

Legislative Proposals Adopted by TIDC Board

Prop. #	Description
1.	Modify Art. 15.17 to ensure magistration forms are properly preserved.
2.	Repeal requirement that public defender attorneys must inform the appointing judge of the results of any investigation into a defendant's financial circumstances.
3.	Amend Article 26.05 of the Texas Code of Criminal Procedure to clarify that defendants may request a reconsideration of a court's order to repay attorney costs due to changes in financial circumstances.
4.	Clarify the public defender's office priority appointment statute and clarify that the priority statute applies in capital case appointments.
5.	Specifically provide for a limited scope attorney appointment to represent an arrestee at the Article 15.17, Code of Criminal Procedure, hearing ("magistration").
6.	Allow attorneys with a private criminal practice to work part-time for public defender offices to represent an arrestee at the Article 15.17, Code of Criminal Procedure, hearing ("magistration").
7.	Cleanup bill to harmonize two versions of Section 79.037, Government Code, relating to TIDC's grants authority.

#	Description
1.	<p data-bbox="170 193 1860 228">Background and Purpose: Modify Art. 15.17 to ensure that magistration forms are properly preserved.</p> <p data-bbox="170 269 1182 305"><i>Note: This issue was identified as a result of TIDC policy monitoring.</i></p> <p data-bbox="170 345 1976 532">HB 3165 was enacted last session. One of the various revisions it made was to modify Art. 15.17(a), Code of Criminal Procedure (CCP), by changing the word “recording” to “record,” including in subsection (1) and (2), which specify how long records must be preserved. According to the new law, “a record of the communication between the arrested person and the magistrate” only has to be preserved until the earlier of (1) the date on which pretrial hearing ends; or (2) 91st day after date record created in misdemeanors or 120th day in felonies.</p> <p data-bbox="170 573 1976 686">Art. 15.17(e) requires that a record be made of the magistrate informing the defendant of the right to request appointment of counsel; asking the defendant whether they want to request appointment of counsel; and whether the defendant requested counsel.</p> <p data-bbox="170 727 1976 800">Art. 15.17(f) states that a “record required under Art. 15.17(a) or (e) may consist of written forms, electronic recordings, or other documentation as authorized by procedures adopted in the county under Article 26.04(a).”</p> <p data-bbox="170 841 1976 995">Although there are no specific record preservation limits detailed in Art. 15.17(e), the combined changes in Art. 15.17(a) and (f) could be interpreted as allowing for records of requests for counsel to be destroyed according to the timelines in Art. 15.17(a). This is especially true since magistration forms typically serve as the record for communications that occur under both Art. 15.17(a) and (e).</p> <p data-bbox="170 1036 1976 1190">This is a problem because magistration forms are a critically important document that TIDC policy monitors need to determine if magistrates are advising defendants of the right to counsel, whether defendants requested counsel, and when they requested counsel. TIDC uses the magistration forms to determine if counties are appointing counsel in a timely manner per the timelines in CCP 1.051(c).</p> <p data-bbox="170 1230 1976 1409">Judges also need to know if a defendant has requested counsel and ruled on the request in order to ensure that waivers of counsel are valid. A prosecutor may not communicate with a defendant who has requested counsel unless the court has denied the request and the defendant has been given a reasonable opportunity to retain counsel or waives counsel (see CCP 1.051(f-1)(2)). If a defendant has requested counsel, the court may not direct or encourage the defendant to communicate with the prosecutor unless the court has denied the request and the defendant is given an opportunity to retain counsel or</p>

waives counsel (see CCP 1.051(f-2)). A waiver obtained in violation of these provisions is presumed invalid (see CCP 1.051(f)).

Proposal: Amend art. 15.17(a) and (f), clarifying that magistrature records shall be preserved according to the records retention schedule established by the Texas State Library and Archives Commission.

