

Greening Criminal Legal Deserts in Rural Texas



ⓘ THE PROBLEM

Texas' rural communities urgently need more prosecutors and indigent defense providers.

There is an overall shortage of lawyers in rural Texas. And regardless of where they practice, most lawyers do not provide criminal legal services.¹ These realities create rural criminal law deserts—areas where there are too few experienced prosecutors and defense attorneys to meet local needs.²

While 8% of Texans live in rural counties, fewer than 3% of Texas attorneys have their primary offices in those counties.³ While the national attorney-to-population ratio is 4:1000, at the start of 2021, more than 100 Texas counties had a ratio of less than 1:1000.⁴ In seven counties, there was no local lawyer at all.⁵ The vast majority of these counties were rural.⁶

Meanwhile, in 2021, only 14% of Texas attorneys reported having a criminal law practice.⁷ And fewer than 5% of Texas attorneys accepted appointments to represent adult indigent criminal defendants.⁸

☑ THE SOLUTIONS

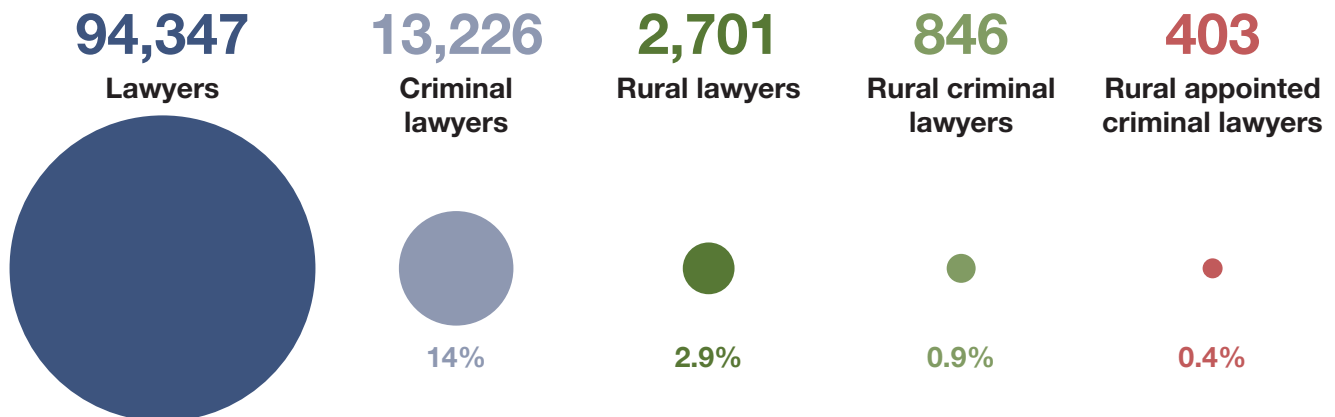
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FIGURE 1

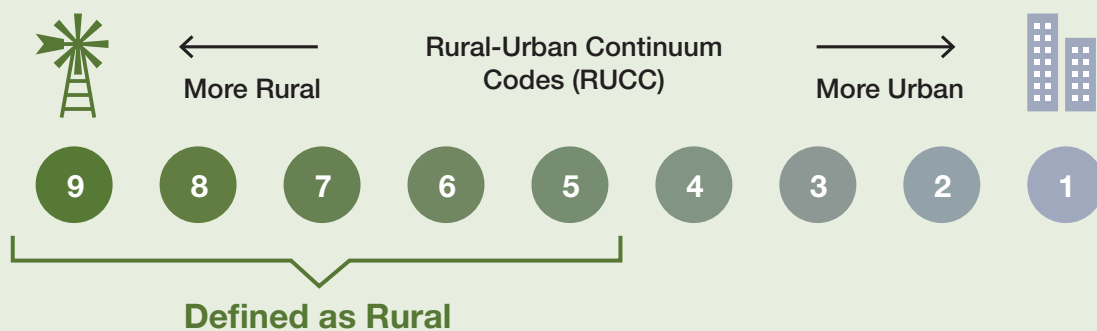
In 2021, fewer than 1% of Texas attorneys were rural criminal lawyers⁹



The shortage of rural criminal lawyers is dire. Fewer than 1% of Texas criminal lawyers have their practice in a rural county.¹⁰ Every Texan accused of a crime has the right to counsel if their freedom is at stake.¹¹ But in 2021, only 403 rural Texas lawyers accepted an appointment to represent an adult criminal defendant.¹² Rural judges who handle criminal cases might not even have a law degree.¹³

What is “rural”?

This policy brief defines a county as “rural” if it has a classification of 5-9 under the U.S. Department of Agriculture’s Rural-Urban Continuum Codes (RUCC).¹⁴ Similarly, this policy brief characterizes an attorney as “rural” if they list a primary practice address in a rural county.¹⁵



Of course, county populations alone cannot fully capture what makes a legal system “rural.” A more precise definition of rural criminal practice would consider such factors as case density, geographic isolation, and attorney scarcity.

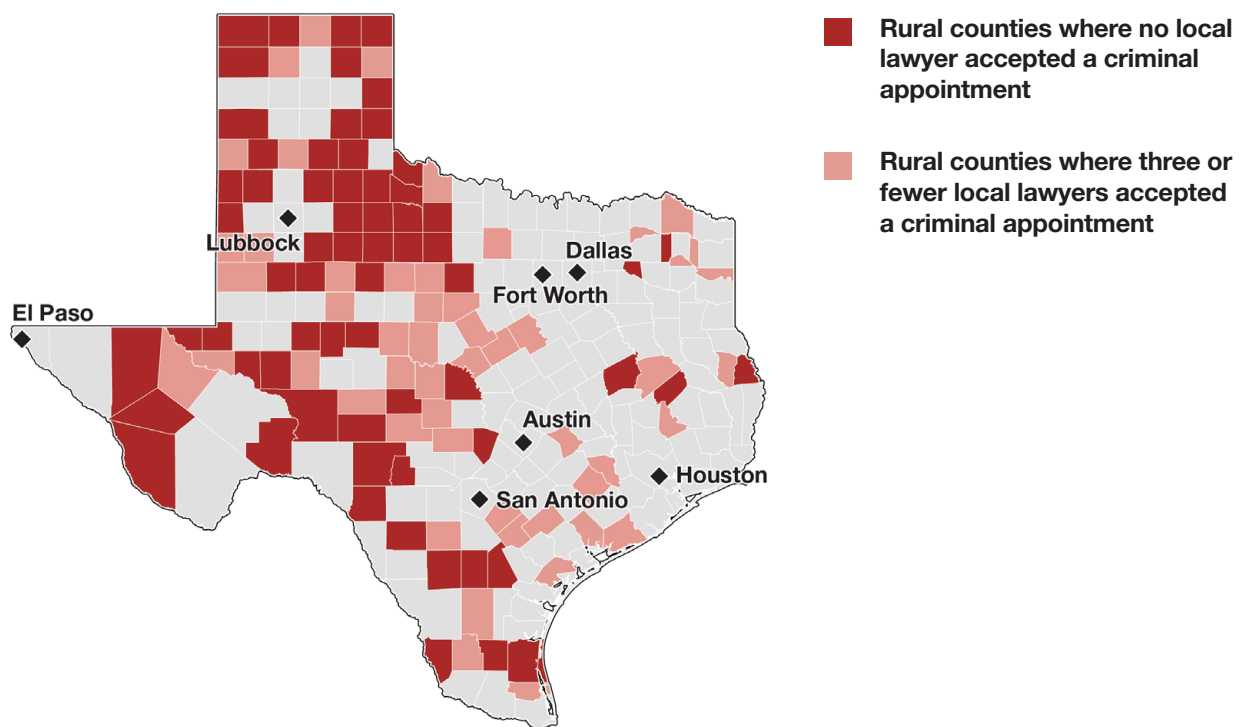
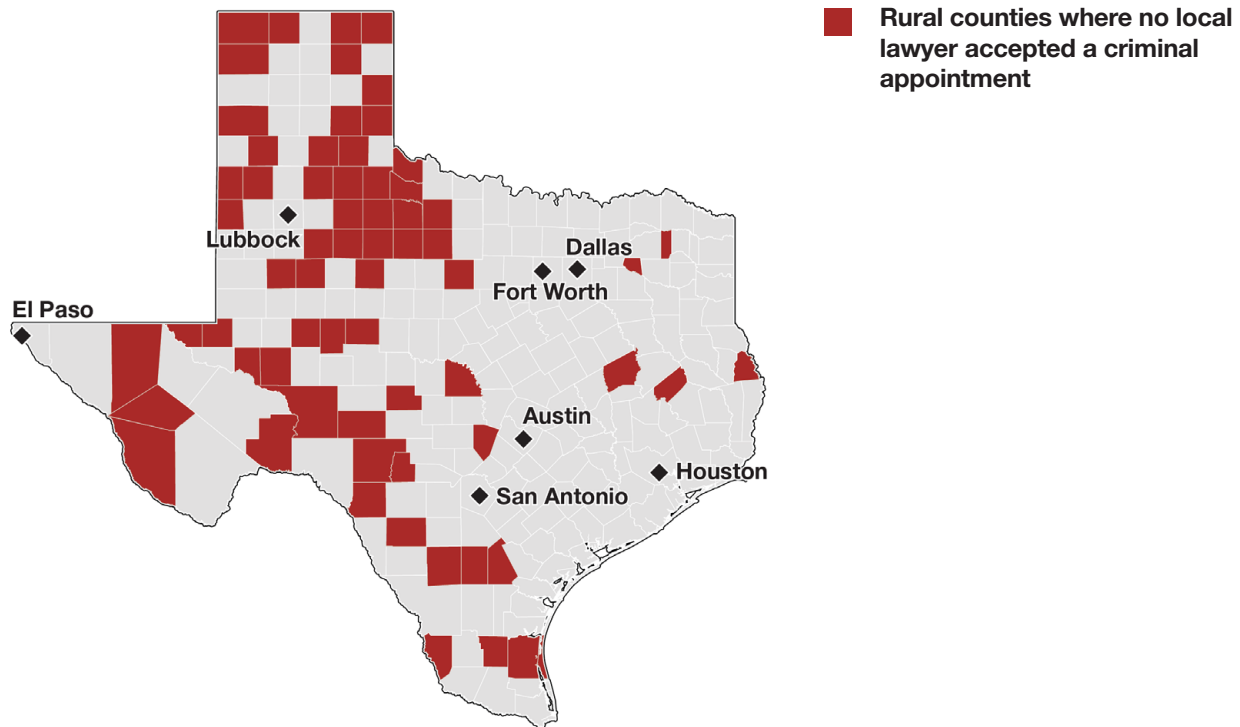
Among rural lawyers who practice criminal law, few are exclusively criminal practitioners. Some rural prosecutors split their time.¹⁶ In addition to their government work, they maintain private practices, sometimes in the same counties where they prosecute.¹⁷

