2025. By the end of the second quarter, the Chief Public Defender will work with LegalServer to establish tracking for all metrics within the case management platform. Once established in LegalServer, the Chief Public Defender will review realtime data on all measured metrics on the first business day of the month. Attorneys who are exceeding or approaching case caps will be notified by email and verbally by the Chief Public Defender. Wheel slots and case assignments will be adjusted accordingly.

- 4. Initial Client Contact. All new clients (100%) incarcerated in the Brazos County Jail should be contacted by the attorney within 72 hours of appointment. This is facilitated by the Smart Jail Mail system that attorneys and inmates may use without cost. For clients on bond and clients in custody outside of Brazos County, 90% of new clients should be contacted within 72 hours of appointment. BCPDO tracks the date of all orders appointing the BCPDO to represent a defendant in a criminal case. BCPDO also tracks the date the order is received from the Indigent Defense Coordinator as well as the date of the initial communication with the client. This information is reported to TIDC and to the Advisory Board in quarterly progress reports.
- 5. Initial Client Interviews. Ninety percent (90%) of initial interviews for all new clients should occur no later than 10 business days after the order appointing is received. This date is also tracked through case management software. Attorney compliance in logging this information is critical. The average number of days between receiving the order appointing and the initial interview is reported to the Advisory Board and to TIDC through quarterly progress reports.
- 6. Regional Expansion Planning. Steering committee launched by 12-31-2025. Progress or milestones can be noted in quarterly progress reports to the Advisory Board and to TIDC.

g. Future Funding

Brazos County takes the responsibility of indigent defense seriously and the Brazos County Public Defender's Office is a critical piece of the county's long-term indigent defense strategy. The County is committed to providing high-quality representation to indigent defendants. TIDC has helped the County to establish a small Public Defender's Office, and with continued help, the County would see that office expand to cover juvenile and mental health caseloads as well as increased coverage of adult misdemeanor and felony cases - all within TIDC caseload guidelines.

The County's future commitment includes an understanding that this improvement grant includes a requirement of matching funds as the County's program moves forward. Specifically, this entails 4 years of funding with step-down reimbursement.

Brazos County is committed to continuing the program after the grant period as well. Plans are currently underway for the County to build new county offices at 101 N. Texas Avenue in Bryan. This facility will include office space that will allow for significant growth and future regional expansion for the Brazos County Public Defender's Office.

By expanding the program, Brazos County hopes that the PDO will grow to handle as much as 70 percent of the County's indigent defense caseload.

h. Budget Narrative and Budget Form

Job Title and Narrative	Salary	Fringe	Total
Chief Public Defender	\$ 184,152.00	\$ 62,297.24	\$ 246,449.24

Narrative/Justification:

The Chief Public Defender is the head of the Public Defender's Office, providing critical leadership and strategic direction. While managing a significantly reduced caseload compared to other staff attorneys to focus on administrative responsibilities, the Chief oversees 10 direct reports, including 5 attorneys and 5 support staff. Key administrative duties involve the regular monitoring and analysis of attorney caseloads to ensure equitable distribution, the preparation of comprehensive quarterly case number reports, the development and implementation of office policies and procedures, the delivery of ongoing training to attorney staff, and the compilation of detailed yearly attorney case disposition reports.

Collaboration with the Brazos County Administration is essential, requiring close work with Purchasing for the efficient acquisition of departmental needs in accordance with county policies, ensuring fiscal responsibility through accountability to the Auditors and Budget Offices, and regular communication with the Oversight Board on a quarterly basis to discuss procedural actions, attorney caseloads and dispositions, and to seek advice and approval for crucial program improvements. The Chief also maintains close communication with the district judges and the indigent court to guarantee that indigent defendants in Brazos County receive high-quality legal representation. This effective leadership contributes directly to the office's ability to provide robust defense services.

The current salary for this pivotal position should be increased to achieve pay parity with comparable leadership roles, such as Department Heads, within the District and County Attorneys' offices, where the salary range is \$165,000-\$180,000. This range reflects the typical compensation for leadership positions with similar levels of responsibility and experience in legal offices within Brazos County. Furthermore, the 2024 Texas Public Defense Salary Study indicates that the 75th percentile range for a Chief Public Defender with similar responsibilities and years of experience aligns with this proposed increase to \$184,152.00.

This program proposes adding 11 new positions in FY 26. This significant expansion will further amplify the Chief Public Defender's oversight and administrative burdens by increasing the number of direct reports, requiring the development of new office protocols to FY26 Brazos County Statement of Grant Award, Public Defender Program

accommodate the larger staff, and increasing the complexity of reporting and performance management. Therefore, a commensurate increase in salary is essential to accurately reflect this expanded responsibility and ensure the Public Defender's Office can attract and retain highly qualified leadership capable of managing a growing and increasingly complex organization. Investing in the Chief Public Defender's salary is a crucial step in ensuring the continued delivery of high-quality legal representation to the indigent population of Brazos County.

Job Title and Narrative	Salary		Fringe		Total	
Public Defender IV	\$	162,000.00	\$	56,811.30	\$	218,811.30
Public Defender IV	\$	162,000.00	\$	56,811.30	\$	218,811.30
Public Defender IV	\$	162,000.00	\$	56,811.30	\$	218,811.30
Public Defender I	\$	126,996.00	\$	48,142.56	\$	175,138.56
Public Defender I	\$	126,996.00	\$	48,145.56	\$	175,138.56
Total	\$	739,992.00	\$	266,719.02	\$	1,006,711.02

Narrative/Justification:

The attorneys for the Brazos County Public Defender's Office provide a full range of legal services to indigent defendants in their assigned felony and/or misdemeanor cases, with their primary responsibility being the effective management of these caseloads. Public defenders collaborate with support staff to obtain and review discovery, communicate with clients and witnesses, prepare filings, and prepare for contested hearings/jury trials. They are responsible for communicating with the judges and prosecutors on behalf of clients. Public defenders are also required to attend conferences, stay current on legal updates and maintain awareness of new court decisions, laws, rules, and regulations. These are crucial components to ensuring high quality legal representation for indigent clients.

