

VETERANS DEFENDER RESOURCE

Presented by the Texas Indigent Defense Commission



TEXAS INDIGENT DEFENSE COMMISSION



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Introduction

Local officials in Texas counties are authorized to establish Veterans Courts. This publication provides county and court officials with resources that may be helpful as they consider the design and implementation of a Veterans Court in their own communities. During the 81st Texas State Legislative Session, Senator Rodney Ellis (Houston) and Representative Allen Vaught (Dallas) authored SB 112, which passed as part of SB 1940, authored by Senator Leticia Van de Putte (San Antonio). Taking effect on September 1, 2009 as Chapter 617 of the Health and Safety Code, local officials in Texas were given the authority to establish Veterans Courts. Harris County was the first to implement a specialty court for veterans. Funded in part by the Criminal Justice Division of the Governor's Office, the Harris County program also received support from the Texas Indigent Defense Commission (formerly the Task Force on Indigent Defense) to support the defense component of its program.

The Texas Indigent Defense 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. In addition to providing state funding to counties for the provision of indigent defense services, the Commission provides information, technical assistance and an array of additional resources for counties to improve their systems. Since 2003, the Commission has awarded funding to 7 counties to support their efforts to provide specialized defender programs that represent defendants with mental health issues, including the first stand-alone mental health public defender in the nation.

As more counties explore the possibility of creating their own programs to meet the needs of veterans, the Commission can provide resources and assistance to help ensure that a participant's right to defense counsel is adequately protected, a particularly important consideration for defendants with mental health issues. The Commission's research has demonstrated that defense attorneys with special mental health training can provide better representation to their clients. In fact, one of the key findings in the Commission's 2010 report, *Representing the Mentally Ill Offender*, showed statistically significant reductions in recidivism up to 18 months after case disposition.

While the Commission's primary objective for compiling this information is focused on the role of defense counsel in representing veterans, some of the material provides insight into the creation and operation of a Veterans Court, including links to a recently published Policy and Procedure Manual for the Buffalo Veterans Treatment Court in Buffalo, New York.



Harris County's Veterans Court Team:
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Mary Covington*

Highlights

Helpful Publications for Counties P.2

Buffalo Policy and Procedure Manual P.3

Defender Models in Texas P.5

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Directory of Veterans Courts in Texas P.8

The Texas Fair Defense Act

The Texas Fair Defense Act (FDA) of 2001 was a monumental step toward improving the state's indigent defense practices. While counties maintained the power to decide how requirements would be met locally, the FDA set the first statewide standards to ensure the provision of the right to counsel in criminal courts. The FDA of 2001 also established the Texas Indigent Defense Commission (formerly Task Force on Indigent Defense) to provide policy guidance regarding the implementation of the FDA. The Commission works directly with counties to help develop indigent defense systems that best meet local needs. While the information counties are required to report to the Commission (procedures, case counts, and indigent defense expenditures) helps maintain accountability, reliable data also helps counties implement evidence-based solutions.

Core FDA Requirements

1. Conduct prompt magistration proceedings

- Inform and explain right to counsel to accused
- Provide reasonable assistance to accused in completing necessary request for counsel
- Maintain magistrate processing records

2. Determine indigence according to standard in local indigent defense plan

3. Establish minimum attorney qualifications

4. Appoint counsel promptly

5. Institute a fair, neutral, and non-discriminatory attorney selection process

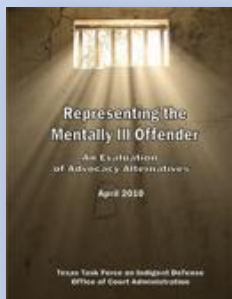
6. Promulgate standard attorney fee schedule and payment process

Helpful Publications from TIDC



2011 Fair Defense Law (The Fair Defense Act Codified)

From the General Provisions about the Right to Representation by Counsel to the administration of the Texas Indigent Defense Commission, this publication provides an updated and comprehensive view of the statutes related to indigent defense in Texas. This document also includes detailed information about the Commission's Indigent Defense Grants, including processes for submitting grants and other funds.



Representing the Mentally Ill Offender: An Evaluation of Advocacy Alternatives

In the fall of 2008, the Commission initiated a two-year evaluation of the two most common models through which specialized attorneys advocate for mentally ill defendants in Texas: mental health public defenders (MHPDs) and mental health courts (MH courts). Ultimately, the more treatment mentally ill people receive during the six months following an initial offense, the less likely they are to recidivate.