As of 2022, full-time public defender offices served only 35 of Texas’ 159 rural counties.¹⁸ In most areas of rural Texas, private lawyers fulfill the constitutional right to counsel by accepting court appointments as part of their private practice.

The lower volume of cases prosecuted in rural counties does not lessen the severity of their criminal law deserts. As compared to Texas’ rural counties, the state’s most urban counties have five times as many local lawyers available for every criminal case.¹⁹

FIGURE 2

In 65 rural counties, no local lawyer accepted an adult criminal appointment in 2021²⁰



The Dire Consequences of Texas' Rural Criminal Law Deserts

Any Texan at risk of losing their liberty has a constitutional right to counsel.²¹ But in rural misdemeanor courts, most Texans are unrepresented.²² In the state's smallest counties, between 2019 and 2020, defendants in 53% of misdemeanors had no attorney at all.²³ Rural Texans charged with misdemeanors are *four times less likely* to have a lawyer than urban misdemeanor defendants.²⁴

When experienced criminal lawyers are scarce, rural communities suffer.²⁵ Rural lawyers are stretched thin. Often, they must travel long distances to investigate cases, meet with clients, and appear in court.²⁶

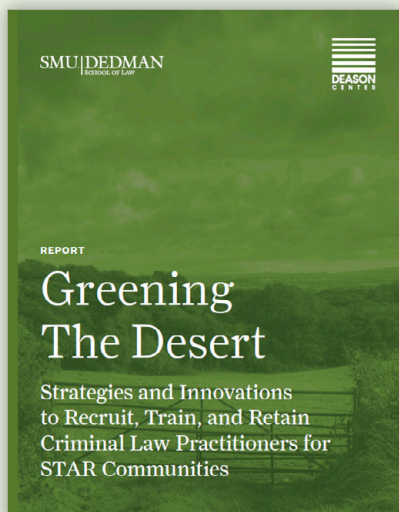
Rural courts meet less frequently.²⁷ Victims must wait for prosecutors to investigate.²⁸ Evidence disappears and witnesses' memories fade.²⁹

Meanwhile, rural criminal defendants face tough choices. Will they languish in jail, waiting for the court to find a qualified attorney to defend them?³⁰ Or will they move forward without an attorney, risking jail time, fines, and a loss of rights, just to put the criminal process behind them?³¹

As the Deason Center reported in *Greening the Desert*, these criminal law deserts are getting worse.³² Between 2015 and 2022, Texas lost one-quarter of its rural defense attorneys.³³ Rural communities are struggling to replace retiring lawyers.³⁴ New Texas lawyers—who might once have considered opening a small rural practice—may worry that their educational debt is too high to make rural practice feasible.³⁵ And few new lawyers are prepared to handle high-stakes criminal cases without an established office infrastructure that provides training and supervision.³⁶

“As a rural prosecutor, you have to be a jack of all trades. You are the intake person, the research assistant, the appellate guy, the bond forfeiture guru—you are everything.”

District Attorney in Haskell, Stonewall, Kent, and Throckmorton Counties ³⁷



Learn more about strategies to green criminal law deserts in rural communities in the Deason Center's report:

Greening the Desert

Recruiting new rural criminal attorneys will require:

SOLUTION 1

Educational Pipelines



At all levels of the educational system, there is too little information about rural legal careers, and there are too few opportunities for hands-on learning in rural areas.³⁸ Educational pipelines can help Texas grow its own rural criminal lawyers.

SOLUTION 2

Financial Incentives



New attorneys who are interested in rural criminal practice may be discouraged by low salaries, particularly if they have high educational debt.³⁹ Financial incentives can make rural practice more appealing for full- and part-time criminal law practitioners.⁴⁰

SOLUTION 3

Rural Defender Offices



Solo rural practice is daunting for new lawyers, particularly if their work involves high-stakes criminal cases for indigent Texans.⁴¹ Full-time public defender offices provide new lawyers with training and supervision in an environment that offers reliable salaries and traditional support services.⁴²

Deason Center staff are available to provide testimony, draft model legislation, and offer other assistance to policymakers interested in supporting rural communities.

Contact us at DeasonJusticeCenter@smu.edu

Educational Pipelines

People raised in rural communities are sometimes the most likely to become rural professionals. For example, a 2018 study found that a rural upbringing is the strongest predictor that a primary care doctor will practice medicine in a rural area.⁴³ But channeling rural students into rural criminal law requires hard work and early intervention.

Recruiting Rural Students to College

Recruiting rural students into higher education is an important first step. But the vast expanse of the state's rural landscape makes it challenging to recruit potential college applicants.⁴⁴ Recruiters may ignore rural high schools altogether, assuming they will yield fewer prospective students than urban ones.⁴⁵ But pipeline programs can help rural high school students seek a college degree.

For example, **Texas A&M's Rural Student Success Initiative (RSSI)**⁴⁶ and **Texas Tech's West Texas Rural Education Partnership**⁴⁷ build high-school-to-college pipelines, connecting universities with rural high school students, counselors, and parents. These programs tailor services to rural students, including campus tours, application support, career advice, and educational and career placements near a student's rural hometown.⁴⁸

These programs have produced promising results.⁴⁹ For example, between 2019 and 2020, applications for college and postsecondary training increased in 10 of RSSI's 11 rural school districts.⁵⁰

Recruiting Rural Students to Law School

Education and medicine offer successful pipeline models for recruiting rural college graduates to rural professional practice. For example, the **Texas Education Agency's (TEA) Grow Your Own** program provides funding to school districts and universities to address rural teacher shortages.⁵¹ With outreach that begins in high school and continues through clinical teaching placement, this program successfully recruits and trains rural teachers.⁵² States like **Montana**⁵³ and **Tennessee**⁵⁴ have similar programs.



41%
of urban adults in the U.S.
have a college degree

28%
of rural adults in the U.S.
have a college degree⁵⁵

SOLUTION 1

Education Pipelines

79%

of Pennsylvania's Physician Shortage Area Program participants remain in rural practice

60%

of Nebraska's Rural Health Opportunities Program graduates pursue rural practice

■ The Medical School Model

The medical field has also created successful rural practice pipelines. The **Physician Shortage Area Program** at Thomas Jefferson Medical School in **Pennsylvania** was one of the earliest rural medical recruitment programs.⁵⁶ The program reserves admission slots for rural students who want to practice rural medicine.⁵⁷ Those students receive faculty and student mentoring and assistance with rural clinical placements.⁵⁸ The program's success rate is impressive. Graduates are eight times more likely to become rural family doctors, and 79% of participants remain in rural practice for 11-16 years.⁵⁹

Similarly, **Nebraska's Rural Health Opportunities Program (RHOP)** reserves enrollment slots at the University of Nebraska Medical Center (UNMC) for rural students interested in healthcare professions.⁶⁰ RHOP students receive tuition waivers for their undergraduate education, and students who earn satisfactory grades are guaranteed admission to UNMC.⁶¹ About 60% of RHOP doctors enter rural medical practice.⁶²

■ Law School Model

Law schools can similarly recruit college students to become rural prosecutors, public defenders, and private criminal practitioners. Adopting the RHOP model, Nebraska's **Rural Law Opportunity Program** provides rural high school students with college tuition, provisional law school acceptance, test preparation support, law school visits, and legal networking opportunities.⁶³ Law schools in **Kansas**,⁶⁴ **New York**,⁶⁵ and **North Carolina**⁶⁶ recruit and mentor college students who are interested in becoming rural lawyers. Texas should create similar college-to-law-school pipelines to recruit rural criminal practitioners.

