

THE MORE YOU KNOW...



THE CASE FOR CONTROLLING INDIGENT LEGAL COSTS

THE PROBLEM

Every American has the right to legal representation in court. But that right does come at a cost, especially for those unable to pay for such assistance. And the cost to taxpayers to guarantee legal representation to all varies wildly, depending on the type of legal aid given.

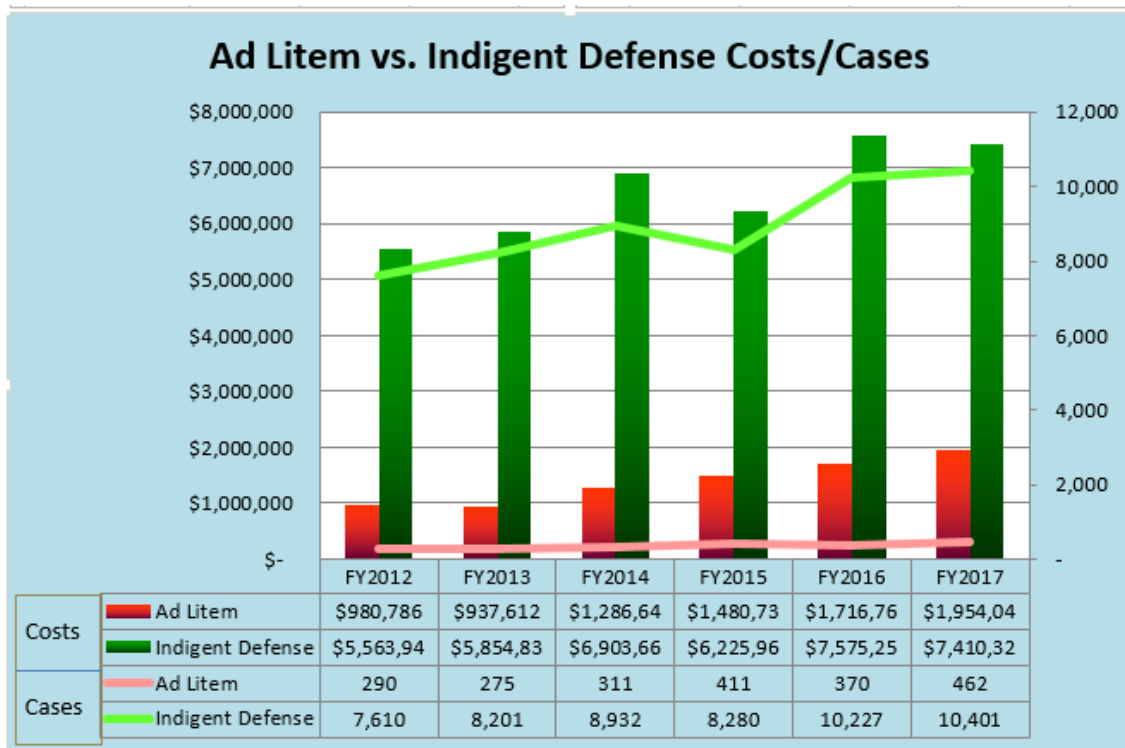
There are two basic types of representation we as taxpayers are required to pay for:

Indigent Defense: Legal aid for qualifying low income defendants in criminal prosecutions. The methods of determining who represents these defendants and how much they may charge are authorized by state law (Texas Code of Criminal Procedure Article 26.04).

Guardian Ad Litem: Legal aid for qualifying low income individuals involved in certain parent/guardian relationships and their children. The method of determining who represents these individuals is authorized by the Texas Rules of Civil Procedure (Rule 173).