Blueprint for Creating a Public Defender Office in Texas

Intended as a tool for local and state officials who seek a deeper understanding of what a public defender is and whether creating one makes sense for their county or region. The blueprint covers:

Chapter One: Indigent Defense Overview

Chapter Two: Advantages and Disadvantages of a PD

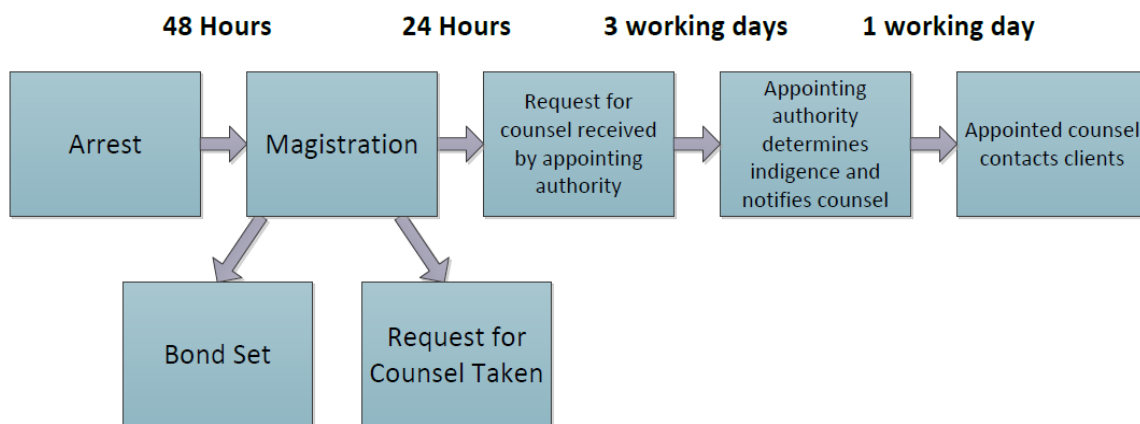
Chapter Three: Feasibility Study

Chapter Four: How to create a Public Defender

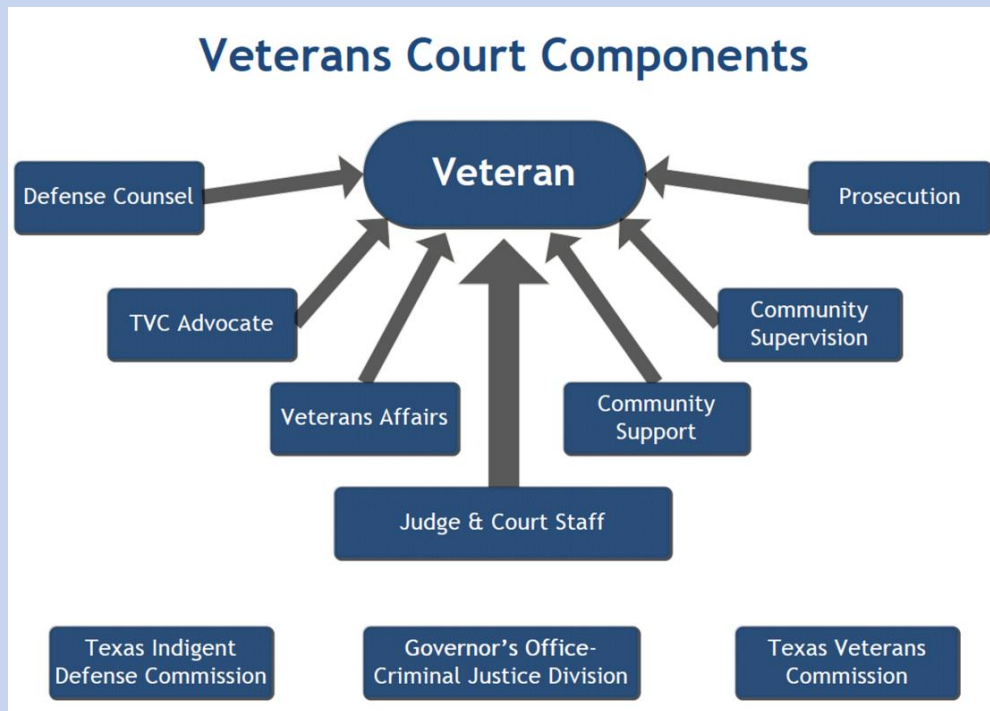
Chapter Five: Public Defenders in Operation (as of 2007)

Fair Defense Act Timeline

(Counties with Populations Under 250,000)



Overview of Veterans Court Components



Judicial Role

While only the commissioners court of a county may authorize the creation of a veterans court program, the judge presiding over the court tends to serve the most central role in the administration of problem solving dockets. The judge can impose sanctions, terminate a participant from the program, or order the participant to enter a variety of detoxification or treatment programs. The judge often uses public praise to recognize veterans for meeting their goals. In fact, the transitions between each phase of the program are often conducted like graduations, with certificates and other forms of recognition. The judges who choose to dedicate the extra effort and energy toward leading this sort of program are usually very familiar with the issues that participants bring to the table and often have similar experience operating other specialty court programs. Veterans Courts are not necessarily one-chance programs and the judges often attempt ensure that participants are given room to succeed.

Defense Counsel

Defense Counsel's role in a Veterans Court is to provide zealous advocacy. In addition to presenting and explaining options to the client, counsel must offer the client the best possible advice based on the lawyer's experience and thorough investigation of the case. While some of the cases may present complex legal challenges that require research and legal expertise, many will require a different skill-set that may

seem more akin to the activities of a mentor or coach. Still, the role of an experienced criminal defense lawyer is critical to the success of the program.

