

INDIANA PUBLIC DEFENDER COUNCIL
Meeting of Board of Directors - September 25, 1987
Indianapolis Marriott East Hotel

MINUTES

I. CALL TO ORDER

A scheduled meeting of the Board of Directors of the Indiana Public Defender Council was called to order by Chairman John Surbeck at approximately 4:30 PM September 24, 1987, at the Marriott East Hotel on the east side of Indianapolis. Board members present were: John Surbeck, Chairman; Daniel L. Weber, Secretary; Sandy Bryant; Gene Hollander; Terry Richmond; David Keckley; Sheila Zwickey and Susan Carpenter. Staff members present were Larry Landis and Mary Sinnock.

II. APPROVAL OF MINUTES

Minutes from the meeting of July 17, 1987 were amended to show that Mark McNeely was absent both days and that Susan Carpenter was not present on the second day of that board meeting. The minutes were amended and were unanimously approved.

III. THE EXECUTIVE DIRECTOR'S REPORT

A. Staff

Larry Landis reported that the following staff have been added since the last Board meeting:

Linda Spears - Administrative Assistant (replacement for Mary Sinnock)

Paula Sites - Staff Attorney (replacement for Kit Keller)

Tom Hayner - Staff Attorney (on contract to do manuals)

B. The Juvenile Grant and the Future of Its Funding

Larry Landis reported that due to Indiana's failure to comply with federal standards regarding deinstitutionalization of juvenile status offenders, Indiana may lose federal funding under the Juvenile Justice Act. This would mean no money would be available after July of 1988 for the Council's Juvenile Resource Project.

C. Alternative Sentencing Project

Larry Landis explained the Alternative Sentencing Project (ASP) may be expanding to Vigo and other counties. Dan Weber reported on the prospects for a limited number of cases in Vigo County. Sheila Zwickey expressed interest in the availability of services for Rush County.

Larry reported that at the Indiana Criminal Justice Institute meeting on the afternoon of September 25, 1987, the plan for fiscal year 1987 was adopted which allocated \$115,800 for ASP for FY 1988-89. This will be third year funding under the Criminal Justice Act.

IV. COMMITTEE REPORTS

A. Malpractice

John Surbeck gave a report for Dave Hennessy, Chairperson. Dave will schedule a meeting soon and report at the next board meeting.

B. Standards Committee

Susan Carpenter, Chairperson, reported that the committee has not met and that she has a considerable quantity of material to distribute. A report will be made at the next board meeting.

C. Payment Guidelines Committee

Terry Richmond is the chairman and Susan Carpenter, Sheila Zwickey and Dave Hennessy are the members. The committee has not meet.

V. PUBLIC DEFENDER LEGISLATION

Larry Landis requested that the Board decide whether the Public Defender Bill introduced in 1987 should be introduced to the 1988 session of the General Assembly. Considerable discussion ensued concerning pros and cons of going ahead now or waiting until next year. Susan Carpenter moved and Gene Hollander seconded that the Board start now to develop support for the bill and wait for the 1989 session. The motion received three votes in favor and one against.

John Surbeck appointed the following committee to work on developing support for the Public Defender Bill:

Terry Richmond, Co-Chairperson
Dan Weber, Co-Chairperson
Sheila Zwickey.

In response to a consensus of the Board, John Surbeck authorized the Co-Chairpersons to appoint three (3) other persons to committee, who need not be board members.

VI. NEW BUSINESS

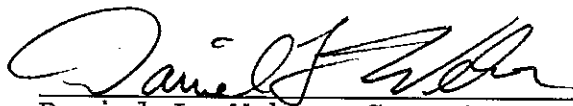
John Surbeck reported on his experience at the NAACP Death Penalty Conference in Airlie, VA in August. His opinion was that the quality of our programs as they have been planned and presented by Mary Sinnock over the last several years meet or exceed the national programs he has attended.

The Board resolved by acclamation to meet again December 11, 1987 at 4:00 PM at the Council's office.

