



# **Fourth Policy Monitoring Follow-up Review – Dallas County**

**March 2017**



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## Table of Contents

Overview of 2017 Follow-up Monitoring Review.....	4
Fair, Neutral, and Non-discriminatory Attorney Selection Process .....	4
Additional Observations.....	5
Conclusion.....	6
Appendix A - Background to the 2017 Monitoring Review.....	7
Appendix B – Misdemeanor Attorney Appointment Management Report .....	10
Appendix C – FY2015 Misdemeanor Cases Paid Data Used in Distribution Analysis.....	11
Appendix D – 2016 Dallas Public Defender Caseloads Above Weighted Caseload Guidelines.....	16
Appendix E – 2016 Assigned Counsel Caseloads Above Weighted Caseload Guidelines.....	18

## Overview of 2017 Follow-up Monitoring Review

Senior Policy Analyst Joel Lieurance conducted the fourth follow-up policy monitoring review of Dallas County's indigent defense system. Throughout this report, all references to Commission staff use the term "monitor."

The Commission has conducted past policy monitoring reviews in Dallas County in 2007, 2009, 2011, and 2013. Over the course of these reviews, the monitor has identified eleven different issues.<sup>1</sup> Ten of the issues identified by the monitor have been addressed; one remains. The remaining issue for this review was to ascertain whether the distribution of assigned counsel misdemeanor appointments met the Commission's threshold for presuming a fair, neutral, and nondiscriminatory appointment system. This review involved a request for data from Dallas County, but did not involve any on-site visits.

### Fair, Neutral, and Non-discriminatory Attorney Selection Process Misdemeanor Appointments

After the monitor's 2011 review, the misdemeanor courts adopted the attorney appointment management report used by the felony courts.<sup>2</sup> This report allows one to examine how closely each court follows the appointment wheel. The monitor believes that such management reports bring transparency to local systems and can engender a public trust in judicial practices.

The monitor examined the distribution of FY2015 assigned counsel misdemeanor appointments (to attorneys not having a foreign language designation). For this analysis, the monitor used a list of attorneys who received appointments in FY2015 as provided by the county criminal courts' manager.<sup>3</sup> The monitor then compared this list with the number of cases paid to each attorney as reported by county auditor.<sup>4</sup>

In the current review using FY2015 data, the monitor found that there were 202 attorneys who had received payment for misdemeanor appointments but did not have a foreign language designation. The top twenty attorneys received 43.4% of available appointments, or **4.4 times their representative share**. This distribution of appointments is outside of the Commission's threshold for presuming that a jurisdiction's appointment system is fair, neutral, and non-discriminatory (maximum of 3.0 times the representative share obtained by the top ten percent of appointed attorneys).<sup>5</sup>

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<sup>1</sup> A full history of these reviews including a table showing the progression of issues identified by the monitor can be found in Appendix A.

<sup>2</sup> See Appendix B for an example.

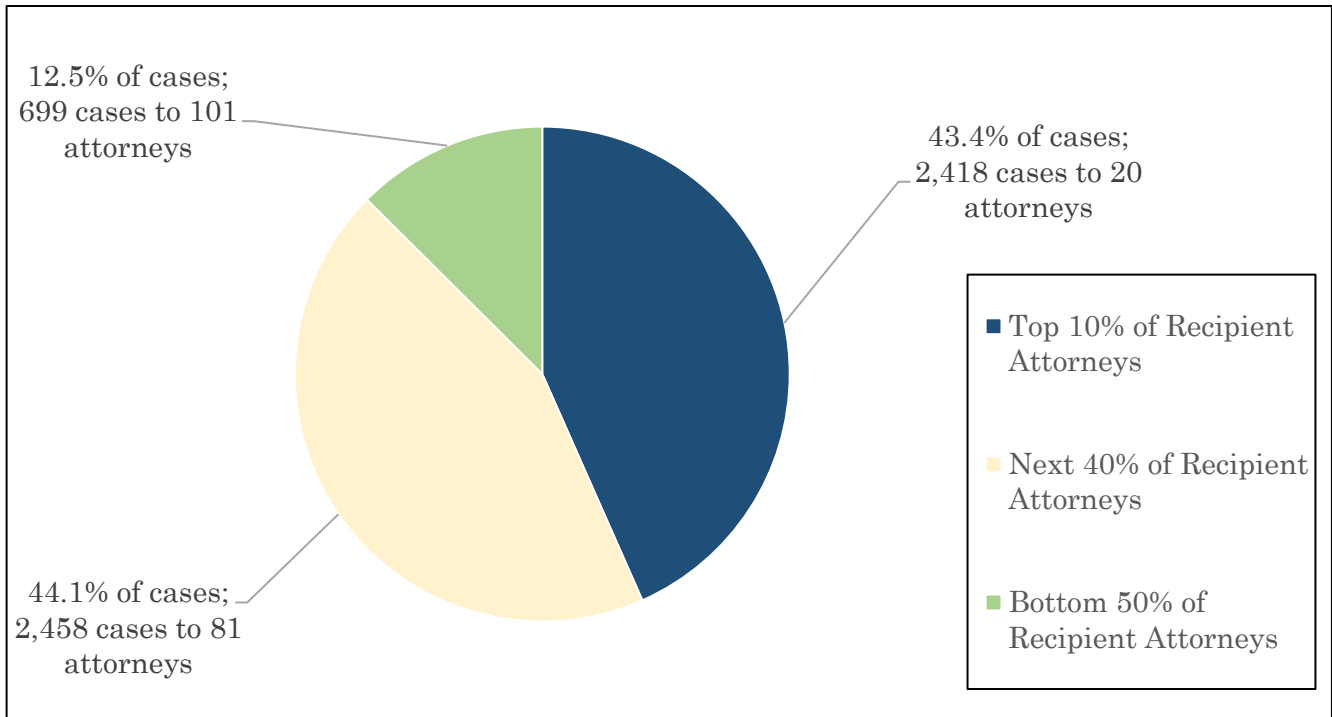
<sup>3</sup> This list specified if an attorney was designated as having a foreign language proficiency.

