

Evidence for the Feasibility of Public Defender Offices in Texas

Introduction

Since the Texas State Legislature passed the Fair Defense Act of 2001 (FDA), greater attention has been given to improving the quality of indigent defense services while also containing costs. The use of public defender systems is increasingly being considered as a strategy to meet these dual objectives. Prior to the FDA, only five Texas counties operated public defender offices serving adult defendants. These included Colorado, Dallas, El Paso, Webb, and Wichita counties. Since the passage of the Act, through state fiscal assistance the number has doubled.

This fiscal year, the Task Force approved funding for adult public defender offices in Kaufman, Willacy and Hidalgo Counties. Moreover, several model programs have been established targeting special populations. A regional public defender office centered in Val Verde County also provides counsel for defendants in Edwards, Terrell, and Kinney Counties. The office is designed to address the lack of qualified counsel in small rural counties. The Task Force partnered with Bexar County to establish the state's first appellate public defender office. Funding was also awarded to Travis County to establish the nation's first stand-alone public defender office exclusively representing people with mental impairments. Similarly, special mental health units were funded in existing public defender offices in Dallas and El Paso Counties.

Though these newest public defender offices are not sufficiently established to generate evidence of their cost-effectiveness or other impacts, it is possible to examine the experience of the state's five long-standing public defender offices. Every Texas county submits data on the number and costs of indigent representation through an annual Indigent Defense Expenditure Report collected by the Task Force. This database, combined with self-reported information about local policies and practices from established public defender offices, provide useful resources for exploring the efficacy of public defender systems relative to other forms of assigned counsel. At the time of this report, the most current data available is for state fiscal years 2003 through 2005.

Figure 1: Total Litigation Expenditures for Counties Using Public Defender vs. Assigned/Contract Counsel Systems

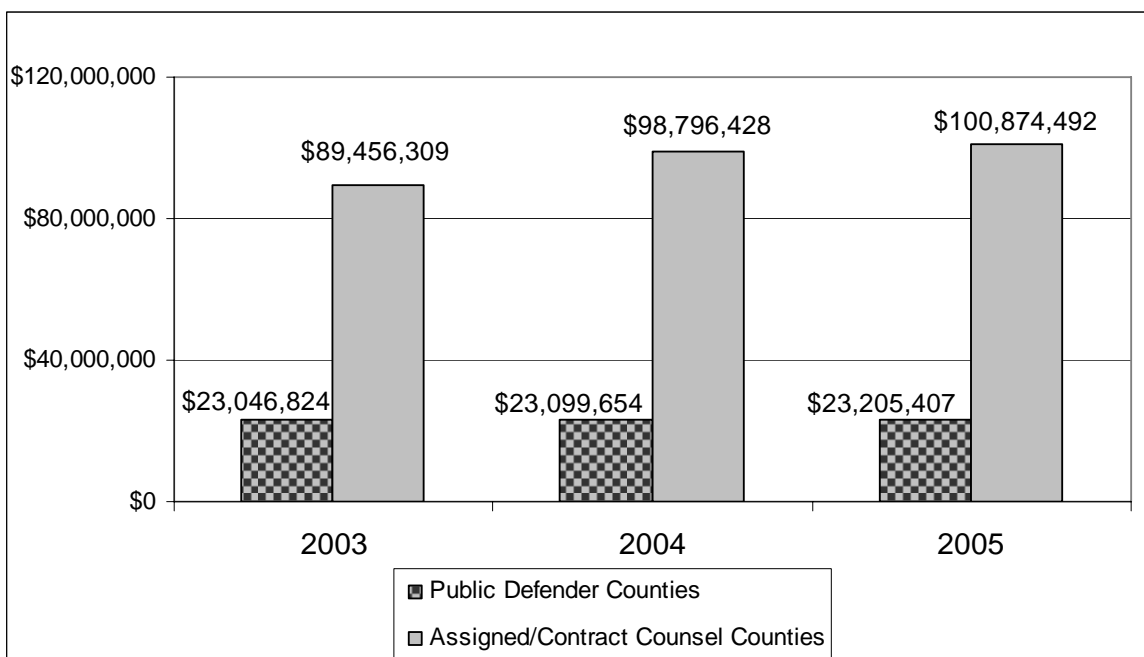
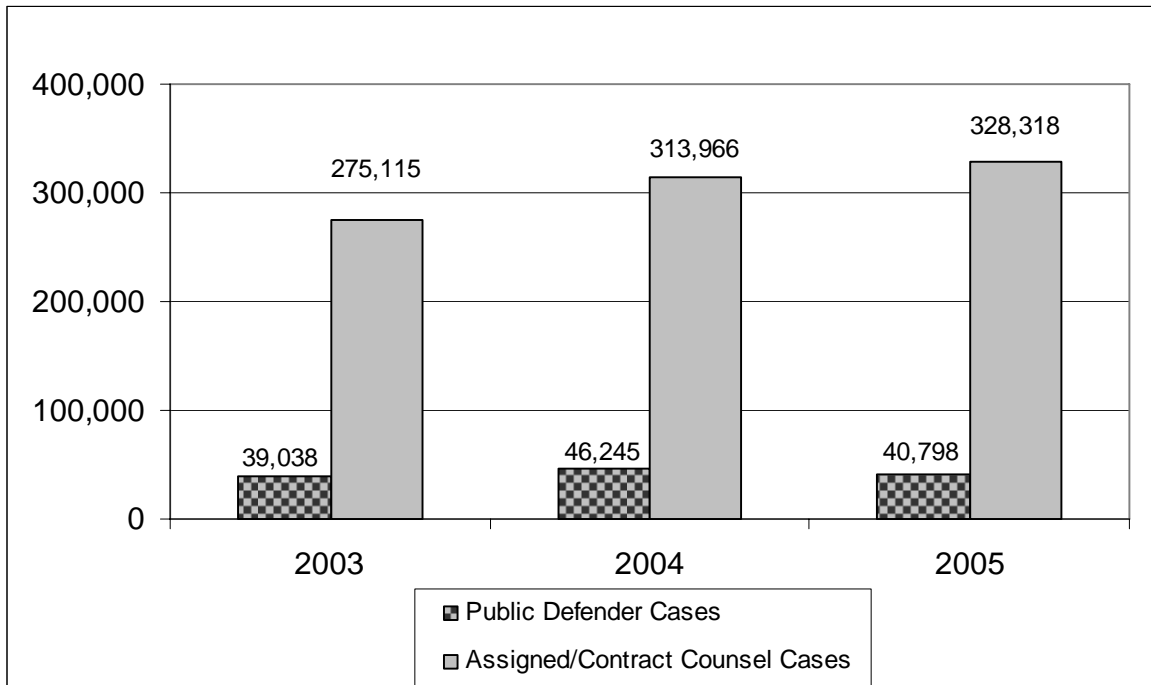