VII. ADJOURNMENT

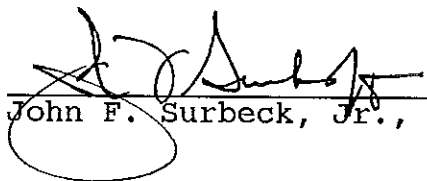
Daniel Weber moved and Terry Richmond seconded that the Board adjourn and the motion was passed unanimously at approximately 5:15 PM September 25, 1987.

Respectfully submitted:



Daniel L. Weber, Secretary

Approved:



John F. Surbeck, Jr., Chairman

EXECUTIVE DIRECTOR'S REPORT
September 25, 1987

A. MANUALS

1. Juvenile Update Richard Kiefer prepared an update of his Juvenile Delinquency Manual. Printing of 25 new manuals and 267 updates was done in August and September.
2. Evidence Update Henry Karlson completed an update of the 1984 Evidence Manual. 200 copies are being printed and will be available by the end of September.
3. Sentencing Update An update of the Sentencing Manual (1984) is being prepared by Monica Foster. The publication date was September, 1987. We are two months behind schedule.
4. Trial Manual Jill Grueling and Linda Wagoner prepared drafts of this manual under contract with IPDC. Present plans are to publish two manuals rather than one: Pretrial and Trial. Drafts were submitted in December. Editing was intended to be done by Larry Landis with a publication date in November of 1987. On September 8, 1987, Tom Hayner began working on contract to edit this manual. The publication date has been extended to December.
5. Motions Manual Update The publication date is March 1988. No action was taken during the past two months.
6. Appellate Manual The publication date is July 1988. No action was taken during the past two months.

B. CASE BANK

The original 150 sets of the Case Bank have all been sold. The Criminal Law Index has been revised and reprinted. The entire Case Bank will be sent to the printer by September 30, 1987. 25 new sets will be printed. Monthly updates are on schedule.

C. INDIANA DEFENDER

The Indiana Defender was a bimonthly publication from 1985 to 1987. We began monthly publication in January of 1987. Our mailing list now includes over 900 members. The intent is to upgrade the quality and content of our newsletter.

D. TRAINING PROGRAMS

The following are the programs planned for the remainder of this year.

September 25 - Search & Seizure/Constitutional Law - Charles Moylan, Jr.

October 30-Nov. 1 - Trial Skills, Session II

E. RESEARCH AND TECHNICAL ASSISTANCE

The following is a summary of the research and technical assistance conducted by the IPDC staff since 1978.

<u>Year</u>	<u>Research</u>	<u>Technical Assistance</u>	<u>Death Penalty</u>	<u>Total Requests</u>
1978-79	95	*	*	95
1979-80	149	*	*	149
1980-81	120	*	*	120
1981-82	320	*	*	320
1982-83	329	57	21	407
1983-84	329	124	50	503
1984-85	286	231	54	571
1985-86	253	290	78	621
1986-87	231	306	101	638

* records kept did not differentiate type of request.

F. GRANTS

1987-88 grant awards for the Sentencing Alternatives Project and the Juvenile Resources Project were made at the Criminal Justice Institute meeting on June 26, 1987. Final narrative and fiscal reports for 1986-87 have been filed and will be distributed at the Board meeting on September 25th.

G. STAFF

Kit Keller resigned in August after working for the Council for seven years. We received 24 resumes and conducted 12 interviews. Paula Sites was selected as her replacement and began work on August 24th.

Mary Sinnock left the Council as a full-time employee on September 25th to return to school. She will continue working 8-12 hours per week on training programs as a contractual employee.. Linda Spears was selected from over 100 applicants and began as an Administrative Assistant on August 24th.

Tom Hayner started as a contractual employee on September 8th. His primary assignment will be the Trial and Appellate Manuals. He will also assist with studies and reports of the public defender surveys.

IPDC

BOARD OF DIRECTORS MEETING

September 25, 1987
Marriott East Hotel
Indianapolis, IN

TENTATIVE AGENDA

1. Call to Order
2. Approval of Minutes
3. Executive Director's Report
4. Committee Reports
5. Public Defender Legislation
6. New Business
7. Adjournment