The Brazos County Public Defender's Office is currently in the process of developing a pay scale for attorneys based on board certifications, years of experience, and specialized legal experience. These new guidelines are based on information obtained in the 2024 Texas Public Defense Salary Study. The Public Defender's Office currently employs attorneys with 70+ years' experience in criminal law, with appellate and criminal law board certifications and experience in criminal defense and prosecution. The salary requests above are based on the salary range below. The diverse experience and qualifications of our current attorneys, as highlighted above, further support the need for salaries aligned with pay parity and the recommendations of the 2024 Texas Public Defense Salary Study.

Salary Schedule						
Years of Experience	Range					
0-3 years	\$90,000-\$95,000					
4-10 years	\$110,000-\$135,000					
11-20 years	\$135,000-\$150,000					
20+ years	\$130,000-\$155,000					

Job Title and Narrative	Salary		Fringe		Total	
Investigator	\$	91,269.10	\$	39,294.80	\$	130,563.90

Narrative/Justification:

The Investigator for the Public Defender's Office primary responsibilities are to assist public defender attorneys and gather evidence for us in criminal trials. The investigator also participates in planning programs, policies, and objectives for the Public Defender's Office. This is an essential support staff position. Based on pay parity ranges with the district and county attorney offices, this position is underfunded based on the current investigator's expertise.

Job Title and Narrative	Salary		Fringe		Total	
Case Worker	\$	76,950.00	\$	35,748.67	\$	112,698.67

Narrative/Justification:

The Case Worker determines client eligibility and referrals for a variety of social services and provides short-term case management. This position researches and establishes connections with service providers in the region on behalf of the Public Defender's Office.

The Case Worker spends a significant amount of time communicating with various social service agencies and non-profit FY26 Brazos County Statement of Grant Award, Public Defender Program

organizations to connect clients with housing, substance abuse treatment, and mental health treatment, to name a few. This position is critical and essential to providing holistic defense to indigent clients.

Job Title and Narrative	Salary		Fringe		Total	
Paralegal	\$	67,192.00	\$	33,332.10	\$	100,524.10

Narrative/Justification:

The Paralegal (currently the Administrative Clerk position-name change request pending) provides support to the Public Defender's Office, the public and other county departments to ensure effective, efficient and productive workflow. This work is confidential in nature and requires the use of problem-solving skills and independent decision-making. This individual also oversees the Intern Program, teaching and training interns in legal practice and support. The Paralegal also participates in planning programs, policies, and objectives for the Public Defender's Office. This is an essential support staff position.

Job Title and Narrative	Salary		Fringe		Total	
Office Administrator	\$	81,565.00	\$	36,891.57	\$	112,218.32

Narrative/Justification:

The Office Administrator (currently the Office Manager position-name change request pending) administers fiscal processes including budget preparation and management, office automation, procurement, personnel management and applies a comprehensive knowledge of administrative management principles, practices, methods and techniques; as well as supervising all employees as to office policies and procedures. This is an essential support staff position.

Expense Narrative and Justification

Supplies:

Supplies	Cost	Narrative
Copier & Printing Supplies	\$ 3,000.00	This expense will cover the cost of copiers and printing supplies. Color printers are required for our office and cartridge replacements have begun to consume more of the printing supply budget.
Office Supplies	\$ 3,000.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed budget.
Printing	\$ 500.00	This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public Defender's Office
Subscriptions	\$ 3,000.00	Subscriptions and Publications cover the cost of educational resources for attorneys.
Copier & Printer Maintenance	\$ 300.00	This budget is dedicated to ensuring copiers and printers remain operational.
Total	\$ 9,800.00	

Travel:

Travel	Cost	Narrative
Conference/Seminars	\$ 5,000.00	This budget will support attorneys and staff continuing education.
Travel	\$ 10,873.00	This budget will support attorneys and staff continuing education.
		This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations, witness meetings, client meetings and expert
Gas	\$ 1,000.00	meetings.
Total	\$ 16,873.00	

Equipment:

Equipment	Cost		Narrative
Furniture	\$	3,300.00	This expense will cover the cost of new chairs for all FTEs. The budget for each chair is \$300/person. The FTEs have been using second-hand chairs from the surplus department and these chairs need to be replaced.
IT	\$	4,264.00	This expense will cover the purchase of any new equipment that needs to be replaced or added to facilitate workflow.
Cell Phones	\$	6,600.00	The budget for cell phones is \$50/phone line for all FTEs for 12 months.
Total	\$	14,164.00	

Contracts:

Contracts	Cost	Narrative
		These costs cover fees associated with representation of clients.
		Including, but not limited to, transcriptions by court reporters and
Court Costs	\$ 10,000.00	experts used in trial defense.
Computer Contract	\$ 12,207.00	This is the cost of the year for case management software, Legal Server.
		These fees are necessarily incurred due to appointments on cases with
		non-English speaking clients. Interpreters are essential and facilitate
		communication during client meetings to explain legal proceedings and
Interpreters	\$ 18,000.00	options.
Total	\$ 40,207.00	

Summary:

Fiscal year 2026 will be the second year in a Multi-Year Improvement Grant. Per Texas Indigent Defense Commission guidelines, the financial support from TIDC will reduce from 80% to 60%, and the Brazos County financial responsibility increases from 20% to 40%. The cost of this year's grant to TIDC is \$1,110,286.09. The cost to Brazos County is \$686,161.40. The total of the entire proposed grant is \$1,796,447.49.

Personnel Costs		\$1,715,403.49
FTE's	10.00	
Salary	\$1,241,120.10	
Fringe Benefits	\$474,283.39	
Travel and Training		\$16,873.00
Equipment		\$14,164.00
Supplies		\$9,800.00
Contract Services		\$40,207.00
Indirect		\$0.00
Total		\$1,796,447.49
Required County Match		\$686,161.40
Total less County Match		\$1,110,286.09

Home

June 18, 2025

To: Edwin Colfax

Re: 2026 Letter Supplement Including Explanation of Costs and Specifically Anticipated Salaries for FY 2026 Grant Applications

Mr. Colfax,

Please see the attached letter supplement following our phone call yesterday. This letter supplement provides more specifically anticipated salary costs for FY 2026 as well as some basis for cost explanations for some individual line items you mentioned.

Our requests were submitted in three separate grant applications:

- D20260210820250509 (Continuing Improvement)
- D20260210220250509 (New Improvement)
- D20260211120250509 (Mental Health)

Please consider the information in the attached supplement as an update for all three applications. In addition to the letter update, I have also attached information relevant to pay parity.