<sup>4</sup> For this analysis, the monitor did not use the number of appointments as provided by the county courts' criminal manager because the number of appointments made to each attorney on this list was significantly smaller than the number of cases paid provided by the auditor. The monitor believes the data provided by the auditor is more reliable.

<sup>5</sup> Title I § 174.28(c)(5)(D) of the Texas Administrative Code states:

*For assigned counsel and managed assigned counsel systems, the number of appointments in the policy monitor's sample per attorney at each level (felony, misdemeanor, juvenile, and appeals) during the period of review and the percentage share of appointments represented by the top 10% of attorneys accepting*

**Distribution of Cases Paid to Assigned Counsel Attorneys without a Foreign Language Designation (based on FY2015 misdemeanor cases paid)<sup>6</sup>**



**March 2017 Recommendation:** The misdemeanor courts must implement methods that ensure appointments to assigned counsel attorneys (without a foreign language designation) operate in a fair, neutral, and nondiscriminatory manner.

**Additional Observations**

While this review focused on the distribution of attorney appointments in misdemeanor cases, the monitor will now address attorney caseloads. In 2015, the Commission published the Weighted Caseload Guidelines in partnership with the Public Policy Research Institute at Texas A&M University. The Guidelines recommend a maximum annual caseload of 128 felony cases, 226 misdemeanor cases, or 31.2 appeals cases per attorney.<sup>7</sup>

*appointments. A county is presumed to be in substantial compliance with the fair, neutral, and non-discriminatory attorney appointment system requirement if, in each level of proceedings (felony, misdemeanor, and juvenile cases), the percentage of appointments received by the top 10% of recipient attorneys **does not exceed three times their respective share**. If the county can track attorney list changes, the monitor will only examine the distribution of cases for attorneys that were on the appointment list for the entire year. The top 10% of recipient attorneys is the whole attorney portion of the appointment list that is closest to 10% of the total list.*

<sup>6</sup> See Appendix C for full details.

<sup>7</sup> The Weighted Caseload Guidelines are recommended maximum caseloads, which are not binding on a county.

Many Public defender attorneys in Dallas County have caseloads well above the recommended maximums set in the Guidelines. According to Dallas County auditor data reported to the Commission for 2016, a total of 49 public defender attorneys disposed more cases than recommended by the Guidelines, with 25 attorneys having caseloads more than three times the maximum level set in the Guidelines.<sup>8</sup> For seven public defenders, devoting the recommended sixteen hours to a felony case or nine hours to a misdemeanor case would have resulted in spending more hours on their cases than are present in a calendar year (24 hours per day for 365 days).

With private attorneys, their time may be devoted to matters outside of indigent defense such as retained or civil cases. According to data reported to the Commission for 2016, a total of 51 private attorneys disposed more appointed indigent criminal cases than recommended by the Guidelines, with three attorneys having caseloads more than three times above the maximum level set in the Guidelines – not including any time spent on retained or civil cases.<sup>9</sup>

Dallas County should carefully consider setting appropriate maximum workloads or caseloads which ensure appointed attorneys – both public defenders and private attorneys – can provide reasonably effective representation to their clients. Based on attorney caseload data reported by the auditor, one can see some attorneys dispose voluminous numbers of cases, while many attorneys dispose few cases. One solution to reasonable caseloads is a more even distribution of appointed cases.

## Conclusion

We thank Dallas County officials and staff for their cooperation with this review. Dallas County officials appear willing to make necessary changes to improve the indigent defense system. As mandated by statute, we will monitor the county's transition and adjustments to Commission findings.

## Summary of Report Recommendations

**March 2017 Recommendation:** The misdemeanor courts must implement methods that ensure appointments to assigned counsel attorneys (without a foreign language designation) operate in a fair, neutral, and nondiscriminatory manner.

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PUB. POLICY RESEARCH INST. AT TEXAS A&M UNIV., GUIDELINES FOR INDIGENT DEFENSE CASELOADS: A REPORT TO THE TEXAS INDIGENT DEFENSE COMMISSION 30–31 (2015), *available at* [http://www.tidc.texas.gov/media/31818/150122\\_weightedcl\\_final.pdf](http://www.tidc.texas.gov/media/31818/150122_weightedcl_final.pdf).

PUB. POLICY RESEARCH INST. AT TEXAS A&M UNIV., APPELLATE ADDENDUM: GUIDELINES FOR INDIGENT DEFENSE CASELOADS: A REPORT TO THE TEXAS INDIGENT DEFENSE COMMISSION 16 (2016), *available at* [http://www.tidc.texas.gov/media/50833/161214\\_wcl-appellate.pdf](http://www.tidc.texas.gov/media/50833/161214_wcl-appellate.pdf).

<sup>8</sup> See Appendix D for more details.

<sup>9</sup> See Appendix E for more details. These totals include appointed cases disposed in Dallas County and all other counties. It does not include retained or civil cases. Some of these attorneys appear to have acted as public defenders for part of the year. In those instances in which an attorney was reported to have received any payments during the fiscal year, the monitor presumed the attorney to be a private attorney rather than a public defender.