Prosecution

Chapter 617 of the Health and Safety Code describes Veterans Courts as programs that make use of a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants. Eligibility for participation is granted only if the attorney representing the state consents to the defendant's participation in the program and if the court finds that the defendant is a veteran or current member of the United States Armed Forces and suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder that resulted from the defendant's military service in a combat zone and materially affected the defendant's conduct at issue in the case.

Veterans Affairs

As the number of Veterans Courts increased across the country, the VA responded with the creation of the Veterans Justice Outreach Initiative to
(continued on next page)

Buffalo Policy and Procedure Manual

The Buffalo Veterans Treatment Court was established in 2008.

The Buffalo Veterans Treatment Court is a hybrid drug and mental health court that serves veterans who are struggling with addiction and/or mental illness by diverting them from the traditional criminal justice system into a specialized Veterans Court. The court's new website provides details about the history and overall operation of the program: <http://www.buffaloveteranscourt.org>

Those who are interested in learning about the model established by Buffalo may find the program's recently published [Policy and Procedures Manual](#) valuable. The Mentoring component of Buffalo's program is seen as an essential addition to the Treatment Court team and this manual provides a framework for managing an effective mentoring program, starting with the roles and responsibilities of a Mentor Coordinator. The manual also elaborates on topics such as the screening of mentors as well as record keeping and confidentiality policies.

Overview of Veterans Court Components *(Continued)*

educate the courts, law enforcement, and jails on the issues facing veterans. Veterans Outreach Specialists help veterans avoid unnecessary incarceration through integration into VA substance and mental health treatment programs. To be eligible for treatment services from the VA, Veterans need an honorable discharge and two or more years of active duty service.

The success of Veterans Courts can be easily attributed to connecting with VA services as early as possible for each eligible case, but many courts need to be educated about the VA services that are available and how the VA can be utilized to assist a troubled Veteran. Of course, the judge over the case makes the final decision whether the programs offered by the VA are suitable for the participant.

Community Supervision

Community supervision and corrections departments can be involved in post- and pre-plea programs for veterans. Community supervision officers assess each participant's level of risk and need using appropriate assessment tools and then help to design an appropriate supervision plan. The plan includes the conditions stipulated by the courts for completion of the program.

The programs, services and tools community supervision departments use in programs for veterans may be similar to the tools that are used for other defendants, including: urinalysis testing, community service restitution, domestic violence programs, education programs, electronic monitoring, employment programs, substance abuse treatment, victim's services, substance abuse treatment facilities.

Governor's Office-Criminal Justice Division (CJD)

CJD's mission is to create and support programs that protect people from crime, reduce the number of crimes committed, and to promote accountability, efficiency, and effectiveness within the criminal justice system. CJD focuses on the enhancement of Texas' capacity to prevent crime, provide service and treatment options, enforce laws, train staff and volunteers, and the restoration of crime victims to full physical, emotional and mental health.

Texas Indigent Defense Commission

The latest [Strategic Plan](#) published by the Commission in late 2010 covers the broader goals and priorities that guide the Commission and its staff. Three of the central themes that run through the Commission's strategic plan and other publications are 1) respect for local control, 2) the promotion of evidence based practices, and 3) the pursuit of effective funding strategies.

Indigent defense services in Texas are largely paid for and provided by county governments. With this in mind, the Commission is mindful of the potential costs associated with implementing additional requirements. Because they are in a better position to understand what will be most effective in their own counties, local officials choose how they will implement systems that adhere to state and constitutional requirements. The same would apply to a county interested in implementing a new specialty defender.



Defense Counsel's Role in America's Problem-Solving Courts

While much of the focus of this 2009 publication from the NACDL is on Drug Courts—including a detailed chapter on the History and Evolution of Drug Courts—the Role of Defense Counsel and Ethical Concerns chapter (starting on p. 30) should be of particular interest to anyone interested in developing a Veterans Defender.

"Counsel must be mindful of, but not co-opted by, the drug court approach. Counsel can and must remain a zealous advocate for clients from the beginning to the end of the process. This need not be inconsistent with the drug court approach. Where zealous advocacy and the drug court approach or judge's instructions conflict, counsel must be a zealous advocate.

Far too often, defense counsel is viewed as optional or is relegated to a non-advocacy role in drug court. This must change."

Texas Veterans Commission

TVC plays a role in coordinating efforts of service providers, sharing resources, providing training, and developing a partnership with other levels of government to assist veterans. For more information about the Texas Veterans Commission and other examples of community support, please see the community support section at the end of this publication.

Defender Models in Texas

Texas counties that are considering the creation of a Veterans Defender Program may choose from several options that can best fit the needs of the county while maintaining fidelity to the Fair Defense Act. The following chart provides a very brief overview of the models that are most prevalent, along with links to specific resources the Texas Indigent Defense Commission has published to assist counties in implementing successful programs.

