

Indiana Public Defender Council
Board of Directors Meeting - March 16, 1984

MINUTES

1. CALL TO ORDER. The meeting of the Board of Directors of the Indiana Public Defender Council was called to order by Terry Richmond, Vice Chairman, at 4:30 p.m. on March 16, 1984 at the Adams Mark Hotel in Indianapolis, Indiana. Directors present: Larry Combs, Terry Richmond, Gene Hollander, Susan Carpenter, Dan Weber, and Dave Keckley. IPDC staff members present: Kit Keller, Mary Sinnock and Larry Landis.
2. MINUTES OF PRECEDING MEETING. Dave Keckley moved and Susan Carpenter seconded a motion to waive approval of the minutes of the IPDC Board of Directors meeting held November 3, 1983.
3. EXECUTIVE DIRECTOR'S REPORT. Larry Landis reported to the Board on the following Council projects:
 - A. Sentencing Manual. Revision was completed this winter, and the 1984 edition of the Sentencing Handbook will be distributed at the seminar to be held March 16th.
 - B. Evidence Manual. Brent Westerfeld has completed updating the Evidence Handbook, it will be printed shortly and available for distribution in May or June.
 - C. Case Bank. Case Banks were sent by UPS to subscribers two weeks ago. Update service will begin this summer.
 - D. Brief Bank. There has been a temporary lull in reviewing briefs for the Brief Bank because the court clerk quit saving copies for the Council for several months. Larry is trying to get this corrected. Setting up the Brief Bank with an indexed catalogue for members will hopefully be completed by fall 1984.
4. FUTURE PROJECTS.
 - A. Instructions Manual. Monica Foster will coordinate this project. A notice soliciting members to serve on a committee will be put in the Defender. Completion goal is late 1984.
 - B. Appellate Manual. Completion in 1985.
 - C. Trial Manual/Handbook. Proposed next manual - completion in 1986. This decision is flexible; if priorities change the Board may reconsider this project.
5. UNFINISHED BUSINESS.

Topic for Fall 1984 Seminar. After brief discussion it was decided to postpone selection of a topic until the Board's next meeting.

6. NEW BUSINESS.

- A. Seminar Manual Update. Larry Landis asked the Board how often the Sentencing Manual should be updated in order to be most useful to defenders. Following discussion, Gene Hollander moved that the manual be updated every three years; the motion was seconded by Larry Combs and carried by acclamation.
- B. Grant - Fiscal Evaluation of Marion County P.D. System. Larry Landis informed the Board that funds are available from the ABA for fiscal evaluations of local public defender systems. Larry proposed that the Council apply for a grant to have an evaluation done of the Marion County public defender system. Grant application should be made through the Criminal Justice Section of the IBA, with approval by the IBA Board of Managers. The bulk of the \$4000 grant would be used for data collection. Staff and students from the School for Public and Environmental Affairs of IUPUI could be used for this work. The question was raised whether the fact that the study would only cover one county - Marion - would limit the value of the results. Larry Landis stated that the design of a system to collect the data would be useful as a format which could then be applied to other counties. Questions were raised about the amount of IPDC staff time the grant project would require. Following discussion, Larry Combs moved that Landis be given authority to apply for a grant to conduct a fiscal evaluation of the Marion County public defender delivery system. The motion was seconded by Gene Hollander and approved by acclamation.
- C. Cass County. Larry Landis informed the Board of a situation in Cass County which may ultimately have an impact on public defender delivery systems in the state. Cass County has a court-appointed system using 6 or 7 attorneys. The County Council, in an effort to control expenses, passed a resolution stating that they would contract for public defender services. An opinion has been requested from the Attorney General on whether the county legislative body can contract for p.d. services. Ultimately the issue will go to the state Supreme Court on mandate. Larry said he would keep the Board informed on this situation.
- D. Grant Application for Statewide Study of P.D. Delivery Systems. Larry Landis asked the Board for authority to apply for a grant from the Indiana Criminal Justice Institute to fund a statewide survey of defender delivery systems, including costs. If granted, the Research Consortium would be contracted to collect the data. Susan Carpenter moved to approve application for such a grant; the motion was seconded by Gene Hollander and approved by acclamation.
- E. Juvenile Grant for 1985. The Indiana Criminal Justice Institute has money available to fund juvenile justice projects. The Council is included in their 1985 schedule for approximately \$25-30,000. The Board should consider how best to use these funds. Larry Landis would like suggestions at the next meeting.

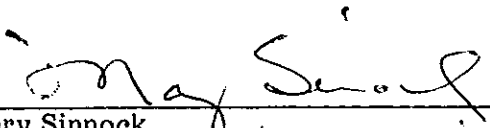
7. COMMITTEE REPORTS.