Recruiting Law Graduates to Rural Criminal Practice

No matter where they come from, too few law students consider a rural career. Yet, new lawyers who practice rural criminal law enjoy opportunities that are unavailable in urban practice. They play important public service roles in small communities while quickly gaining valuable trial experience.⁶⁷ Law schools must teach their students about these important rural practice opportunities and prepare them to enter rural criminal practice.

■ Offer Classes and Career Counseling about Rural Criminal Law

Law students need more information about rural criminal law careers.⁶⁸ Most law schools are in urban and suburban areas,⁶⁹ and few offer courses about rural criminal practice.⁷⁰ Even students who attend rural law schools may learn little about rural criminal practice.⁷¹

“If you land the right position, you can be very important, very fast.”

District Attorney in Gaines, Dawson, Lynn, and Garza Counties⁷²

Meanwhile, national law school ranking criteria incentivize schools to place their students in large urban law firms.⁷³ Career services programs respond accordingly. These circumstances may prevent law students from imagining successful rural criminal law careers.⁷⁴

To educate law students about opportunities in rural criminal practice, Texas must encourage its law schools to change their approach. Law schools must teach classes about rural criminal law and offer rural career counseling.

■ **Provide Hands-on Learning Opportunities in Rural Criminal Law**

To better prepare students for rural practice, Texas law schools must also develop hands-on courses about rural practice and rural criminal law.⁷⁵ Doctors who receive academic or clinical training in rural areas are more likely to practice in rural locations.⁷⁶ Simply exposing medical students to rural practice settings improves rural recruitment and retention rates.⁷⁷ Texas law schools must work with rural criminal lawyers to develop similar educational experiences.

Experiential learning is a mandatory part of every law school education.⁷⁸ But law schools rarely offer externships or law clinics that focus on rural criminal practice.⁷⁹

There are three notable exceptions in Texas. First, **Texas Rio Grande Legal Aid** offers paid summer stipends to law students who provide 300 hours of assistance in rural public defense practice.⁸⁰ Second, clinic students in **Texas Tech's Caprock Regional Public Defender Office** represent clients in rural counties around Lubbock.⁸¹ Finally, the **Deason Criminal Justice Reform Center at SMU Dedman School of Law** offers a **Rural Criminal Law Externship** that places law students in prosecution and defense offices for the summer.⁸² These programs have successfully produced several prosecutors and public defenders who serve rural Texans.

Deason Center Rural Externships

The Deason Center offers summer externships in rural prosecution and public defense offices, where students receive mentoring, networking, and hands-on legal experience. Students need not attend SMU to apply.⁸³

“The Rural Summer Externship was the most impactful experience of my law school career so far. The best part was how many connections I made with public defenders all over the state.”

Mallory Glover, Rural Public Defender,
2021 Deason Center Extern

Law students need more of these opportunities, but experiential learning is expensive. Law clinics require all of the resources of a full-time criminal law practice—support services, supplies, investigators, and experts. High-quality student work requires low faculty-student ratios, making clinics far more expensive than lecture classes. Meanwhile, rural externs need funds for summer housing in Texas' remote locations. Texas must provide funding for these opportunities.

■ Offer Incubators and Fellowships that Allow New Lawyers to Experience Rural Criminal Law

New lawyers who lack rural ties may be unwilling to take a job that commits them to long-term rural practice. **Colorado's new District Attorneys' Council Fellowship Program** allows graduating students to become rural deputy district attorneys for one year.⁸⁴ This allows fellows to sample rural practice before they must commit to it.⁸⁵ Unfortunately, Texas lacks a similar fellowship program.

For lawyers who hesitate to launch a solo rural practice, legal practice incubators offer professional networks, training in small business management, and early-stage practice advice.⁸⁶ The **Texas Opportunity and Justice Incubator (TOJI)** helps new lawyers “build solo law practices that serve low-income and modest-income Texans.”⁸⁷ But, TOJI's broad mandate does not specifically focus on rural or criminal practice.⁸⁸

In contrast, **Colorado's Rural Virtual Practice Program (RVPP)** tackles the unique challenges of rural practice.⁸⁹ With support from rural mentors, new lawyers sample rural practice and learn to manage a small rural business.⁹⁰ As the mentees progress, their mentors can consider them for full-time employment.⁹¹ Texas would benefit from an incubator that focuses exclusively on the challenges and rewards of solo rural criminal practice.

✓ SOLUTION SUMMARY

- Create a “grow your own” program, based on existing TEA programs.⁹²
- Establish higher education partnerships for rural criminal law recruitment.⁹³
- Fund:
 - Law school programming and curricula about rural criminal practice
 - Scholarships and grants to cover travel, room, and board for rural externs
 - Faculty supervisors for rural criminal law clinics and externships
 - Fellowships that allow new lawyers to sample rural practice
 - Incubators that support new rural criminal lawyers

✓ SOLUTION 2

Financial Incentives

Financial incentives can entice more criminal lawyers to serve rural communities. Using existing Texas programs as a model, the state can create sensible recruitment programs that guarantee fair representation on both sides of the aisle in rural criminal courts.

The Challenge of Recruiting Rural Lawyers

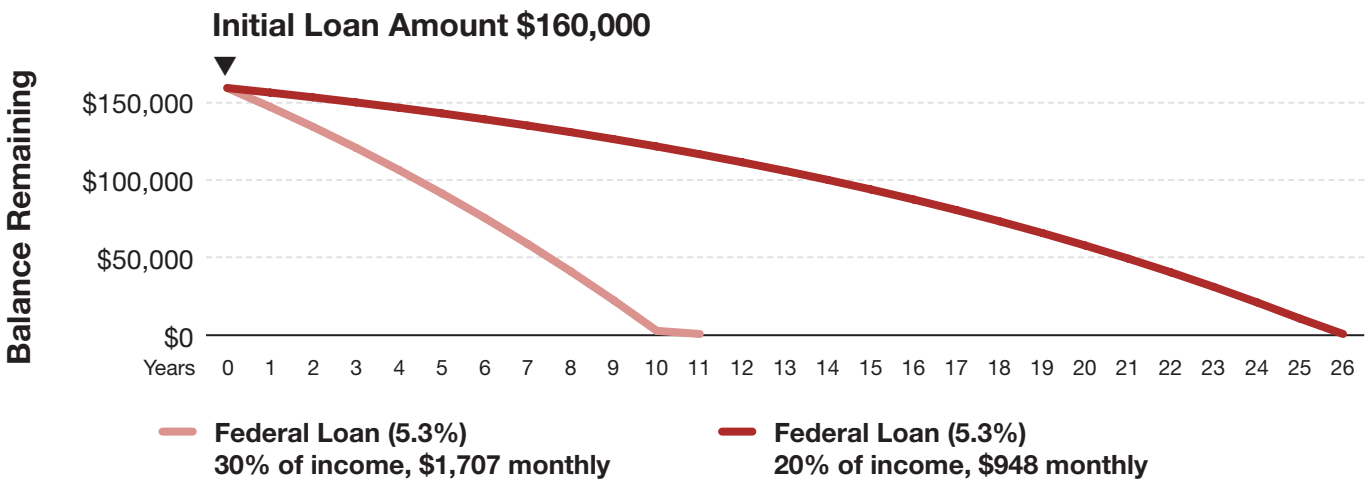
The financial realities of rural practice are grim. Nearly all rural lawyers earn lower salaries, and new lawyers face staggering law school debt. In 2020, law graduates with student debt owed an average of \$160,000.⁹⁴

In Texas, rural lawyers make approximately \$20,000 less per year than urban lawyers.⁹⁵ And if lower salaries cause rural attorneys to repay their debt more slowly, those attorneys will accrue more interest than their urban peers, effectively widening the rural income gap.



FIGURE 4

Educational debt may discourage rural practice⁹⁶



Recruit Full-time Prosecutors and Public Defenders by Reinvigorating a Texas Plan

Still, a rural criminal lawyer's financial challenges depend, in part, upon the lawyer's practice environment. Full-time prosecutors and public defenders face different challenges than private practitioners who accept criminal appointments or work as part-time prosecutors.

