



**TYLER COUNTY COMMISSIONERS COURT**

County Courthouse, Room 101 / Woodville, Texas

Thursday, December 22, 2016

Martin Nash  
Commissioner, Pct. 1

Rusty Hughes  
Commissioner, Pct. 2

Jacques L. Blanchette  
County Judge

Mike Marshall  
Commissioner, Pct. 3

Jack Walston  
Commissioner, Pct. 4

STATE OF TEXAS

§

§

COUNTY OF TYLER

§

**RESOLUTION**

**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 Tyler County, Texas does hereby request that the Texas Legislature fully fund the costs of indigent criminal defense.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2016 by the Tyler County Commissioners Court.

\_\_\_\_\_  
Martin Nash  
Commissioner, Pct. 1

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James (Rusty) Hughes  
Commissioner, Pct. 2

\_\_\_\_\_  
Mike Marshall  
Commissioner, Pct. 3

\_\_\_\_\_  
Jack Walston  
Commissioner, Pct. 4

\_\_\_\_\_  
Jacques L. Blanchette  
County Judge

ATTEST: \_\_\_\_\_  
Donece Gregory, County Clerk