SECTION 1. Articles 15.17(a) and (f), Code of Criminal Procedure, are amended to read as follows:

(a) In each case enumerated in this Code, the person making the arrest or the person having custody of the person arrested shall without unnecessary delay, but not later than 48 hours after the person is arrested, take the person arrested or have him taken before some magistrate of the county where the accused was arrested or, to provide more expeditiously to the person arrested the warnings described by this article, before a magistrate in any other county of this state. The arrested person may be taken before the magistrate in person or the image of the arrested person may be presented to the magistrate by means of a videoconference. The magistrate shall inform in clear language the person arrested, either in person or through a videoconference, of the accusation against him and of any affidavit filed therewith, of his right to retain counsel, of his right to remain silent, of his right to have an attorney present during any interview with peace officers or attorneys representing the state, of his right to terminate the interview at any time, and of his right to have an examining trial. The magistrate shall also inform the person arrested of the person's right to request the appointment of counsel if the person cannot afford counsel. The magistrate shall inform the person arrested of the procedures for requesting appointment of counsel. If the person does not speak and understand the English language or is deaf, the magistrate shall inform the person in a manner consistent with Articles 38.30 and 38.31, as appropriate. The magistrate shall ensure that reasonable assistance in completing the necessary forms for requesting appointment of counsel is provided to the person at the same time. If the person arrested is indigent and requests appointment of counsel and if the magistrate is authorized under Article 26.04 to appoint counsel for indigent defendants in the county, the magistrate shall appoint counsel in accordance with Article 1.051. If the magistrate is not authorized to appoint counsel, the magistrate shall without unnecessary delay, but not later than 24 hours after the person arrested requests appointment of counsel, transmit, or cause to be transmitted to the court or to the courts' designee authorized under Article 26.04 to appoint counsel in the county, the forms requesting the appointment of counsel. The magistrate shall also inform the person arrested that he is not required to make a statement and that any statement made by him may be used against him. The magistrate shall allow the person arrested reasonable time and opportunity to consult counsel and shall, after determining whether the person is currently on bail for a separate criminal offense, admit the person arrested to bail if allowed by law. A record of the communication between the arrested person and the magistrate shall be made. ~~The record shall be preserved until the earlier of the following dates: (1) the date on which the pretrial hearing ends; or (2) the 91st day after the date on which the record is made if the person is charged with a misdemeanor or the 120th day after the date on which the record is made if the person is charged with a felony.~~ For purposes of this subsection, "videoconference" means a two-

way electronic communication of image and sound between the arrested person and the magistrate and includes secure Internet videoconferencing.

(e) In each case in which a person arrested is taken before a magistrate as required by Subsection (a) or Article 15.18(a), a record shall be made of:

- (1) the magistrate informing the person of the person's right to request appointment of counsel;
- (2) the magistrate asking the person whether the person wants to request appointment of counsel; and
- (3) whether the person requested appointment of counsel.

(f) A record required under Subsection (a) or (e) may consist of written forms, electronic recordings, or other documentation as authorized by procedures adopted in the county under Article 26.04(a). Records shall be preserved according to the records retention schedule approved by the Texas State Library and Archives Commission. The counsel for the defendant may obtain a copy of the record on payment of a reasonable amount to cover the costs of reproduction or, if the defendant is indigent, the court shall provide a copy to the defendant without charging a cost for the copy.

Person Proposing/Other Parties: Scott Ehlers, Texas Indigent Defense Commission	85th Bill/ Sponsor: HB 3165-Rep. Moody/Sen. Rodriguez (enacted); SB 1521-Sen. Rodriguez/HB 3637-Rep. Ortega (stand-alone bill; HB kicked off Local along with other bills).	Status:
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2.	<p>Background and Purpose: Repeal the requirement that public defender attorneys must inform the appointing judge of the results of any investigation into a defendant’s financial circumstances.</p> <p>Article 26.044(l), Code of Criminal Procedure, authorizes a public defender’s office to investigate the financial condition of a defendant the office is appointed to represent. The statute requires the office to report the results of any investigation to the appointing judge. This requirement appears to intrude upon the attorney-client privilege. Specifically, the statute contravenes Texas Rule of Evidence 503(b)(2) which provides:</p> <p><i>Special Rule in a Criminal Case:</i> In a criminal case, a client has a privilege to prevent a lawyer or lawyer’s representative from disclosing any other fact that came to the knowledge of the lawyer or the lawyer’s representative by reason of the attorney-client relationship. The requirement could also possibly subject the client to a prosecution for perjury.</p> <p>Significantly, there is no similar reporting obligation under Article 26.04 for private assigned counsel. Nor is there any comparable reporting requirement for managed assigned counsel under Article 26.047.</p> <p>Revised Proposal: Amend Article 26.044(l), Code of Criminal Procedure, as follows:</p> <p>(l) A public defender's office may investigate the financial condition of any person the public defender's office is appointed to represent. The public defender's office shall report the results of the investigation to the appointing judge. The judge may hold a hearing to determine if the person is indigent and entitled to representation under this article.</p>			
	<table border="1"> <tr> <td data-bbox="163 930 894 1081"> Person Proposing/Other Parties: Ted Wood, Harris County Public Defender’s Office </td> <td data-bbox="894 930 1478 1081"> 85th Bill/ Sponsor: SB 1581 by Sen. Sylvia Garcia HB 2237 by Rep. Armando Walle </td> <td data-bbox="1478 930 2003 1081"> Status: </td> </tr> </table>	Person Proposing/Other Parties: Ted Wood, Harris County Public Defender’s Office	85th Bill/ Sponsor: SB 1581 by Sen. Sylvia Garcia HB 2237 by Rep. Armando Walle	Status:
Person Proposing/Other Parties: Ted Wood, Harris County Public Defender’s Office	85th Bill/ Sponsor: SB 1581 by Sen. Sylvia Garcia HB 2237 by Rep. Armando Walle	Status:		