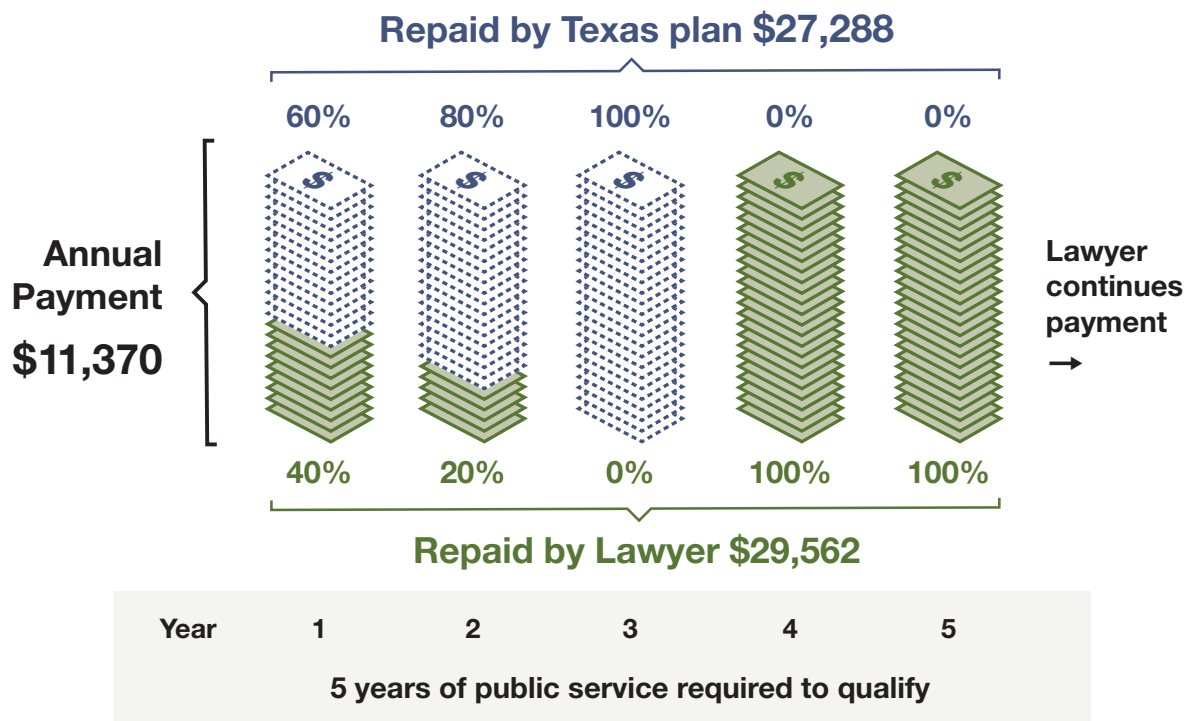
In Texas, salaries for new prosecutors and public defenders can range from \$60,000 to \$70,000 per year.⁹⁷ Although prosecutors and public defenders qualify for federal student loan forgiveness, that program requires ten years of payments and ten years of public service work.⁹⁸

However, a **Texas Higher Education Coordinating Board (THECB)** program could make a long-term difference.⁹⁹ This three-year loan repayment assistance program supports district and county prosecutors in counties with populations below 50,000.¹⁰⁰

The program requires five years of employment in a rural prosecutor’s office and offers financial assistance for the first three years of an attorney’s service.¹⁰¹ THECB pays 60% of each loan payment in the lawyer’s first year of service, 80% in their second year, and 100% during their third year.

Unfortunately, the legislature never funded this program, and it does not include public defenders or municipal prosecutors.¹⁰² Texas should fund the THECB rural prosecutors’ loan repayment assistance program and expand it to include rural public defenders and municipal prosecutors.

FIGURE 5
Texas Higher Education Coordinating Board program offers three years of financial incentives for rural prosecutors¹⁰³



Recruiting Private Criminal Practitioners by Adapting Texas' Medical Model

Recruiting full-time rural prosecutors and public defenders will not fully address Texas' shortage of rural criminal lawyers. Most counties in rural Texas appoint private criminal defense attorneys to represent indigent defendants.¹⁰⁴ Many also employ part-time prosecutors.¹⁰⁵

Although these part-time criminal practitioners provide essential services to Texas' rural communities, they have unstable incomes and do not qualify for most state or federal loan forgiveness programs.¹⁰⁶ As a result, they may struggle to make ends meet. On average, private appointed attorneys spend 60% of their time on court-appointed cases but earn less than \$20,000 per year from that work.¹⁰⁷ Some attorneys make as little as \$150 per case¹⁰⁸ while they juggle the challenges of solo and small firm practice.¹⁰⁹

■ The Medical Model

Like lawyers, doctors graduate with significant debt (an average of \$241,600).¹¹⁰ Unlike lawyers, doctors receive substantial state and federal financial incentives for practicing in underserved and rural areas.¹¹¹ The **National Health Service Corps** program provides educational loan repayment funds of up to \$120,000 if a new physician practices in a designated healthcare shortage area for three years.¹¹² Similar programs in more than 40 states—including Texas—support rural healthcare workers nationwide.¹¹³

■ A Texas Model for Change

Texas has a successful rural medical recruitment program that should be adapted to recruit rural criminal lawyers. The **Physician Education Loan Repayment Program (PELRP)** provides doctors with up to \$180,000 in loan repayment for four years of service in Texas' healthcare shortage areas.¹¹⁴ To qualify, doctors must work in a medical shortage area and provide direct outpatient care for patients in Medicaid or the Children's Health Insurance Program (CHIP).¹¹⁵ Doctors who treat private-pay patients receive reduced (pro-rated) awards if they provide at least 20 hours of Medicaid or CHIP care per week.¹¹⁶

PELRP has successfully recruited physicians to serve in Texas' health shortage areas, many of which are rural. More than 70% of doctors from the program's first three cohorts practiced in shortage areas for at least four years.¹¹⁸ And, in one cohort, more than half of the participating physicians were still serving Texas' health-shortage communities eight years after they enrolled in PELRP.¹¹⁹

SOLUTION 2

Financial Incentives

60%

of a private appointed attorney's time is spent on court-appointed cases

\$150

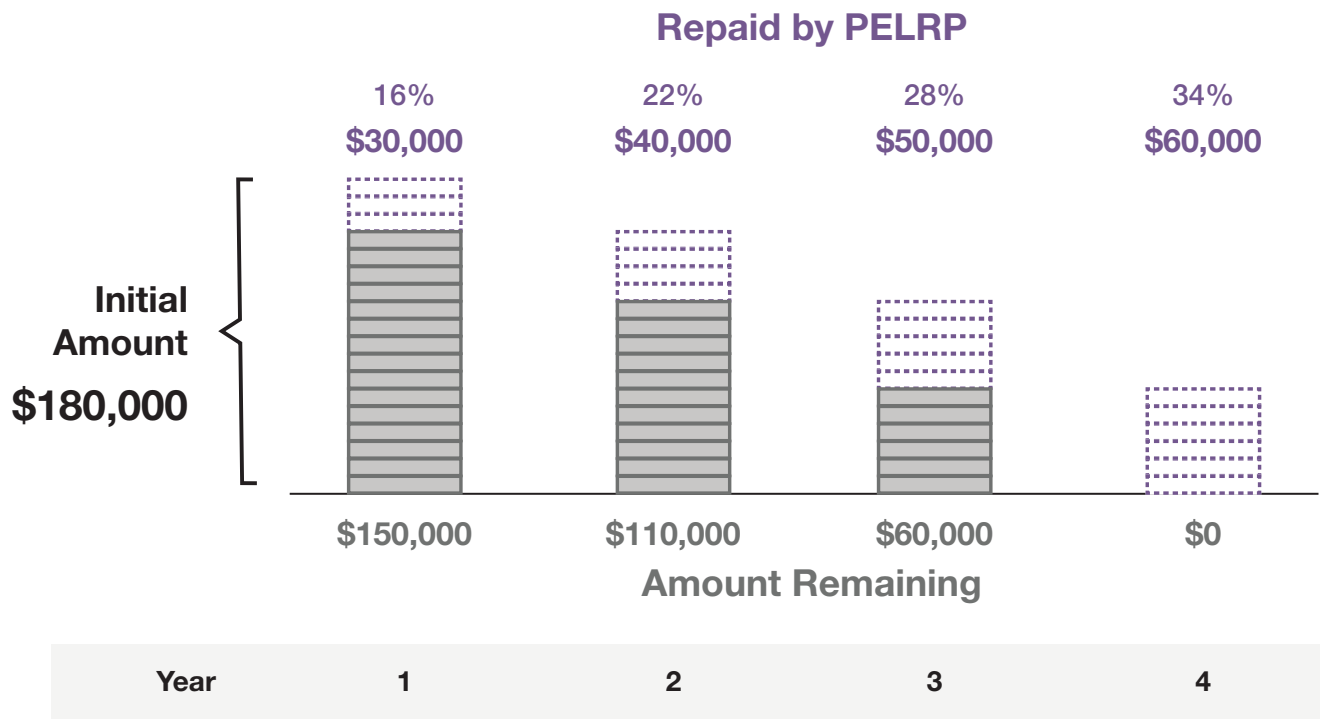
payment per case for some court-appointed defense attorneys

71%

of PELRP participants were still working in shortage areas after four years

FIGURE 6

A PELRP model would encourage rural criminal legal practice¹¹⁷



Promising initiatives and innovative programs aimed at recruiting and retaining medical professionals have been implemented across the country, and the PELRP model shows that the same is possible in Texas. The state should create similar programs to provide criminal legal services to rural Texans.

✓ SOLUTION SUMMARY

- Build upon existing models for rural recruitment
- Fund the rural prosecutor loan repayment assistance program
- Expand that program to cover municipal prosecutors and rural indigent defense providers
- Recruit rural criminal lawyers with a program similar to the PELRP

Rural Defender Offices

Many new lawyers become prosecutors or public defenders because they want to serve the public and gain courtroom skills. They also want a work environment that offers training, supervision, and basic practice infrastructures such as office space, support staff, and benefits.