Please contact me directly with any questions you may have.

Sincerely,

Nathan Wood

Brazos County Public Defender's Office

Chief Public Defender 979-361-4581

ntwood@brazoscountytx.gov

SALARIES

Chief Public Defender

The Chief Public Defender position for the BCPDO is salaried at \$145,649.92. The elected Criminal District Attorney of Brazos County receives a salary of \$186,000 (including an \$18,000 supplement from the county). Currently, the First Assistant District Attorney receives a salary of \$173,250. The First Assistant County Attorney receives a salary of \$155,850. In addition, there are five felony prosecutors earning higher salaries than the Chief Public Defender. The salary also falls short of the salary range for Chief Public Defenders recommended by the 2024 TIDC Salary Study.

The Brazos County Public Defender's Office Oversight Board recommends salary changes as necessary to the Commissioners Court. The Oversight Board has encouraged the BCPDO to seek full pay parity with local prosecutor's offices. A salary for this position that is in parity with local prosecutors' offices and consistent with the TIDC 2024 Public Defense Salary Study would be in the range of \$175,000 to \$184,152.

Misdemeanor Defender Positions Under the Continuing Improvement Grant

- 1. One misdemeanor defender with three years of experience receives a salary of \$101,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. The BCPDO specifically anticipates setting the salary for this position as high as \$108,575 depending on cost-of-living and/or merit increases.
- 2. A second misdemeanor defender with 3 years experience receives a salary of \$98,000. This salary is on par with local prosecutor pay. However, the position falls short of 50 percentile mark determined by the 2024 TIDC Salary Study. That study suggests that trial and line defenders should be compensated within a salary range of \$104,322 to \$126,996. The BCPDO specifically anticipates setting the salary for this position as high as \$105,350 depending on cost-of-living and/or merit increases.
- 3. The third misdemeanor defender position is filled by an attorney with 40 years of experience. This attorney is board certified in Criminal Law and Criminal Appellate Law. Currently his salary is set at \$113,024. This salary falls far short of pay parity with local prosecutors. The only comparable prosecutor position to compare this position to is the appellate prosecutor in the DA's office with 35 years of experience who receives a salary of \$150,842. It should be noted that, should an appellate defender position be created in the BCPDO for fiscal year 2026, this attorney will be moved into that position. The salary for this attorney should be set comparable to the appellate prosecutor in the DA's office. The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases. **Note: If this attorney is moved into the anticipated appellate defender position, then the BCPDO anticipates hiring a new misdemeanor defender for this position in the range of \$91,000 to \$95,000.

Felony Defender Positions Under the Continuing Improvement Grant

- 1. One existing felony defender currently employed by the BCPDO with 31 years of experience receives a salary of \$133,099.72. Several felony prosecutors in the DA's office with less experience are compensated at higher salaries: \$147,000 (with 26.5 years experience), \$147,000 (with 14.5 years experience), with \$141,000 (with 15.5 years experience), and \$147,000 (with 22.5 years experience). The DA's office employs one felony prosecutor with 35 years of experience at a salary of \$150, 842. BCPDO specifically anticipates setting the salary for this position at \$148,025, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.
- 2. A second felony defender with the BCPDO receives a salary of \$115,000 with 11 years of experience. (The start date for this employee is July 1, 2025.) Some felony prosecutors with comparable experience receive higher salaries: \$136,500 (with 12.5 years experience), \$147,000 (with 14.5 years experience), \$141,750 (with 15.5. years experience). This position's salary falls within the recommended salary range based on the 2024 Salary Study by TIDC, however, it does not demonstrate pay parity with comparable prosecutors within the county. BCPDO specifically anticipates setting the salary for this position at \$119,500, on par local prosecutors in the county and accounting for cost-of-living and/or merit increases.

Anticipated Salary Costs for Attorney Positions Under New Multi-Year Improvement Grant and Mental Health Defender Program Grant

The BCPDO applied for a new multi-year improvement grant to add juvenile and appellate divisions to this office. Specifically anticipated salary costs for these positions are as follows:

- 1. Under the mental health defender program grant, the BCPDO anticipates hiring one mental health defender with ten or more years of experience. The comparable attorney position within the DA's office that deals with mental health cases and the mental health court is an attorney with 11 years of experience who receives a salary of 110,250. The anticipated salary for the Mental Health Defender position is \$110,250 for fiscal year 2026.
- 2. The BCPDO already employs the attorney who will fill the appellate defender position. This is an attorney who is board certified in Criminal Law as well as Criminal Appeals, and who has 40 years of experience. The appellate prosecutor in the DA's office is an attorney with 35 years of experience and who receives a salary of \$150,842. The BCPDO specifically anticipates setting the salary for this position at \$158,995, on par with the only comparable prosecutor in the county and accounting for cost-of-living and/or merit increases.
- 3. The BCPDO has requested a position for a Managing Juvenile Defender to supervise all aspects of a new juvenile division. Comparable positions in the DA's office receive salaries of approximately \$147,000. In order to recruit and retain a juvenile chief, provide a salary on par with local prosecutors, and set the salary for this managing position in a range of \$139,110 to 162,000, the BCPDO requests that the salary for this position be set at \$159,995.

4. Although the grant application requests salaries for juvenile defender positions be set at \$126,000, this is really the maximum salary or salary cap for this position. The BCPDO anticipates hiring attorneys with 0 to 5 years experience to fill these positions and to make employment offers that are on par with local juvenile prosecutors. The BCPDO anticipates that the specific salaries will be set within a range of \$91,000 to \$105,000 depending on the experience of the attorney.

Investigator Positions Under Both Continuing and New Grants

- 1. The BCPDO currently employs one investigator who receives a salary of \$81,870. Comparable investigators in the DA's office receive salaries of \$93,321 to \$104,734. The requested salary for this position in the BCPDO under the Continuing Multi-Year Improvement grant application is \$93,321. This salary is in approximate pay parity with local prosecutors.
- 2. The BCPDO requested an additional investigator under the new improvement grant to support juvenile and adult felony cases. The requested salary for this position is also \$89,269. This salary is in approximate pay parity with local prosecutors and within recommended guidelines for TIDC.

