

Minutes of the  
INDIANA PUBLIC DEFENDER COUNCIL  
BOARD OF DIRECTORS  
Public Defender Council Office  
309 W. Washington St., Ste. 401  
Indianapolis, IN

June 11, 2020

4:00 pm

Minutes

**I. Call to Order – Mark Nicholson**

A meeting of the Board of Directors of the Indiana Public Defender Council was called to order at 4: 06 pm EST on June 11, 2020 in the conference room at Indiana Public Defender Counsel in Indianapolis, Indiana. The meeting was chaired by Mark Nicholson (Chair - via electronic).

All Board Members were electronic: Mark Nicholson (Chair), David Hennessy (Vice Chair), Deana Martin (Secretary), Christopher Shema, Bob Hill, David Shircliff, Ashley Spolarich, Jennifer Sturges, and Amy Karozos. IPDC employee present was: Bernice Corley (Executive Director) IPDC employees electronic were: Mike Moore (Asst. Executive Director), Juli Byrne (Office Coordinator), Jack Kenney, Michael Wilson, Suzan Ristich, Joel Wieneke, Ruth Johnson, and Diane Black.

**II. Approval of Agenda and Minutes – Mark Nicholson**

Motion made by Deana Martin to approve agenda for June 11, 2020, seconded by Ashley Spolarich, motion carries unanimously.

Motion made by Amy Karozos to approve minutes as amended by Deana Martin for the January 23, 2020 meeting, seconded by Deana Martin (amendment made to include a correction to these minutes: Jennifer Culotta abstained from voting on the minutes for the previous meeting (12/12/2019) since she was not present, which changes the vote to 3 abstaining) motion carries 6-1 (David Hennessy opposed) (Christopher Shema & Ashley Sturges abstained).

Minutes for March 24, 2020, Ashley Spolarich requested a correction to minutes (on page 10 a motion was seconded by Ashely Spolarich to move the retreat to Brown Co. but in the minutes it also stated that she voted opposed to this motion. . . correction should state that Jennifer Sturges was opposed; and in section II the January board minutes were distributed to the board on February 28, 2020.) Ashley Spolarich made a motion to approve the minutes with the corrections listed above, seconded by Deana Martin, motion carries 8-1 (David Hennessy opposed). Christopher Shema injected a point of order that he doesn't feel that minutes can be approved with a correction that is going to be made at some point in the future without having that correction to approve.

Minutes for the April 24, 2020 meeting, Christopher Shema wants the minutes corrected to reflect his point of order on the grounds that the entire board should have the ability to make the decision. David Hennessy wants the reasons for his “no” vote on the annual reflected in the April 24, 2020 minutes (His “NO” vote was because he wanted a meeting to be held at the end of May because Diane Black already had July 31, 2020 reserved and we had a middle of June date that we could cancel with no financial penalty, he wanted a meeting at the end of May to make a decision rather than making the decision that day.). Last correction, Ashley Spolarich wanted her name spelled correctly in the last paragraph on page 3. Ashley Spolarich made a motion to adopt the minutes with amendments, seconded by Amy Karozos, motion carries 8-1 (David Hennessy voted no).

Deana Martin made a motion to adopt the June 1, 2020 minutes, seconded by David Shircliff; motion passed 6-0 (David Hennessy abstained to avoid doing a roll call, Ashley Spolarich & Amy Karozos abstained due to not being present at meeting).

### **III. New Business**

Additional IPDC App development (Michael Wilson)

- Add Judicial Rules of Conduct
- Rules on Access to Court Records
- Administrative Rules
- Update Old Rules
- Add the Indiana Constitution
- Add the United States Constitution
- Search Functionality (25 to 30 hours of development)

To add these items to our app, according to Michael Wilson, it will take between \$1,900 - \$2,200. Michael Wilson informed the board that this would be the 2<sup>nd</sup> time the app has been updated since it was released. Michael Wilson feels that we could have this all ready and workable within a month or two of the original release date. Christopher Shema is requesting that the board approve updating that app as we move more and more into this age of technology. David Hennessy made a motion that we target updating the app by the end of 2020, seconded by Robert Hill; David Hennessy withdrew his motion. Christopher Shema made a motion to make this a priority with a prototype available to review at the retreat, with the goal of being able to release it to our membership in December at our Forensics Seminar, seconded by David Hennessy; motion passes unanimously.

Defendnet (Ashley Spolarich)

Ashley Spolarich brought to the attention of the board that on defendnet there have been a number of posts and are incredibly disheartening in the sense of personal attacks on other attorneys. She is concerned about the number of attacking e-mails and is there anything that we can do about those attacks. We should not be allowing people to do these vicious personal attacks. Bernice Corley stated that she is trying to do better in monitoring the defendnet. Her concern is that there is a lot of things flying on defendnet that she is unable to keep up which is causing her to catch something that someone has said and reprimanding them but then not catching what someone else said, the monitoring is extremely difficult. Mike Moore informed

the board that on September 15, 2020 IOT will no longer support listserves and that they will no longer exist and we have not found another option for this at this time and we are still looking into something else. We are researching from free to really expensive options, ideally we want this option to be monitored by someone else and not us. We are hoping to have an option to deliver this service before the 9/15/2020 deadline. Ashley Spolarich stated that no matter what option we choose we need to have a signed use agreement for all users.

David Hennessy wants to reserve 10 minutes to be able to inform the members on what IPDC has done this year, case reviews, Seminar attendance, and give a report to the meeting of the members.

David Hennessy made a motion to adjourn, seconded by Mark Nicholson; motion passed unanimously.