Creating Opportunities for Full-Time Rural Public Defense

Rural county and district attorneys' offices provide new prosecutors with structure and support. But Texas offers few similar opportunities for criminal defense lawyers.¹²⁰

In 2022, full-time public defender offices served only 35 of Texas' 159 rural counties.¹²¹ Private lawyers—who practice alone or in small firms—provide most of the constitutionally mandated representation of indigent criminal defendants. Perhaps as a result, there is a dire shortage of lawyers who accept court appointments in rural areas.

In response, Texas has begun to create both single-county and regional rural public defense offices.¹²² These offices provide important constitutional services in some of Texas' most remote areas. Along the way, they recruit new lawyers to rural communities.

In counties where no local lawyers handle appointed criminal cases, regional public defender offices fill a critical gap. For example, in 2021, in 65 rural Texas counties, no local lawyer was appointed to represent an indigent adult defendant.¹²³ In places like Culberson, Jeff Davis, Presidio, Coke, Sterling, and McMullin Counties, regional public defender offices helped to fill that constitutional gap.¹²⁴

Create Rural Defense Offices to Bring New Criminal Lawyers to Rural Texas

Few law graduates are willing to take on a high-stakes Texas criminal law practice without training, supervision, or practice support.¹²⁵ Unfortunately, Texas has “few paths to gaining experience as a competent, client-centered indigent defense practitioner,” especially in a solo practice.¹²⁶



The **Starr County Regional Public Defender Office** serves Starr, Duval, and Jim Hogg Counties.¹²⁷ In its first three years defending rural Texans, the office achieved reduced or dismissed charges in **43% of its cases.**¹²⁸

SOLUTION 3

Rural Defender Offices

New lawyers may also be overwhelmed by the financial challenges of managing a solo criminal practice in rural Texas. Rural areas have fewer cases¹²⁹ and may offer lower assigned counsel payment rates.¹³⁰ Amid this dismal financial outlook, new lawyers may be reluctant to “grapple[] with billing, insurance, and overhead.”¹³¹

Full-time public defender offices can alleviate these concerns. Texas’ full-time public defenders typically have support staff, office space, a steady income, and employment benefits.¹³² Experienced lawyers train and supervise new lawyers.¹³³ New lawyers have access to investigators and social workers who can help them provide the zealous defense that the Constitution promises.¹³⁴

“The thought of managing my own [solo criminal law] office—from advertising, to financials, to administrative work, on top of all of the legal work—was daunting. The idea of being alone was overwhelming.

Joining a rural public defender office made rural criminal practice possible. I had a supervisor and a mentor at my side [as well as] peers, investigators, administrative assistants, sometimes even social workers to rely on and learn from. [T]he training and mentoring are built in.”

Jessica Canter, Chief Defender at Texas Rio Grand Legal Aid, Lavaca County Public Defender¹³⁵

The legislature should fund new rural public defender offices and study how these offices recruit and retain rural criminal lawyers.¹³⁶

Use Data to Identify Urgent and Emerging Public Defense Needs in Rural Texas

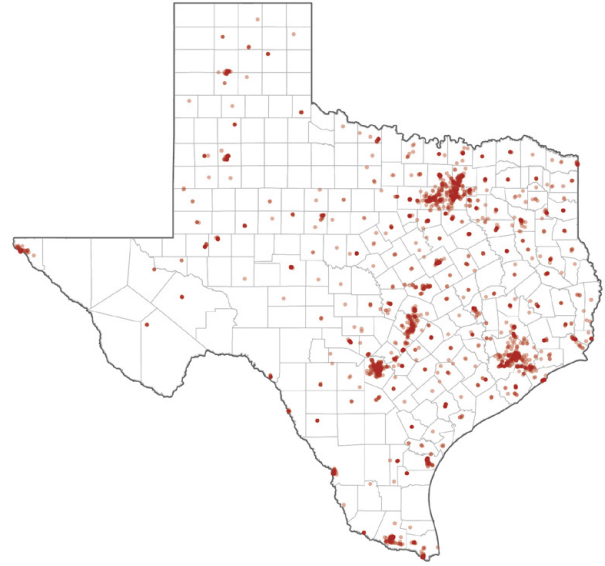
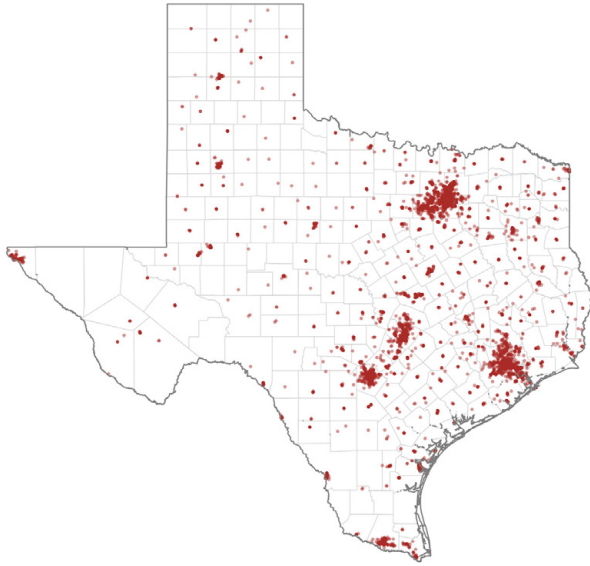
With researchers’ help, policymakers can make data-driven decisions about where to develop new rural public defender offices. The Deason Center uses ArcGIS spatial analytics to combine and map data about criminal court caseloads, the seniority of local lawyers, the addresses of appointed attorneys, and the rates at which courts assign indigent defense counsel.¹³⁷ These innovative data analyses can help policymakers make wise allocations of criminal justice resources.

FIGURE 7

Researchers can identify areas of greatest need

Lawyers self-identifying as criminal practitioners to the State Bar of Texas in 2021

Lawyers appointed to represent indigent defendants in 2021

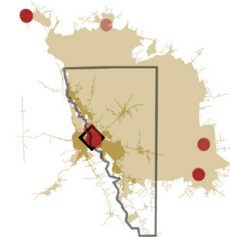
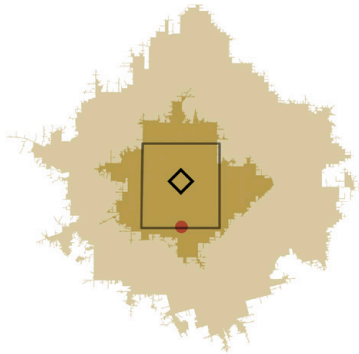
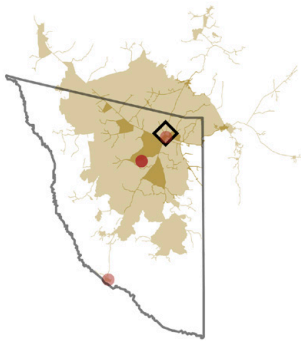


Drive time zones between constitutional county courts and criminal lawyers

Presidio

Yoakum

Maverick



● Criminal lawyer ⌄ County line ◇ Constitutional county court ■ 30 minute drive ■ 30 – 60 minute drive

✓ SOLUTION SUMMARY

- Create rural public defender offices that offer:
 - Salaries and benefits comparable to those of local prosecutors¹³⁸
 - Training, supervision, and mentoring
 - Case assignments appropriate to each lawyer’s experience
- Use data to make sound decisions about where to locate those offices

CONCLUSION

Policymakers Can Help Rural Texans Get the Constitutional Protections They Deserve

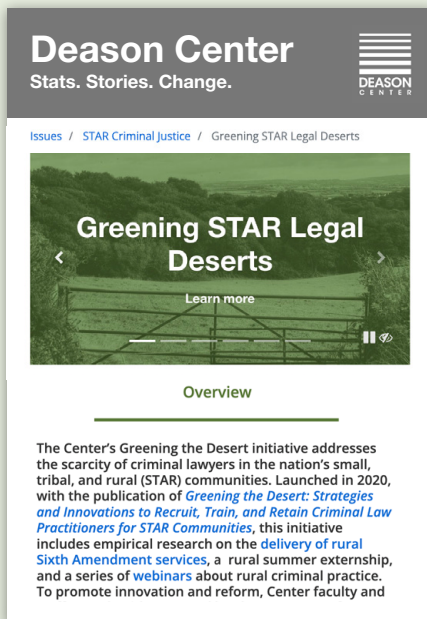
While Texas' urban criminal courts get big headlines, many rural criminal courts confront devastating lawyer shortages. Rural Texans deserve the same constitutional protections as their urban and suburban counterparts. With strong recruitment strategies, targeted incentive programs, and new rural defender offices, Texas can green its criminal law deserts.

✓ THE SOLUTIONS

Educational Pipelines

Financial Incentives

Rural Defender Offices



Deason Center staff are available to provide testimony, draft model legislation, and offer other assistance to policymakers interested in supporting rural communities.