Support Staff Positions Under the Continuing Multi-Year Improvement Grant

- 1. The requested salary for the Office Administrator position is \$81,565. This position provides direct administrative support to the Chief Public Defender including assistance with budget and grant management and preparation, workflow, procurement through the county's purchasing department and regulations, and providing direct supervision of non-attorney support staff. The requested salary is in parity with equivalent positions in the DA's and CA's offices for positions that provide administrative support directly to the department head: the administrative assistant to the County Attorney receives a salary of \$103,028, and the administrative assistant to the District Attorney receives a salary of \$80, 473.
- 2. The requested salary for our current paralegal position is \$67,192. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. It should be noted that these comparable positions are generally not filled by certified paralegals. The requested salary is in parity with comparable positions in prosecutors' offices in Brazos County. It also reflects the certification of the BCPDO's paralegal.
- 3. The requested salary for the BCPDO's current caseworker is \$76,950. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. The requested salary is in parity with these comparable positions. The salary also reflects that our caseworker has more than 30 years of experience as a probation officer in Brazos County and has a tremendous knowledge of that department's practices as they relate to our clients.

Requested Support Staff Positions Under the Mental Health Defender and New Multi-Year Improvement Grants

- 1. The BCPDO is requesting a new caseworker position be created under the Mental Health Defender grant. Comparable positions in local prosecutors' offices would be victim assistance and family violence coordinators. These positions receive salaries in the range of \$56,944 to \$94,392. This is not an entry-level caseworker position. The position will require recruiting and retaining a caseworker with expertise in mental health services. The anticipated salary for the mental health caseworker is \$72,030. This is in parity with local prosecutors' offices and consistent with TIDC recommendations.
- 2. The BCPDO is requesting two new legal assistants for the juvenile division and appellate divisions. The appellate legal assistant will split time between appeals and regular misdemeanors and felonies. Comparable (administrative assistant/legal secretary) positions in the DA's office and CA's office receive salaries ranging between \$55,557 to \$69,368. The requested salary for this position is \$58,420, which is in parity with local prosecutors' offices and consistent with TIDC recommendations.

BASIS OF COSTS FOR VARIOUS LINE-ITEMS

- 1. Travel and Training costs under the continuing improvement grant are anticipated to be the same as for FY 2025. The requested amount in the continuing grant is the same as the budgeted amount for FY 2025. These amounts were sufficient to provide training to 10 FTE's. The department has a county vehicle that was helpful in mitigating travel costs incurred in conjunction with training (i.e., the BCPDO did not have to pay mileage associated with out of town training). It is anticipated that travel costs will increase as we add personnel. Anticipated travel costs under the mental health defender grant should be adjusted to \$2,600 (\$1,300 per employee), and training costs (Conference/Seminars) should be adjusted to \$1,500 (\$750 per employee). Travel costs for the new multi-year improvement grant should be adjusted to \$10,400 (\$1,300 per employee), and training costs should be adjusted to \$6,000 (\$750 per employee). **The BCPDO will use TCDLA public defender stipends to reduce travel and training costs when possible.**
- 2. The desktop scanners requested in the new multi-year improvement grant are the same scanners used by current BCPDO staff. Quotes for this equipment were obtained through the Brazos County IT Department. The BCPDO is a "paperless" office, and it is necessary for staff to frequently use desktop scanners.
- 3. The printer/scanner requested under the mental health defender grant (described in the IT line of the equipment section) can be disregarded. The BCPDO has a copy machine for printing, scanning, copying, and faxing. After further consideration, a second copy machine for printing, copying, faxing and scanning purposes is not essential. The IT line item amount under the Equipment section of the mental health defender grant should be amended to request \$7,000 instead of \$13,000.

Brazos County Continuing Grant Modified Budget Request

2026 Proposed Salary Budget

					Workers	
Position	Current	FICA	Retirement	Insurance	Comp	Total
Chief Public Defender	\$ 184,152.00	\$ 14,087.63	\$ 31,305.84	\$ 16,692.00	\$ 211.77	\$ 246,449.24
Public Defender I	\$ 158,995.00	\$ 12,163.12	\$ 27,029.15	\$ 16,692.00	\$ 182.84	\$ 215,062.11
Public Defender I	\$ 105,350.00	\$ 8,059.28	\$ 17,909.50	\$ 16,692.00	\$ 121.15	\$ 148,131.93
Public Defender I	\$ 108,575.00	\$ 8,305.99	\$ 18,457.75	\$ 16,692.00	\$ 124.86	\$ 152,155.60
Public Defender II	\$ 119,500.00	\$ 9,141.75	\$ 20,315.00	\$ 16,692.00	\$ 137.43	\$ 165,786.18
Public Defender II	\$ 148,025.00	\$ 11,323.91	\$ 25,164.25	\$ 16,692.00	\$ 170.23	\$ 201,375.39
Investigator	\$ 91,269.10	\$ 6,982.09	\$ 15,515.75	\$ 16,692.00	\$ 104.96	\$ 130,563.89
Case Worker	\$ 76,950.00	\$ 5,886.68	\$ 13,081.50	\$ 16,692.00	\$ 88.49	\$ 112,698.67
Paralegal	\$ 67,192.00	\$ 5,140.19	\$ 11,422.64	\$ 16,692.00	\$ 77.27	\$ 100,524.10
Office Manager	\$ 81,565.00	\$ 6,239.72	\$ 13,866.05	\$ 16,692.00	\$ 93.80	\$ 118,456.57
Total	\$ 1,141,573.10	\$ 87,330.34	\$ 194,067.43	\$ 166,920.00	\$ 1,312.81	\$ 1,591,203.68

Expenses							
Supplies	\$	9,800.00					
Equipment	\$	14,164.00					
Contracts	\$	40,207.00					
Travel	\$	16,873.00					
Total	\$	81,044.00					

Grant Request & BC Match						
TIDC Grant	\$	1,003,348.61				
Brazos County	\$	668,899.07				
	\$	1,672,247.68				

Current Employee Budget

Expenses	\$ 81,044.00
Salaries	\$ 1,141,573.10
Fringe	\$ 449,630.58
Total	\$ 1.672.247.68