## **Appendix A - Background to the 2017 Monitoring Review**

### **2007 Review**

The monitor conducted an initial policy monitoring review of Dallas County in 2007 and issued a report with recommendations focused on the timeliness of attorney appointments and the distribution of appointments. The district courts responded to the report and noted that computer system problems had been the main cause of late attorney appointments. The response stated the courts would research the costs of having a pre-trial services department or magistrate court staff assist arrestees with affidavits of indigence. Concerning the fairness of appointments, the district courts stated they would have IT Services give them access to wheel appointment data reports. The county courts later adopted the district courts' response.

### **2009 Review**

In May 2009, the monitor conducted a follow-up review to see if recommendations made in the 2007 review had been put into place. This report found the county had the same issues with timely appointments and uneven appointment distributions that were noted in the 2007 report. In response to the 2009 report's recommendations, the county provided an action plan to manage requests for counsel from arrestees in municipalities and for a new software system to manage attorney appointments.

Dallas County's action plan to manage requests for counsel came in two phases. In the first and interim phase, municipalities would fax requests for counsel to the county. The county would attempt to make appointments of counsel based on these faxes. In the second and permanent phase, Dallas County would conduct magistrate warnings via a videoconference system between the county and municipalities. The advantage of this second phase was that the centralized magistrate's warning system would create a more fool-proof method for ensuring timely appointments of counsel. A pilot project was to begin with Rowlett and Seagoville and later to expand to include all 23 municipal jails. After Dallas County began this project, it applied to the Commission and received a grant to complete the project.

Dallas County planned to address the distribution of attorney appointments by utilizing new software functionality in its AIS computer management system. The new software functionality would allow judges to appoint the top attorney on the appointment list or to appoint another attorney while providing a reason for skipping the top attorney on the list. The AIS system would also generate regular reports so judges could monitor how well the wheel was being followed.

### **2011 Review**

The monitor conducted a second follow-up review in 2011. In this review, the monitor found some municipalities (those who had joined Dallas County's videoconference system) had put in place methods to successfully transmit counsel requests to the county. Under this system, the county conducts the Article 15.17 hearings remotely, and all requests for counsel are processed by the county. However, for those municipalities who had not joined the videoconference system, the monitor did not find clear or consistent methods to transmit counsel requests to the county.

Regarding the timeliness of counsel appointments, the monitor found felony appointments met the Commission's threshold for presuming a jurisdiction's processes are

timely. (This analysis did not consider requests from municipalities without methods to successfully transmit requests to the county.) Misdemeanor appointments fell below the Commission's threshold, but the percentage of timely misdemeanor appointments was much higher than in previous reviews.

During the review, the monitor observed pre-trial appointment practices and found that once counsel was appointed, the appointment might be voided if the defendant made bail. Defendants who made bail might be required to re-qualify as indigent at their initial appearance, and if determined to be indigent, new counsel might be appointed. These practices were problematic because Article 26.04(p) of the Code of Criminal Procedure states that once a defendant is determined to be indigent, the defendant is presumed to remain indigent unless a material change in the defendant's financial circumstances occurs.<sup>10</sup> Article 26.04(j)(2) further requires counsel to represent defendants through case disposition unless good cause is found for removing the attorney. Dallas County responded to these findings by stating the courts would immediately appoint counsel whether the defendant made bail or not, and the attorney appointed to the case would stay with the case.

Regarding the attorney selection process, in felony cases the distribution of assigned counsel appointments (for all felony wheels) met the Commission's thresholds for presuming a jurisdiction's appointments processes were fair, neutral, and nondiscriminatory. In misdemeanor cases, this threshold was met for attorneys with a foreign language designation but not for other attorneys. In juvenile cases, the monitor found that based on auditor data, Commission thresholds were met for all attorneys in the 305<sup>th</sup> District Court but only for attorneys with a foreign language designation in the 304<sup>th</sup> District Court.

## **2013 Review**

The monitor conducted a third follow-up review in 2013. The monitor re-inquired about municipal practices for transmitting requests for counsel to Dallas County. The monitor found all municipalities had put in place methods to effectively transmit requests for counsel to Dallas County.

As to procedures for appointing counsel, the misdemeanor courts met the Commission's threshold for presuming timely appointments. Both the felony and misdemeanor courts had adopted pre-trial practices to ensure that if counsel had been appointed prior to a defendant's posting bail, the initially appointed attorney would continue with the case in later appearances.

As to attorney selection practices, the monitor found the distribution of assigned counsel appointments in the 305<sup>th</sup> District Court over juvenile matters had now met the Commission's threshold for presuming a fair, neutral, and nondiscriminatory appointment process. However, the misdemeanor courts did not yet meet this threshold.