Contact us at DeasonJusticeCenter@smu.edu

METHODS

Deason Center researchers defined Texas counties as “rural” using the United States Department of Agriculture’s Rural-Urban Continuum Codes (RUCC).¹³⁹ The RUCCs classify counties from 1 (very urban) to 9 (very rural).¹⁴⁰ Center staff defined “rural” counties as those in categories five through nine.¹⁴¹ One hundred and fifty-nine (159) Texas counties meet this definition.¹⁴²

Deason Center researchers computed rural Texas populations using 2021 county population figures from the U.S. Census Bureau.¹⁴³ Unless otherwise specified, all attorney population data were drawn from active members of the State Bar of Texas as of December 31, 2021. Attorneys licensed in Texas must register a primary practice location with the State Bar of Texas.¹⁴⁴ While the full list included 107,692 lawyers, the Deason Center’s analyses include only the 94,347 lawyers who registered a primary business address in Texas. To compute the number of rural attorneys in Texas, researchers identified the RUCC classification of the county of each attorney’s primary practice location.

To compute the number of criminal attorneys in Texas, researchers used attorney practice area data obtained from the State Bar of Texas. To compute the number of rural criminal attorneys in Texas, researchers cross-referenced their list of rural Texas attorneys against their list of Texas lawyers’ who identified themselves as criminal practitioners. This resulted in a list of 13,226 lawyers. These lawyers also appear in the map on the left-hand side of Figure 7.

To compute the number of rural lawyers who accepted indigent criminal defense appointments, the Deason Center combined State Bar of Texas data with appointment data from the Texas Indigent Defense Commission (TIDC). In 2021, the TIDC reported that 4,590 attorneys accepted appointments to represent adult indigent defendants. Deason Center researchers matched 4,485 of these attorneys (approximately 98%) with State Bar of Texas registrants. These 4,485 attorneys shown in the right-hand map in Figure 7 of this report. Only 403 of these lawyers had primary practice addresses in rural Texas counties.

To find the locations of all attorneys self-identifying and criminal practitioners to the State Bar of Texas in 2021, Center researchers used addresses listed on the Bar’s attorney roster, combined with information volunteered by attorneys in creating their profiles. To locate attorneys receiving appointments to represent indigent defendants 2019-21, Center researchers combined lists of appointed attorneys for all three years obtained from the Texas Indigent Defense Commission with addresses for each listed on the 2021 State Bar of Texas roster.

All data and analyses are on file with the Deason Center and available upon request.

[Click here to view endnotes and references](#)

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About the Deason Center

The Deason Criminal Justice Reform Center takes a Stats and Stories approach to criminal justice reform. The Stats: we collect, analyze, and assess qualitative and quantitative data about our criminal justice system. The Stories: we uncover, recount, and amplify the experiences of people who live and work in that system. Together, these Stats and Stories make a compelling case for compassionate criminal justice reform.

The Deason Center supports criminal justice reform in America's small, tribal, and rural (STAR) communities. The Center's STAR Justice Network provides STAR practitioners with a virtual practice community and with online STAR criminal justice resources. To connect STAR justice practitioners with policymakers, researchers, and non-profit organizations, the Deason Center convenes webinars, panel discussions, and conferences.

[Click here to read the Deason Center report, Greening Criminal Legal Deserts in Rural Texas](#)

ENDNOTES

1. Metzger, P., Meeks, K., & Pishko, J., [Greening the Desert: Strategies and Innovations to Recruit, Train, and Retain Criminal Law Practitioners for STAR Communities](#), *Deason Criminal Justice Reform Center* (Sept. 2020).
2. *Id.*
3. As discussed at note 14, *infra*, this policy brief defines a county as rural if it falls into categories 5-9 under the Economic Research Service's [Rural-Urban Continuum Codes](#), *U.S. Department of Agriculture* (Dec. 10, 2020). Researchers derived population data from the U.S. Census Bureau, [County Population Totals: 2020-2021](#), *U.S. Census Bureau* (2021), and attorney locations data from a list of Texas State Bar members on December 31, 2021 (on file with authors). For further discussion of the researchers' demographic analyses, see [Methods](#), p. 18.
4. [American Bar Association Profile of the Legal Profession, 2020 at i](#) (2020). State Bar of Texas, [Attorney Population Density by Metropolitan Statistical Area 2020-21](#) (2021).
5. *Id.* For purposes of this policy brief, a lawyer is considered 'local' when the criminal case(s) that they are handling are prosecuted in the county where they have their primary business address. Thus, a lawyer is only 'local' in the county of their primary business address. See note 7, *infra*.
6. Counties with lawyer density of 1 or fewer per 1,000 compared against rural counties. See note 3, *supra*.
7. Data derived from the list of lawyers admitted to the Texas State Bar in 2021, note 3, *supra*. All data in this figure refer to Texas lawyers reporting a primary business address in Texas. Texas lawyers have the option to list their substantive practice areas when they register with the State Bar. See [Tex. Gov't Code § 81.115](#) (2017) for Texas attorney online profile requirements. However, lawyers are neither required to list their practice areas nor to be constrained to practice within the areas they list. Thus, these practice data might be both over- and underinclusive.
8. All data in this figure refer to Texas lawyers reporting a primary business address in Texas (94,347). Deason Center analysis of appointment data showed 4,459 attorneys of the 4,590 attorneys listed as accepting appointments in 2021 reported a primary business address in Texas. See [Methods](#), p. 18.
9. Additional data were derived from Texas Indigent Defense Commission (TIDC) records, including a list of attorneys who accepted appointments (on file with the Deason Center). For further discussion of the analyses depicted in this figure, see [Methods](#), p. 18, and note 7, *supra*.
10. *Id.*
11. U.S. Const. Amend. VI; *Gideon v. Wainwright*, 372 U.S. 335 (1963); *Argersinger v. Hamlin*, 407 U.S. 25 (1972).
12. Data analyses are explained in note 9, *supra*, and in [Methods](#), p. 18.
13. Neither constitutional county judges (who often preside over misdemeanors in small counties) nor justices of the peace (who set bail in most counties) are required to have a law degree. Texas Association of Counties, [About Texas County Officials: Texas County Judge](#), [About Texas County Officials: Texas Justice of the Peace](#) (2022).

14. Researchers and policymakers typically define rurality to include counties in RUCC Category 4. However, RUCC Category 4 includes counties that have a population of 20,000 or more and are adjacent to metropolitan areas. The geographic fluidity of legal practice, and input from the Deason Center’s Rural Advisory Board, led the Center to use a more conservative definition (RUCC 5-9) for this policy brief.
15. See note 7, *supra*.
16. Blakeslee, N., *The Reluctant Prosecutor*, *Texas Monthly* (Oct. 2008). See also *Tex. Gov. Code § 41.251(3) (2007)*, defining “part-time” employment for prosecutors.
17. Some elected county attorneys, and some assistant district or county attorneys, can maintain private legal practices if their prosecutor’s salary is less than 80% of the benchmark salary set by the legislature. In 2022, that benchmark salary was \$140,000 a year, meaning that lawyers earning less than \$112,000 a year as prosecutors could maintain civil legal private practices, as long as they do not interfere with county business. See *Tex. Gov. Code § 46.005 (2007)*. See also *TX Att’y Gen. Op. No. GA-0094 (2003)* (No statutory limit on Motley County Attorney’s right to maintain a private civil practice in Motley and Floyd Counties).
18. TIDC, *Managed Indigent Defense Systems in Texas Counties* (2021). TIDC has since awarded grants for rural regional offices in the Concho Valley (Runnels, Schleicher, Concho, Sterling, and Coke Counties) and the area surrounding Taylor County, including Coleman, and Shackelford Counties. See TIDC, *Tom Green County Dashboard* (2022).
19. Analysis of attorney data from the State Bar of Texas, note 3, *supra*, and the Texas Office of Court Administration (on file at the Deason Center). For further discussion, see *Methods*, p. 18.
20. For purposes of this analysis, the Center considered a lawyer to be “local” to the county of the primary business address they registered with the Texas State Bar. See note 9, *supra*, and *Methods*, p. 18
21. See note 11, *supra*.
22. TIDC, *Annual Report for Fiscal Year 2020*, at 17 (2021), referring to Class A and Class B misdemeanors, which carry, respectively, maximum jail sentences of one year (Class A) and six months (Class B). *Tex. Penal Code § 12.21, 12.22 (1994)*.
23. TIDC, *Legislative Appropriations Request to the 88th Legislature (FY24 - 25)*, at 9 (2022).
24. *Id.*
25. *Greening the Desert*, *supra*, at 4-5.
26. *Id.*
27. *Id.* at 5.
28. American Prosecutors Research Institute, *Rural Victim Assistance: A Victim/Witness Guide for Rural Prosecutors* (2007).
29. *Barker v. Wingo*, 407 U.S. 514 (1972) (noting that the court having only three terms per year contributed to the length of delays and that the delays impact evidence).
30. Davies, A. & Clark, A., *Gideon in the Desert: An Empirical Study of Providing Counsel to Criminal Defendants in Rural Places*, *71 Maine Law Review* 245, at 247 (2019). Pishko, J., *The Shocking Lack of Lawyers in Rural America*, *The Atlantic* (July 18, 2019).
31. Boruchowitz, R., Brink, M., & Dimino, M., *Minor Crimes, Massive Waste The Terrible Toll of America’s Broken Misdemeanor Courts*, *National Association of Criminal Defense Lawyers*, at 12 (2009).
32. *Greening the Desert*, *supra*, at 4-5.
33. *Legislative Appropriations Request to the 88th Legislature (FY24 - 25) supra*, at 4 (2022).