Figure 1 shows that during the three-year period examined, considerably fewer resources were allocated for public defender offices (\$23 million/year) than for other forms of assigned counsel (\$90-100 million/year). The proportion of indigent defense funds expended through public defender offices has remained constant at about 20 percent of the total. The dominant assigned counsel appointment system is used to some degree in the vast majority of counties (96 percent) including those with public defender offices available. Significantly fewer counties (10 percent) report using contract counsel to deliver indigent defense.

Just as investment in public defender services has remained stable, so has case volume (Figure 2). The 40-45,000 indigent defense cases per year represented by public defenders comprise fewer than 15 percent of all cases statewide.

Figure 2: Total Number of Cases Assigned to Public Defenders vs. Assigned/Contract Counsel

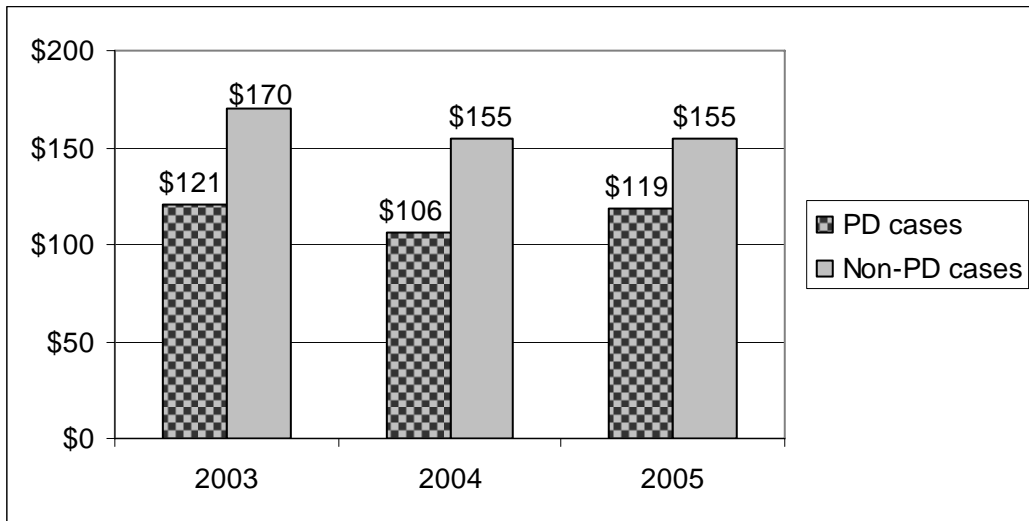


The resources allocated to public defender representation are expected to grow over the coming years as the state’s newest public defender offices mature. Over that time, more data will become available to inform and guide future policymaking. At present, however, public defenders represent a relatively small proportion of the state’s overall commitment to indigent defense. This paper draws upon available evidence to consider whether there may be relative advantages to the public defender model, and to make recommendations regarding the feasibility of continued expansion of public defender offices in Texas.

Relative Cost of Public Defender Systems

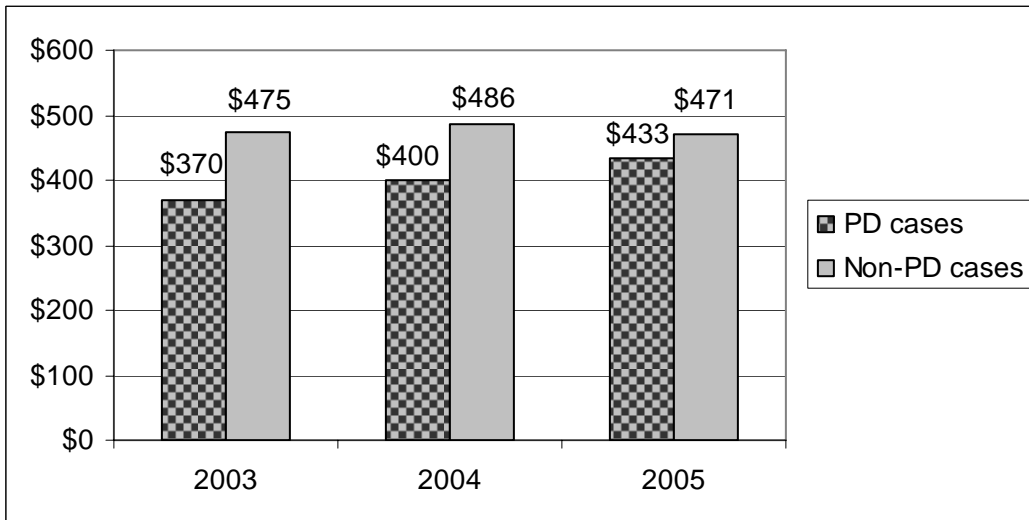
Although quality and timeliness of counsel for those too poor to hire a lawyer are necessarily dominant values, cost is also a consideration in determining the most efficacious form of indigent defense. There is evidence to suggest that public defenders can provide comparable quality legal services at lower cost than other delivery methods (Figures 3 and 4).

