

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 10, 2009

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB1710 by Duncan (Relating to the creation of independent assigned counsel programs.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize a county commissioners court or a group of counties, on written approval of a judge of the county juvenile court, a county court, a statutory county court, or district court trying criminal cases to appoint a governmental entity, nonprofit corporation, or bar association to operate an independent assigned counsel program. The bill would establish procedures related to the program and would entitle the program to receive funds in an amount fixed by the commissioners court(s) to be appropriated from county funds.

The policies and standards developed by the Task Force on Indigent Defense would be authorized to include policies and standards governing the organization and operation of an independent assigned counsel program consistent with nationally recognized policies and standards.

Local Government Impact

The fiscal impact would vary by county that may choose to establish a program; however, it is assumed that a county would implement and fund the program if sufficient resources were available and if the system would otherwise provide a savings related to indigent defense services.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, DB