

Williamson County TIDC Grant Budget Summary
Transformational Justice: A Multi-Disciplinary Approach
To Indigent Defense

Williamson County will contract with a local non-profit to provide training and interdisciplinary indigent defense services. The terms of this representation will be set forth in a contract, which will be fully compliant with the terms of the Contract Defender Program guidelines. All efforts have been made to establish an indigent defense program that meets best practices and the contract will require that specific staff and office requirements are met, including: a) an office with regular hours; b) legal assistant c) telephone with answering service; d) library; e) accessible by public transportation; f) system of case management and reporting; g) social services personnel (e.g., caseworkers for mental health cases); and h) other resources. See American Bar Association, 1990, Standards for Criminal Justice Providing Defense Services, Standard 5-3.3(b)(x, xii), Washington, DC; and National Legal Aid & Defender Association, 1984, Guidelines for Negotiating and Awarding Indigent Defense Contracts, Guideline III-8, Washington, DC.

The following Budget outlines the costs that will be incurred by the administration of this program. The 20% County Match will be spent on a mentorship and training program for participants; salaries and benefit costs; and other associated program costs.

| Grant Request | Base Salary | Benefits | % of Time | Total |
|--|-------------|----------|-----------|------------------|
| Mentorship & Training Program | | | | |
| Speaker Transportation | | | | \$11,000 |
| Lunches | | | | \$1,300 |
| Printing Agendas, Materials | | | | \$1,500 |
| Advertising | | | | \$100 |
| Staff Parking | | | | \$100 |
| Salaries, Wages & Stipends | | | | |
| Program Director | \$26,000 | \$0 | 20% | \$26,000 |
| Clinical Social Worker Lead | \$50,000 | \$16,500 | 100% | \$66,500 |
| Staff Attorney - Part Time | \$57,000 | \$0 | 50% | \$57,000 |
| Staff Attorney - Part Time | \$57,000 | \$0 | 50% | \$57,000 |
| Legal Assistant | \$40,000 | \$13,200 | 100% | \$53,200 |
| Program Manager | \$57,000 | \$18,810 | 100% | \$75,810 |
| Other Expenses | | | | |
| Professional Services/Accounting | | | | \$5,000 |
| Malpractice Insurance | | | | \$4,400 |
| Training & Professional Memberships | | | | \$5,000 |
| Equipment | | | | \$10,000 |
| Office Space | | | | \$12,000 |
| TOTAL BUDGET | | | | \$385,910 |

County Contribution (20%) -
\$77,182.00

State Contribution (80%) -
\$308,728.00

Mentorship & Training Program

Specialized skill training with directed practice: All defense counsel will be provided training that incorporates cognitive-behavioral techniques (CBT) and “social learning.” Stakeholders involved in participants’ criminal cases will receive specialized training in areas such as trauma, brain development, moral decision-making, and impulsivity among young adults. Training will include methods for employing these techniques beyond the boundaries of treatment to the everyday interaction between defense attorneys, case managers, program administrators and participants, allowing staff to identify criminal thinking and antisocial behavior, redirect it, and promote prosocial behavior. This training program will be mandatory for all counsel representing participants in the program and will also be provided to the larger defense community to enhance overall the quality of representation provided to indigent defendants.

Salaries and Wages

The compensation set forth in this budget comply with the National Legal Aid & Defender Association guidelines. Those guidelines recommend that the compensation rate be set based on three factors: 1. the customary compensation in the community for similar services rendered by privately retained counsel to a paying client or government or other publicly-paid attorneys to a public client; 2. the time and labor required to be spent by the attorney; and 3. the degree of professional ability, skill and experience called for and exercised in the performance of the services. The NLADA guidelines, further, recommend that the contract provide for reasonable compensation over and above the normal contract price for cases that require an extraordinary amount of time and preparation. Examples of these special cases are cases involving competency, mental health issues, and violent crimes.

Training and Program Director: Supervisor and Training Director will supervise all attorneys and assure compliance with the program goals and interventions. The Director will be charged with maintaining the most rigorous standards, employing best practices in indigent defense service delivery, assessing caseloads and program outlines, initiating and monitoring the implementation of program modifications as needed throughout the program’s pilot phase.

Clinical Social Worker Lead: The Clinical Social Worker Lead will manage a team of social work interns from the University of Texas School of Social Workers and staff assigned to assist participants. These social workers will provide *intensive, individualized case management*; individualized services include education or vocational training, mental health and/or substance use recovery services, and assistance with housing and employment. Intensive refers to the level of oversight provided by the lead case manager. Most existing programs required frequent check-ins with program participants to ensure they achieve program goals. However, the individual or entity providing case management is a critical variable toward promoting sustainable behavior change. Research shows that behavior change that is attached to one’s own values and reasons to change will last longer than change that is externally imposed. Interpersonal interactions with service providers trained in specialized cognitive behavior techniques, such as motivational interviewing, play a major role in implementing this principle. Consequently, programs that employ probation or community supervision departments, trained to emphasize compliance monitoring, to serve as case managers may impede participants’ ability to achieve behavior change. Finally, the clinical social worker lead will develop and implement an incentive-based behavior response system, frequently checking in with providers to assure fidelity to the model.

