

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

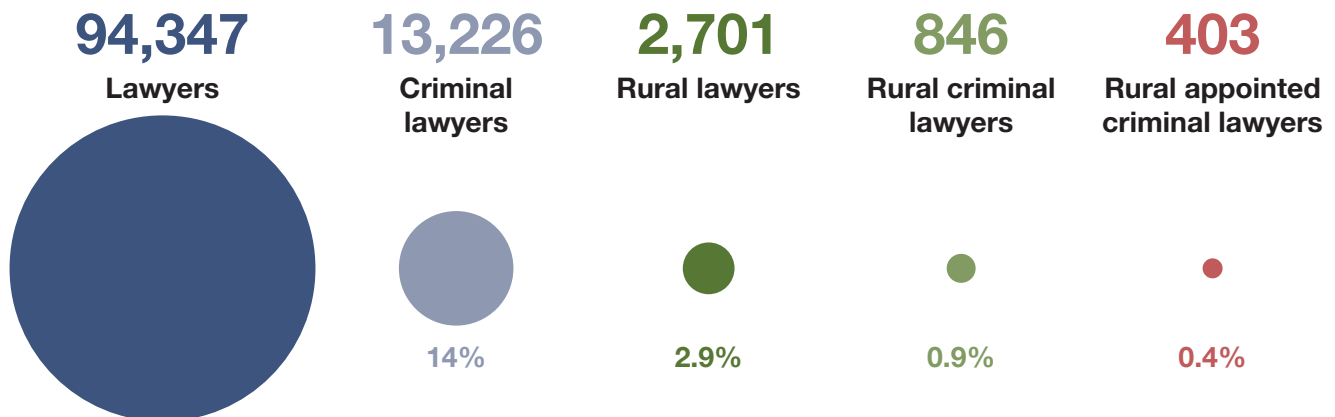
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FIGURE 1

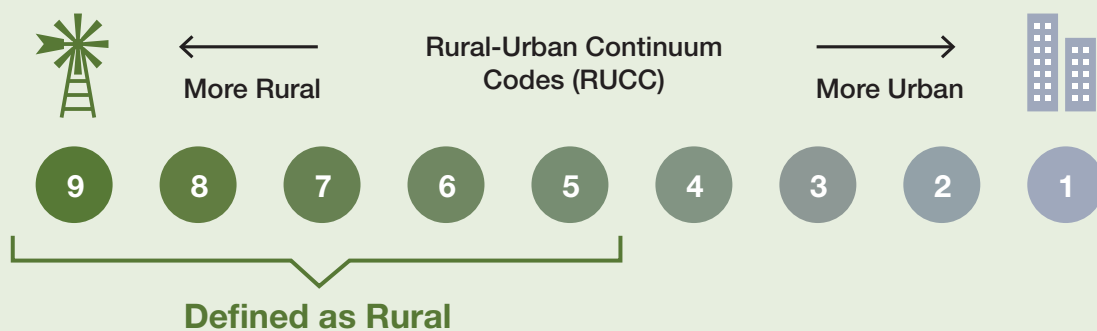
In 2021, fewer than 1% of Texas attorneys were rural criminal lawyers⁹



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.