<u>MODEL</u>	<u>DESCRIPTION</u>	<u>CONSIDERATIONS</u>
Assigned Counsel Program	a system under which private attorneys, acting as independent contractors and compensated with public funds, are individually appointed to provide legal representation and services to a particular indigent defendant accused of a crime or juvenile offense	It can be difficult to maintain uniformity in this system among the various courts in a county. Often presents challenges to generate reliable performance data
Contract System	a system under which private attorneys, acting as independent contractors and compensated with public funds, are engaged to provide legal representation and services to a group of unspecified indigent defendants who appear before a particular court or group of courts	TIDC adopted Contract Defender Program Rules that have been ratified by the Texas Judicial Council to assist counties in providing quality indigent defense services while using a contract system
Managed Assigned Counsel Program	a governmental entity, nonprofit corporation, or bar association operating under a written agreement with a county for the purpose of appointing counsel to indigent defendants. The program must be directed by a licensed attorney with substantial experience in the practice of criminal law and the ability to provide supervision and leadership for participating attorneys. The attorneys supervised by the Managed Assigned Counsel Program operate as private, independent contractors	While the Managed Assigned Counsel Model is relatively new to Texas, other jurisdictions around the country have demonstrated a great amount of success in providing indigent defense services through a model that is also known as the Private Defender Model
Public Defender	a governmental entity or nonprofit corporation operating under written agreement with a county, other than an individual judge or court; using public funds; and providing legal representation and services to indigent defendants accused of a crime or juvenile offense.	Counties with existing public defender programs may be extremely well suited to develop a special division dedicated to the representation of veterans



According to the [National Legal Aid and Defender Association's 'Ten Tenets of Fair and Effective Problem Solving Courts'](#), defenders are often excluded from the design, implementation and on-going evaluation and monitoring of Problem Solving Courts. The 'Ten Tenets' were developed to increase both the fairness and the effectiveness of Problem Solving Courts, while addressing concerns regarding the defense role within them.

Supporting Veterans Defender Programs in Texas

TIDC distributes state funding to counties to improve indigent defense services through two major categories: 1) Formula Grants distributed to all Texas counties to offset the costs associated with implementation of the Fair Defense Act based on population and increased spending, 2) [Discretionary Grants](#) that counties may apply for to implement new indigent defense programs and processes, or to adopt new technology for the provision of indigent defense services. The Commission awarded Harris County discretionary funds to provide representation to defendants participating in its [Veterans Treatment Court](#), which was the first program of its kind in the state of Texas.

During the program's first eighteen months, Harris County was able to obtain nearly \$600,000 in VA "in-kind" services for the defendants in the program, including counseling and benefits that would not be available within the County system. In addition to providing quality representation to veterans, Harris County was able to leverage the funds provided by the Commission to generate indirect benefits that may have a positive impact throughout the system. While indirect benefits are often difficult to quantify, they add a welcomed set of possibilities to counties that wish to pursue Discretionary Grant Funds through the Commission. Detailed information about the various funding streams offered is available online by visiting the 'Grants and other Funding' section of the Commission's main website.



Harris County's Veterans Court was featured on a national [PBS program](#) in July 2010. TIDC provided funds for the defense component of the project.

The competitive discretionary grant cycle begins when the Commission issues a [Request for Applications \(RFA\)](#) each year with detailed information on how and when to apply. The program offers both multi- and single-year grants. Multi-year grants are offered to fund direct client service projects, while grants are available on a single-year basis to fund programs dedicated to technology and process improvements (e.g., video teleconferencing, indigent defense coordinators, and the like). Although counties may apply for multi-year grants, all discretionary grants are awarded for one-year periods from October 1 to September 30. Multi-year grantees must re-apply for continued funding for the years after the first grant period, and continued funding is subject to Commission's review of the required performance measures and available funding.

The Commission can only provide funding to counties for indigent defense services.

In addition to funding, the Commission provides counties with technical support and other information that can be crucial to the successful implementation of a complex program. At a county's request, Commission staff members are available for services such as: Needs assessments, feasibility studies, program development, proposal drafting, and program evaluation. Please contact Grants Administrator Bryan Wilson or Dominic Gonzales with any questions or to schedule a county visit.

Travis County's Veterans Intervention Project

The Texas Association of Counties honored the Travis County Veterans Intervention Project (VIP) with the [2011 Best Practices Achievement Award](#). Travis County Constables Maria Canchola & Bruce Elfant formed the VIP in early 2008 seeking to establish a link between the county's criminal justice system and the U.S. Department of Veterans Affairs. The Travis County Veterans' Court is a central component of the Veterans Intervention Project, offering deferred adjudication for veterans who complete court ordered counseling and treatment programs.

The court manager for the Travis County Veterans' Court, Mr. Jackson Glass, compiled a brief timeline as an overview of the major developments that transpired as the VIP worked toward the creation of the Veterans Court:

- A Veterans Court Committee was formed, which included members from the Veterans Administration, County Attorney's Office and Court Administration
- Committee [researched](#) the need and feasibility of establishing a Veterans Court.
- The Governor's Office announced a grant opportunity, through its Criminal Justice Division (CJD).
- The committee outlined the court logistics and court management.
- Since Court Administration managed the Drug Court, it was decided that the Court Administration office would be the best choice for managing the court's operations.
- A grant application was submitted to CJD (in Governor's Office)
- The committee continued to meet to discuss the application, the assessment methods for participating veterans, and the treatment process that would be followed, as well as how each of the participating agencies would work together.
- A system for identifying potential candidates at the point of arrest was developed.
- The court, County Attorney's Office, and the VA agreed on procedures and strategies for serving and monitoring veterans in the program.
- The Veterans Court began accepting applications and the Court held its first docket on November 10, 2010.