Supplies Cost Narrative

Copier & Printing Supplies	\$	3,000.00	This expense will cover the cost of copier and printing supplies. Color printers are required for our office and the cartridge replacements have begun to consume more of the printing supply budget.
Office Supplies	\$	3,000.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed budget.
			This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public
Printing	\$	500.00	Defender's Office
Subscriptions	\$	3,000.00	Subscriptions and Publications covers the cost of educational resources for attorneys.
			This budget is dedicated to ensuring copiers and printers remain
Copier & Printer Maintenanc	\$	300.00	operational.
Total	\$	9,800.00	
Travel	С	ost	Narrative

Travel	Cost	Narrative
Conference/Seminars	\$ 5,000.00	This budget will support attorney and staff continuing education.
Travel	\$ 10,873.00	This budget will support attorney and staff continuing education. This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case related investigations, witness meetings, client meetings
Gas	\$ 1,000.00	and expert meetings.
Total	\$ 16,873.00	

Narrative

Cost

Equipment

Furniture	\$	3,300.00	This expense will cover the cost of new chairs for all FTEs. The budget for each chair \$300/person. The FTEs have been using second-hand chairs from the surplus department and these chairs need to be replaced.
IT	\$	4,264.00	This expense will cover the purchase of any new equipment that needs to be replaced or added to facilitate workflow.
			The budget for cell phones is \$50/phone line for all FTEs for 12
Cell Phones	\$	6,600.00	months.
Total	\$	14,164.00	
Contracts		Cost	Narrative These costs cover fees associated with representation of clients.
2000000	Φ.		These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters
Contracts Court Costs	\$	Cost 10,000.00	These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters and experts used in trial defense.
2000000	\$		These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters
Court Costs	·	10,000.00	These costs cover fees associated with representation of clients. Including, but not limited to, transcriptions by court reporters and experts used in trial defense. This is the cost on the year for case management software, Legal Server. These fees are necessarily incurred due to appointments on

Timeline for Reporting and Fund Distribution Reports will be submitted on-line at <u>tidc.tamu.edu</u>.

Reporting Period	Type Report Due	Date Report Due	Fund Distribution Date
October 2025 through December 2025	Grant Expenditure Report Progress Report	January 15, 2026	February 2026
January 2026 through March 2026	Grant Expenditure Report Progress Report	April 15, 2026	May 2026
April 2026 through June 20206	Grant Expenditure Report Progress Report	July 15, 2026	August 2026
July 2026 through September 2026	Grant Expenditure Report Progress Report	October 15, 2026	December 2026



CHAIR:

Honorable Missy Medary Corpus Christi, Presiding Judge, 5th Administrative Judicial Region of Texas

EX OFFICIO MEMBERS: Honorable Jimmy Blacklock Honorable Brandon Creighton Honorable Emily Miskel Honorable Joseph "Joe" Moody

Honorable David J. Schenck Honorable John Smithee

MEMBERS APPOINTED BY GOVERNOR:
Mr. James D. "Jim" Bethke
Mr. Alex Bunin
Mr. Jay Cohen
Honorable Valerie Covey
Honorable Richard Evans
Honorable Missy Medary
Honorable James R. "J.R."
Woolley, Jr.

EXECUTIVE DIRECTOR: Scott Ehlers August 10, 2025

The Honorable Duane Peters
Brazos County Judge
Via E-mail: dpeters@brazoscountytx.gov

RE: FY2026 Statement of Grant Award - 212-26-C03

Dear Judge Peters:

I am pleased to inform you that the Texas Indigent Defense Commission has awarded Brazos County a FY2026 Continued Improvement Grant in the amount of \$1,003,349 for the Brazos County Public Defender. Your Statement of Grant Award for fiscal year 2026 is attached. Please sign page two of the award statement and return via e-mail to Grants@tidc.texas.gov to accept the award and become eligible for payments.

Congratulations to Brazos County on taking the lead in Texas by developing and continuing this new indigent defense program. If you have any questions or need clarification of the information contained in this letter or the attached Statement of Grant Award, please contact Edwin Colfax, the Commission Director of Grant Funding at (512) 463-2508 or ecolfax@tidc.texas.gov.

Sincerely,

Missy Medary Chair, Texas Indigent Defense Commission Presiding Judge, 5th Administrative Judicial Region of Texas

Copy: kconner@co.brazos.tx.us



Grant Number:

212-26-C03

Grantee Name:

Brazos County

Program Title:

Brazos County Public Defender

Grant Period:

10/1/2025-9/30/2026

Grant Award:

\$1,003,349

The Texas Indigent Defense Commission (herein, the Commission) has awarded the above-referenced grant to Brazos County (herein, the County) for indigent defense services. The authorized official named on the grant application must sign this Statement of Grant Award and return it to the Commission. The grantee will not receive any grant funds until this notice is executed and returned to the Commission. Funding is provided as listed in the categories in the table below:

Direct Costs:	
1) Personnel (Total Number of FTEs: 10)	\$1,141,573
2) Fringe Benefits	\$449,630
3) Travel and Training	\$16,873
4) Equipment	\$14,164
5) Supplies	\$9,800
6) Contract Services	\$40,207
7) Indirect Costs	\$0
Total Approved Budget	\$1,672,247
Less Cash from Other Sources- County Match	\$668,898
Total Amount Funded by Commission	\$1,003,349

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, must comply with the terms of the grant as written in the Request for Applications issued in February 2025, including the rules and documents adopted by reference in the Commission's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Commission placing a temporary hold on grant funds, permanently de-obligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- The grant officials agree to follow the grant terms contained in the "Grant Terms and Conditions" contained in Attachment A which includes the final grant application.
- Any indigent defense plan documents submitted to the Commission must continue to meet all grant eligibility requirements.
- The judges hearing criminal and juvenile matters must amend the Indigent Defense Plan for their respective courts to include the program funded under this award as necessary and submit it to the Commission by November 1, 2024.

The authorized official for this grant program has read the preceding and indicates agreement by signing the Statement of Grant Award included below.

Signature of Authorized Official

KYLE KACAL, ACTING COUNTY JUDGE
Name & Title (must print or type)

August 19, 2025
Date



BRAZOS COUNTY BRYAN, TEXAS

DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

ITEM: Discussion and Approval of the FY 2026 Budget.

