

INDIANA PUBLIC DEFENDER COUNCIL  
BOARD OF DIRECTORS

Minutes: August 27, 1992  
Indianapolis, Indiana

MEMBERS PRESENT

Present were: David Hennessey, Jodie English, Eric Koselke, Dan Toomey, Terry Richmond, Novella Nedeff, David Keckley, Linda Wagoner. Also present were IPDC staff Larry Landis, Larry Vellani, and Indiana Public Defender Commission members Monica Foster and Norman Lefstein.

CALL TO ORDER

Linda Wagoner called the meeting to order.

APPROVAL OF MINUTES

Minutes of the March 12 and June 13, 1992 meetings were approved with correction of the spelling of Dan Toomey's name.

JOINT BOARD MEETING: IPDC & IPD COMMISSION

The proposed 1993 public defender legislation was discussed (attached as Exhibit A) and the following changes agreed upon:

\*\* p.2, 1.26 I.C. 33-9-13-3, Sec. 3(c) should read:

"Adopt standards for indigent defense services, including the following:

- (1) Qualifications of attorneys to represent indigent defendants at state expense.
- (2) Compensation rates for salaried, contractual and assigned counsel.
- (3) Minimum and maximum caseloads of public defender offices and contract attorneys."

\*\* p.3, 1.18 I.C. 33-9-13-3, Sec. 3(f) is deleted.

\*\* p.4, 1.32, I.C. 33-9-14-4, Sec. 4(a) is to provide for 50% state reimbursement in non-capital cases.

\*\* p.7, 1.22, I.C. 33-9-15, Sec. 5(b) should read:

"Upon review and approval of by the county fiscal body, the plan shall be submitted to the commission."

EXECUTIVE DIRECTOR'S REPORT

Larry Landis submitted his report, highlights of which include:

- 1) 1992 seminars: \* = definite
- |             |                            |                           |
|-------------|----------------------------|---------------------------|
| *August 28  | Annual Mtg./Joe Gustafarro | H i l t o n -<br>downtown |
| *October 16 | Drug defense               | Adams Mark                |
| *Nov. 6     | Habeas                     | ?                         |
| *Nov. 20    | Moylan                     | H i l t o n -<br>downtown |
| Sept. 22-5  | Death penalty              | ?                         |

2) Publications: Production schedules still behind dates given at last board meeting, but in process.

Sentencing: 8/92 1-2 mos. behind.

Evidence: 9/92 in final editing.

Motions: 3/93

Jury Ins.: reevaluate, pattern criminal just published.

Death penalty manual is being divvied up amongst Monica, Paula and 18 volunteer attorneys with goal of completing portions by 12/92.

Trial Manual I: 6/93

" " II: 6/94

Appellate: 1/94

Juvenile Del.: ?

3) General and death Research requests are up. Do we need more staff? 1250 total requests last year compared to 876 the year before. Case bank is being updated in mid September, 127 subscribers.

4) Death cases: 16 mitigation specialists have received training, and the IPDC will continue to provide quarterly training, provide consultative services on their cases and supply a list of trained specialists to all death lawyers.

5) The BBS has been upgraded and is to be distributed by late August to select sites for testing. Judges are to be given restricted access to the Case Bank.

6) The ISRC has increased referrals, particularly out of Marion and St. Joseph counties. Staff continues to meet with courts in several counties to make known the availability of their expertise.

7) IPDC submitted almost half a million in grant requests to ICJI for public defender training (\$90,000); data and info clearinghouse (\$178,000); ISRC (\$130,000) and sentencing alternatives in county defender offices (\$70,000). The ICJI board is to meet 9/23/92.

8) BIENNIUM BUDGET REQUESTS: PRIORITIES TO BE DISCUSSED AT ANNUAL

BOARD RETREAT: for 1993-4 and 1994-5, for both the regular council and ISRC.

OLD BUSINESS

Board elections: there are seven candidates for the six available positions. The election will be held just prior to lunch at the annual meeting on August 28, 1992. The election will be conducted by the previously designated election committee (Eric, Jodie & Maureen), with the assistance of IPDC staff. Results will be reported following lunch.

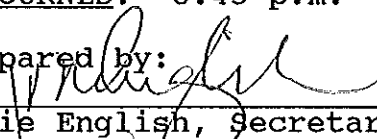
NEW BUSINESS

1) Next Board meeting: August 28, 1992, 4:30 p.m., following the annual meeting and conference, with the new board to set the time for the board retreat.

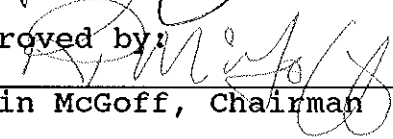
2) Dan Toomey reported that the new crime bill has passed in the house but is stuck in the Senate, with inaction by the Senate Judiciary Committee. Board members are encouraged to contact Cheryl Epps, NACDL's lobbyist at 202-872-8688. The House and Senate are scheduled to reconvene in mid September, call Epps then for an update.

ADJOURNED: 8:45 p.m.

Prepared by:

  
\_\_\_\_\_  
Jodie English, Secretary

Approved by:

  
\_\_\_\_\_  
Kevin McGoff, Chairman

Date: 9-18-92