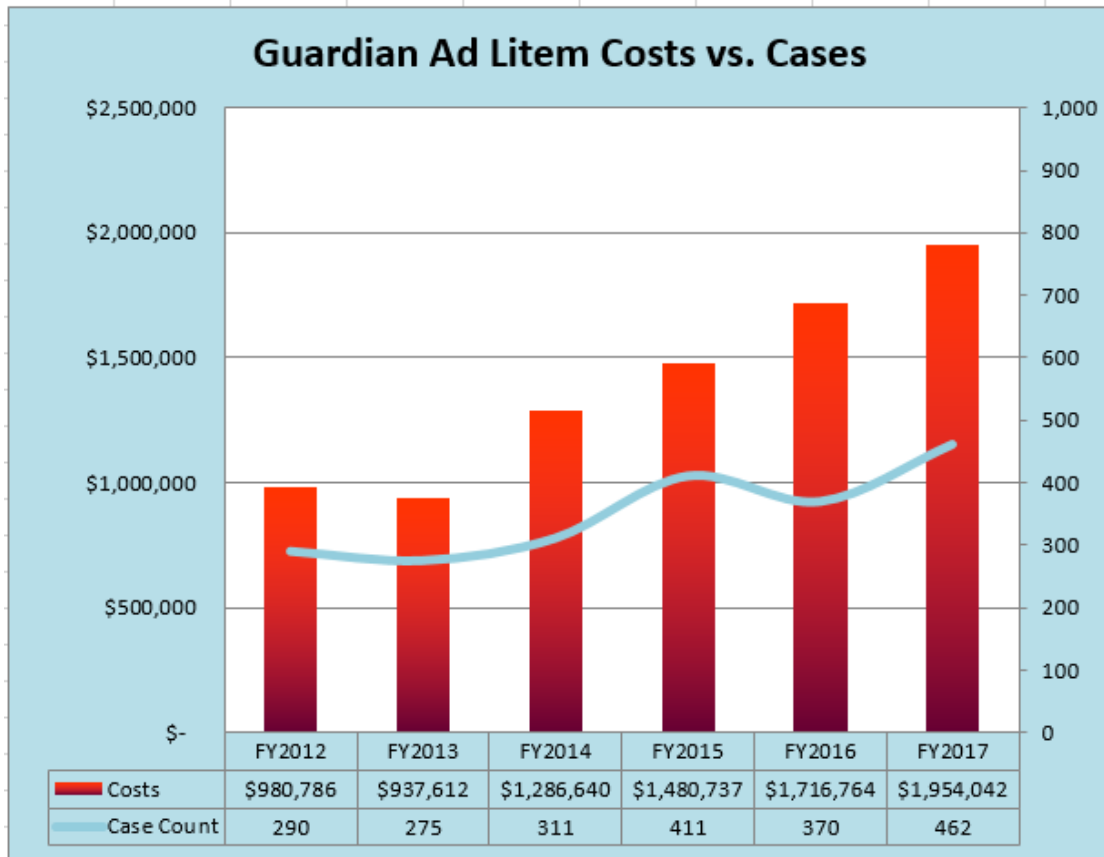
Note that Indigent Defense rules require that counties have a defined program in place governing the selection and reimbursement rates of criminal indigent counsel, whereas Guardian Ad Litem rules only defines who must be represented.

Which explains the following chart:



Notice how Indigent Defense costs fluctuate according to need (the number of cases) whereas Ad Litem costs keep rising even though the number of cases has remained relatively level.

The following graph shows Ad Litem costs versus cases more clearly:



Overall, from FY2012 to FY2017, cases have risen 59% while costs have gone up 99%.

THE SOLUTION

Fortunately, the solution for uncontrolled escalating Ad Litem costs is simple: ask the Texas State legislature to enact similar administrative requirements to Ad Litem representation as it already has for Indigent Defense programs. Requiring counties to define rate guidelines to indigent civil cases applies consistent, equitable cost controls without restricting the quality and ability to represent those in need.

Makes sense, doesn't it?

WHAT YOU CAN DO

Contact your state legislators and ask them to require guidelines for Guardian Ad Litem charges that state and county courts may follow. Now is the time for requiring reasonable indigent legal costs without impacting our counties' ability to protect the individual's right to representation.

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[Commissioner contact info here]

THE MORE YOU KNOW...