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<sup>10</sup> Article 26.04(l)-(m) of the Code of Criminal Procedure puts limitations on how bail may be considered in indigence determinations. Article 26.04(l) states:

*... The procedures and standards shall apply to each defendant in the county equally, regardless of whether the defendant is in custody or has been released on bail.*

Article 26.04(m) states:

*... The court or the courts' designee may not consider whether the defendant has posted or is capable of posting bail, except to the extent that it reflects the defendant's financial circumstances as measured by the considerations listed in this subsection.*



## Progression of Recommendations from Past Reviews

Category and Initial Recommendation Year	Court Level	Status as of the September 2013 Review	Satisfied	Pending
Transmittal of Request to Appointing Authority (2009)	Felony and Misdemeanor	The 2013 review verified that municipalities conducting their own magistrate warnings have a clear method to transmit requests for counsel to Dallas County.	√	
Timely Appointment of Counsel (2007)	Felony	The 2011 review verified that requests for counsel received by Dallas County are processed in a timely manner.	√	
Timely Appointment of Counsel (2007)	Misdemeanor	The 2013 review verified that requests for counsel received by Dallas County are processed in a timely manner.	√	
Determination of Indigence (2011)	Felony	The 2013 review interviews indicated that persons who qualify as indigent and who make bond are <b>not</b> required to re-qualify for indigence at the initial appearance.	√	
Determination of Indigence (2011)	Misdemeanor	The 2013 review verified that persons who make bond have their requests for counsel ruled upon in a prompt manner.	√	
Determination of Indigence (2011)	Misdemeanor	The 2013 review interviews indicated that persons who qualify as indigent and who later make bond are <b>not</b> required to re-qualify for indigence at the initial appearance.	√	
Determination of Indigence (2011)	Misdemeanor	The 2013 review interviews indicated that if a person was initially appointed counsel that this counsel continues to represent the defendant unless good cause is found for replacement.	√	
Fair, Neutral, and Non-discriminatory Attorney Selection Process (2007)	Felony	The 2011 review verified that the distribution of felony appointments is within the Commission's thresholds for presuming a fair, neutral, and non-discriminatory appointment system.	√	
Fair, Neutral, and Non-discriminatory Attorney Selection Process (2007)	Misdemeanor	For non-Spanish speaking cases, the distribution of misdemeanor appointments does not meet the Commission's threshold for presuming a fair, neutral, and non-discriminatory appointment system. For Spanish-speaking cases, this threshold was met in the 2011 review.		√
Fair, Neutral, and Non-discriminatory Attorney Selection Process (2009)	Juvenile - 304th District Court	The 2013 review verified that the distribution of juvenile appointments is within the Commission's thresholds for presuming a fair, neutral, and non-discriminatory	√	
Fair, Neutral, and Non-discriminatory Attorney Selection Process (2009)	Juvenile - 305th District Court	The 2011 visit verified that the distribution of juvenile appointments is within the Commission's thresholds for presuming a fair, neutral, and non-discriminatory appointment system.	√	

# Appendix B – Misdemeanor Attorney Appointment Management Report

## Summary Attorney Appointment Management Report

From: 10/1/2014 To: 9/30/2015

Run Date: 09/30/2016

(1) Total Appointments from Wheel	(2) Total Wheel Replacements	(3) Total AdHocs Assignments	(4) Total Misdemeanor Assignments
2730	441	6225	20177
(5) Total AdHocs W/O Exceptions		% of District Court Assignments not Following Wheel (5) / (4)	
6225		30.85	

Court	(1) # Wheel Appts	(2) # Wheel Rplcmts	(3) # AdHoc Appts	(4) # PV Appts	(5) # PD Appts	(6) Total Assignment for this Court (1)+(2)+(3)+(4)+(5)	% not Following Wheel (3)/(6)	# of Skips
MA	140	27	82	0	2193	2442	5.80	5
MB	258	8	186	0	684	1136	22.87	0
MC	6	3	295	0	2183	2487	0.24	0
MD	1	0	3	0	15	19	5.26	0
ME	166	51	225	0	2534	2976	5.68	0
MF	262	58	1469	0	898	2687	9.97	0
MG	38	8	703	0	611	1360	2.81	0
MH	310	47	255	0	1575	2187	14.49	0
MJ	193	19	1197	0	1162	2571	14.49	0
MK	379	61	984	0	1237	2661	7.56	7
ML	85	1	87	0	330	503	16.93	0
MM	212	6	257	0	280	755	28.30	0
MN	680	152	482	0	663	1977	37.26	0
<b>Totals</b>	<b>2730</b>	<b>441</b>	<b>6225</b>	<b>0</b>	<b>14365</b>	<b>23761</b>	<b>26.20</b>	<b>12</b>

Wheel	Total Attorneys on Wheel	Total Wheel Assignments
MISD A	259	1406
MISD B	258	1163
		2569