#	Description
3.	<p>Background and Purpose: Amend Article 26.05 of the Texas Code of Criminal Procedure to clarify that defendants may request a reconsideration of a court’s order to repay attorney costs due to changes in financial circumstances.</p> <p>Under Art. 26.05(g) of the Texas Code of Criminal Procedure, courts can recoup the costs of court-appointed attorneys by ordering criminal defendants to pay all or part of the costs of the legal services provided to them, as long as the court makes a finding that the defendant is able to pay the ordered amount. Last session, the Legislature passed SB 527 (Birdwell), which added 26.05(g-1) to allow courts to reevaluate defendants’ finances at any point before the completion of a defendant’s</p>

sentence and raise the amount the defendant is required to pay if the court determines the defendant can afford to pay that amount. The new language also includes a provision that allows courts to subsequently lower the amount after raising it under 26.05(g-1). However, there is currently no language in the statute that allows courts to lower the initial amount set under 26.05(g).

Senator Birdwell stated on the senate floor that SB 527 was intended to allow defendants to request a hearing to challenge any assessment of attorney costs at any point during the sentence. Thus, the fact that this provision is not explicitly in the current law is likely an oversight. This proposal would fix this oversight and improve fairness by allowing defendants the opportunity to challenge orders to pay attorney fees or their ability to pay the amount ordered if their financial circumstances change.

Proposed Language: Article 26.05(g-1), Code of Criminal Procedure, is amended to read as follows:

(g) If the judge determines that a defendant has financial resources that enable the defendant to offset in part or in whole the costs of the legal services provided to the defendant in accordance with Article [1.051](#)(c) or (d), including any expenses and costs, the judge shall order the defendant to pay during the pendency of the charges or, if convicted, as court costs the amount that the judge finds the defendant is able to pay. The defendant may not be ordered to pay an amount that exceeds:

- (1) the actual costs, including any expenses and costs, paid by the county for the legal services provided by an appointed attorney; or
- (2) if the defendant was represented by a public defender's office, the actual amount, including any expenses and costs, that would have otherwise been paid to an appointed attorney had the county not had a public defender's office.

(g-1)

- (1) ~~This~~ Except as provided by Subdivision (3), this subsection applies only to a defendant who at the time of sentencing to confinement or placement on community supervision, including deferred adjudication community supervision, did not have the financial resources to pay the maximum amount described by Subsection (g)(1) or (2), as applicable, for legal services provided to the defendant.
- (2) At any time during a defendant's sentence of confinement or period of community supervision, the judge, after providing written notice to the defendant and an opportunity for the defendant to present information relevant to the defendant's ability to pay, may order a defendant to whom this subsection applies to pay any unpaid portion of the amount described by Subsection (g)(1) or (2), as applicable, if the judge determines that the defendant has the financial resources to pay the additional portion.
- (3) The judge ~~may~~ shall amend an order entered under Subdivision (2) or Subsection (g) if, subsequent to the judge's determination under that subdivision or subsection, the judge determines or the defendant presents evidence the judge finds sufficient to show that the defendant is indigent or demonstrates an inability to pay the amount ordered.
- (4) In making a determination under this subsection, the judge may only consider the information a court or courts' designee is authorized to consider in making an indigency determination under Article 26.04(m).