TO: Commissioners Court

DATE: 08/28/2025

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00

Date: September 5, 2025 RE: Approval of FY 2026 Proposed Budget **Approval Item:** The proposed FY 2026 budget. **Recommendation:** It is my recommendation that the proposed FY 2026 budget is approved. Board Approval:/ Oversight Board Member Oversight Board Member Oversight Board Member Oversight Board Member Date

Date

Oversight Board Member

2026 Proposed Salary Budget

						Workers	
Position	Current	FICA	Retirement	Insurance		Comp	Total
Chief Public Defender	\$ 184,152.00	\$ 14,087.63	\$ 31,305.84	\$ 16,692.00	\$	211.77	\$ 246,449.24
Public Defender I	\$ 158,995.00	\$ 12,163.12	\$ 27,029.15	\$ 16,692.00	\$	182.84	\$ 215,062.11
Public Defender I	\$ 105,350.00	\$ 8,059.28	\$ 17,909.50	\$ 16,692.00	\$	121.15	\$ 148,131.93
Public Defender I	\$ 108,575.00	\$ 8,305.99	\$ 18,457.75	\$ 16,692.00	\$	124.86	\$ 152,155.60
Public Defender II	\$ 119,500.00	\$ 9,141.75	\$ 20,315.00	\$ 16,692.00	\$	137.43	\$ 165,786.18
Public Defender II	\$ 148,025.00	\$ 11,323.91	\$ 25,164.25	\$ 16,692.00	\$	170.23	\$ 201,375.39
Investigator	\$ 91,269.10	\$ 6,982.09	\$ 15,515.75	\$ 16,692.00	\$	104.96	\$ 130,563.89
Case Worker	\$ 76,950.00	\$ 5,886.68	\$ 13,081.50	\$ 16,692.00	\$	88.49	\$ 112,698.67
Paralegal	\$ 67,192.00	\$ 5,140.19	\$ 11,422.64	\$ 16,692.00	, \$	77.27	\$ 100,524.10
Office Manager	\$ 81,565.00	\$ 6,239.72	\$ 13,866.05	\$ 16,692.00	\$	93.80	\$ 118,456.57
Total	\$ 1,141,573.10	\$ 87,330.34	\$ 194,067.43	\$ 166,920.00	\$	1,312.81	\$ 1,591,203.68

Expenses						
Supplies	\$	9,800.00				
Equipment	\$	14,164.00				
Contracts	\$	40,207.00				
Travel	\$	16,873.00				
Total	\$	81,044.00				

Grant Request & BC Match						
TIDC Grant	\$	1,003,348.61				
Brazos County	\$	668,899.07				
	\$	1,672,247.68				

Current Employee Budget

Expenses	\$ 81,044.00
Salaries	\$ 1,141,573.10
Fringe	\$ 449,630.58
Total	\$ 1,672,247.68

Supplies

Cost

Narrative

Copier & Printing Supplies	\$	3,000.00	This expense will cover the cost of copier and printing supplies. Color printers are required for our office and the cartridge replacements have begun to consume more of the printing supply budget.
Office Supplies	\$	3,000.00	This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed budget.
Printing	\$	500.00	This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public Defender's Office
	·		Subscriptions and Publications covers the cost of educational
Subscriptions	\$	3,000.00	resources for attorneys.
			This budget is dedicated to ensuring copiers and printers remain
Copier & Printer Maintenan		300.00	operational.
Total	\$	9,800.00	
Travel		Cost	Narrative
Conference/Seminars	\$	5,000.00	This budget will support attorney and staff continuing education.
Travel .	\$	10,873.00	This budget will support attorney and staff continuing education. This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case related investigations, witness meetings, client meetings
Gas	\$	1,000.00	and expert meetings.
Total	\$	16,873.00	
Equipment			

		This expense will cover the cost of new chairs for all FTEs. The
		budget for each chair \$300/person. The FTEs have been using
		second-hand chairs from the surplus department and these
niture	\$ 3,300.00	chairs need to be replaced.
		This expense will cover the purchase of any new equipment that
	\$ 4,264.00	needs to be replaced or added to facilitate workflow.
		The budget for cell phones is \$50/phone line for all FTEs for 12
l Phones	\$ 6,600.00	months.
Total	\$ 14,164.00	
Contracts	Cost	Narrative
		These costs cover fees associated with representation of clients.
		Including, but not limited to, transcriptions by court reporters
t Costs	\$ 10,000.00	and experts used in trial defense.
		This is the cost on the year for case management software, Legal
puter Contract	\$ 12,207.00	Server.
		These fees are necessarily incurred due to appointments on
		cases with non-English speaking clients. Interpreters are
preters	\$ 18,000.00	essential and facilitate communication during client meetings to
Total	\$ 40,207.00	

Expansion Grant

							W	orker's	
Juvenile Division	Salaries	FICA		F	Retirement	Insurance	(Comp	Total
Managing Juvenile Defender	\$ 159,995.00	\$ 12,239	.62	\$	27,199.15	\$ 16,692.00	\$	183.99	\$ 216,309.76
Juvenile Defender	\$ 105,000.00	\$ 8,032	.50	\$	17,850.00	\$ 16,692.00	\$	120.75	\$ 147,695.25
Juvenile Defender	\$ 105,000.00	\$ 8,032	.50	\$	17,850.00	\$ 16,692.00	\$	120.75	\$ 147,695.25
Investigator	\$ 89,269.00	\$ 6,829	80.	\$	15,175.73	\$ 16,692.00	\$	102.66	\$ 128,068.47
Case Worker	\$ 72,030.00	\$ 5,510	.30	\$	12,245.10	\$ 16,692.00	\$	82.83	\$ 106,560.23
Legal Assistant	\$ 58,420.00	\$ 4,469	.13	\$	9,931.40	\$ 16,692.00	\$	67.18	\$ 89,579.71
Appellate Division									
Appellate Defender	\$ 158,995.00	\$ 12,163	.12	\$	27,029.15	\$ 16,692.00	\$	182.84	\$ 215,062.11
Legal Assistant	\$ 58,420.00	\$ 4,469	.13	\$	9,931.40	\$ 16,692.00	\$	67.18	\$ 89,579.71
Total	\$ 807,129.00	\$ 61,745	.37	\$	137,211.93	\$ 133,536.00	\$ 9	928.20	\$ 1,140,550.50
Operational Expenses									
Supplies	\$ 13,500.00								
Equipment	\$ 38,400.00								
Contract	\$ 25,000.00								
Travel	\$ 17,400.00	_							
Total	\$ 94,300.00								
Expenses									
Supplies	Cost					Narrative			
						copiers and p tridge replacer			Color printers in to consume
Copier & Printing Supplies	\$ 1,500.00				ng supply bud				

