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September 24, 2020

CHAIR:  
The Honorable Sharon Keller  
Presiding Judge  
Court of Criminal Appeals

The Honorable Charlie Bradley  
Schleicher County Judge  
P.O. Box 536  
Eldorado, TX 76936

EX OFFICIO MEMBERS:  
Honorable Sharon Keller  
Honorable Nathan Hecht  
Honorable John Whitmire  
Honorable Brandon Creighton  
Honorable Nicole Collier  
Honorable Reggie Smith  
Honorable Sherry Radack  
Honorable Vivian Torres

MEMBERS APPOINTED BY GOVERNOR:  
Mr. Alex Bunin  
Honorable Richard Evans  
Mr. Gonzalo Rios  
Honorable Missy Medary  
Honorable Valerie Covey

EXECUTIVE DIRECTOR:  
Geoffrey Burkhart

**Re: FY2021 Formula Grant Request for Applications**

Dear Judge Bradley:

The Texas Indigent Defense Commission announces the FY2021 Formula Grant Request for Applications (RFA). **Applications are due November 15, 2020.** The attached packet provides information on what is needed for counties to obtain Formula Grant funds. **There are two simple steps to apply for your formula grant:**

1. Commissioners Court should adopt the attached FY2021 TIDC Formula Grant Resolution.
2. Upload the signed resolution on TIDC's grants and reporting website, <https://tidc.tamu.edu>, confirm contact information for county officials, and click the "submit" button.

Step by step instructions are included in the Request for Applications.

To be eligible, the local administrative judges and chairs of Juvenile Boards should have submitted their biennial indigent defense plans by November 1, 2019 through our on-line system. TIDC staff will continue to work with counties to ensure that all of the statutory and required elements are included in each plan if judges make amendments. Also, county financial officers must submit their Indigent Defense Expense Report by November 1, 2020. The reporting manual for county financial officers is available at <http://www.tidc.texas.gov/media/58512/fy20idermanual.pdf>. Both of these requirements are required by Texas Government Code §79.036.

The Commission adopted Texas Administrative Code Chapter 173 in order to implement the grant authority established by the Texas Legislature. These administrative rules and the attached RFA are available at: [www.tidc.texas.gov](http://www.tidc.texas.gov).

Please contact Edwin Colfax, Director of Grant Funding at [ecolfax@tidc.texas.gov](mailto:ecolfax@tidc.texas.gov) or 512-936-6994, if you have any questions about the Formula Grant Program or the application process.

Sincerely,

**Sharon Keller**  
Chair, Texas Indigent Defense Commission  
Presiding Judge, Court of Criminal Appeals

**Enclosed:** FY2021 Formula Grant RFA  
FY2021 Formula Grant Resolution

**Texas Indigent Defense Commission**  
209 West 14<sup>th</sup> Street, Room 202 • Austin, Texas 78701  
512.936.6994  
[www.tidc.texas.gov](http://www.tidc.texas.gov)





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Austin, Texas 78701  
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## **FY2021 Formula Grant Program Request for Applications (RFA)**

**Issued September 2020**

### **Formula Grant Program Overview**

The Texas Indigent Defense Commission (Commission) provides financial and technical support to counties to develop and maintain quality, cost-effective indigent defense systems that meet the needs of local communities and the requirements of the Constitution and state law. Formula Grants are awarded to eligible Texas counties to help counties meet constitutional and statutory requirements for indigent defense and to promote compliance with standards adopted by the Commission.

### **Application Due Date**

Formula grant applications for Fiscal Year 2021 must be submitted on-line **by Friday, November 15, 2020**. The grant period is October 1, 2020 through September 30, 2021.

**Total FY 2021 Formula Grant Amount Budgeted:** \$22,000,000

### **Eligibility for Formula Grants**

Only Texas counties may apply. Counties must meet the following requirements:

- 1) Indigent Defense Expenditure Report** — All counties are statutorily required (Texas Government Code Sec. 79.036 (e)) to submit an Indigent Defense Expenditure Report each year on November 1 in the form and manner prescribed by the Commission. Counties that do not complete the Indigent Defense Expense Report on or before November 1, 2020 may have payments temporarily suspended by Commission staff until the report is submitted and reconciled by staff.
- 2) Indigent Defense Plan Requirements** — The Local Administrative District Judges, the Local Statutory County Court Judges (or County Judge as applicable) and the Chairman of the Juvenile Board for each county must submit a copy of all formal and informal rules and forms that describe the procedures used in the county to provide indigent defendants with counsel in accordance with the Code of Criminal Procedure (Countywide Plans) to the Commission as required in Government Code §79.036. The Countywide Plans submitted must be in compliance with applicable statutes and rules and must meet the minimum requirements for each plan section as outlined in the Biennial Indigent Defense Countywide Plan Instructions. Plans were due November 1, 2019. Formula grant payments during the year may be withheld until plans are submitted or meet the minimum requirements for each plan section set by Commission.