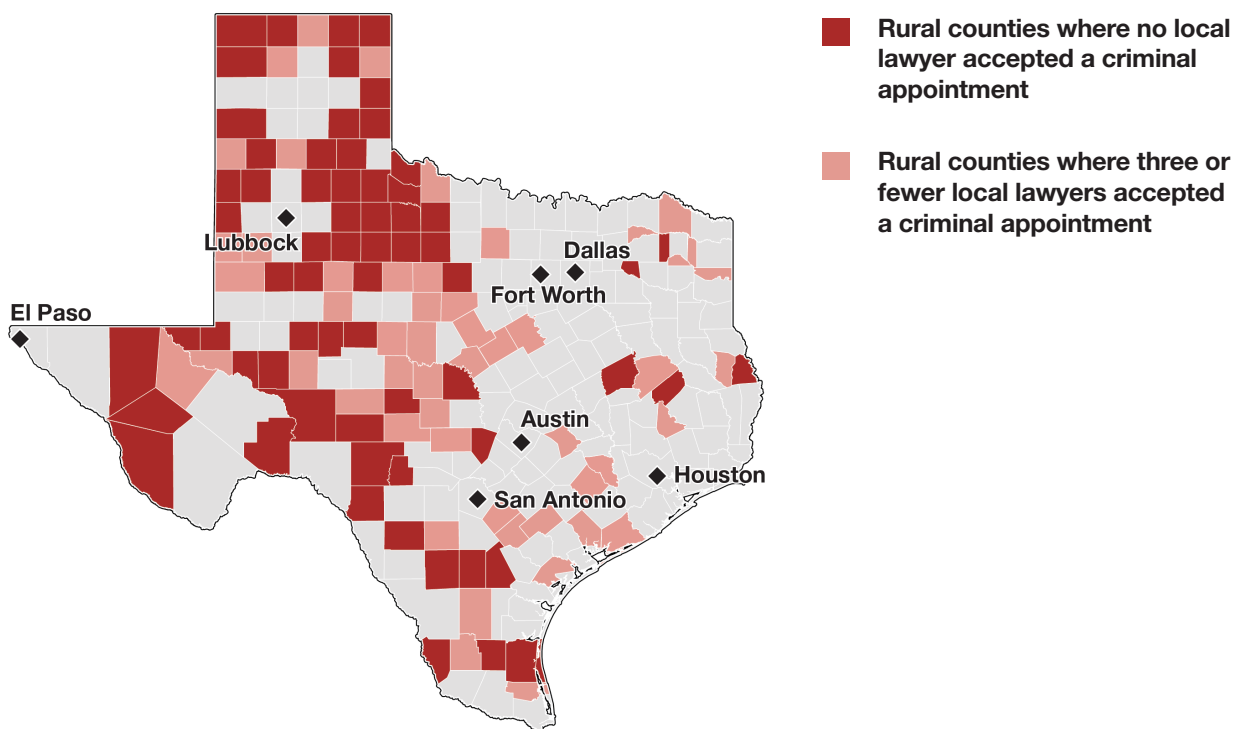
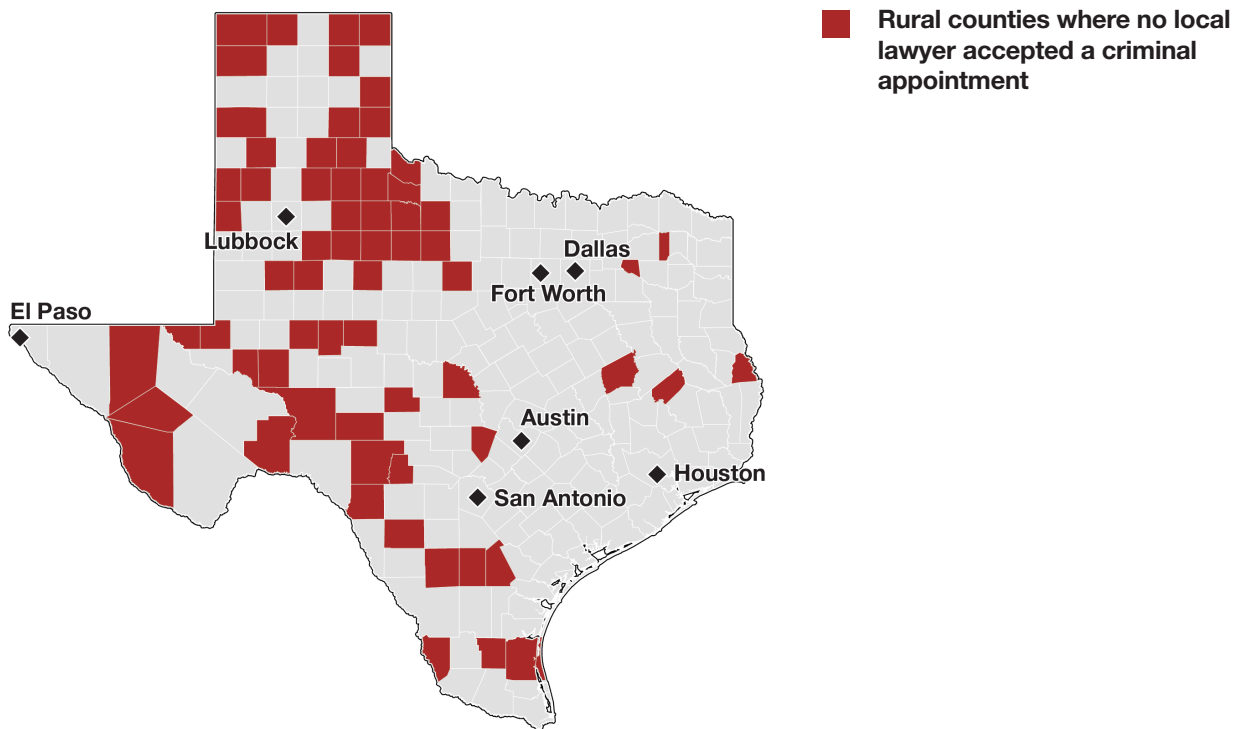
Among rural lawyers who practice criminal law, few are exclusively criminal practitioners. Some rural prosecutors split their time.¹⁶ In addition to their government work, they maintain private practices, sometimes in the same counties where they prosecute.¹⁷