## Appendix C – FY2015 Misdemeanor Cases Paid Data Used in Distribution Analysis

Attorney Name	Misdemeanor Cases Paid	Group
ZUCKERMAN, JAY D.	285	Top 10%
HEATHER, JOHN G.	282	Top 10%
NORMAN, WILLIAM E.	183	Top 10%
BRACEY, MONIQUE JURAE	160	Top 10%
EDWARDS, SHERROD JOHN	149	Top 10%
ZOES, NICK HARRY	136	Top 10%
ALVARADO, STEPHANIE MICHELLE	126	Top 10%
NARCISSE, KENRIC WAYNE	113	Top 10%
REDMOND, NIGEL HOWARD	112	Top 10%
PARKER, PHILIP E.	107	Top 10%
LAMB, DAVEY O.	88	Top 10%
BROWN, SHASTA RONIQUÉ	85	Top 10%
EILAND, ANTHONY PAUL	81	Top 10%
TETER, JOHN LLEWELLYN	80	Top 10%
LENZ, ROBERT STEPHEN	75	Top 10%
EDWARDS, REMEKO TRANISHA	74	Top 10%
ACKELS, SAMUEL HENRY	74	Top 10%
HINES-GLOVER, NICOLE GERDA MAE	73	Top 10%
HOY, NATASHA	68	Top 10%
SEALES, IFEYINWA JAYNE	67	Top 10%
HERNDON, MICHAEL	65	Next 40%
WARD, DEMARCUS	62	Next 40%
ANAGNOSTIS, CONSTANTINE GEORGE	58	Next 40%
WATKINS-BOWERS, SHAWNEEQUE LYNETT	48	Next 40%
SMITH, CLAYTON CHOICE	47	Next 40%
SHOEMAKER, EDWARD PACE	46	Next 40%
RIOS, LYSETTE ROSE	46	Next 40%
FARMER, ANTHONY MARQUIS	45	Next 40%
CEDER, CARL DAVID	44	Next 40%
HILL, VONCIEL JONES	42	Next 40%
LAWS, CHASE PHILLIP	42	Next 40%
BUNCH, DOYLE R.	42	Next 40%
JOHNSON, CHRISTIAN KEIDRIC	42	Next 40%
BAEZA, PAMELA ANN	41	Next 40%
JOHNSON, SHA'BRANDDON C	41	Next 40%
CLARK, REGINA P.	40	Next 40%
OGUERI, GABRIEL CHIMA	40	Next 40%
TAYLOR, LARRY FRANCIS	40	Next 40%
BUCHWALD, JEFF P.	38	Next 40%
SARABIA, ROBERT A.	38	Next 40%
WARREN, KOBBY TYRONE	38	Next 40%

<b>Attorney Name</b>	<b>Misdemeanor Cases Paid</b>	<b>Group</b>
MARTIN, TONY LEE	37	Next 40%
WARD, MONIQUE NICOLE	37	Next 40%
MCINTOSH, MYRA LYNN	36	Next 40%
MOOREHEAD, AUDREY F.	36	Next 40%
GATLIN, THOMAS ANDREW	35	Next 40%
REYNA, JOHN DAVID	35	Next 40%
BRENDER, JOHN THOMAS	35	Next 40%
WARREN, ROSALIND MICHELLE	35	Next 40%
ARMSTRONG, VESTA TAMORA	34	Next 40%
FAY, WILLIAM JOSEPH	34	Next 40%
JONES, KAMBIRA RASHIDA	34	Next 40%
ANDERSON, KEITH ALEXANDER	33	Next 40%
BRANAN, AMANDA KAY	33	Next 40%
LAMBERT, KAREN BECAK	32	Next 40%
HAYES, PHILLIP WAYNE	30	Next 40%
TURNER, EBONY MSHONDA HILL	30	Next 40%
BAKER, TIFANEE AMBER	30	Next 40%
UNELL, GARY DAVID	29	Next 40%
LOPEZ, ADOLFO DANIEL	29	Next 40%
COOKS, DESMOND L.	28	Next 40%
RUSSELL, JAMES RICHARD	27	Next 40%
INGRAM, WILLIE F.	27	Next 40%
WILLIAMS, FLOYD CONWAY	27	Next 40%
LEWIS, SHERIDAN FRANCES	27	Next 40%
ADAMS, TEMANI ME'CHELLE	27	Next 40%
GUIDRY, DONALD JAMES	26	Next 40%
CADY, ROBERT M.	25	Next 40%
FISHER, HEATHER M.	25	Next 40%
CAPERTON, CHARLES LEE	24	Next 40%
ARMSTRONG, MELODEE DIONNE	23	Next 40%
WASHINGTON, JOHN WALTER	23	Next 40%
KAZDOY, ALAN CRAIG	23	Next 40%
HUDSON, DAVID ALLAN	23	Next 40%
ODUEZE, FRANK EMEKA	23	Next 40%
ABDAL-KHALLAQ, HAMIDA A.	22	Next 40%
FRANCIS, LIVIA LIU	22	Next 40%
PARKER, RANDALL DALE	22	Next 40%
CROCKETT, JASMINE FELICIA	22	Next 40%
SANDERS, STEPHEN JERMAINE	22	Next 40%
HOLMES, SHANNON ANTHONY	22	Next 40%
HELSLEY, MELINDA SMOTHERMON	21	Next 40%
OKOROJI, OKECHUKWU MADUEKE	21	Next 40%
ESPINOSA, MATTHEW LOREN	21	Next 40%