Figure 3: Misdemeanor Attorney Cost per Case
(Includes all county court PD and non-PD cases statewide.)



Statewide, cost per case is lower for indigent defendants represented by public defenders – a pattern that has held over the three-year period examined. In 2003-04, the cost of disposing a misdemeanor was about \$50 higher for assigned or contract counsel than for public defenders. In 2005, the difference fell to \$36 per case. Similarly, among felonies

Figure 4: Felony Attorney Cost per Case
(Includes all district court PD and non-PD cases statewide.)



the marginal cost advantage of public defenders has decreased from a difference of \$105 per case in 2003 to only \$38 per case in 2005.

For felony cases in particular, costs of counsel within public defender offices have been rising. It is possible that the increases have resulted from measures to improve quality of representation since the passage of the FDA in 2002. For example, reductions in the size of public defender caseloads would cause the cost per case to increase. More data is needed to confirm whether this is the case and to determine whether these increases have stabilized.

At the same time, costs of counsel attributable to assigned and contract systems have remained fairly constant. This could reflect salary suppression due to competition for work among private attorneys. If so, while public defenders are striving to allocate more resources to improve quality of counsel, private attorneys may be intentionally holding down profit margins, thereby reducing their ability to devote more than minimum attention to each case.

Despite incremental increases in public defender expenses in recent years, this form of counsel may still offer considerable cost savings over alternative approaches. Table 1 projects the overall costs of defense litigation in 2005 under the assumption that all cases were handled by a public defender versus the assumption that all cases were assigned or contract counsel. Results suggest that costs of indigent counsel statewide could be as much as \$13.7 million lower if mature public defender services were currently available statewide.¹ Estimated cost savings approach \$7 million for both felony and misdemeanor courts.

¹ This estimate is derived from the simple application of observed public defender or non-public defender costs per case to all cases statewide. It is based on the unproven premise that the same efficiencies can be achieved for public defenders in every Texas county. Costs of establishing statewide public defender services are not addressed in these calculations.

**Table 1: Projected Statewide Indigent Defense Attorney Costs
Assuming Exclusive Use of Public Defenders vs. Assigned Counsel
Statewide, 2005**

	Total Cases	Avg. Statewide Attorney Cost per Case	Projected Total Costs	Estimated Cost Savings for Public Defenders
FELONY COURTS				
<i>Assuming 100% of cases to Public Defender</i>	176,400	\$432.68	\$76,324,752	\$6,775,524
<i>Assuming 100% of cases to Assigned Counsel</i>		\$471.09	\$83,100,276	
MISDEMEANOR COURTS				
<i>Assuming 100% of cases to Public Defender</i>	192,716	\$118.93	\$22,919,714	\$6,931,994
<i>Assuming 100% of cases to Assigned Counsel</i>		\$154.90	\$29,851,708	
TOTAL ESTIMATED COST SAVINGS				\$13,707,519

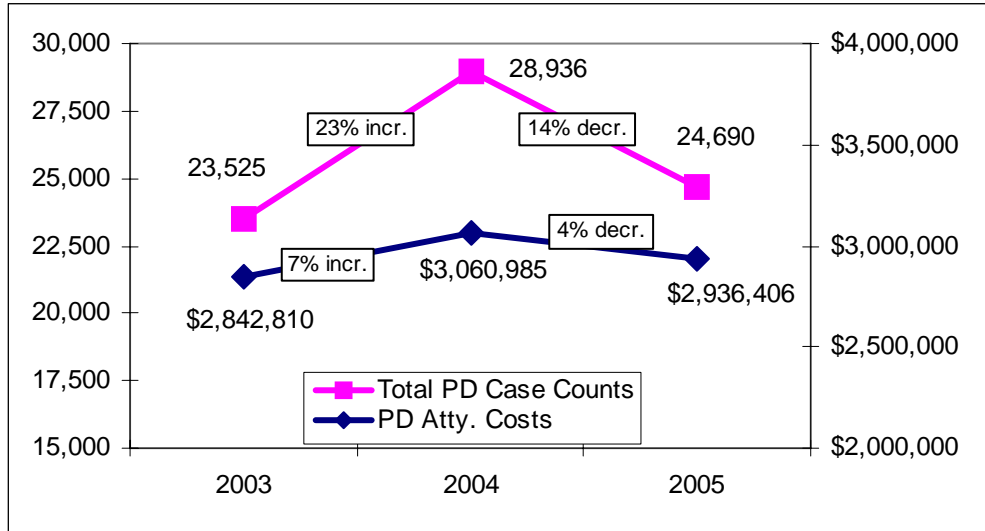
Public Defender Budget Stability over Time

The desire for budget predictability is frequently cited as a reason for establishing public defender offices. Economies of scale are expected due to the same basic economic factors that lead most attorneys to work in law firms rather than to operate individual offices, and that enable prosecutors to function more efficiently as an organized agency. With a sufficiently large and stable infrastructure, workload should be able to fluctuate considerably without causing dramatic budgetary adjustments. This kind of budget stability is advantageous for county governments who can never predict criminal caseloads in advance, yet must be financially prepared to accommodate requirements for indigent defense as they arise.