[The Report of Veterans Arrested and Booked into the Travis County Jail](#) contains an example of a research instrument that may be adapted to help a county gather accurate information about veterans. The report was updated, including a slightly modified Jail Survey in December 2011.

(Please see next page for example.)

Travis County Research Instrument

VETERANS ASSISTANCE QUESTIONNAIRE

Date

M / F
Gender

Phone #

Name

DOB

SSN

Which branch of the armed forces did you serve in?

- ____ ARMY
- ____ NAVY
- ____ AIRFORCE
- ____ MARINE CORPS
- ____ COAST GUARD
- ____ NATIONAL GUARD

Where did you serve?

- ____ IRAQ OR AFGHANISTAN
- ____ OTHER COMBAT AREA
- ____ PERSIAN GULF WAR I (1990 - 91)
- ____ GRENADA
- ____ PANAMA
- ____ VIETNAM
- ____ KOREAN WAR
- ____ NON COMBAT

Type of Discharge:

- ____ HONORABLE
- ____ GENERAL UNDER HONORABLE
- ____ MEDICAL
- ____ DISHONORABLE
- ____ OTHER THAN HONORABLE
- ____ BAD CONDUCT DISCHARGE

Are you still on Active Duty?

Yes No

Have you ever received VA healthcare services?

Yes No

Are you currently employed?

Yes No

Have you been homeless in the last year?

Yes No

I understand this is a screening questionnaire and information will be shared with the VA and Veterans Services agencies

Signature

Date

White – TCSO

Blue – Pre-Trial

Yellow - Probation

The initial three-month survey of Travis County inmates conducted by the Veterans Intervention Project survey made some important discoveries. According to the survey:

- 3.4 percent (153 a month) of inmates were veterans;
- 54 percent of the veterans had served in non-combat zones, but 18 percent had served in Iraq or Afghanistan and about 13 percent had served in Vietnam;
- 86 percent of the veterans had received an honorable, general or medical discharge from the military, making them eligible for VA services, but 9 percent had received a less-than-honorable discharge and were ineligible;
- 32 percent of the veterans were arrested at least twice during that three-month period;
- 34 percent of all charges against veterans were related to DWI, possession, public intoxication, vehicular manslaughter or a similar charge; and
- 65 percent of the veterans had not accessed VA services.

Directory of Veterans Courts in Texas

County	Key Personnel	Contact
Bexar	Presiding Judge: Wayne Christian Court Manager: Michael McCollum Defender Details: Rotational method (3 attorneys)	Address: County Court #6 300 Dolorosa San Antonio, TX 78205 Phone: 210-335-6640 E-mail: msmccollum@bexar.org
Dallas	Presiding Judge: Michael Snipes Specialty Courts Manager: Vonda Freeman Defender Details: Janie Martin Janie.martin@dallascounty.org	Address: Criminal District Court #7 133 N. Riverside, 7 th Floor Dallas, TX 75207 Phone: 214-653-5392 Cell: 214-587-1026 E-mail: vkfreeman@dallascounty.org
Denton	Presiding Judge: Various judges – any judge can be referred for the VA case Adult Probation Director: Peggy Carr Defender Details: Rotational method	Address: 1450 E. McKinney Street Denton, TX 76209 Phone: 940-349-3300 E-mail: peggy.carr@dentoncounty.com
El Paso	Presiding Judge: Ricardo Herrera Program Director: Cesar F. Prieto Defender Details: Rotational method	Address: 500 E. San Antonio, Room #802 El Paso, TX 79901 Phone: 915-546-2011 Cell: 915-407-3697 E-mail: cprieto@epcoudy.com
Guadalupe	Presiding Judge: Linda. Z. Jones Program Director: Bob Grafe Defender Details: Rotational method	Address: 211 W. Court Street Seguin, TX 78155 Phone: 830-303-4188 ext. 379 E-mail: bob.grafe@co.guadalupe.tx.us
Harris	Presiding Judge: Marc Carter Program Manager: Mary Covington Defender Details: Term assignment attorneys each year.	Address: 1201 Franklin Street, 16 th Floor Houston, TX 77002 Phone: 713-755-4610 E-mail: mary_covington@justex.net
Hidalgo	Presiding Judge: Israel Ramon, Jr. Contact: Rodolfo “Rudy” Perez	Address: 111 S. 9 th Street Edinburg, TX 78539 Phone: 956-587-6016
Tarrant	Presiding Judge: Brent A. Carr Veteran’s Court Manager: Courtney Young Defender Details: Rotational method with 2 judges currently	Address: 300 W. Belknap, 4 th floor Fort Worth, TX 76196 Phone: 817-884-3225 E-mail: cdyoung@tarrantcounty.com
Travis	Presiding Judge: Mike Denton Veteran’s Court Manager: Jackson Glass Defender Details: A court defense attorney is appointed and is rotated throughout the year.	Address: Travis County Criminal Courts 501 W. 11 th Street, Ste. 2.700 Austin, TX 78701 Phone: 512-854-3829 E-mail: Jackson.glass@co.travis.tx.us

Veterans Affairs Resources

Veterans Justice Outreach Specialists

Each VA medical center has a facility-based Veterans Justice Outreach Specialist, responsible for direct outreach, assessment, and case management for justice-involved veterans in local courts and jails, and liaison with local justice system partners. The purpose of the Veteran Justice Outreach Initiative (VJO) initiative is to avoid the unnecessary criminalization of mental illness and extended incarceration among veterans by ensuring that eligible justice-involved veterans have timely access to VHA mental health and substance abuse services when clinically indicated, and other VA services and benefits as appropriate.

