

**Senate Finance Committee
Riders - Article IV**

Not Adopted

March 12, 2025

Legislative Budget Board

Judith Zaffirini

By: Sen. Zaffirini

**Office of Court Administration, Article IV
Proposed Rider
Rural Court Personnel Compensation Assistance**

Prepared by LBB Staff, 2/25/2025

Overview

Prepare a rider that directs additional funding to the Office of Court Administration to address staffing and salary deficiencies identified in OCA's Court Personnel Workload Analysis.

Required Action

- 1) On page IV-25 of the Office of Court Administration's bill pattern in Senate Bill 1, increase General Revenue appropriations in Strategy A.1.1, Court Administration, by \$1,500,000 each fiscal year.
- 2) On page IV-29 of the Office of Court Administration's bill pattern, add the following rider:

— **Rural Court Personnel Compensation Assistance.** Amounts appropriated above to the Office of Court Administration include \$1,500,000 in fiscal year 2026 and \$1,500,000 in fiscal year 2027 in General Revenue in Strategy A.1.1, Court Administration, for the purpose of providing grants to counties with populations of 300,000 or less. The Comptroller, in collaboration with the Office of Court Administration, shall develop a standardized application process, as well as a formula and guidelines for the distribution of the funds. The formula should address the deficiencies in staffing levels and salaries identified in OCA's Court Personnel Workload Analysis published in December 2024. The guidelines should, at a minimum, establish the maximum amounts that will be provided to counties based on population and prohibit a county from supplanting current county funds provided to courts with grant funds provided under this section.

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**Office of Court Administration, Article IV
Proposed Rider
Prioritization of TIDC Grants to Certain Counties**

Overview

Prepare a rider that directs the Texas Indigent Defense Commission to prioritize legal representation grants to counties that provide pre-petition legal representation or early appointment of counsel to parents during a DFPS investigation.

Required Action

On page IV28 of the Office of Court Administration's bill pattern, add the following subsection to Rider 5, Texas Indigent Defense Commission (TIDC):

5. Texas Indigent Defense Commission (TIDC).

(a) **Consolidated Fees on Conviction.** Amounts appropriated above from the General Revenue Dedicated Fair Defense Account No. 5073 in Strategy D.1.1, Texas Indigent Defense Commission, include court costs pursuant to Local Government Code, Chapter 133, Subchapter C, Criminal Fees.

(b) **Grants to Counties.** Out of the amounts appropriated in Strategy D.1.1, TIDC shall make grants to counties in accordance with all uses authorized by Government Code, Chapter 79.037 for Family Protection Services. Of the amount, \$2,566,528 in fiscal year ~~2024~~2026 and \$2,474,370 in fiscal year ~~2025~~2027, appropriated for the Family Protective Representation Program, the board shall prioritize funding grants to counties that include pre-petition legal representation or early appointment of counsel during a Department of Family and Protective Services investigation of a parent. These are counties that implement cost containment initiatives designed to limit local indigent defense cost increases. No portion of the appropriation governed by this subsection shall be used to offset the Office of Court

Administration's administrative support provided to the TIDC except by mutual agreement of the TIDC and the Office of Court Administration.

(c) **TIDC County Cost Reduction Report.** TIDC shall submit a report to the Legislature no later than December 1, ~~2024~~2026, detailing the effectiveness of various cost containment measures implemented by counties and proposing additional measures to reduce county operating costs with respect to indigent defense.

(d) **Innocence Projects.** Out of amounts appropriated above in Strategy D.1.1, Texas Indigent Defense Commission, \$600,000 in each year of the biennium from the General Revenue Dedicated Fair Defense Account No. 5073 shall be used by the Commission to contract with law schools at the University of Houston, the University of Texas, Texas Tech University, Texas Southern University, University of North Texas and Texas A&M University to support innocence project screening, investigation, and litigation activities regarding claims of actual innocence in non-capital cases in Texas and associated expenses necessary to conduct those activities. Funding shall be used to provide direct assistance to investigate actual innocence cases post-conviction and to pursue relief for defendants with credible claims of actual innocence, and shall not be used for legal clinic expenses, teaching, and student supervision. The amount of each contract with each university shall be \$100,000. Any unobligated and unexpended balances remaining from the \$600,000 in funds designated for innocence projects as of August 31, ~~2024~~2026, are appropriated to Strategy D.1.1, Texas Indigent Defense Commission, for the same purpose for the fiscal year beginning September 1, ~~2024~~2026.

(e) **Indigent Defense with Mental Illness.** Out of the amounts appropriated above in Strategy D.1.1, Texas Indigent Defense Commission, \$2,500,000 in General Revenue- Dedicated Fair Defense Account No. 5073 each fiscal year shall be used to provide funding to public defender offices and managed assigned counsel programs for the early identification and specialized representation of indigent defendants with a mental illness. The Commission shall use the funds to provide grants to public defender offices and managed assigned counsel programs to expand the capacity of existing mental health defender programs, to establish mental health defender programs in counties currently without these programs, and/or to sustain

effective mental health defender programs.

(f) **Rural Regional Public Defender Sustainability Grants - Wharton and Matagorda.** Out of amounts appropriated above in Strategy D.1.1, TIDC shall include grant funding to establish and operate on an ongoing basis a regional public defender office to serve Wharton and Matagorda Counties.

(g) Parental Representation. Out of the amounts appropriated above in Strategy D.1.1., TIDC shall make grants to counties in accordance with all uses authorized by Government Code, Chapter 79.037, for Family Protection Services and shall prioritize funding grants to counties that include pre-petition legal representation or early counsel to a parent during a Department of Family and Protective Services investigation of a parent.