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

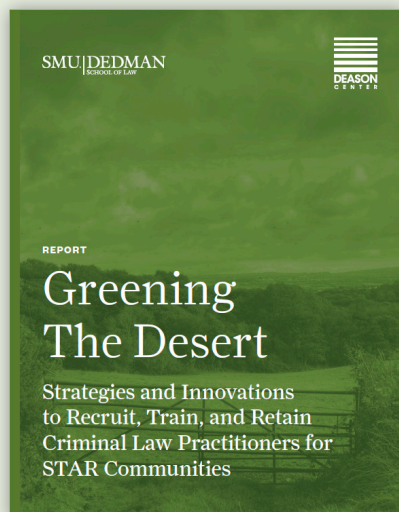
Rural courts meet less frequently.²⁷ Victims must wait for prosecutors to investigate.²⁸ Evidence disappears and witnesses' memories fade.²⁹

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

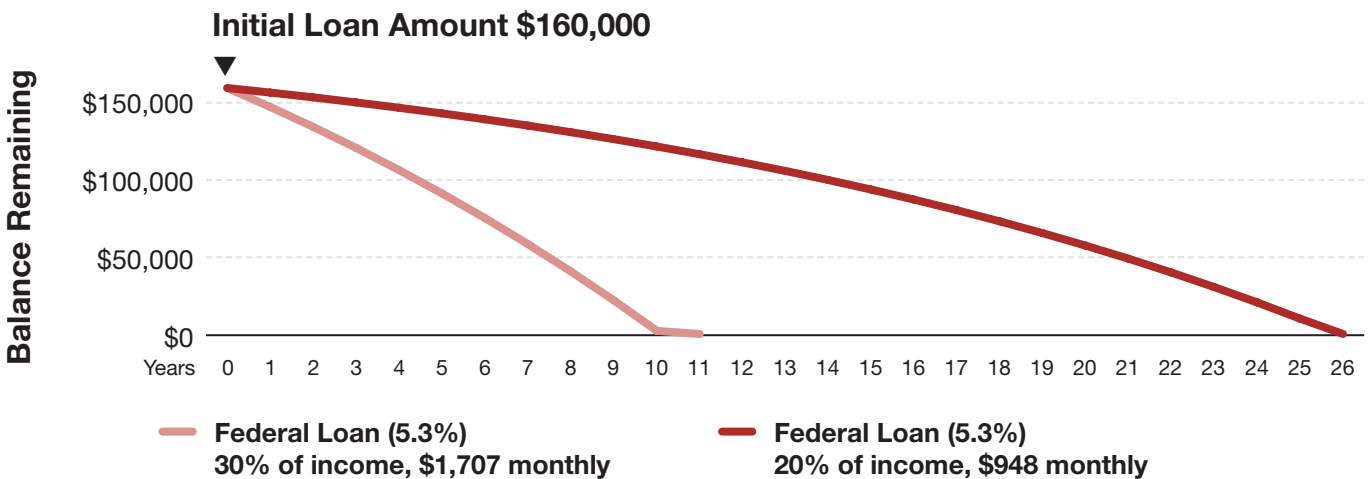
The financial realities of rural practice are grim. Nearly all rural lawyers earn lower salaries, and new lawyers face staggering law school debt. In 2020, law graduates with student debt owed an average of \$160,000.⁹⁴

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.