## Application Steps

- a. Go to the TIDC Grants and Reporting website (hosted by PPRI) at <https://tidc.tamu.edu>.
  - b. Sign in and enter the User ID and Password or contact PPRI (Follow on-line page instructions).
  - c. Select "FY2021" and your county in the upper left part of the screen.
  - d. Select "Apply for Formula Grant" from the column on the left side of the screen.
  - e. Review the eligibility requirements. The screen will display the County's compliance status regarding indigent defense plans. Counties that have outstanding requirements will not be able to receive funds until they meet all grant program eligibility requirements. If indigent defense plans are not marked "Complete" counties should still submit the application and then contact the Commission for instructions to resolve plan compliance issues.
  - f. Identify the individuals in the following grant positions as required in Texas Administrative Code Rule 173.301.
    - i. Authorized official - This person must be authorized to apply for, accept, decline, modify, or cancel the grant for the applicant county. A county judge or a designee authorized by the governing body in its resolution may serve as the authorized official
    - ii. Fiscal Officer - This person must be the county auditor or county treasurer if the county does not have a county auditor.
- Use the "**Change**" button make changes as needed to officials or contact information.
- g. Click the "**Submit**" button at the bottom of the screen. You should be taken to a confirmation page at that point.
  - h. Maintain confirmation – When the system provides a confirmation page to the grant officials confirming that the application has been completed and informing them that the resolution must be adopted by the commissioner's court and then faxed to the Commission. **PLEASE PRINT THE CONFIRMATION PAGE.**
  - i. Select the "Resolution" link in the confirmation page to create your county's resolution form.
  - j. Print or download resolution. The system will allow the user to download a resolution as a Microsoft Word document or provide an opportunity to print the document. Please use the resolution printed from the website. The resolution must be adopted by the commissioners court.
  - k. Please scan the resolution adopted by commissioners court and then upload it in the application page of the website **on or before the DUE DATE Friday, November 15, 2020**. Alternatively, you may email the resolution to Heather Caspers ([hcaspers@ppri.tamu.edu](mailto:hcaspers@ppri.tamu.edu)) or fax it to 888-351-3485.

Contact Edwin Colfax, Grants Administrator, [ecolfax@tidc.texas.gov](mailto:ecolfax@tidc.texas.gov) or 512-463-2508 for questions.

## Notice of Funding

- **Statement of Grant Award** — Statements of Grant Awards will be prepared as authorized by the Commission. These may include special conditions. The e-mail with the attached Statements of Grant Award will be directed to the official designated in the resolution adopted by the commissioners' court. The County will have thirty days to notify the grant administrator of errors or cancelation after receipt of the award.
- **Special Conditions** — The Commission may determine special conditions or authorize staff to apply the conditions on criteria set by the Commission (TAC 173.201). The Commission may develop special conditions that relate to expenditures, compliance with statutory requirements or standards adopted by the Commission.
- **Denial of Grant** — Counties not completing the grant application process or those not meeting minimum eligibility requirements will be notified by mail within 30 days following the Commission award meeting.

## **Authorization to Fund, Applicable Authority and Rules**

### **Texas Government Code Sec. 79.037. TECHNICAL SUPPORT; GRANTS.**

- (a) The commission shall:
  - (1) provide technical support to:
    - (A) assist counties in improving their indigent defense systems; and
    - (B) promote compliance by counties with the requirements of state law relating to indigent defense;
  - (2) to assist counties in providing indigent defense services in the county, distribute in the form of grants any funds appropriated for the purposes of this section; and
  - (3) monitor each county that receives a grant and enforce compliance by the county with the conditions of the grant, including enforcement by:
    - (A) withdrawing grant funds; or
    - (B) requiring reimbursement of grant funds by the county.
- (b) The commission shall distribute funds as required by Subsection (a)(2) based on a 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.
- (c) The board shall adopt policies to ensure that funds under Subsection (a)(2) are allocated and distributed to counties 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.

### **Texas Administrative Code Chapter 173**

### **Uniform Grant Management Standards (UGMS)**



**2021 Schleicher County Resolution**  
**Indigent Defense Formula Grant Program**

WHEREAS, under the provisions of the Texas Government Code Section 79.037 and Texas Administrative Code Chapter 173, counties are eligible to receive grants from the Texas Indigent Defense Commission to provide improvements in indigent defense services in the county; and

WHEREAS, this grant program will assist the county in the implementation and the improvement of the indigent criminal defense services in this county; and

WHEREAS, **Schleicher** County Commissioners Court has agreed that in the event of loss or misuse of the funds, **Schleicher** County Commissioners assures that the funds will be returned in full to the Texas Indigent Defense Commission.

NOW THEREFORE, BE IT RESOLVED and ordered that the County Judge of this county is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Indigent Defense Formula Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that the County TREASURER is designated is designated as the Financial Officer for this grant.

Adopted this 19 day of October, 2020.

Attest:

Mary Ann Houghs  
County Clerk

Charlie Bradley  
Charlie Bradley County Judge