**THE CASE
FOR
CONTROLLING
INDIGENT
LEGAL COSTS**

**COLLIN COUNTY
COMMISSIONERS COURT**

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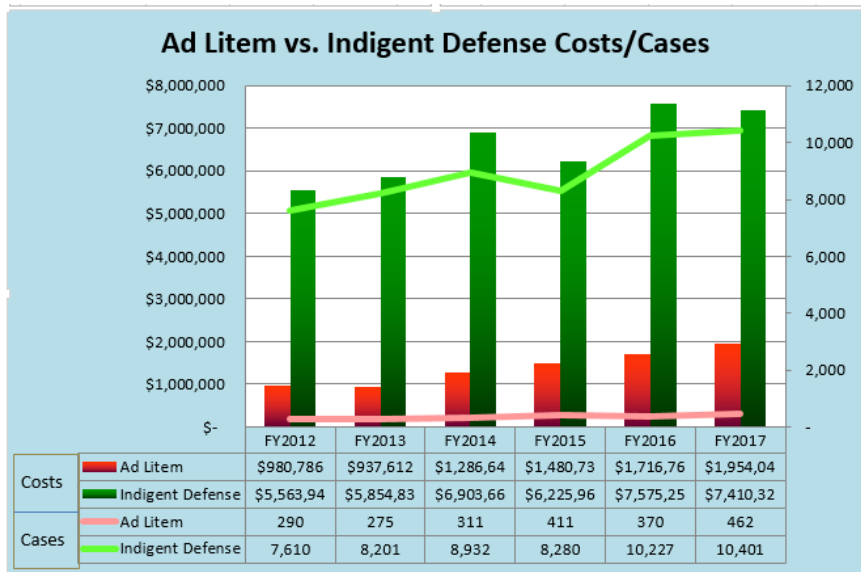
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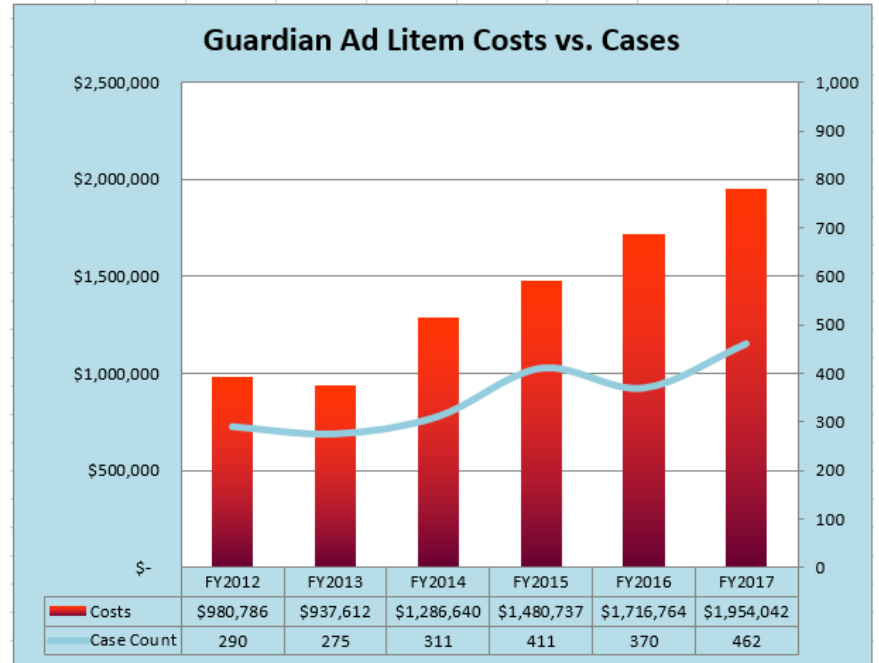
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Summary of Indigent Defense Expenditures and Cases per Court by Year
As of September 30, 2018

By Court	FY 2014		FY 2015		FY 2016		FY 2017		FY 2018 YTD		TOTAL	
	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Count*	Expenditures	Count*
District Court 199	\$ 752,043	529	\$ 750,002	475	\$ 919,561	642	\$ 1,062,909	763	\$ 908,389	226	\$ 6,537,043	4,675
District Court 219	\$ 664,492	512	\$ 478,306	530	\$ 426,467	505	\$ 716,484	553	\$ 480,385	310	\$ 5,136,871	4,679
District Court 296	\$ 973,157	621	\$ 778,985	578	\$ 992,337	650	\$ 977,267	634	\$ 969,273	532	\$ 7,438,184	4,471
District Court 366	\$ 520,981	488	\$ 593,480	434	\$ 1,008,647	627	\$ 659,410	588	\$ 753,446	142	\$ 6,517,108	4,517
District Court 380	\$ 627,449	471	\$ 608,229	402	\$ 690,999	597	\$ 553,626	613	\$ 520,952	275	\$ 4,918,938	4,028
District Court 401	\$ 580,081	487	\$ 549,178	434	\$ 767,987	581	\$ 495,840	596	\$ 649,798	511	\$ 7,153,017	5,043
District Court 416	\$ 594,379	496	\$ 613,844	490	\$ 773,809	563	\$ 595,470	542	\$ 332,197	245	\$ 5,443,959	4,299
District Court 417	\$ 1,016,854	926	\$ 1,148,662	898	\$ 1,198,695	1,008	\$ 1,374,893	983	\$ 1,354,238	981	\$ 10,690,168	10,199
District Court 429	\$ 54,899	46	\$ 42,940	30	\$ 41,610	43	\$ 43,044	34	\$ 51,112	29	\$ 1,205,687	910
District Court 469			\$ 200	1	\$ 39,035	25	\$ 347,545	88	\$ 378,055	81	\$ 764,834	195
District Court 470			\$ 2,720	2	\$ 21,405	14	\$ 6,350	4	\$ 45,538	18	\$ 76,013	38
County Court 1	\$ 351,423	708	\$ 329,794	721	\$ 323,040	734	\$ 347,623	780	\$ 210,675	378	\$ 2,655,987	6,044
County Court 2	\$ 398,424	752	\$ 344,820	681	\$ 363,706	793	\$ 321,642	675	\$ 362,996	716	\$ 3,123,459	6,678
County Court 3	\$ 451,695	934	\$ 368,820	776	\$ 413,901	979	\$ 382,046	819	\$ 280,506	563	\$ 3,128,586	7,019
County Court 4	\$ 366,076	687	\$ 369,670	684	\$ 336,205	701	\$ 350,850	768	\$ 239,405	468	\$ 3,099,469	6,686
County Court 5	\$ 363,308	720	\$ 346,634	758	\$ 317,901	736	\$ 323,156	733	\$ 264,668	485	\$ 2,855,255	6,398
County Court 6	\$ 360,108	754	\$ 321,349	681	\$ 300,025	684	\$ 287,895	656	\$ 182,493	371	\$ 2,744,415	6,253
County Court 7					\$ 282,719	592	\$ 432,934	915	\$ 436,040	914	\$ 1,151,693	2,421
Probate	\$ 110,249	107	\$ 50,519	103	\$ 65,196	114	\$ 80,117	114	\$ 63,449	107	\$ 476,999	1,022
JP1	\$ 2,714	5	\$ 6,590	11	\$ 7,677	8	\$ 2,159	3	\$ 2,165	11	\$ 28,333	74
JP2	\$ 1,208	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ 1,208	-
JP3-1	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ 750	1	\$ 750	1
JP3-2	\$ 760	-	\$ 1,960	2	\$ 1,100	1	\$ 3,110	2	\$ 6,506	2	\$ 15,992	9
JP4	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-
Total	\$ 8,190,301	9,243	\$ 7,706,701	8,691	\$ 9,292,020	10,597	\$ 9,364,370	10,863	\$ 8,493,036	7,366	\$ 75,163,968	85,659
Average Case Cost	\$ 886		\$ 887		\$ 877		\$ 862		\$ 1,153		\$ 877	