<p>Amarillo VISN 18, Amarillo VA Health Care System Contact: Kathleen Caldwell Address: 6010 Amarillo Boulevard West Amarillo, TX 79106 Phone: (806) 355-9703 Ext. 7543 E-mail: kathleen.caldwell3@va.gov</p>	<p>Big Spring VISN 18, West Texas VA Health Care System Contact: Arthur Palomino Address: 300 Veterans Boulevard Big Spring, Texas 79720 Phone: (432) 263-7361 Ext. 7057 E-mail: arthur.palomino@va.gov</p>
<p>Bonham and Dallas VISN 17, VA North Texas Health Care System Contact: Latisha Gaten latisha.gaten@va.gov (214) 857-2252 Kathy Finch kathyl.finch@va.gov (214)857-2260 Melissa Kale Melissa.kale@va.gov Address: 4500 S. Lancaster Road Dallas, TX 75216</p>	<p>El Paso VISN 18, El Paso VA Health Care System Contact: Joel Arrigucci Address: 5001 N. Piedras El Paso, Texas 79930 Phone: (915) 564-6100 Ext. 6526 E-mail: joel.arrigucci@va.gov</p>
<p>Harlingen VISN 17, South Texas VA Health Care Center at Harlingen Contact: Amanda Doemland E-mail: amanda.doemland@va.gov</p>	<p>Houston VISN 16, Michael E. DeBakey VA Medical Center Contact: Lorretta Coonan Address: 2002 Holcombe Blvd. Houston, TX 77030 Phone: (713) 791-1414 Ext. 6475 E-mail: Coonan.lorettaa@va.gov</p>
<p>San Antonio VISN 17, South Texas Veterans Health Care System Contact: Treva L. Neiss LCSW and Dr. Desi Vasquez Address: 4201 Medical Drive San Antonio Texas 78229 Phone: (210) 616-9915 E-mail: treva.neiss@va.gov, desi.vasquez@va.gov</p>	<p>Austin, Temple and Waco VISN 17, Central Texas Veterans Health Care System Contact: Karen Janada (Austin) Address: 2101 S. IH 35, Suite 100 Austin, TX 78741 Phone: (713) 791-1414 Ext. 6475 E-mail: karen.janda2@va.gov</p>

Substance Abuse Services for Veterans

The VA offers a wide variety of substance abuse services for veterans. Many programs offer evening and weekend hours. Residential (live-in) options are available for veterans who live far away from a VA clinic or who have unstable housing. Special programs are offered for patients with specialized needs such as women, Operation Enduring Freedom/Operation Iraqi Freedom Veterans, the mentally ill and homeless veterans.

PTSD Treatment

VA Medical Centers usually have providers who have been specially trained to offer PTSD treatment. If the VA Medical Center in your client's reach does not have a specialized PTSD program, the client's doctor should be asked for a referral to a mental health provider who is a PTSD specialist.

Specialized Outpatient PTSD Programs (SOPPs)

SOPPs include three basic types of clinics, including:

- PTSD Clinical Teams (PCTs)-Provide group and one-to-one treatment.
- Substance Use PTSD teams (SUPTs)-Treat the combined problems of PTSD and substance abuse.
- Women's Stress Disorder Treatment Teams (WSDTTs)-Provide women Veterans both one-to-one and group treatment.

Specialized Intensive PTSD Programs (SIPPs)

SIPPs provide PTSD treatment services within a therapeutic community. Many programs are residential (live-in). In addition to vocational services and counseling, SIPPs can offer social and recreational activities. Examples include:

- PTSD Day Hospitals (DH)-Provide one-to-one and group treatment for 4 to 8 hours each visit.
- Evaluation and Brief Treatment of PTSD Units (EBTPUs)-Provide PTSD treatment for a brief time ranging from 14 to 28 days.
- PTSD Residential Rehabilitation Programs-Provide PTSD treatment and case management to help survivors of trauma return to healthy living in the community. Stays at a PRRP tend to be 28 to 90 days long.
- Specialized Inpatient PTSD Units (SIPUs)-Provide trauma-focused treatment. Hospital stays last from 28 to 90 days.
- PTSD Domiciliary (PTSD Dom)-Provides live-in treatment for a set period of time. The goal is to move patients to outpatient mental health care.

(Continued from previous column)

- Women's Trauma Recovery Program (WTRP) - was opened by the VA in Palo Alto, CA, in 1992. This live-in program focuses on war zone-related stress as well as Military Sexual Trauma (MST). In the program Veterans can work on skills needed to deal comfortably with other people. The program is 60 days long.

