

Attachment A

Required Conditions and Reports

Method of Calculation

The budget on the Statement of Grant Award was developed under the assumptions that the grant be based on a twelve month period. The schedule is intended to provide the county twelve months of funds at each of the original agreed upon funding levels less start-up costs. If the county has a delayed start in the beginning year (FY2012), it may necessitate an adjustment in future years to allow the county to fully expend grant funds. The intention is to follow a declining schedule of 80% in the first year; then, 60% in the second year; then, 40% in the third year; and, finally, 20% in the year of TIDC support. The grants will remain on a fiscal year (October to September), but future awards will reflect any needed modifications to implement this policy.

Program Requirements

In addition to the program requirements stated in the Request for Applications (RFA) these specific program requirements apply to this funded program (Note: if the county contracts the public defender office to a non-profit corporation or governmental entity then they will ensure the following are performed):

- The County will operate a Public Defender's Office as defined in Article 26.044 of the Texas Code of Criminal Procedure as amended by the 82nd Legislature. If a non-profit corporation is selected by the County to operate the public defender's office, the Contract must require the non-profit corporation to maintain at least one person in the office locally to serve as Chief Public Defender who meets the qualifications set forth in Article 26.044 (f) to supervise and manage the operation of the office and provide direct representation.
- The county will submit reports to obtain reimbursement of expended funds based on actual expenditures. The reimbursements will be proportional to the county's required match.
- This grant requires quarterly progress reports to provide information on the effectiveness of the program. The Commission grants administrator will construct an on-line progress report that best reflects the actual work performed in this program and is consistent with the FY2012 application listed below as edited and agreed to. The county will be able to request modifications to the on-line report when the performance measures are determined to not accurately reflect the work performed.
- The county must continue the Oversight Board to supervise the operation of this program. The county will submit a written policy on how the members are to be selected.
- The county or its designee must maintain a written policy that includes caseload standards for each attorney and for the general operation of this program. In developing caseload standards, nationally recognized standards and standards used by other states shall be taken into consideration (such as National Advisory Commission on Criminal Justice Standards and Goals). The written policy for caseload standards should be provided to the Commission staff along with the first quarterly progress report. The caseload standard policy should require the Chief Public Defender to review actual caseloads at least quarterly. The Chief Public Defender may make overrides or under-rides based on overall complexity of cases, overall type of cases, attorney experience, support staff experience, court needs, available technology to augment services, or other factors that affect the delivery of services. The Chief Public Defender must notify the program's Oversight Board in writing if an exception to the caseload standards is authorized.
- The county or its designee must provide to the Commission staff the minimum job requirements and a full job description of the FTE positions specified under this project before positions are publicly posted. The posting must meet the Hidalgo County Juvenile Board Indigent Defense Plan Minimum Attorney Qualifications for all levels of cases.
- The survey required in the Evaluation section of the FY2012 application listed below should be conducted during the 2nd and 4th years of operation of the program. The county must summarize the results received back from the participants of the survey and discuss any improvements made to the

program. The analysis of the survey results in the 4th year must compare the findings between the two survey events. The county must provide the Commission with a copy of the analyses (not the unanalyzed survey responses).

- A draft of the Policies and Procedures Manual required in the Methodology section of the FY2012 application listed below should be provided to the Commission staff along with the 2nd quarterly progress report. A final version of the Policies and Procedures Manual shall be completed and delivered to the Commission staff along with the Final Progress Report for FY2012.
- Equipment costs listed in the first year start-up budget will not be carried forward into subsequent years of funding. If the County selects a non-profit corporation the proposal and contract must include the method for funding equipment to operate the Public Defender Office.