

**Written response of Scott Ehlers, Executive Director, Texas Indigent Defense Commission, in response to questions from Robert Montoya, Texas Scorecard**

**March 12, 2025**

The Supreme Court of Texas renewed its Emergency Order Regarding Indigent Defense and the Border Security State of Disaster to help ensure that defendants arrested under Operation Lone Star (OLS) are appointed legal counsel, as required by the US and Texas Constitutions and state law. The order is necessary because the border counties where most of the OLS arrests are occurring do not have an adequate number of attorneys or the financial resources necessary to represent the many additional defendants arrested under OLS.

The Texas Indigent Defense Commission's grantee, Lone Star Defenders Office (LSDO), serves as the indigent defense hub to ensure that OLS arrestees are appointed counsel timely and uniformly across multiple counties, ensure quality representation is provided across many counties, recruit attorneys to provide representation in counties that don't have enough lawyers, and pay attorneys in a timely manner.

Amrutha Jindal took over the OLS duties from Phil Wischkaemper in January 2022. Unfortunately, Mr. Wischkaemper passed away on February 25, 2025.

LSDO was spun off from the Lubbock Private Defenders Office as a separate nonprofit and has independently handled OLS duties since January 1, 2024. The separation was needed because the amount of work exceeded LPDO's expectations when it agreed to take on OLS and it needed to focus on its Lubbock County duties. TIDC has not received complaints from judges about LSDO-appointed attorneys or LSDO's performance. We haven't received any complaints from attorneys taking appointments through LSDO either. If a judge encounters problems with an LSDO-appointed attorney's performance, they should contact LSDO to tell them about the problems they are seeing. If a judge or an attorney has a complaint about LSDO's performance, I encourage them to contact TIDC.

Regarding the allegations that Sylvia Delgado lodged against Mr. Wischkaemper to the State Bar in December 2021, TIDC left that investigation to the State Bar of Texas, which investigates grievances against attorneys. I am not aware of any disciplinary action that the State Bar took against Mr. Wischkaemper. According to his State Bar profile, there is no public disciplinary history against Mr. Wischkaemper.

I have no comment on LSDO's social media posts.