Depression Treatment

Diagnosis & Medication

Health professionals who may diagnose depression and prescribe medication include:

- Family Physicians
- Internists
- Psychiatrists
- Physician Assistants
- Nurse Practitioners
- Obstetricians or Gynecologists

Therapy, Treatment & Counseling

Treatment such as professional counseling or therapy can be provided by Psychiatrists or Psychologists. Other health professionals may be trained in treating depression and often include Social Workers, Licensed Professional Counselors, and Psychiatric Nurses.

Evidence Based Treatment and Veterans Affairs

The VA generally provides two evidence based treatments for depression: Cognitive Behavioral Therapy (CBT) and Acceptance and Commitment Therapy (ACT).

- CBT is an effective psychotherapy based on decades of research that has demonstrated the strong relationship between thoughts, emotions and behaviors, which can often lead to depression. CBT helps patients learn new patterns of thinking and develop new positive behaviors.

ACT, also supported by clinical research, is based on the relationship between thoughts, feelings, and behaviors. ACT helps patients overcome their struggle with emotional pain and worry in order to take active steps to move forward and fulfill their priorities.

Resources in Texas

Texas Veterans Commission

<http://www.tvc.state.tx.us>

The Texas Veterans Commission was created to act as the state appointed advocate of Texas veterans as they attempt to secure the benefits rightfully earned in exchange for their service in our nation's armed forces.

Texas Veterans Commission Directory

Includes Federal, State, & County Government agencies in Texas, veterans' organizations and other states' veterans services commissions



The Commission's program areas include:

- Claims Representation and Counseling serves veterans, their dependents and survivors, in all matters pertaining to veterans' disability benefits and rights. It is the designated agency of the state of Texas to represent the State and its veterans before the U.S. Department of Veterans Affairs (VA).
- Veterans Employment Services offers employment services to Texas veterans and helps employers find qualified veteran job applicants. The goal of these services is to match veteran job seekers with the best employment opportunities available.
- Veterans Education Program approves all programs for Chapter 30, 33, 35, 1606, and 1607 federal educational benefits. Through an approval process, the Texas Veterans Commission ensures that institutions and employers are in compliance with federal guidelines and are qualified to provide the type of training offered.
- Texas Veterans Commission Fund for Veterans' Assistance is a program that makes grants available to eligible charitable organizations, local government agencies, and Veterans Service Organizations that provide direct services to Texas veterans and their families.

Through these program areas, the Texas Veterans Commission provides excellent service so that veterans receive every benefit that they deserve.

General Contact Information: Tel. 512/ 463-6564 (FAX) 512/ 475-2395 Email: info@tvc.state.tx.us Web: www.tvc.state.tx.us Veterans' HOTLINE: 1-800-252-VETS (8387) (In-State Only)	Mailing Address: Texas Veterans Commission P.O. Box 12277 Austin, Texas 78711-2277 512/ 463-6564 (FAX) 512/ 475-2395	Office Location: Stephen F. Austin Building, Suite 800 1700 North Congress Austin, Texas 78701 Office Hours: 8:00 am - 5:00 pm
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Texas Lawyers for Texas Veterans

<http://www.texasbar.com/veterans>

Texas Lawyers for Texas Veterans (TLTV) is a new State Bar of Texas Committee established by State Bar President-Elect Terry Tottenham to develop and assist pro bono legal clinics throughout the state for military veterans and their families who otherwise cannot afford or do not have access to legal services they need and deserve.

Texas Veterans Leadership Program

<http://www.twc.state.tx.us/tvlp/tvlp.html>

The Texas Veterans Leadership Program (TVLP) is a Texas Workforce Commission (TWC) resource and referral network that serves to connect returning veterans of Iraq and Afghanistan with the resources and tools they need to lead productive lives and enjoy the full benefits of the society they have willingly served. Veterans Resource and Referral Specialists (VRRSs) will work to find ancillary services in local communities, some of which will be community service organizations, veterans service organizations, and faith-based programs.

The TWC Program Director and the local VRRSs are all veterans of Iraq and/or Afghanistan. This network of returning veterans play an integral role in addressing the needs of other returning veterans, including referrals to address employment, training, medical, educational, and other needs of veterans. One VRRS is assigned to each of the 28 local workforce development areas. Located in a Texas Workforce Center, each local project director works closely with Texas workforce center staff and Texas Veterans Commission staff who are co-located in Texas Workforce Centers.

VRRSs will:

- Seek out veterans in need of services;
- Serve as resource and referral agents, directing returning veterans to resources tailored to their needs;
- Make referrals and coordinate with different programs ranging from employment and training to medical care, mental health and counseling, veterans benefits, and other programs to address the varying needs of veterans; and
- Coordinate a chain of volunteer veterans familiar with the obstacles faced by returning veterans to assist in mentoring and serving returning Iraq/Afghanistan veterans.