- A. Nominating Committee. Terry Richmond and Dan Weber volunteered to serve on the 1984 Nominating Committee with Susan Carpenter. They were requested to submit their nominations to Mary by April 15th so they could be included in the election notice in the next Defender.
- B. Contracts Committee. Larry Landis reported that the Contracts Committee has met and drafted guidelines for a model contract. These guidelines would be prepared for the next Board meeting.
- C. Standards Committee. Larry Landis suggested that this committee meet at least once before the August retreat in order to prepare recommendations on compensation, determination of indigency, caseloads, etc.
- D. Defender Services Committee. This committee needs to meet before August to prepare recommendations which could be formulated into legislation proposals for the 1985 General Assembly.

8. NEXT MEETING. The next meeting of the Board was scheduled for May 3, 1984, at the Sheraton East Hotel in Indianapolis. (Note: This meeting was later cancelled when the seminar set for May 5th was postponed until July.)

9. ADJOURNMENT. The meeting was adjourned at approximately 5:30 p.m.

Minutes prepared by:



Mary Sinnock
Date: 7/5/84

Approved and submitted by:

Donald Peyton, Secretary

Date: _____

American Bar Association

BAR INFORMATION PROGRAM: THE CRISIS IN INDIGENT DEFENSE FUNDING

REQUEST FOR PROPOSALS

The Bar Information Program is pleased to announce the availability of grants to enable state and local bar associations to conduct programs designed to improve the quality of criminal defense services for persons unable to afford a reasonable attorney's fee.

Amounts Available

A total of \$40,000 will be distributed. Because the goal is to award 10 to 12 grants, applicants that seek grants in the range of \$2500 to \$4000 will be preferred. Applicants who seek more than \$5000 will not be considered.

Purpose

The Bar Information Program was created by the Standing Committee in response to the shortage of state and local funds for indigent defense services. Its purpose is to stimulate the organized bar to take steps to increase the funding for, or enhance the availability of, legal services for defendants who cannot afford to retain an attorney.¹

Any activity by a state or local bar association that furthers the purposes of the Bar Information program is eligible for a grant. The Bar Information Program is especially interested in projects that:

- 1) address serious local problems with solutions that may be replicated in, or provide models for, other jurisdictions; or
- 2) will either a) produce quick improvements in services for poor defendants, or b) will start a long-term effort that will be self-sustaining by the end of the grant period.

1. Information on the Bar Information Program and the problems created by inadequate funding is contained in the enclosed brochure. Additional information may be found in two Bar Information Program publications -- Gideon Undone (a brief introduction to the crisis in indigent defense funding) and Criminal Defense Services for the Poor (a state-by-state description of the effects of inadequate funding). These publications are available free of charge to potential applicants. To obtain copies, write to Helena Feinberg, Bar Information Program, American Bar Association, 1155 East 60th Street, Chicago, IL, 60637.

Public defenders or court administrators can provide information on the status of criminal defense services in local jurisdictions.

STANDING COMMITTEE ON LEGAL AID AND INDIGENT DEFENDANTS

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Eligible Applicants

Any state or local bar association, including specialty bar associations, and any Young Lawyers Division affiliate, is eligible.

Schedule

Grant applications must be mailed on or before March 2nd, 1984. Grant awards will be announced on April 6th, 1984. Projects must be underway by June 1, 1984, and must be completed in one year or less.

Application Format

Applications may not be longer than 10 typewritten, double-spaced, letter sized pages.

The application should consist of eight sections:

1. **Face Sheet.** Complete the enclosed face sheet and attach it to the front of the application.
2. **Applicant.** Briefly describe the applicant organization, and any other organizations which will co-sponsor the project, if any.
3. **Problem Addressed.** Describe the problem to be addressed by the project. Explain why the issue chosen is a serious problem.
4. **Project Objectives.** In a page or less, describe what the project will achieve if it is successful.
5. **Methods.** Briefly describe how the project will be carried out. It might be easiest to describe the project sequentially, i.e., what will be done first, then what will be done next, etc. If dates are not obvious from the discussion, attach a schedule showing dates of key events. If other groups are to participate, describe their roles. Be sure to indicate who will be responsible for the execution of the project.
6. **Evaluation.** Briefly describe some simple way that will be used to determine whether the project has succeeded or failed.
7. **Resources.** Describe all of the resources available for the project. Projects with matching cash contributions will be given preference over projects which do not provide matching funds.
8. **Budget.** Show how the funds from the grant, as well as matching funds, will be used.

**Board of Directors Meeting
Indiana Public Defender Council
March 16, 1984 - 4:30 p.m.
Adams Mark Hotel - Indianapolis, Indiana**

AGENDA

- I. Call to Order
- II. Minutes of Preceding Meeting
- III. Executive Director's Report
 - A. Sentencing Manual
 - B. Evidence Manual
 - C. Case Bank
 - D. Brief Bank
- E. Future Projects
 - 1. Instructions Manual (1984)
 - 2. Appellate Manual (1985)
 - 3. Trial Manual/Handbook (1986)
- IV. Unfinished Business
 - A. Subject for Fall 1984 Seminar
- V. New Business
 - A. Seminar Manual Updates - How often
 - B. Authorization for Grant Application for Fiscal Evaluation of Marion County Defender System