34. *Greening the Desert, supra*, at 4.
35. *Id.* See also Piccchi, A., Rural America's "Brain Drain": How Student Debt is Emptying Small Towns, *CBS News* (Jan 21, 2019); Chief Justice Says Student Loan Debt an Impediment to Lawyers Landing in Rural Iowa, *Radio Iowa* (Jan 28, 2022)(noting that pay in rural communities is often less while law school debt remains the same).
36. *Public Defense Primer*, at 11 (2021).
37. Fouts, M., *An Afternoon in the Life of a Rural Prosecutor*, *Texas Prosecutor* (2011).
38. Kittay, D., *Success on the Horizon? New Efforts to Increase Rural Access to Justice*, *Bar Leader*, Vol. 47, No. 5 (May 1, 2022).
39. *Greening the Desert, supra*, at 6.
40. *Id.*
41. *Public Defense Primer, supra*, at 11, 22.
42. *Id.*
43. Parlier, A., Galvin, S. L., Thach, S., Kruidenier, D., Fagan, E.B., *The Road to Rural Primary Care: A Narrative Review of Factors That Help Develop, Recruit, and Retain Rural Primary Care Physicians*, *Academic Medicine*, Vol. 93, Issue 1, at 131 (Jan 2018).
44. Texas A&M University, *Rural Student Success Initiative* (2022). See also *Program Helping Rural Students with Higher Education*, *AgriLife Today* (Nov. 4, 2021).
45. Gettinger, A., *A Big Reason Rural Students Never Go to College: Colleges Don't Recruit Them*, *The Hechinger Report* (Mar. 6, 2019).
46. See *Rural Student Success Initiative and Program Helping Rural Students, supra*.
47. *West Texas Rural Education Partnership Summit*, *Texas Tech University, College of Education* (2022); Stein, R., *Texas Tech Receives \$1.5M Gift to Continue Addressing Rural Teacher Shortage*, *Texas Tech University, College of Education* (May 10, 2022).
48. See *Rural Student Success Initiative, supra*; *Texas Tech Receives \$1.5M Gift, supra*.
49. Ralston, J., *Paving a Path*, *Texas A&M Foundation Spirit Magazine* (2021). See also *Texas Tech Receives \$1.5M Gift, supra*.
50. *Id.*
51. *Grow Your Own Grant Program*, *Texas Education Agency* (2022). For examples of Texas programs, see *Texas Education Agency, TEA Awards 2019-2021 Grow Your Own Cycle 2 Grants*, (2019).
52. *Id.*
53. Sakariassen, A., *Grow Your Own Teacher Programs Lift Off*, *Montana Free Press* (2021).
54. *Grow Your Own*, *Tennessee Dept. of Education* (2022).
55. *Program helping rural students with higher education*, *Texas A&M AgriLife Today* (November 4, 2021).
56. *Physician Shortage Area Program*, *Thomas Jefferson University, Sidney Kimmel Medical College* (2022).
57. *Id.*
58. *Id.*
59. *Id.*

60. [Fast-Track Your Health Career Through the Rural Health Opportunities Program \(RHOP\)](#), *Wayne State College* (2022).
61. *Id.*
62. Keenan, J., [Report: Work Needed to Build Rural Health Workforce](#), *University of Nebraska Medical Center* (Jun. 16, 2022).
63. [Rural Law Opportunities Program](#), *Nebraska College of Law* (2022); [Wayne State and Chadron State Rural Law Opportunities Program Receives American Bar Association Brown Select Award](#), *Wayne State College* (Jan. 17, 2018).
64. [Rural Legal Practice Initiative](#), *Kansas State University* (2022); [Rural Law](#), *Washburn University* (2022).
65. [New York State Bar Association \(NYSBA\), Report & Recommendations of the Task Force on Rural Justice: Interventions to Ameliorate the Access-to-Justice Crisis in Rural New York](#), at 25 (Apr. 2020).
66. [Recruiting Rural Law Students](#), *The University of North Carolina at Chapel Hill* (December 15, 2020).
67. [Stafford Mader, L., Way Out Yonder](#), *Texas Bar Journal* (July 2015). [Hard Work Out West](#), *Texas Bar Blog* (March 30, 2015). [Man About Town](#), *Texas Bar Blog* (Mar. 9, 2015). [She Grew Up In Boots](#), *Texas Bar Blog* (Mar. 2, 2015).
68. Chavis, C. D., [Location, Location, Location: Rural Law Schools and Their Role in the Rural Lawyer Shortage](#), *Legal Ruralism* (July 14, 2017).
69. *Id.*
70. A notable exception is the [Rural Law Opportunities Program](#), *Nebraska College of Law* (2022). The program establishes a pipeline from undergraduate studies to law school focused on rural law practice. Another notable exception is the [Caprock Regional Public Defender Office and Clinic](#) located at Texas Tech University School of Law. The [Caprock Clinic](#) allows law students to gain public defense experience in rural counties. [Texas Tech University School of Law, Clinical Programs](#) (2022).
71. [Location, Location, Location](#), *supra*.
72. [Response from questionnaire sent to Austen Massey, Assistant District Attorney, 106th Texas District Attorney's Office](#) (October 25, 2020). Complete questionnaire response on file at the Deason Center.
73. [The 2022 Top 50 Go-To Law Schools](#), *Law.com* (March 13, 2022) (“These law schools sent the highest percentage of 2021 graduates to associate jobs at the largest 100 law firms”); [10 Law Schools That Lead to Jobs at Big Firms](#), *US News & World Report* (May 26, 2021); [The 25 Best Law Schools for Landing a High-Paying Job at a Big Firm](#), *Business Insider* (July 27, 2016).
74. [Location, Location, Location](#), *supra*; [Hartocollis, A. and Fawcett, E., As More Top Law Schools Boycott Rankings, Others Say They Can't Afford to Leave](#), *The New York Times* (Nov. 18, 2022); [Korn, M., Yale and Harvard Law Schools Abandon U.S. News Rankings](#), *The Wall Street Journal* (Nov. 16, 2022).
75. See [NYSBA Report on Rural Justice](#), *supra*. For an example of a rural law course, see [University of Michigan Law, Law in Rural America](#) (last accessed Nov. 28, 2022).
76. [Kwan, M. M. S., Kondalsamy-Chennakesavan, S., Ranmuthugala, G., Toombs, & M. R., & Nicholson, G. C., The Rural Pipeline to Longer-Term Rural Practice: General Practitioners and Specialists](#), *PLOS ONE*, 12(7), e0180394 (Jul. 7, 2017); [Playford, D. E., Nicholson, A., Riley, G. J., & Puddey, I. B., Longitudinal Rural Clerkships: Increased Likelihood of More Remote Rural Medical Practice Following Graduation](#), *BMC Medical Education*, 15(1), 55 (2015); [Helland, L. C., Westfall, J. M., Camargo, C. A., Rogers, J., & Ginde, A. A., Motivations and Barriers for Recruitment of New Emergency Medicine Residency Graduates to Rural Emergency Departments](#), *Annals of Emergency Medicine*, 56(6) 668-673 (Sep. 27, 2010); [Brokaw, J. J., Mandzuk, C. A., Wade, M. E., Deal, D. W., Johnson, M. T., White, G. W., Wilson, J. S., & Zollinger, T. W., The Influence of Regional Basic Science Campuses on Medical Students' Choice of Specialty and Practice Location: A Historical Cohort Study](#), *BMC Medical Education*, 9(1), 29 (2009).

77. Holst, J., Increasing Rural Recruitment and Retention through Rural Exposure during Undergraduate Training: An Integrative Review, *Int. J. of Environ. Res. and Public Health* 2020, 17(17), 6423 (Sep. 3, 2020). See also The Road to Rural Primary Care, *supra*, at 131 (finding a positive association between predoctoral rural medicine programs and practice in an underserved urban or rural area).
78. American Bar Association, ABA Standards and Rules of Procedure for Approval of Law Schools 2022-2023, at Standard 303 (2022) (Law graduates must “satisfactorily complete ... one or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, a law clinic, or a field placement[.]”)
79. See note 70, *supra*. See also, Rural Summer Externship Program, *infra*.
80. Clerkship & Internships, *Texas Rio Grande Legal Aid* (2022).
81. Caprock Regional Public Defender Office, *Texas Tech University School of Law* (2022).
82. Rural Summer Externship Program, *Deason Criminal Justice Reform Center, SMU Dedman School of Law* (2022).
83. Rural Summer Externship Program, *supra*.
84. Longemann, E., Apply Now for Rural DA Fellowship Program, *University of Denver Strum College of Law, Office of Career Development* (Apr. 27, 2021).
85. *Id.*
86. Beeman, M., Culley, T., & Marsh, A., Indigent Defense Mentoring, *National Legal Aid & Defender Association* (Dec. 2015).
87. About Us, *Texas Opportunity and Justice Incubator* (2022). New attorneys pay \$4,200 for one year of TOJI services, which include weekly virtual training, career coaching, and practice support. See Frequently Asked Questions, *Texas Opportunity & Justice Incubator* (2022); TOJI Membership Fees, *Texas Bar Practice* (2022)(Lawyers who pay the annual fee up-front pay a reduced price of \$3,780).
88. *Id.*
89. Colorado Attorney Mentoring Program & Colorado Bar Association Modern Law Practice Initiative, *Rural Virtual Practice Program Handbook* (2017).
90. *Id.*
91. *Id.*
92. See Requirements for Stipend Recipients, *Texas Education Agency*. See also, approved grant applications from Stephen F. Austin State University (2019) and Texas A&M University (2019).
93. TIDC has previously administered attorney externship and mentoring programs, including the Caprock Regional Public Defender Office and Clinic and the Future Indigent Defense Leaders program. See TIDC, Mentoring (last accessed Nov. 28, 2022). The non-profit Texas District and County Attorneys Association (TDCAA) provides extensive training for prosecutors, including specialty training for rural prosecutors and is acutely aware of the rural lawyer shortage. See, e.g., Domestic Violence Training for Rural Counties, TDCAA. See also, Fouts, M., A Morning in the Life of a Rural Prosecutor, *The Texas Prosecutor* (Mar-Apr 2011); An Afternoon in the Life of a Rural Prosecutor, *supra*.
94. Hanson, M., Average Law School Debt, *Education Data Initiative* (2021) (including \$160,000 total student debt and \$118,400 for law school alone).
95. Gideon in the Desert, *supra*, at 259-263 (defining rural as those with a RUCC Code of 4-9).
96. The income estimate used in this model is \$60,000, the average annual income for public sector attorneys nationally. See note 97, *infra*. The average lawyer debt used in this model is \$160,000. See Average Law School Debt, *supra*.