SUMMARY of HEALTH AND SAFETY CODE
SUBTITLE E. SPECIAL PROVISIONS RELATING TO MENTAL ILLNESS AND MENTAL RETARDATION
CHAPTER 617. VETERANS COURT PROGRAM

Sec. 617.001. VETERANS COURT PROGRAM DEFINED; PROCEDURES FOR CERTAIN DEFENDANTS. (a) In this chapter, "veterans court program" means a program that has the following essential characteristics:

- (1) the integration of services in the processing of cases in the judicial system;
- (2) the use of a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants;
- (3) early identification and prompt placement of eligible participants in the program;
- (4) access to a continuum of alcohol, controlled substance, mental health, and other related treatment and rehabilitative services;
- (5) careful monitoring of treatment and services provided to program participants;
- (6) a coordinated strategy to govern program responses to participants' compliance;
- (7) ongoing judicial interaction with program participants;
- (8) monitoring and evaluation of program goals and effectiveness;
- (9) continuing interdisciplinary education to promote effective program planning, implementation, and operations; and
- (10) development of partnerships with public agencies and community organizations, including the United States Department of Veterans Affairs.

(b) If a defendant successfully completes a veterans court program, as authorized under Section 76.011, Government Code, after notice to the attorney representing the state and a hearing in the veterans court at which that court determines that a dismissal is in the best interest of justice, the court in which the criminal case is pending shall dismiss the criminal action against the defendant.

Sec. 617.002. AUTHORITY TO ESTABLISH PROGRAM; ELIGIBILITY. (a) The commissioners court of a county may establish a veterans court program for persons arrested for or charged with any misdemeanor or felony offense. A defendant is eligible to participate in a veterans court program established under this chapter only if the attorney representing the state consents to the defendant's participation in the program and if the court in which the criminal case is pending finds that the defendant:

- (1) is a veteran or current member of the United States armed forces, including a member of the reserves, national guard, or state guard; and
- (2) suffers from a brain injury, mental illness, or mental disorder, including post-traumatic stress disorder, that:
 - (A) resulted from the defendant's military service in a combat zone or other similar hazardous duty area; and
 - (B) materially affected the defendant's criminal conduct at issue in the case.

(b) The court in which the criminal case is pending shall allow an eligible defendant to choose whether to proceed through the veterans court program or otherwise through the criminal justice system.

(c) Proof of matters described by Subsection (a) may be submitted to the court in which the criminal case is pending in any form the court determines to be appropriate, including military service and medical records, previous determinations of a disability by a veteran's organization or by the United States Department of Veterans Affairs, testimony or affidavits of other veterans or service members, and prior determinations of eligibility for benefits by any state or county veterans office. The court's findings must accompany any docketed case.

Sec. 617.003. DUTIES OF VETERANS COURT. (a) A veterans court program established under this chapter must:

- (1) ensure a person eligible for the program is provided legal counsel before volunteering to proceed through the program and while participating in the program;
 - (2) allow a participant to withdraw from the program at any time before a trial on the merits has been initiated;
 - (3) provide a participant with a court-ordered individualized treatment plan indicating the services that will be provided to the participant; and
 - (4) ensure that the jurisdiction of the veterans court continues for a period of not less than six months but does not continue beyond the period of community supervision for the offense charged.
- (b) A veterans court program established under this chapter shall make, establish, and publish local procedures to ensure maximum participation of eligible defendants in the county or counties in which those defendants reside.
- (c) This chapter does not prevent the initiation of procedures under Chapter 46B, Code of Criminal Procedure.

Sec. 617.004. ESTABLISHMENT OF REGIONAL PROGRAM. The commissioners courts of two or more counties may elect to establish a regional veterans court program under this chapter for the participating counties.

Sec. 617.005. OVERSIGHT. (a) The lieutenant governor and the speaker of the house of representatives may assign to appropriate legislative committees duties relating to the oversight of veterans court programs established under this chapter.

(b) A legislative committee or the governor may request the state auditor to perform a management, operations, or financial or accounting audit of a veterans court program established under this chapter.

(c) A veterans court program established under this chapter shall:

- (1) notify the criminal justice division of the governor's office before or on implementation of the program; and
- (2) provide information regarding the performance of the program to that division on request.

Sec. 617.006. FEES. (a) A veterans court program established under this chapter may collect from a participant in the program:

- (1) a reasonable program fee not to exceed \$1,000; and
- (2) a testing, counseling, and treatment fee in an amount necessary to cover the costs of any testing, counseling, or treatment performed or provided under the program.

(b) Fees collected under this section may be paid on a periodic basis or on a deferred payment schedule at the discretion of the judge, magistrate, or program director administering the program. The fees must be:

- (1) based on the participant's ability to pay; and
- (2) used only for purposes specific to the program.



TIDC wishes to thank the following collaborators:

- Office of the Governor Rick Perry – Criminal Justice Division
- Senate Veterans Affairs & Military Installations Committee
- House Defense and Veterans Affairs Committee
- Texas Veterans Commission
- Judge Brent Carr- Tarrant County
- Judge Marc Carter – Harris County
- State Bar of Texas' Standing Committee on Legal Services to the Poor in Criminal Matters
- Constables Bruce Elfant and Maria Canchola – Travis County

Texas Indigent Defense Commission

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The Honorable Olen Underwood	Conroe, Presiding Judge, 2nd Administrative Judicial Region of Texas (Vice-Chair)

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