Local Staff Attorneys: Two local, Williamson County staff attorneys will be hired to provide indigent defense services to participants. It is hoped that these attorneys will become leaders in their community, well trained to serve as local leaders on interdisciplinary indigent defense service delivery. This relationship with local attorneys is critical for creating a culture shift within the indigent defense community, as local attorneys take the lead on incorporating best practices throughout the criminal defense bar.

Legal Assistant: A legal assistant will support all defense counsel and program staff in scheduling meetings, maintaining file and document integrity, preparing a court report for each stakeholder meeting, and otherwise assuring best practices in document collection and retention are employed. Support staff is critical to ensuring effective representation to clients and adequate assistance to attorneys and the American Bar Association has long advocated for the use of such services.

Program Manager: The program manager will assure that all providers maintain program integrity in the implementation of the individualized treatment plans, interactions with program participants, and interactions among providers. This will include creating “systems” for initiating cases, maintaining documents, and corresponding with the clients. The program manager will also be the primary point of contact for the evaluation team and the team implementing the Risk-Needs-Responsivity tool, assuring that data is properly collected and transmitted in a timely manner. The program manager is also charged with engaging in ongoing support with community members and identifying additional partners for sustainable expansion of the program. Research shows connecting individuals with prosocial activities in their own community promotes positive behavior. An example of these activities include restorative justice and harm reduction initiatives in which participants are required to perform some type of reconciliation with individual victims or with the community. Programs should draw on local services and resources to respond to the needs of participants, promoting a local jurisdiction’s ability to sustain the program over time. Finally, the program manager will assure that all providers and defense counsel are aware of any changes to the implementation protocols. Only those interventions that are consistently tracked and evaluated can truly be proven successful, emphasizing the need of programs to collect data on an ongoing basis, conduct rigorous analysis of procedures and outcomes, and regularly manage performance by providing feedback according to evaluation outcomes. Existing programs share the common goal of reducing the likelihood of future justice system involvement among program participants and accordingly rely on recidivism rates as the primary method of measuring the success of the intervention, requiring internal data tracking systems. However, programs should track additional measures that evaluate the multitude of factors that lead to justice system involvement, including health outcomes and the social determinants of health.

Other Expenses

Professional Services/Accounting:

Williamson County will employ best practices when accounting for the allocation and distribution of all state and local funding. This line item provides for implementing accounting policies and procedures to assure the most rigorous standards are employed.

Malpractice Insurance:

All defense attorneys who provide defense services as part of this grant will be covered by legal malpractice insurance provided by the National Legal Aid & Defender Association (the terms can be found below), which provides discounted coverage to attorneys providing indigent defense services. The NLADA provided a quote for \$2200/attorney.

Malpractice Coverage Includes:

- Lawyers Professional Liability: \$1,000,000 each claim and \$1,000,000 in the aggregate
- Management Liability Errors and Omissions Endorsement: \$1,000,000 each claim and \$1,000,000 in the aggregate
- Employment Practices Liability: \$250,000 each claim and \$500,000 in the aggregate
- Criminal Defense Endorsement: \$50,000 each claim and \$50,000 in the aggregate
- Punitive Damages Endorsement: \$50,000 each claim and \$50,000 in the aggregate

Training & Professional Memberships:

In addition to the training provided to the criminal defense bar and members representing program participants, all employees are required to keep abreast of the latest evidence-based practices in indigent defense. This line item will be utilized to support that training and to cover the costs of bar memberships.

- Texas Bar Membership: \$400/Attorney x 3 = \$1,200 (2 Staff Attorneys & Program Director)
- Train the Trainer Programs: \$1,500/Attorney x 2 Staff Attorneys = \$3,000
- Miscellaneous Local Bar Training CLEs: \$800

Equipment:

Line item provides for funding one-time office startup costs, including furniture, telephones, and computers.

- Computers and Software for Case Intakes:
 - Program Manager
 - Staff Attorneys (2)
 - Clinical Social Worker Lead
- Phones:
 - Central Phone for Legal Assistant
 - Program Manager
 - Staff Attorneys (2)
 - Clinical Social Worker Lead
- Desks:
 - Legal Assistant
 - Program Manager
 - Staff Attorneys (2)
 - Clinical Social Worker Lead
- Couch/Chairs
 - Clinical Social Worker Lead: For Therapy Consultations

Office Space:

Employees participating in this program will office with local health and social services providers. The County is exploring office sharing with Bluebonnet Trails and Goodwill Central Texas, so that participants may have one centralized location with which to meet with all provides. This centralized office structure will help secure integrated, interdisciplinary indigent defense services.

Number of Offices: 3 Offices Plus Receiving Area w/ Legal Assistant

- Clinical Social Worker Lead
- Program Manager
- Shared Office for 2 Part Time Attorneys