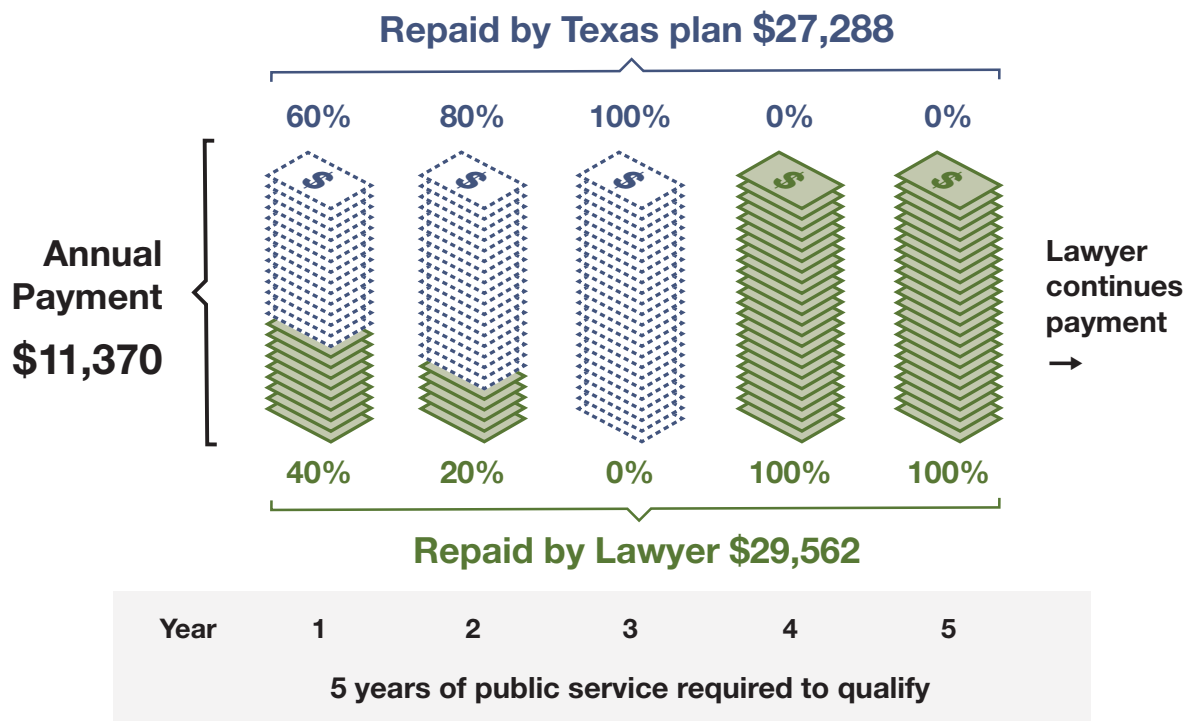
In Texas, salaries for new prosecutors and public defenders can range from \$60,000 to \$70,000 per year.⁹⁷ Although prosecutors and public defenders qualify for federal student loan forgiveness, that program requires ten years of payments and ten years of public service work.⁹⁸