<b>Attorney Name</b>	<b>Misdemeanor Cases Paid</b>	<b>Group</b>
COCHRAN, BRITNEY NICOLE	21	Next 40%
WIETZEL, GLEN ALAN	20	Next 40%
DUNCAN, SARAH ANN	20	Next 40%
NWAIWU, BERNARD C.	19	Next 40%
PEALE, LALON C.	19	Next 40%
MURPHY, AMANDA LYN	19	Next 40%
TKACH, TODD ERIC	18	Next 40%
FOX, LISA	18	Next 40%
AVERY, JOHN EDWARD	18	Next 40%
SMITH, WYTAINE E.	18	Next 40%
BAGGETT, SHEA ERIC	18	Next 40%
MASSAR, BERNARD ANTONIUS	17	Next 40%
TABORN, VIRGINIA FRANCES	17	Next 40%
CORBETT, DWAYNE DANIEL	16	Next 40%
REED, JOHN ERIC	16	Next 40%
NESBITT, KIM ROBIN	16	Next 40%
WALTERS, M. MONIQUE	16	Next 40%
WHITE, DEBRA	16	Bottom 50%
KOUSTOUBARDIS, CHRISTOPHER	15	Bottom 50%
ANDERSON, SUSAN E.	15	Bottom 50%
BUNGER, ROBERT CHARLES	15	Bottom 50%
HEALY, JOSH DAVID	15	Bottom 50%
DAVIS, CORWYN MONTE	15	Bottom 50%
ODOM, SCOTT	14	Bottom 50%
GREEN, ANTHONY HAMILTON	14	Bottom 50%
ANDERSON, JEREMY CADE	14	Bottom 50%
OFFOBOCHE, UGALAHU UGY AGBO CLAIRE	14	Bottom 50%
SYLLAIOS, JOHN RYAN	14	Bottom 50%
TRAYLOR, JANET FERGUSON	13	Bottom 50%
LACY, WAYNE D.	13	Bottom 50%
SMITH, APRIL ELAINE	13	Bottom 50%
STOREY, SHAWN TRAFFORD	13	Bottom 50%
WELLS, CHRISTOPHER SCOTT	13	Bottom 50%
OBAYANJU, OLUBUKOLA Y.	13	Bottom 50%
SMITH, MONICA MICHELLE	12	Bottom 50%
FELLMAN, MARCUS ASHER	12	Bottom 50%
TRESS, PATTY ANN	12	Bottom 50%
JONES-JOHNSON, MARGARET RENEE	11	Bottom 50%
BARR, WILLIAM R.	11	Bottom 50%
LESSER, PETER ALAN	11	Bottom 50%
YOON, PETER	11	Bottom 50%
JAKSA, CHERYL L.	10	Bottom 50%
LILLY, CURTIS	10	Bottom 50%
JOHNSON, CALVIN DEMOND	10	Bottom 50%

<b>Attorney Name</b>	<b>Misdemeanor Cases Paid</b>	<b>Group</b>
IWUJI, THADDEUS AFAMU	10	Bottom 50%
SEYMOUR, MATTHEW DAVID	10	Bottom 50%
EYER, JESSE DANIEL	10	Bottom 50%
REYNOLDS, SANDRA	9	Bottom 50%
KOLENBERG MIRACLE, KATHERINE	9	Bottom 50%
POBLENZ, MICHELLE LYN	9	Bottom 50%
MCLEMORE, JASON SCOTT	9	Bottom 50%
BARRETT, CAITLIN HANNAH	9	Bottom 50%
WASHINGTON MAYES, MARQUITE' D.	8	Bottom 50%
COLON, EULOGIO	8	Bottom 50%
PRICE, WILLIAM EARL	8	Bottom 50%
HUDSON, STEPHANIE DUECKER	8	Bottom 50%
WILLIAMS, FREDERICK EUGENE	8	Bottom 50%
MARTINEZ, SARA	8	Bottom 50%
ELLIS, WILLIAM TUFFLY	8	Bottom 50%
BOGEN, JOSEPH STANSEL	8	Bottom 50%
MAEDGEN, WARD	7	Bottom 50%
BEVERS, BART	7	Bottom 50%
HAYNES, ROGER EDWARD	7	Bottom 50%
PATTON, ARTHUR H.	7	Bottom 50%
PICKETT, DAVID EUGENE	7	Bottom 50%
GRANT, RYAN MATTHEW	7	Bottom 50%
BLACKNALL, SHARITA W. WILLIAMS	7	Bottom 50%
HOWARD, MICHAEL LAI	7	Bottom 50%
GRAHAM, JAMES GLENN	7	Bottom 50%
TURNER, ANDREW PAUL	7	Bottom 50%
BRENNAN, JOHN JOSEPH	7	Bottom 50%
MEREDITH, RANDALL LEWIS	6	Bottom 50%
SPRINKLE, KATHLEEN LOUISE	6	Bottom 50%
WALTON, VICTORIA GRACE	6	Bottom 50%
PIRE, DAVID J.	5	Bottom 50%
PASK, NEIL EDWARD	5	Bottom 50%
UMPHRES, PHILLIP CARL	5	Bottom 50%
DEMASI, LEIGH E.	5	Bottom 50%
HOLMES, IAN ROBERT	5	Bottom 50%
CROWELL, WALTER GLENN	5	Bottom 50%
CORRALES, JANET C.	4	Bottom 50%
BRIGHT, JAMES LEE	4	Bottom 50%
GREEN, LOREN CRAIG	4	Bottom 50%
LANE, EDDIE ROBERT	4	Bottom 50%
NAG, JAYSON	4	Bottom 50%
BRENNER, GLENN ARTHUR	4	Bottom 50%
KAYE, BRUCE CAMERON	3	Bottom 50%

<b>Attorney Name</b>	<b>Misdemeanor Cases Paid</b>	<b>Group</b>
MCCLUNG, ROBBIE SAYLE	3	Bottom 50%
ASHFORD, GEORGE E.	3	Bottom 50%
BARAKA, LARRY W.	3	Bottom 50%
DEWITT, LISA	3	Bottom 50%
JUDIN, CARL HENRY	3	Bottom 50%
ROGERS, NATHAN HEATH	3	Bottom 50%
GALLEGOS, AMANDA RENEE	3	Bottom 50%
RETANA, SULEMA BEATRIZ	3	Bottom 50%
BRAUCHLE, PAUL	2	Bottom 50%
EXUM, LISA ESTHER	2	Bottom 50%
JOHNSON, PAUL JAMES	2	Bottom 50%
KURTZ, KEVIN F.	2	Bottom 50%
MCBETH, HIRAM	2	Bottom 50%
PARKER, STUART E.	2	Bottom 50%
ROBERTS, WILLIAM H.	2	Bottom 50%
DARDEN, ALISHA RENAE	2	Bottom 50%
ROSEMERGY, JAMES PAUL	2	Bottom 50%
KONG, HILTON HIU-TOH	2	Bottom 50%
ALVAREZ-PARRA, ERENDIRA MARCELA	2	Bottom 50%
GRANADO, ELIZABETH ANNE	2	Bottom 50%
ASHE, WILLIAM MCLELLAN	1	Bottom 50%
BECKLES, ROBERT OLRIC	1	Bottom 50%
MILLER, STEPHEN H.	1	Bottom 50%
BUSH, VALENCIA	1	Bottom 50%
WILLIAMS, STACI JAN	1	Bottom 50%
WALKER, RICHARD SCOTT	1	Bottom 50%
SMITH, GERALD JEROME	1	Bottom 50%
PETER, SMINU	1	Bottom 50%
MASSEY, RILEY C.	1	Bottom 50%
REILY, READ HOPKINS	1	Bottom 50%
VRBA, RUDY GLYNN	1	Bottom 50%