•			
			This expense will cover the cost of office supplies. This includes supplies that
			facilitate daily operations. These supplies require replacement on a routine
			basis throughout the fiscal year due to attorney and staff consumption. This
Office Supplies	\$	3,500.00	expense has been reduced from last year's proposed budget.
,			This expense will cover the cost of printing business cards and educational
Printing	\$	1,000.00	materials that promote connectivity with the Public Defender's Office
			Subscriptions and Publications cover the cost of educational resources for
Subscriptions	\$	7,000.00	attorneys.
Copier & Printer Maintenance	\$	500.00	This budget is dedicated to ensuring copiers and printers remain operational.
Total	\$	13,500.00	o p
Travel		Cost	Narrative
Conference/Seminars	\$	6,000.00	This budget will support attorneys and staff continuing education.
		•	
Travel	\$	10,400.00	This budget will support attorneys and staff continuing education.
Travel	\$	10,400.00	This budget will cover the cost of fuel for the department vehicle which is used
	·		This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations,
Gas	\$_	1,000.00	This budget will cover the cost of fuel for the department vehicle which is used
	·		This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations,
Gas	\$_	1,000.00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations,
Gas Total Equipment	\$	1,000.00 17,400.00 Cost	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations, witness meetings, client meetings and expert meetings. Narrative This expense will cover the cost of new chairs and desks for employees: \$1,100
Gas Total	\$_	1,000.00 17,400.00 Cost	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations, witness meetings, client meetings and expert meetings. Narrative This expense will cover the cost of new chairs and desks for employees: \$1,100 for each employee.
Gas Total Equipment	\$	1,000.00 17,400.00 Cost 7,700.00	This budget will cover the cost of fuel for the department vehicle which is used for transportation to and from (but not limited to) case-related investigations, witness meetings, client meetings and expert meetings. Narrative This expense will cover the cost of new chairs and desks for employees: \$1,100

Scanner	\$	3,000.00	This is to cover 3 scanners- 1 for each support staff meember @ \$1,000.
Total	\$	38,400.00	
Contracts		Cost	Narrative
			These costs cover fees associated with representation of clients. Including, but
			not limited to, transcriptions by court reporters and experts used in trial
Court Costs	\$	15,000.00	
Computer Contract	\$	-	
Interpreters	\$	10,000.00	These fees are necessarily incurred due to appointments on cases with non- English speaking clients. Interpreters are essential and facilitate communication during client meetings to explain legal proceedings and options.
Total	\$	25,000.00	
Current Employee Budget			Grant Request & BC Match
Salaries	\$	807,129.00	TIDC Grant \$ 987,880.40
Fringe Benefits	\$	333,421.50	Brazos County \$ 246,970.10
Operational Expenses	\$	94,300.00	\$ 1,234,850.50
Total	¢ -	1,234,850.50	

•

Mental Health Division

Position	Salary	FICA	Retirement	Insurance	Wor	ker's Comp	Total
Mental Health Defender	\$ 110,250.00	\$ 8,434.13	\$ 18,742.50	\$ 16,692.00	\$	126.79	\$ 154,245.41
Case Worker	\$ 72,030.00	\$ 5,510.30	\$ 12,245.10	\$ 16,692.00	\$	82.83	\$ 106,560.23
Total	\$ 182,280.00	\$ 13,944.42	\$ 30,987.60	\$ 33,384.00	\$	209.62	\$ 260,805.64

Operational	Expenses	Gran	ınt Total			
Supplies	\$ 7,450.00	Salaries	\$	182,280.00		
Equipment	\$ 19,800.00	Fringe	\$	78,525.64		
Contract	\$ 20,000.00	Operational Exp	\$	52,100.00		
Travel	\$ 4,850.00	Total	\$	312,905.64		
Total	\$ 52,100.00					

Supplies	Cost	Narrative
Copier & Printing Supplie:	1,000.00	This expense will cover the cost of copier and printing supplies. Color printers are required for our office and the cartridge replacements have begun to consume more of the printing supply budget. This expense will cover the cost of office supplies. This includes supplies that facilitate daily operations. These supplies require replacement on a routine basis throughout the fiscal year due to attorney and staff consumption. This expense has been reduced from last year's proposed
Office Supplies	\$ 2,000.00	budget.
		This expense will cover the cost of printing business cards and educational materials that promote connectivity with the Public
Printing	\$ 600.00	Defender's Office
Subscriptions	\$ 3,500.00	Subscriptions and Publications covers the cost of educational resources for attorneys.

This budget is dedicated to ensuring copiers and printers remain

Copier & Printer Mainter	na \$	350.00	operational.
Total	\$	7,450.00	- operational
Travel		Cost	Narrative
Conference/Seminars	\$		This budget will support attorney and staff continuing education.
Travel	\$	2,600.00	This budget will support attorney and staff continuing education.
			This budget will cover the cost of fuel for the department vehicle which is
Gas	\$	750.00	used for transportation to and from (but not limited to) case related
Total	Ψ _	4,850.00	investigations, witness meetings, client meetings and expert meetings.
Totat	φ	4,000.00	
Equipment		Cost	Narrative
			This expense will help cover the cost of office furniture for the new
Furniture	\$	4,400.00	employees.
		•	This expense will cover the purchase of new equipment. Laptops,
•			monitors, docks, printers, and scanners will be included in this purchase.
IT	\$:	13,000.00	\$1500/laptop set up and \$6,000 for a new printer/scanner/fax machine
Cell Phones	\$	2,400.00	The budget for cell phones is \$50/phone line for all FTEs for 12 months.
Total		19,800.00	B suppose to the design and the design at the second secon
	•		
Contracts		Cost	Narrative
Court Costs	\$ 1		These costs cover fees associated with representation of clients.
Computer Contract	\$	-	moss social cover rees associated with representation of etients.
Interpreters	\$	8,000.00	These fees are necessarily incurred due to appointments on cases with
	<u> </u>		with the state of