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

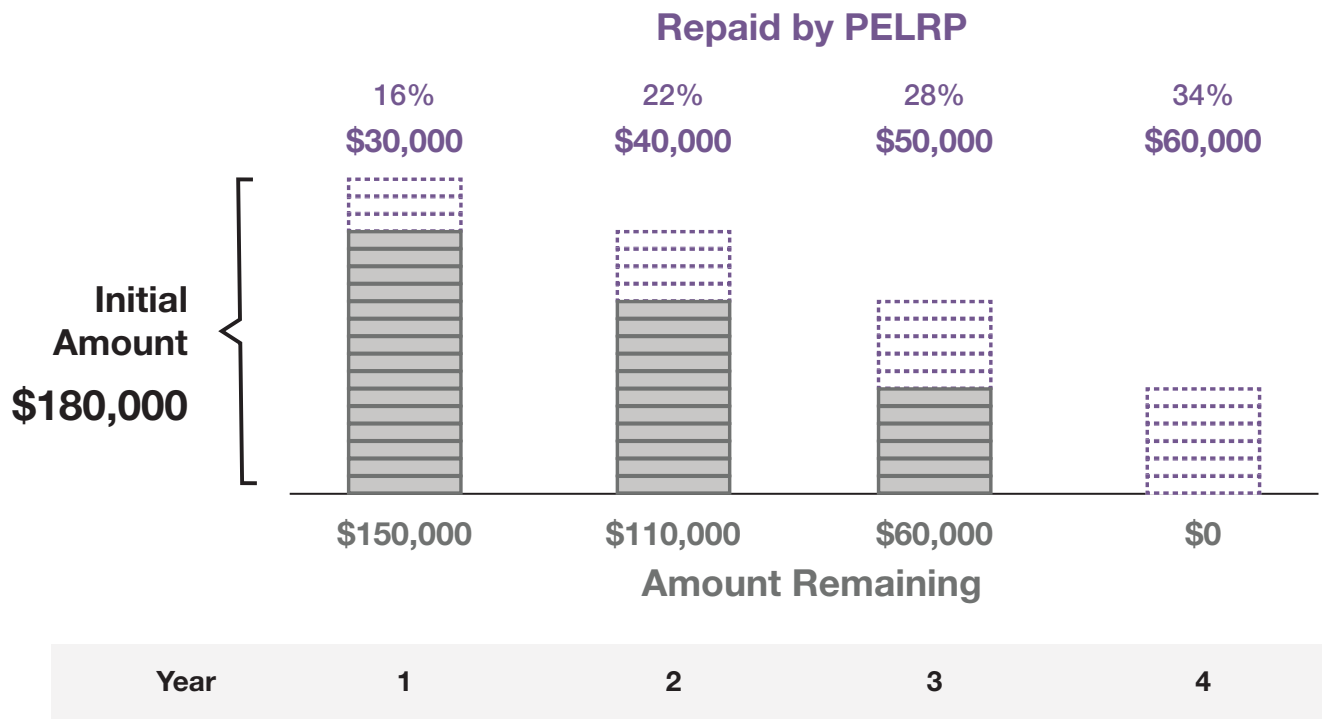
payment per case for some court-appointed defense attorneys

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

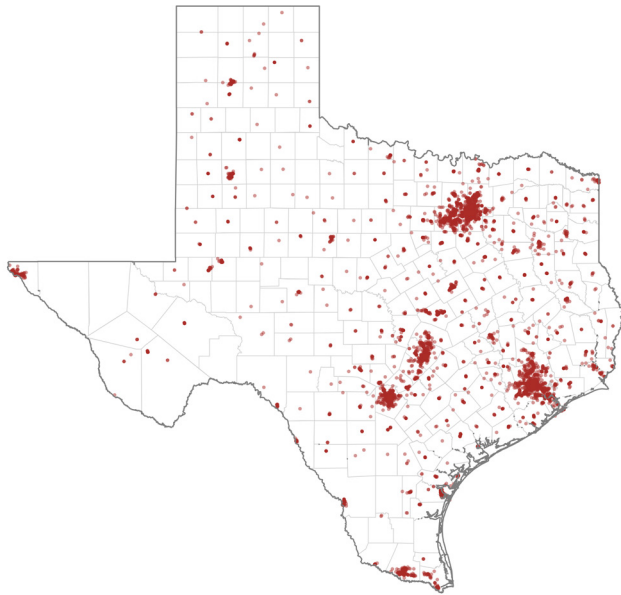
Use Data to Identify Urgent and Emerging Public Defense Needs in Rural Texas

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.