<p>(5) Notwithstanding any other law, the judge may not revoke or extend the defendant's period of community supervision solely to collect the amount the defendant has been ordered to pay under this subsection.</p> <p><u>(6) The judge retains jurisdiction for the purpose of entering an order under this subsection.</u></p>		
<p>Person Proposing/Other Parties: Emily Garrick, Texas Fair Defense Project</p>	<p>85th Bill/ Sponsor: SB 527 by Sen. Brian Birdwell added Article 26.05(g-1)</p>	<p>Status:</p>

#	Description
4.	<p>Background and Purpose: Clarify the public defender’s office priority appointment statute and clarify that the priority statute applies in capital case appointments</p> <p>Since its inception, the Capital Murder Division of the Dallas County Public Defender's Office has actively sought appointment on any and every capital murder. We are a cost-effective, highly-qualified, and high-performing division. Over the past five years, we have had numerous successes in both death penalty and non-death penalty capital murder cases. Our division has deadlocked four juries, including a death-qualified jury; won two appeals and a mandamus; settled numerous cases with favorable terms, including two cases in which the State was seeking the death penalty; persuaded the State not to seek the death penalty in a fourth case; and achieved multiple convictions for lesser-included offenses. Despite this record, the division continues to have difficulty getting appointments. The Dallas County felony district courts, as a whole, significantly favor appointing the private bar to indigent defendants, at the expense of the Dallas County taxpayers.</p> <p>Because of the division's frustration with the attorney appointment process, in October 2017, we filed a petition for writ of mandamus in the Fifth District (Dallas) Court of Appeals against the 204th Judicial District Court, Presiding Judge Tammy Kemp, in an attempt to invoke Texas Code of Criminal Procedure article 26.04(f)'s priority appointment language for a capital murder case. Judge Kemp does not appoint public defenders to any grade of offense. The Dallas Court of Appeals conditionally granted mandamus relief and then, sua sponte, reversed itself. The Court of Criminal Appeals in Austin ultimately denied motion for leave to file application for writ mandamus, but in a published dissent and a published concurrence, Presiding Judge Keller and Judges Hervey and Newell noted that the law is unclear and seemed to suggest that the best avenue for remedy is through the legislature.</p>

<p>Proposal: Amend article 26.04(f) of the Texas Code of Criminal Procedure to (1) specify that priority appointment of a public defender’s office applies to capital offenses and (2) replace vague exception of “reason to appoint other counsel” with a finding of good cause on the record, as exists in Art. 26.04 relating to use of the rotation system for appointing private attorneys, as well as a reference to existing reasons a public defender office may refuse an appointment (Art. 26.044(j)). Further language was added to permit the court to not appoint the public defender office if it is contrary to the written plan of operation, if for instance it is a different type of case than the office normally handles.</p> <p>Proposed Language:</p> <p>Amend Subsection (f), Article 26.04, Code of Criminal Procedure, as follows:</p> <p>(f) In a county in which <u>with</u> a public defender’s office is created or designated under Article 26.044, the court or the courts’ designee shall give priority in appointing that office to represent the defendant, <u>including in capital murder cases</u>. However, the court is not required to appoint the public defender’s office if:</p> <p style="padding-left: 40px;">(1) the court <u>makes a finding of good cause on the record</u> has reason to appoint other counsel;</p> <p style="padding-left: 40px;"><u>(2) such appointment would be contrary to the jurisdiction’s or the office’s plans under Article 26.04 or 26.044;</u></p> <p style="padding-left: 40px;"><u>(3) the office refuses the appointment under Article 26.044(j);</u> or</p> <p style="padding-left: 40px;"><u>(4) (2)</u> a managed assigned counsel program also exists in the county and an attorney will be appointed under that program.</p>		
Person Proposing/ Other Parties: Christina Dean, Dallas County Public Defender’s Office	85th Bill/ Sponsor:	Status:

#	Description
5.	<p>Background and Purpose: Specifically provide for a limited scope attorney appointment to represent an arrestee at the Article 15.17, Code of Criminal Procedure, hearing (“magistration).</p> <p>Harris and Bexar Counties are now providing representation via their public defender offices to arrestees at the Art. 15.17 or magistration hearing where a person is warned of their rights, bail is set, and they are provided their first opportunity to request the appointment of counsel. Under current law, Art. 26.04(j)(2) provides that once an attorney is appointed on a case, the attorney must stay on the case until its conclusion unless the judge makes a good cause finding on the record. That provision was in the original SB 7 in 2001 when there was no provision nor consideration of providing counsel at this</p>

early stage of the proceedings. Concerns about the impact were initially raised in both Harris and Bexar Counties, although ultimately appointments to the public defender offices for Art. 15.17 hearings went forward under court issued standing orders that defined them as limited in scope to these hearings only.

