

STATE OF TEXAS §
 §
COUNTY OF _____ §

State Funds for Indigent Criminal Defense

WHEREAS, the right to assistance by legal counsel is guaranteed by the U.S. Constitution; and

WHEREAS, the State of Texas is required to implement this right and provide legal counsel to indigent criminal defendants; and

WHEREAS, the Texas Fair Defense Act, adopted by the Texas Legislature in 2001, implements this right and requires certain procedures and attorney appointments; and

WHEREAS, the Texas Legislature has failed to provide sufficient funding to offset the costs of the Fair Defense Act and has shifted this cost to county taxpayers; and

WHEREAS, county expenditures for indigent criminal defense have increased over 100 percent since the adoption of the Fair Defense Act; and

WHEREAS, the state funding is totally inadequate, providing approximately 12 percent of the indigent defense costs; and

WHEREAS, indigent criminal defense is a state responsibility that should be adequately funded on a statewide basis, not a burden overwhelmingly borne by local property taxpayers;

NOW THEREFORE, BE IT RESOLVED that the Commissioners Court of _____ County, Texas does hereby request that the Texas Legislature fully fund the costs of indigent criminal defense.

Adopted this _____ day of _____, 2016.

County Judge

ATTEST:

County Clerk