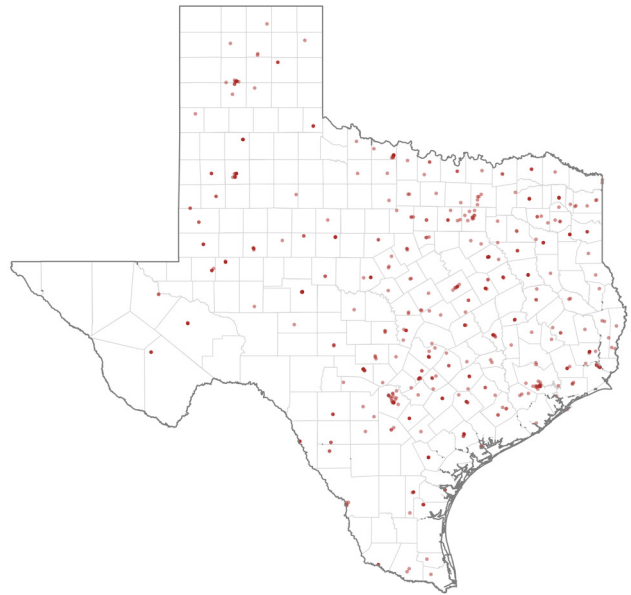
FIGURE 7

Researchers can identify areas of greatest need

Criminal lawyers

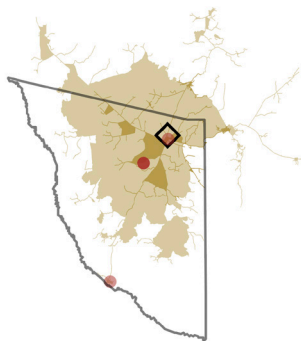


Appointed criminal lawyers

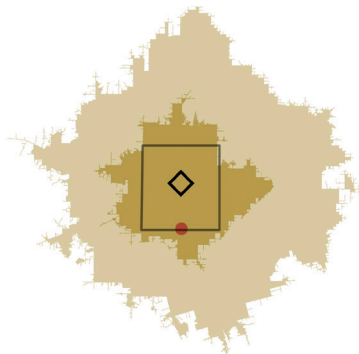


Drive time zones between constitutional county courts and criminal lawyers

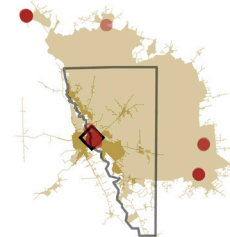
Presidio



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

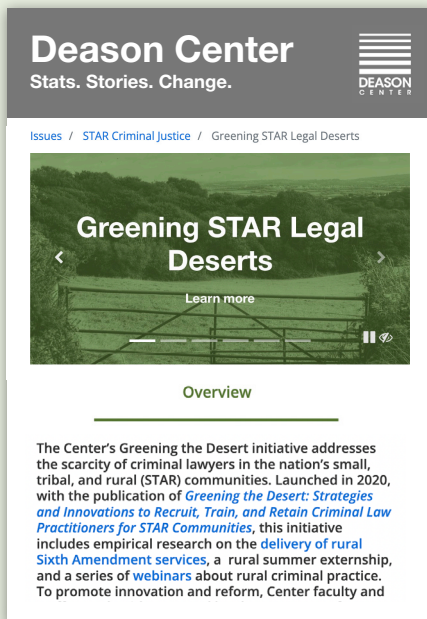
While Texas' urban criminal courts get big headlines, many rural criminal courts confront devastating lawyer shortages. Rural Texans deserve the same constitutional protections as their urban and suburban counterparts. With strong recruitment strategies, targeted incentive programs, and new rural defender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

✓ THE SOLUTIONS

Educational Pipelines

Financial Incentives

Rural Defender Offices



The screenshot shows the Deason Center website. At the top, it says "Deason Center Stats. Stories. Change." with the Deason Center logo. Below that, there are navigation links: "Issues / STAR Criminal Justice / Greening STAR Legal Deserts". The main content area features a large image of a green field with a wooden fence, titled "Greening STAR Legal Deserts". Below the image is a "Learn more" button. Underneath is a section titled "Overview" with a horizontal line. The text below the line reads: "The Center's Greening the Desert initiative addresses the scarcity of criminal lawyers in the nation's small, tribal, and rural (STAR) communities. Launched in 2020, with the publication of *Greening the Desert: Strategies and Innovations to Recruit, Train, and Retain Criminal Law Practitioners for STAR Communities*, this initiative includes empirical research on the *delivery of rural Sixth Amendment services*, a rural summer externship, and a series of *webinars* about rural criminal practice. To promote innovation and reform, Center faculty and

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.

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. Only 403 of these lawyers had primary practice addresses in rural Texas counties.

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.