## Appendix D – 2016 Dallas Public Defender Caseloads Above Weighted Caseload Guidelines

Attorney Name	Juvenile Cases Paid <sup>11</sup>	Non-capital Felony Cases Paid	Misdemeanor Cases Paid	Appeals Cases Paid	Attorneys Required per the Guidelines <sup>12</sup>
LEE, LAKISHA PRESSLEY	0	0	1,338	0	5.9
MOFFA, GEMMA ANNE	0	0	1,316	0	5.8
PINON, PAUL RAY	0	0	1,266	0	5.6
GRIFFIN, CHRISTINA MARIE	0	0	1,171	0	5.2
CHESNUT, CATHERINE LEIGH	0	0	1,139	0	5.0
SHAW, DARICE NICHOLE WILLIAMS	0	0	1,069	0	4.7
WEV, ELISSA MARIE	0	0	1,023	0	4.5
DAYE, ASHLEY NICOLE	0	0	947	0	4.2
CABALLERO, CHRISTI RHEA	0	230	450	0	3.8
COLLINS, LOREN MICHAEL	0	317	296	0	3.8
COX, LYNN M.	0	90	662	0	3.6
CALDWELL, KRIST BRYAN	0	0	782	0	3.5
PRICE, ANDREW SCOTT	0	429	0	0	3.4
KNABE, DIETRICH JAN	0	424	0	0	3.3
SHELTON, VALERIE CHRISTINE	0	422	0	0	3.3
ENOKSEN, ELISHA MARIE WROTEN	0	416	0	0	3.3
YOUNG, CHRISTOPHER DAVID	0	399	0	0	3.1
MUSE, BAHARAN BEHBAHANI	0	283	197	0	3.1
EARLE, MARY JO	0	394	0	0	3.1
SHEPHERD, WINSTON C.	0	392	0	0	3.1
PERRY, ELIZABETH LORENE	0	389	0	0	3.0
BULBOW, DAVID	0	386	0	0	3.0
MARTIN, JANIE HARRIS	0	386	0	0	3.0
POLK, LIA RESHAE'	158	385	0	0	3.0
TRIMBLE, REBECCA MICHELE GARCIA	0	384	0	0	3.0
DUKE, CLIFFORD PERRY	0	377	0	0	2.9
HIMES, MICHAELA	0	376	0	0	2.9
DUPLANTIS, STEPHEN SEABOLT	0	374	0	0	2.9
ZBOLON, YAEL NINET	0	0	655	0	2.9
BARZUNE, LAURA ANNE	0	368	0	0	2.9
BERRY, JOSEPH MARSHALL	0	366	0	0	2.9
SEGURA-MUHAMMAD, PAMELA	0	358	0	0	2.8
GOULD, CATHERINE PAULA	0	357	0	0	2.8
MALEK, REBECCA RAE	0	354	0	0	2.8
HERMAN, RONITH ELEANORA	0	352	0	0	2.8
BROWN, AMANDA CAROL	0	349	0	0	2.7
PERKINS, THOMAS PIERRE	0	0	614	0	2.7

<sup>11</sup> While table columns use the term 'cases paid', this can be a misnomer for public defenders. They are not paid by the case, but as part of a salary.

<sup>12</sup> This total is based on a maximum annual caseload of 128 non-capital felony cases, 226 misdemeanor cases, or 31.2 appeals cases. It does not include other types of cases.



<b>Attorney Name</b>	<b>Juvenile Cases Paid</b>	<b>Non-capital Felony Cases Paid</b>	<b>Misdemeanor Cases Paid</b>	<b>Appeals Cases Paid</b>	<b>Attorneys Required per the Guidelines</b>
DOUGLAS, FRANK PLES	0	345	0	0	2.7
MCKIMMEY, DREW BERTON	0	334	0	0	2.6
MULCAHY, RACHAEL BOND	0	315	0	0	2.5
ECKSTEIN, DANIEL JAY	0	314	0	0	2.5
SHACKELFORD, STEPHANIE LYNN	0	0	541	0	2.4
BOWER, LENNOX C.	0	304	0	0	2.4
FRYE, ANDREA H.	0	0	514	0	2.3
CHEN, LINDA	0	0	320	0	1.4
CRYER, PATRICK W.	0	167	0	0	1.3
HENDRICKSON, NANETTE RENE	0	0	0	37	1.2
PEUGH, THELONIAUS DOLPHUS	0	0	268	0	1.2
GARNETT, AUDREY	0	137	0	0	1.1

The above 49 public defenders are handling the recommended workload of 153 attorneys according to the Weighted Caseload Guidelines.