By Court Type	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*
District Court	\$ 5,784,336	4,576	\$ 5,566,546	4,274	\$ 6,880,552	5,255	\$ 6,832,838	5,398	\$ 6,443,383	3,350	\$ 55,881,822	43,054
County Court	\$ 2,401,283	4,662	\$ 2,131,605	4,404	\$ 2,402,692	5,333	\$ 2,526,263	5,460	\$ 2,040,232	4,002	\$ 19,235,864	42,521
JP Court	\$ 4,682	5	\$ 8,550	13	\$ 8,777	9	\$ 5,269	5	\$ 9,421	14	\$ 46,282	84
Total	\$ 8,190,301	9,243	\$ 7,706,701	8,691	\$ 9,292,020	10,597	\$ 9,364,370	10,863	\$ 8,493,036	7,366	\$ 75,163,968	85,659

By Case Type	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*	Expenditures	Case Count*
Felony	\$ 1,841,569	2,217	\$ 1,387,721	1,780	\$ 2,040,646	2,316	\$ 2,085,991	2,563	\$ 2,027,938	1,277	\$ 18,099,570	21,710
Misdemeanor	\$ 1,669,733	3,429	\$ 1,364,706	2,912	\$ 1,545,805	3,470	\$ 1,621,876	3,600	\$ 1,326,875	2,655	\$ 13,535,046	31,082
Ad Litem	\$ 1,286,640	311	\$ 1,480,737	411	\$ 1,716,764	370	\$ 1,954,042	462	\$ 1,869,986	395	\$ 13,272,364	3,430
Juvenile	\$ 606,605	841	\$ 600,311	768	\$ 630,555	892	\$ 740,717	857	\$ 784,244	859	\$ 5,915,301	9,003
Capital Murder	\$ 557,963	17	\$ 472,905	12	\$ 353,564	9	\$ 324,709	10	\$ 295,815	4	\$ 6,418,918	179
Appeals *	\$ 452,092	109	\$ 447,213	103	\$ 516,066	92	\$ 457,696	74	\$ 384,582	46	\$ 3,982,984	867
Judge Qualified	\$ 372,840	557	\$ 445,095	558	\$ 799,428	777	\$ 653,764	872	\$ 391,435	550	\$ 5,224,476	7,564
Mental Health	\$ 1,030,079	1,517	\$ 1,142,240	1,862	\$ 1,278,613	2,281	\$ 1,182,249	2,093	\$ 1,007,035	1,307	\$ 5,911,272	9,599
Other Expenses	\$ 38,152	61	\$ 79,177	88	\$ 98,579	131	\$ 61,615	94	\$ 26,680	36	\$ 305,228	413
Other	\$ 334,628	184	\$ 286,596	197	\$ 312,001	259	\$ 281,711	240	\$ 378,445	237	\$ 2,498,808	1,814
Total	\$ 8,190,301	9,243	\$ 7,706,701	8,691	\$ 9,292,020	10,597	\$ 9,364,370	10,863	\$ 8,493,036	7,366	\$ 75,163,968	85,659