The issue has arisen again in Galveston where the county is considering providing representation at such hearings, potentially via a new public defender office. Although many think the provision was intended to protect defendants from having their attorneys removed from their cases unnecessarily, a plain reading of the statute could be read to challenge such limited scope appointments. Providing clear authority in statute for appointments in Art. 15.17 hearings would assure such appointments were on solid ground and encourage earlier appointment of counsel to represent arrestees at such hearings.

Proposal: Amend Article 26.04(j), Code of Criminal Procedure, as follows:

(j) An attorney appointed under this article shall:

- (1) make every reasonable effort to contact the defendant not later than the end of the first working day after the date on which the attorney is appointed and to interview the defendant as soon as practicable after the attorney is appointed;
- (2) represent the defendant until charges are dismissed, the defendant is acquitted, appeals are exhausted, or the attorney is permitted or ordered by the court to withdraw as counsel for the defendant after a finding of good cause is entered on the record;
- (3) with respect to a defendant not represented by other counsel, before withdrawing as counsel for the defendant after a trial or the entry of a plea of guilty:
 - (A) advise the defendant of the defendant's right to file a motion for new trial and a notice of appeal;
 - (B) if the defendant wishes to pursue either or both remedies described by Paragraph (A), assist the defendant in requesting the prompt appointment of replacement counsel; and
 - (C) if replacement counsel is not appointed promptly and the defendant wishes to pursue an appeal, file a timely notice of appeal; and
- (4) not later than October 15 of each year and on a form prescribed by the Texas Indigent Defense Commission, submit to the county information, for the preceding fiscal year, that describes the percentage of the attorney's practice time that was dedicated to work based on appointments accepted in the county under this article and Title 3, Family Code.
- (5) Notwithstanding Subsection (2) above, a court or its designee may appoint a lawyer to represent a defendant solely for the limited purpose of appearing at a hearing pursuant to Article 15.17 of this Code.

**Person Proposing/
Other Parties:**

85th Bill/ Sponsor:

Status:

Description

6. Background and Purpose: Allow attorneys with a private criminal practice to work part-time for public defender offices to represent an arrestee at the Article 15.17, Code of Criminal Procedure, hearing (“magistration”)

Public defender offices in three counties, Bexar, Ft. Bend, and Harris Counties, have defense attorneys representing defendants at hearings held under Article 15.17, Code of Criminal Procedure (commonly referred to as “magistration”). Cameron County uses private assigned counsel for these hearings. The public defender offices Ft. Bend and Bexar Counties would like to use part-time public defenders for representation at these hearings. Despite their desire to use part-time staff, Art. 26.044(i), Code of Criminal Procedure, prohibits the use of part-time public defenders who engage in the private practice of criminal law. Due to this statutory prohibition, Ft. Bend hired part-time public defenders who have a *civil* practice on the side. These attorneys will have to learn basic criminal law in order to provide magistration representation.

The bill would allow public defender offices to hire criminal defense attorneys on a part-time basis for the sole purpose of representing indigent persons in their appearance before a magistrate at hearings held under Article 14.06, 15.17, or 15.18. This will remove a potential barrier to providing such representation and encourage more jurisdictions to do so in a cost-effective manner.

Proposal:

Article 26.04, Code of Criminal Procedure, is amended by adding Subsection (i-1) to read as follows:

(i-1) Notwithstanding Subsection (j)(2) or any other law, an attorney may be appointed under this article to represent an indigent person for the sole purpose of providing counsel in relation to that person's appearance before a magistrate as required by Article 14.06(a), 15.17(a), or 15.18(a). The attorney may continue to represent the person following the proceeding if appointed for that purpose under the other provisions of this article.