Evidence from Texas' adult public defender offices shows support for public defender budget stability among misdemeanors (Figure 5). When the number of misdemeanor cases rose 23 percent between 2003 and 2004, associated public defender attorney costs went up only 7 percent. Similarly, a 14 percent decline in cases in 2005 resulted in a 4 percent

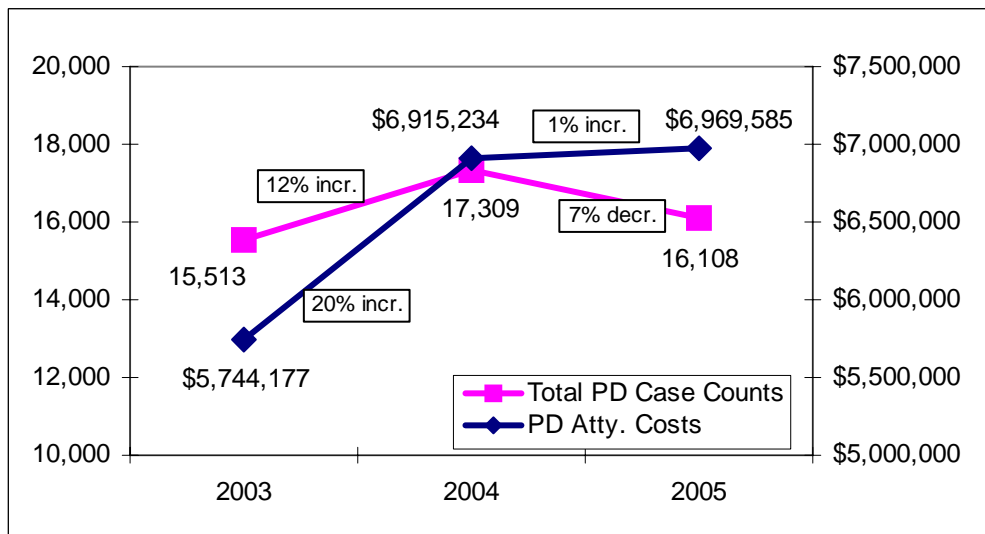
budgetary response. Thus, despite sizeable caseload shifts, only incremental cost adjustments were required.

Figure 5: Public Defender Misdemeanor Case and Attorney Cost Trends over Time



Findings are less conclusive in the felony courts (Figure 6). There, a 12 percent increase in cases from 2003 to 2004 resulted in a one-time 20 percent rise in attorney costs. On the other hand, felony public defender budgets were basically unchanged in 2005 despite a 7 percent decline in case volume.

Figure 6: Public Defender Felony Case and Attorney Cost Trends over Time



As noted above, the unexpected 2003-04 rise in felony public defender costs could reflect the implementation of caseload reductions or other quality-improvement measures inspired by the passage of the FDA. If so, the one-time shift observed in Figure 6 may now have stabilized. Additional data is needed over a longer timeframe to answer this question definitively.

Impact of Court Discretion on Public Defender Efficacy

Public defender offices have the greatest potential to achieve quality standards and cost benefits where implementation is uniform. Indeed, the concept of a unified indigent defense system in each county is a central tenet of the Fair Defense Act. However, even where public defender offices have been well established for many years, it is not uncommon for judicial discretion to override the system.

There are anecdotes in all public defender counties of judges having displaced public defenders with external assigned counsel, often without giving cause. Dallas County is one of the few public defender locations with enough courts to objectively document this use of discretion, and to demonstrate impacts on court costs (Figures 7 and 8). In both misdemeanor and felony courts, where judges rely more heavily on public defenders for indigent defense, costs per case are substantially lower. Conversely, costs per case are highest where courts choose not to use public defenders.

Table 2 replicates the projection technique applied to state-level data in Table 1, above. The method applies public defender vs. non-PD costs per case to estimate how much money could theoretically be saved if every case were assigned to public defenders. This is clearly an unrealistic scenario because cases with multiple defendants having conflicting interests will always require alternative forms of counsel be available. Nonetheless, it does offer a means to approximate the fiscal benefits of maximizing the use of public defenders where they are available. Dallas County data suggests a far greater financial benefit for felony courts where as much as a \$5.7 million reduction in attorney costs could potentially be realized. Among misdemeanor courts, an annual savings of approximately \$1.5 million is projected, for a total annual benefit of \$7.2 million dollars.

Figure 7: Dallas County Misdemeanor Courts
Court-Level Attorney Cost per Case by Percent PD Cases
(based on 3-year averages, 2003-2005)