97. Texas Criminal Defense Lawyers Association and Texas County and District Attorneys Association Job Board postings (Nov. 2022) (available at https://www.tcdla.com/TCDLA/Jobs/Job_Openings.aspx and <https://www.tdcaa.com/job-bank/>). TIDC, Planning Study: Hill County Public Defender, at 12-15 (Feb. 28, 2020) (estimating a \$57,000 starting salary for an assistant county attorney or public defender in Kerr County and surrounding rural counties).
98. Public Service Loan Forgiveness, *Federal Student Aid* (2022). Only one federal loan assistance program specifically supports full-time prosecutors and public defenders. Administered by the U.S. Department of Justice's Bureau of Justice Assistance, the John R. Justice program provides loan repayment assistance after just three years of service as a public defender or prosecutor. However, Texas has not participated in the program since 2015. See U.S. Dept. of Justice, Bureau of Justice Assistance, *John R. Justice Program* (Apr. 25, 2022).
99. The Texas Access to Justice Foundation provides supplemental repayment assistance for public interest lawyers who work in nonprofit legal aid organizations. However, legal aid offices primarily provide *civil* legal service, so very few public defenders qualify. Texas Access to Justice Foundation, *Texas Student Loan Repayment Assistance Program: Program Guidelines* (Feb. 11, 2020). In 2021, the only public defenders eligible for this assistance would have been those employed by the Texas Rio Grande Legal Aid program. *Public Defense Primer, supra*, at 33.
100. *Tex. Ed. Code § 61.9601-9609* (2001).
101. Any lawyer who is employed for less than five years must repay the loan assistance along with interest and costs. *Tex. Ed. Code § 61.9605(c)*(2001). The employment requirement may also exclude elected or part-time attorneys.
102. A similar program authorizes the Board to help repay law school loans of attorneys who work for nonprofits that serve indigent people. *Tex. Ed. Code § 61.951-958* (2001). That program authorizes repayment of up to 50% of the attorney's outstanding balance over 10 years. *Tex. Ed. Code § 61.953* (2001). But that program appears inactive, and only a small fraction of Texas public defenders would qualify. See Texas Higher Education Coordinating Board, *Types of Financial Aid - Loan Repayment Programs* (2022) (showing that no such program is available).
103. This figure shows the amount that would be repaid under the Texas Higher Education Coordinating Board program. The average lawyer debt used in this model is \$160,000. See *Average Law School Debt, supra*.
104. *Managed Indigent Defense Systems in Texas Counties, supra*.
105. See *Tex. Gov. Code § 41.251, supra*.
106. *But see* *Federal Student Aid, Repayment Plans* (2022) (some income-based repayment plans discharge loans after 25 years).
107. According to TIDC's fiscal year 2021 reports from 254 counties and 3,317 attorneys, the median annual pay for indigent defense cases was \$18,550, and the median percent of time spent on indigent defense was 60%. Data on file with TIDC and Deason Center.
108. See *Cameron County District and County Court Attorney Fee Schedule, TIDC*, at 1 (2011) (flat rate for a misdemeanor plea is \$150). Other states report that their assigned private counsel confronts similarly dismal finances. According to a 2019 report, North Carolina private assigned counsel spend, on average, over half of their pay on overhead (such as rent, legal database fees, and support staff), making their effective pay rate less than \$20 per hour. See North Carolina Office of Indigent Defense Services, *FY19 Private Appointed Counsel (PAC) Effective Pay Rate Study*, at 2 (2019). For a general description of the challenges of part-time prosecution, see Lauck, S., *Missouri's Peculiar System Takes a Toll on Rural Lawyers, Missouri Lawyers Media* (Nov. 7, 2011).
109. See *Public Defense Primer, supra*, at 11, 22.
110. Hanson, M., *Average Medical School Debt, Education Data Initiative* (Dec. 9, 2021).

111. See generally Scholarships, Loans, and Loan Repayment for Rural Health Professions, *Rural Health Information Hub* (Jan. 10, 2022).
112. Health Resources & Services Administration, NHSC Students to Service Loan Repayment Program (Aug. 2022). See also National Health Service Corps, Loan Repayment Program (Jan 2021).
113. Scholarships, Loans, and Loan Repayment for Rural Health Professions, *Rural Health Information Hub* (2022).
114. Texas Higher Education Coordinating Board, Physician Education Loan Repayment Program (2022). See also Tex. Admin. Code, tit. 19, § 23.70 (2019).
115. *Id.*
116. *Id.*
117. This figure shows the amount that would be repaid under the Physician Education Loan Repayment Program over four years assuming an initial debt of \$180,000. For information about PELRP, see note 115, *supra*.
118. Texas Higher Education Coordinating Board, Report on Student Financial Aid in Texas Higher Education at 135 (Sept. 2018).
119. *Id.*
120. See Indigent Defense Mentoring, *supra*, at 3 (2015) (“The highly autonomous defense bar structure in Texas offers few paths to gaining experience as a competent, client-centered indigent defense practitioner. [...] Unlike in many other states, in Texas there are few opportunities to enter the practice as a public defender and learn under the supervision of more experienced attorneys”).
121. Managed Indigent Defense Systems in Texas Counties, *supra*. TIDC has since awarded grants for rural regional offices in the Concho Valley (Runnels, Schleicher, Concho, Sterling, and Coke Counties) and the area surrounding Taylor County, including Coleman, and Shackelford Counties. See TIDC, Tom Green County Dashboard (2022).
122. See Legislative Appropriations Request to the 88th Legislature (FY24 - 25), *supra*.
123. See note 20, *supra*.
124. See note 121, *supra*.
125. Public Defense Primer, *supra*. See generally Romero, A., Efforts to Encourage and Support Rural Law Practice in Wyoming, *22 Wym. L. Rev.* 155, at 158 (2022) (“Around 80% of lawyers in the least populated counties [in Wyoming] are solo practitioners... so they may be more likely to need support in developing a practice and expertise.”).
126. See Indigent Defense Mentoring, *supra*, at 3 (2015).
127. TIDC, Starr County Regional Public Defender: Grant Evaluation (Nov. 2020).
128. *Id.*
129. Greening the Desert, *supra*, at 5.
130. See notes 107 and 108, *supra*.
131. Public Defense Primer, *supra*, at 11; Fucillo, J., supra, at 350; Davis, W., No Country for Rural Lawyers: Small-Town Attorneys Still Find It Hard to Thrive, *ABA J.* (Feb. 1, 2020) (discussing the economic difficulties of opening and maintaining a rural law practice).
132. *Id.*

133. *Id.*
134. *Id.* Rural public defenders who previously had private practices report that the structure and support of a public defender office made them better advocates.
135. *Id.*
136. Legislative Appropriations Request to the 88th Legislature (FY24 - 25), *supra*.
137. Country Justice in Texas, *Deason Criminal Justice Reform Center* (2022).
138. TIDC, System Building (2022).
139. Rural-Urban Continuum Codes, *supra*.
140. *Id.*
141. See note 14, *supra*.
142. To be classified in categories 5-9 of the RUCC a county must meet two requirements. First, it must be considered ‘non-metropolitan’ by the United States Office of Management and Budget. To meet this requirement, the county may not contain any urban center over 50,000 people, nor may more than 25% of its population regularly commute to or from a county with such an urban center. (One hundred and seventy-two Texas counties are non-metropolitan; these range from RUCC codes 4 through 9.) Second, a county must not contain any urban center with a population of 20,000 or more or be adjacent to another metropolitan county.
143. County Population Totals: 2020-2021, *supra*.
144. See Tex. Gov’t Code Ann. § 81.115 (2017).