Recommendations from Committee

Continuing Multi-Year Grant

Continuing Multi-Year Grant	. •		
	TIDC	\$	1,003,349.00
	Brazos County	\$	668,899.00
	Total	\$	1,672,248.00
Emiliaria orași	-		
Expansion Grant	TIDC	φ	007.500.00
		\$ \$	987,560.00
	Brazos County Total		246,970.00 1,234,530.00
	Totat	φ	1,234,530.00
Mental Health	:		
	TIDC	\$	250,325.00
	Brazos County	\$	62,580.00
	Total	\$	312,905.00
TIDC Award Recommendations			
·	Continuing	\$	1,003,349.00
	Expansion	\$	987,560.00
	Mental Health	\$	250,325.00
	Total	\$:	2,241,234.00
Brazos County Match	:		
	Continuing	\$	668,899.00
	Expansion	\$	246,970.00
	Mental Health	\$	62,580.00
	Total	\$	978,449.00



BRAZOS COUNTY BRYAN, TEXAS

DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

ITEM: Discussion of revised policy concerning appointment to cases eligible for the death penalty.

TO: Commissioners Court

DATE: 08/28/2025

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00

Date: September 5, 2025

RE: Approval of Amendment to Policy Regarding Capital Cases

Background:

There is currently no established policy governing appointments for capital felony cases. I am requesting the Oversight Board's approval to integrate the proposed/attached updates into the Plan, Policy, and Procedures Manual. This manual will then function as the authoritative source of standard operating guidelines for the Brazos County Public Defender's Office regarding capital felony cases.

Recommendation:

It is my recommendation that the Brazos County Public Defender's Office does not accept appointments to capital offenses involving the death penalty. It is my recommendation that the attachment (9.01 Death Renalty Cases) Plan, Policy and Procedures Manual are approved.

9.5.75

Nathan Wood, Chief Public Defender	Date
Board Approval:	
	9:5:25
Oversight Board Menater	Date
Orangight Road Namber	$\frac{9/5/25}{\text{Date}}$
Oversight Board Member	9-5-25
Oversight Board Member	Date
Fran & Duane	9/5/2025
Oversight Board Member	Date
Oversight Daard Marshau	Doto
Oversight Board Member	Date





9.01 DEATH PENALTY CASES

9/5/2025

These guidelines for appointment of counsel in death penalty cases are adopted pursuant to Tex. Code Crim. Pro. Art. 26.052(b).

The Brazos County Public Defender's Office is ineligible to be appointed as trial counsel, appellate counsel, or certiorari counsel to capital felony cases or cases that are eligible for the death penalty under Texas law.

All appointments of trial counsel, direct-appeal counsel, and certiorari counsel in capital felony cases must comply with the requirements of Texas Code of Criminal Procedure article 26.052.



BRAZOS COUNTY BRYAN, TEXAS

DEPARTMENT: NUMBER:

DATE OF COURT MEETING: 9/5/2025

Approval of amending the by-laws regarding the number of Board Members to the Public Defender's Office Oversight Board. ITEM:

Commissioners Court TO:

08/28/2025 DATE:

FISCAL IMPACT: False

BUDGETED: False

DOLLAR AMOUNT: \$0.00 Date: September 5, 2025

RE: Approval of Proposed Amendment to Bylaws

Background:

The Brazos County Public Defender's Office Oversight Board Membership and Policies currently provides for five permanent members with the ability to increase the number of members to seven.

Recommendation:

It is my recommendation that the Brazos County Public Defender's Office Oversight Board Membership and Policies are amended to reflect the previous approval from this Board to increase the board membership from five to seven.

Nathan Wood, Chief Public Defender	Date
Board Approval:	
Qversight Board Member	95.25 Date
White Water Oversight Board Member	$\frac{9/5/25}{\text{Date}}$
Dain B. (Sygn III	9-5-25
Wurle En	Date 9 - 5 - 25
Oversight Board Member	Date 9/5/25
Oversight Board Member	Date

<u>Proposed Amendment to Brazos County Public Defender's Office Oversight Board Membership and Policies</u>

Submitted September 5, 2025 for Board approval.

Membership

The Brazos County Public Defender Oversight Board shall be comprised of seven (7) permanent voting members.

Membership requirements are as follows:

- 1. Membership requirements shall follow the guidelines established by the Texas Indigent Defense Commission. Potential members subject to consideration include but are not limited to members of the Commissioners Court, judges, community groups, law school faculty, those in academia and engaged in research and policy, members of the defense bar that do not accept appointed cases, and formerly incarcerated persons and/or potentially a family member of an incarcerated person that can provide insight and perspective from a client's point of view and public defenders from other jurisdictions.
- 2. Membership shall also include the Brazos County Judge or his designee as well as a County Commissioner as delegated by the Brazos County Commissioners Court.
- 3. Members should be free from interest that would pose a conflict with the Public Defenders Office.
- 4. Each member shall be entitled to one vote on each matter submitted to a vote of the members.
- 5. Current prosecutors, law enforcement officers, probation officers, or an active sitting Judge who hears criminal matters are all ineligible for appointment to the Brazos County Public Defender Oversight Board.

The Chief Public Defender shall be a non-voting member of the Oversight Board.

Existing policy concerning membership:

Membership

The Brazos County Public Defender Oversight Board shall be comprised initially of five (5) permanent members and may be increased to a maximum of seven (7) members once approved by the Brazos County Commissioners Court:

- 1. Membership requirements shall follow the guidelines as set by the Texas Indigent Desense Commission. Those subject to consideration include but are not limited to members of Commissioners Court, judges, community groups, law school faculty, those in academia and engaged in research and policy, members of the desense bar that do not accept appointed cases, and formerly incarcerated persons and/or potentially a family member of an incarcerated person that can provide insight and perspective from a client's point of view and public desenders from other jurisdictions.
- 2. Membership shall also include the Brazos County Judge or his designee as well as a County Commissioner as designated by the Brazos County Commissioners Court.
- Members should be free from interest that would pose a conflict with the Public Defender's Office.
- 4. Each member shall be entitled to one vote on each matter submitted to a vote of the members.

No member of the Brazos County Public Defender's Oversight Board shall be employed as a prosecutor, law enforcement officer, probation officer, or any active sitting Judge who hears criminal matters.

* The Chief Public Defender shall be a non-voting member of the board