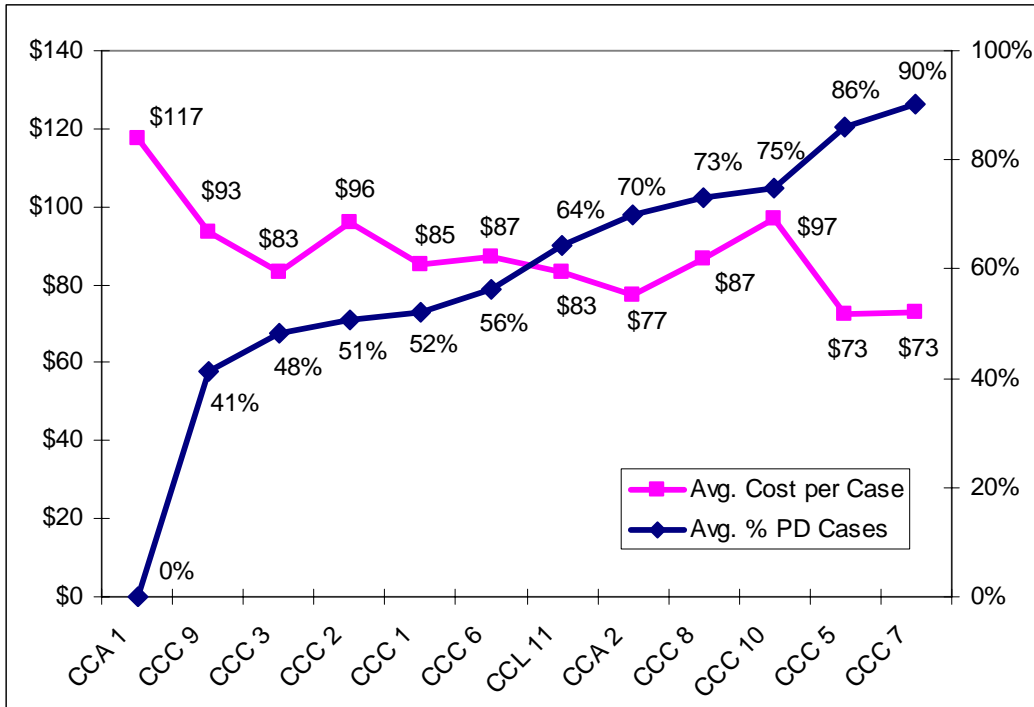
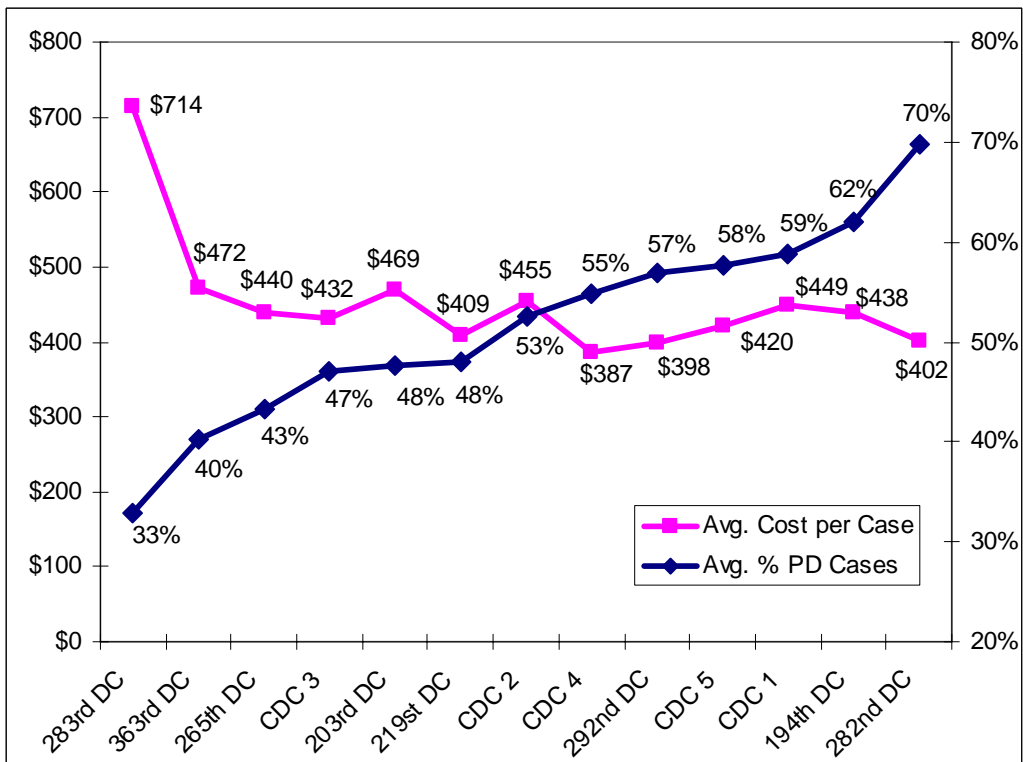


Figure 8: Dallas County Felony Courts
Court-Level Attorney Cost per Case by Percent PD Cases
(based on 3-year averages, 2003-2005)



**Table 2: Projected Dallas County Indigent Defense Attorney Costs
Assuming Exclusive Use of Public Defenders vs. Assigned Counsel
Statewide, 2005**

	Total Cases	Attorney Cost per Case in Dallas County	Projected Total Costs	Estimated Cost Savings for Public Defenders
FELONY COURTS				
<i>Assuming 100% of cases to Public Defender</i>	23,535	\$303.04	\$7,132,046	\$5,685,585
<i>Assuming 100% of cases to Assigned Counsel</i>		\$544.62	\$12,817,631	
MISDEMEANOR COURTS				
<i>Assuming 100% of cases to Public Defender</i>	29,412	\$65.86	\$1,937,074	\$1,561,189
<i>Assuming 100% of cases to Assigned Counsel</i>		\$118.94	\$3,498,263	
TOTAL ESTIMATED COST SAVINGS				\$7,246,774

Public Defender Controls over Case Quality

The fundamental right to legal counsel articulated in *Gideon v. Wainwright* 372 U.S. 335 (1963) is without meaning if the state fails to provide poor defendants with high-quality representation. Public defender systems offer an institutional infrastructure that is well-suited to this objective. Existing public defender offices in Texas counties use a variety of quality control measures to ensure the effective and efficient delivery of legal services to indigent clients.