SECTION 2. Article 26.044, Code of Criminal Procedure, is amended by adding Subsection (i-1) to read as follows:

<p style="text-align: center;"><u>(i-1) Notwithstanding Subsection (i)(1), an attorney engaged in the private practice of criminal law may be employed by a public defender's office on a part-time basis for the sole purpose of providing counsel in relation to an indigent person's appearance before a magistrate as required by Article 14.06(a), 15.17(a), or 15.18(a).</u></p>			
<table border="1" style="width: 100%;"> <tr> <td data-bbox="88 462 1033 544">Person Proposing/ Other Parties: Roderick "Rocky" Glass, Fort Bend County Public Defender Office</td> <td data-bbox="1033 462 1526 544">86th Bill/ Sponsor: HB 1457 by Rep. Dominguez</td> <td data-bbox="1526 462 2020 544">Status: Passed House</td> </tr> </table>	Person Proposing/ Other Parties: Roderick "Rocky" Glass, Fort Bend County Public Defender Office	86th Bill/ Sponsor: HB 1457 by Rep. Dominguez	Status: Passed House
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#	Description
7.	<p>Background and Purpose: Cleanup bill to harmonize two versions of Section 79.037, Government Code, relating to TIDC's grants authority.</p> <p>SB 1353 and SB 1057 were both passed by the 84th Legislature and now there are two subsections (b) and (e). Based on TIDC staff review it appears that the SB 1353 version of subsection (b) should be deleted and both versions of subsection (e) should be kept. The latter may be accomplished by re-lettering the SB 1057 version of (e) as (f), and the subsections following should be re-lettered accordingly.</p> <p>Proposal: Amend sec. 79.037, Government Code, by amending Subsections and deleting Subsection (b), as amended by SB 1353, as follows:</p> <p>Subsection (b) as amended by SB 1353: (b) The commission shall distribute funds as described by Subsection (a)(2) or (e) based on the applicable county's compliance with standards adopted by the board and the county's demonstrated commitment to compliance with the requirements of state law relating to indigent defense.</p> <p>Subsection (b) as amended by SB 1057: (b) The commission shall determine for each county the entity or entities within the county that are eligible to receive funds for the provision of indigent defense services under Subsection (a)(2) or (e). The determination must be made based on the entity's: (1) compliance with standards adopted by the board; and</p>

- (2) demonstrated commitment to compliance with the requirements of state law relating to indigent defense.
- (c) The board shall adopt policies to ensure that funds under Subsection (a)(2) or (e) are allocated and distributed in a fair manner.
- (d) A county may not reduce the amount of funds provided for indigent defense services in the county because of funds provided by the commission under this section.

Subsection (e) as amended by SB 1353:

(e) The commission may award a grant to an entity described by Section 791.013 that provides to a county administrative services under an interlocal contract entered into for the purpose of providing or improving the provision of indigent defense services in the county. The commission shall monitor each entity that receives a grant under this subsection and enforce compliance with the conditions of the grant in the same manner as if the grant were awarded directly to the county under subsection (a)(2).

Subsection (e) as amended by SB 1057:

~~(f)~~(e) The commission may distribute funds under Subsection (a) (2) to a regional public defender's office formed under Article 26.044, Code of Criminal Procedure, if:

- (1) the regional public defender's office serves two or more counties;
- (2) each county that enters an agreement to create or designate and to jointly fund the regional public defender's office satisfies the commission that the county will timely provide funds to the office for the duration of the grant for at least half of the office's operational costs;
- (3) each participating county by local rule adopts and submits the commission guidelines under Article 26.04(f), Code of Criminal Procedure, detailing the types of cases to be assigned to the office; and
- (4) each participating county and the regional public defender's office agree in writing to a method that the commission that determines to be appropriate under Subsection (f) to pay all costs associated with the defense of cases assigned to the office that remain pending in the county after the termination of the agreement or the county's participation in the agreement.

~~(g)~~(f) The commission shall select, by rule or under a contract with a regional public defender's office, a method for the payment of

<p>costs under Subsection (e) (4), which may include any combination of the following:</p> <ul style="list-style-type: none"> (1) allowing an office to establish and maintain a reserve of funds sufficient to cover anticipated costs, in an amount determined appropriate by the commission; (2) guaranteeing all or part of the cost to be paid; or (3) establishing a schedule of fees for the payment of costs in the manner provided by Article 26.05, Code of Criminal Procedure. <p>(h)(g) Any change to a schedule of fees established under Subsection (f)(3) must first be approved by the commission.</p> <p>(i)(h) A regional public defender's office shall collect each participating county's portion of the operational costs as that portion is provided by the county to the office.</p>		
<p>Person Proposing/Other Parties: Wesley Shackelford, Texas Indigent Defense Commission</p>	<p>85th Bill/ Sponsor: None But 84th Legislature passed SB 1057 and SB 1353 both by Sen. Hinojosa passed with conflicts in Sec. 79.037, Gov't Code.</p>	<p>Status:</p>