

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