Established Quality Standards. In assigned counsel systems, individual defense attorneys largely set their own performance standards within the framework of the Fair Defense Act. As a result, they operate under widely varying, highly personalized criteria for client caseloads and standards of practice. In public defender offices, by contrast, caseload criteria and other quality assurance measures are developed and refined over time,

creating established performance standards. Clear guidelines help ensure both consistency and quality of legal defense.

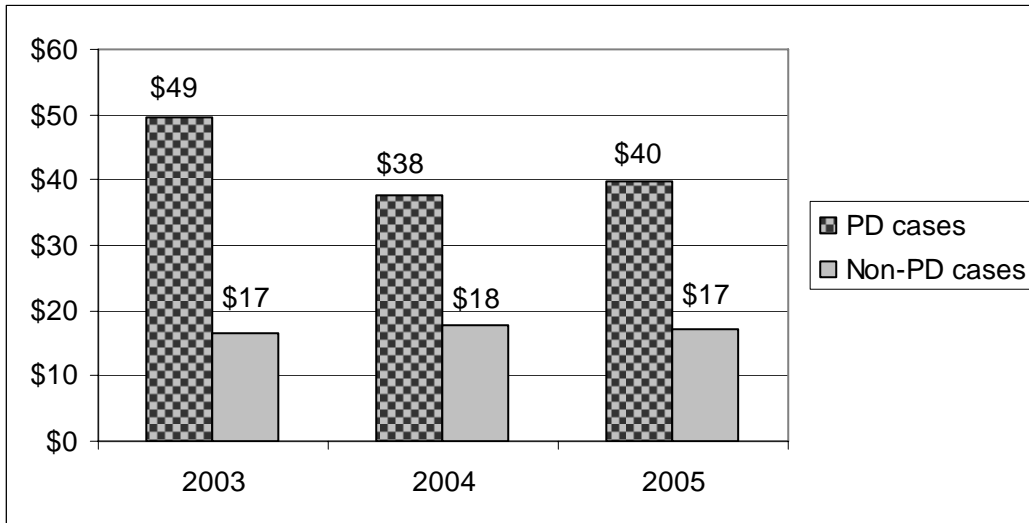
Ongoing Professional Development. In public defender offices, standards of performance and best practice are communicated through a multi-component professional development infrastructure. With a critical mass of criminal defense attorneys operating in a single office, continuing legal education workshops can be offered in-house on topics pertinent to local priorities. Other training opportunities include mentoring for junior defenders in the office and the courtroom, as well as informal group planning and brainstorming exercises to improve departmental operations.

Unlike assigned or contract counsel who often work in relative isolation, public defense counsel benefit from the collective experience of the office. With an information-sharing infrastructure in place, it is simple to remain on the leading edge of practice. Thus, when a new legal standard is handed down by the courts or legislature, it is more likely to be noticed and applied more uniformly by a well-informed team of criminal law specialists than by a cross-section of individual private attorneys who practice criminal law with varying levels of frequency and ability.

Improved Access to Investigators. The larger volume of cases processed in public defender offices makes it more feasible to provide a larger array of services. As an example, public defenders have ready access to investigators on staff, while assigned counsel must have these expenditures approved by the court. Figure 9 confirms that average investigation expenditures are more than two times higher for felony public defender cases (Figure 9). The availability of professionals able to investigate case details can be a critical component of providing a quality legal defense.

Furthermore, with in-house access to key resources, public defenders may have greater incentives and ability to pursue higher-effort legal remedies including trial where appropriate. Assigned counsel, working largely alone and facing pressure to cultivate

Figure 9: Felony Investigator Costs per Case
(Includes all district court PD and non-PD cases statewide.)



future clients, may be pressured to complete assigned cases quickly and with a minimum investment of time and effort.

Case Specialization. Public defender offices share a full-time focus on criminal law that is less common for assigned attorneys in the rural regions of this state. In addition, public defenders have greater capacity for even further case specialization. Already represented among Texas public defender offices are departments exclusively dedicated to specializing in appeals, defending individuals with mental impairments, and representing defendants charged with the death penalty. These attorneys offer particular skill in the development of trial strategy and the application of case law in their particular area of expertise. The public defender framework offers great potential for the continued development of these and other targeted legal defense initiatives not otherwise available to those unable to afford private counsel.

Close Monitoring. In a public defender system it is much more feasible to oversee and supervise the quality of legal work provided. The chief public defender has direct supervisory authority over each assistant public defender. In addition to daily interactions with staff counsel, guidance is delivered through routine meetings where case- and

performance-related issues can be addressed. Judges have a single point of contact for any quality issues involving public defenders in the courtroom, and formal performance reviews provide a mechanism for the removal of under-performing attorneys.

The performance of private attorneys, by contrast, is considerably more unwieldy to assess, control, and maintain over time. For example, if a judge has concerns about whether a defender has the necessary skills to adequately represent a client, in an assigned counsel system the judge must undertake the time-consuming task of personally addressing the problem. This involves documenting specific performance deficits, pursuing remedial action (which may require involvement by the full board of judges), and addressing subsequent grievances raised by the defense lawyer. A simpler option is to ask the chief public defender to take care of the problem – including assigning an attorney to that case or that court who does have the necessary skills.

Administrative Benefits. Assigned counsel appointment systems place a considerable burden for administration directly on judges and court personnel. Beyond the disciplinary responsibilities outlined above, the courts are responsible for review and selection of qualified attorneys, tracking compliance with continuing legal education requirements, assigning cases fairly across eligible counsel, notifying attorneys of their appointment in time to contact the client within 24 hours, resolving scheduling conflicts, and approving all attorney fee vouchers. Where public defender offices are available, those offices assume virtually all of these responsibilities. Furthermore, because public defenders manage the financial aspects of attorney compensation, the number of individual checks prepared and tracked by the county auditor is dramatically reduced. These time-savings translate into cost savings for the county and more time for the judge to devote to judicial duties.