## Appendix E – 2016 Assigned Counsel Caseloads Above Weighted Caseload Guidelines<sup>13</sup>

Attorney Name	Juv. Cases Paid	Capital Murder Cases Paid	Non-capital Felony Cases Paid	Misd. Cases Paid	Appeals Cases Paid	% Time Devoted to Indigent Defense	Attorneys Req'd per the Guidelines <sup>14</sup>
HUFF, DOUGLAS EDWARD	0	0	0	1015	0		4.5
DUENO, ROBERTO	0	0	356	180	0		3.6
HAYWOOD, KATHERYN HEATHER	0	0	231	297	0	50	3.1
CASTILLO, JENNIFER	0	0	283	166	0		2.9
THOMAS, SAKINNA LAVONNE	17	0	226	261	0	50	2.9
GRINTER, ALISON JOHNSTON	0	0	350	0	0	100	2.7
HEALY, JOSH DAVID	0	0	296	74	0	85	2.6
EDWARDS, SHERROD JOHN	0	0	195	172	0		2.3
SMITH, CLAYTON CHOICE	0	0	236	91	0	75	2.2
FITZENHAGEN, ALEXANDER R.	0	0	128	266	0		2.2
MENDEZ, ALFONSE BENITO	0	0	243	44	0		2.1
AGUILAR, HUGO VASQUEZ	0	0	154	198	0	60	2.1
JOHNSON, PAUL JAMES	0	4	249	3	0	100	2.0
HADDAD, MANUEL FAHED	0	0	0	403	0	40	1.8
LAMB, DAVEY O.	0	0	186	62	0		1.7
MADUKA, CHARLES UZO	0	0	149	89	0		1.6
PICKETT, DAVID EUGENE	0	0	195	7	0		1.6
WALKER, RICHARD SCOTT	0	0	144	1	13	98	1.5
BONCEK, JEFFREY DAVID	0	1	136	108	0	60	1.5
WARREN, KOBBY TYRONE	0	3	149	78	0	65	1.5
EDGECOMB, JUANITA	2	0	97	112	6	86	1.4
MANTYLA, BRUCE ALLARD	0	0	49	240	0	80	1.4
SMITH, APRIL ELAINE	20	0	124	13	13	55	1.4
RUSSO, RYAN LEE	0	0	84	176	0	100	1.4
RILEY, AUDRA DAWN	0	0	148	59	0	90	1.4
SHOEMAKER, EDWARD PACE	0	0	162	28	0	90	1.4
KAI KAI, ANDREW JIAAH	0	0	90	154	0	90	1.4

<sup>13</sup> The total includes cases paid by Dallas County plus cases paid by other counties. It does not include retained or civil cases. Some of these attorneys appear to have acted as public defenders for part of the year. In those instances in which an attorney was reported to have received any payments during the fiscal year, the monitor presumed the attorney to be a private attorney rather than a public defender.

<sup>14</sup> This total is based on a maximum annual caseload of 128 non-capital felony cases, 226 misdemeanor cases, or 31.2 appeals cases. It does not include other types of cases.

<b>Attorney Name</b>	<b>Juv. Cases Paid</b>	<b>Cap. Murder Cases Paid</b>	<b>Non-capital Felony Cases Paid</b>	<b>Misd. Cases Paid</b>	<b>Appeals Cases Paid</b>	<b>% Time to Indigent Defense</b>	<b>Attorneys Req'd per Guidelines</b>
PRICE, WILLIAM EARL	3	0	144	55	0		1.4
WARD, DEMARCUS	0	0	149	43	0		1.4
ABDAL-KHALLAQ, HAMIDA A.	9	0	137	63	0	85	1.3
COLQUITT, FELICIA MICHELLE WHITE	0	0	119	81	0	99	1.3
HEATHER, JOHN G.	0	0	14	264	0	50	1.3
SMART, GARY DON	0	1	130	58	0	100	1.3
EILAND, ANTHONY PAUL	0	0	129	53	0		1.2
SALVANT, BRIAN WAYNE	0	2	96	52	8	80	1.2
ZUCKERMAN, JAY D.	0	0	1	272	0		1.2
ANTON, BRUCE EDWARD	0	0	55	3	23	30	1.2
GONZALEZ, STEPHANIE KATRIANA	0	0	71	133	0	37	1.1
BRENDER, JOHN THOMAS	0	0	116	51	0	66	1.1
SPRINKLE, KATHLEEN LOUISE	0	0	139	9	0		1.1
TRESS, PATTY ANN	0	0	92	91	0	40	1.1
REDMOND, NIGEL HOWARD	0	0	102	71	0	75	1.1
ZACHARIAH, JACOB ALEXANDER	0	0	58	148	0	100	1.1
MASSAR, ANTONIUS B.	2	0	101	53	2	100	1.1
OLIPHANT, JOHN DANIEL	0	0	94	13	9	90	1.1
CONKEY, GEORGE R.	0	0	93	19	8	100	1.1
WARD, MONIQUE NICOLE	0	0	109	43	0		1.0
WORLEY, JAMES MICHAEL	0	0	114	31	0	95	1.0
BRANAN, AMANDA KAY	0	0	100	54	0		1.0
FRANCIS, LIVIA LIU	0	0	104	46	0	98	1.0
FISHER, HEATHER M.	0	0	69	105	0	55	1.0

The above 51 attorneys were handling the recommended workload of 84 attorneys according to the Weighted Caseload Guidelines, not including retained and civil cases that may have been handled as well.