Proactive Recruitment and Retention Mechanisms. Among the private bar, there are few channels to influence or upgrade the quality of court appointed attorneys. The only state mandated requirement is meeting the minimum standards for the type of cases they represent. In contrast, public defender offices can offer incentives designed to recruit

and retain the best and brightest legal advocates. Moreover, a number of public defender offices are actively pursuing student loan repayment programs to attract top law school graduates. Similarly, retention rates can potentially be enhanced by offering longevity pay and by aligning salaries more closely with professional prosecutors. These types of initiatives would encourage highly qualified employees to make a long-term commitment to public defense, and provide public defender offices with additional tools to deliver the best indigent defense services possible.

Conclusions

Texas policymakers currently face important decisions about whether to support the continued growth and development of public defender offices as a means of delivering indigent defense services. Public defender offices appear to offer strategy capable of improving the quality of legal defense for poor people, while at the same time helping counties contain costs. In this paper, evidence from the five established adult public defender offices was examined in an effort to inform decision-making in this important policy area.

The data shows that over the three-year period examined public defender offices consistently achieved a lower cost per case to dispose both felonies and misdemeanors (Figures 3 and 4). Overall cost advantages depend in part on whether individual judges are willing to use public defenders as the primary providers of indigent defense. In Dallas County, for example, court costs are clearly higher where public defenders are displaced by assigned counsel (Figures 7 and 8).

Further research is needed to document whether public defender offices do in fact deliver better quality of representation compared to other forms of assigned counsel. However, information informally shared by Texas public defender officials suggests they offer a number of quality advantages. These include:

- Performance standards (including caseload limits);
- Ongoing professional development;
- Greater access to case supports such as investigators and expert witnesses;

- Close oversight of the quality of legal work provided;
- Administrative benefits; and
- Potential mechanisms to attract and retain the most competent legal advocates.

Based on currently available indicators, the public defender model should be continued and expanded in Texas. It is important to be aware that this recommendation is based on limited data from a small number of public defender sites. Both qualitative and quantitative data should continue to be monitored as it becomes available over time. Future studies may also document factors impacting costs and quality in diverse local contexts. Resulting empirically-based best practice models will be useful to improve the successful dissemination of public defender programs over the long-term.

Assistance with data analysis and report preparation was provided to the staff of the Task Force on Indigent Defense by:

Dottie Carmichael, Ph.D.
Research Scientist
Public Policy Research Institute
Texas A&M University
College Station, Tx. 77843-4476

(979) 845-9378
dottie@ppri.tamu.edu

Appendix A
Methodological Notes

Methodological Notes

Case and cost data presented in this report were derived from the Indigent Defense Expenditure Report submitted to the Task Force on Indigent Defense by every Texas county on an annual basis. Complete data is available for download from the grant submission website (<http://tfid.tamu.edu>). There were a few extrapolations from the original dataset that are required in order to replicate this study. They include the following:

1) Allocation of Operational Expenditure Data into Standard Cost Categories for Public Defender Offices

For assigned counsel cases, data was available for both case counts and costs of counsel at the court level. It was therefore possible to compute an exact cost per case. For public defender cases, however, only case counts were recorded at the court level. Costs were reported in a single budget reflecting the overall costs of operation for the public defender office. It was necessary to reallocate these lump operational costs into categories consistent with those provided for assigned and contract counsel. The reallocation method used is documented in “Attachment 1, Public Defender Re-Allocation of IDER Expenditure Data.”

2) Distribution of Public Defender Costs between Felony and Misdemeanor Cases

Cases processed in district courts were classified as felonies and cases processed in misdemeanor courts were classified as misdemeanors. For assigned counsel, cases cost per case could be calculated separately and accurately for misdemeanor and felony courts.

For public defender cases, however, because costs were reported as aggregate office-level operational costs, they could not be directly applied to misdemeanor vs. felony cases. It would have been possible to assign costs to felony and misdemeanor courts by pro-rating based on case counts. However, this method would not reflect the differences in costs associated with disposing a misdemeanor and a felony.

To estimate this division of costs in each public defender county, the ratio of felony to misdemeanor costs per case was identified for assigned counsel cases in similarly sized “benchmark” counties, then applied to public defender counties. The underlying logic was that if felonies were three times as costly to process than misdemeanors in assigned counsel counties, then they were likely also three times as costly to process in similarly-sized public defender counties, as an example.

Benchmark counties were identified as those with a population 1.5 times larger and 0.5 times smaller than each public defender county. Thus, the number of comparison counties varied for each public defender county. The complete list of public defender and

comparison counties is included as “Attachment 2: Benchmark Counties and Population-based Selection Criteria.”

Within each benchmark cluster, costs per felony case were calculated by aggregating attorney fees for all district courts and dividing by non-PD case counts. The same procedure was applied to misdemeanor cases. The ratio of felony to misdemeanor costs in the benchmark counties was then calculated as “felony cost per case/misdemeanor cost per case.” Felony and misdemeanor case counts in the corresponding public defender counties were weighted by the resulting ratio. The resulting case/cost ratio was then used to apportion the total public defender budget between felony and misdemeanor case types.

Attachment 1
Public Defender Re-Allocation of IDER Expenditure Data

IDER Expense Category	Strategy for Re-Coding
<p>PD Personnel</p> <ul style="list-style-type: none"> • Attorney’s Salaries and Fringe • Investigator’s Salaries and Fringe • PD Admin. Suppt. Salaries and Fringe 	<p><u>2003-2005 IDER Form:</u></p> <ul style="list-style-type: none"> a) PD Admin is applied to Attorney’s S/F and Investigators S/F based on pro-rated salary amounts. b) Loaded Attorney S/F costs and Investigator S/F costs are pro-rated between Adult and Juvenile based on case counts. c) Adult/Juvenile Attorney costs are used to create a new variable called “Adult/Juvenile PD Attorney Fees.” d) Adult/Juvenile Investigator costs are used to create a new variable called “Adult/Juvenile PD Investigator Exp.” <p><u>2006 IDER Form:</u> Same allocation as above using PD Personnel section in PD Supplemental.</p>
<p>General County Admin. Suppt. Salaries and Fringe</p> <ul style="list-style-type: none"> • No PD counties have used this category as of 2005. 	<p><u>2003-2005 IDER Form:</u></p> <p>Create a new category called “Increases in Admin” and this is the only thing in it. These costs are parallel to Table 2, below in non-PD counties. Because they reflect highly variable county INCREASES in costs to administer indigent defense over the pre-FDA baseline, they are <u>excluded</u> from analysis.</p> <p><u>2006 IDER Form:</u> Not applicable in 2006, but the 2003-05 category is parallel to the “Admin Expenditures” section (i.e., personnel, travel, training, equip., other direct) at the end of the 2006 “Main Report” form.</p>

<p>Travel and Training</p> <p>Equipment</p> <p>Other Direct Expenditures</p>	<p><u>2003-2005 IDER Form:</u></p> <p>a) Costs are pro-rated between Adult and Juvenile based on case counts.</p> <p>b) All costs are moved into the “Adult/Juvenile PD Attorney Fees.”</p> <p><u>2006 IDER Form:</u></p> <p>Same allocation as above using PD travel, training, equipment, and other direct from the PD Supplemental.</p>
<p>Expert Witness Expenditures</p> <ul style="list-style-type: none"> • This category is moot because no PD counties have used it (with the single exception of El Paso in 2002). 	<p><u>2003-2005 IDER Form:</u></p> <p>a) Costs are pro-rated between Adult and Juvenile based on case counts.</p> <p>b) All costs are moved into the “Adult/Juvenile PD Expert Witness Exp.” category in Part D, Combined County Report.</p> <p><u>2006 IDER Form:</u></p> <p>Same allocation as above using PD expert witness expenditures from the PD Supplemental.</p>
<p>Indirect Expenditures</p> <ul style="list-style-type: none"> • Indirect Costs • Public Defender Indirect Rate 	<p><u>2003-2005 IDER Form:</u></p> <p>a) Costs are pro-rated between Adult and Juvenile based on case counts.</p> <p>b) Costs are further broken down and applied to “Adult/Juvenile PD Attorney Fees” and “Adult/Juvenile PD Investigator Exp.” based on pro-rated salary amounts.</p> <p><u>2006 IDER Form:</u></p> <p>Same allocation as above using PD indirect costs from the PD Supplemental.</p>

<p>Contract Investigator Expenses</p>	<p><u>2003-2005 IDER Form:</u> Not Applicable</p> <p><u>2006 IDER Form:</u></p> <ul style="list-style-type: none"> a) Costs are pro-rated between Adult and Juvenile based on case counts. b) All costs are applied to “Adult/Juvenile PD Investigator Exp.” category.
<p>Other Direct Litigation Expenditures</p>	<p><u>2003-2005 IDER Form:</u> Was intended to be reported from individual court reports, but most were unable to do so this was an unused field. PD OLE costs were most likely incorrectly attributed to Assigned Counsel.</p> <p><u>2006 IDER Form:</u></p> <ul style="list-style-type: none"> a) Costs are pro-rated between Adult and Juvenile based on case counts. b) All costs are applied to “PD Other Litigation Expenditures” category.

Attachment 2: Benchmark Counties and Population-based Selection Criteria

Population range of comparison counties:				
13,593 to 30,585	>1,000,000	400,000 to 1,000,000	128,745 to 289,675	87,776 to 197,496
Colorado County <u>(Population 20,390)</u>	Dallas County <u>(Population 2,218,899)</u>	El Paso County <u>(Population 679,622)</u>	Webb County <u>(Population 193,117)</u>	Wichita County <u>(Population 131,664)</u>
Aransas	Bexar	Travis	Bell	Bowie
Austin	Harris	Collin	Brazoria	Brazos
Bandera	Tarrant	Denton	Brazos	Ector
Bosque		Hidalgo	Galveston	Ellis
Burleson			Jefferson	Grayson
Calhoun			Lubbock	Gregg
Cass			McLennan	Guadalupe
Chambers			Smith	Hays
Comanche			Wichita	Johnson
Dawson			Williamson	Midland
Deaf Smith				Parker
DeWitt				Potter
Eastland				Randall
Falls				Smith
Fayette				Taylor
Freestone				Tom Green
Frio				Webb
Gaines				
Gillespie				
Gonzales				
Gray				
Grimes				
Hockley				
Houston				
Hutchinson				
Jackson				
Jones				
Karnes				
Kendall				
Lamb				
Lampasas				
Lavaca				
Lee				
Leon				
Limestone				
Llano				
Milam				
Montague				
Moore				

Newton
Nolan
Palo Pinto
Panola
Pecos
Red River
Robertson
San Jacinto
Scurry
Shelby
Titus
Trinity
Tyler
Uvalde
Washington
Wilbarger
Willacy
Young