

**Minutes: Indiana Public Defender Council Board of
Director's Meeting**

Date: December 12, 1997

Place: Radisson Hotel, Indianapolis, IN

Board members in attendance:

Dan Toomey, Chair	Larry Landis, Executive Director
Jeff Lantz, Vice-Chair	Quinton Ellis
Kitty Liell, Secretary	Susan Carpenter
Terry Richmond	Jodie English
Bob Hill	Donald Murphy
Dave Hennessy	Paula Sites
Terry Harper	Teresa Campbell, Secretary

Call to Order:

The meeting was called to order at 5:02 P.M.

Approval of Minutes:

Minutes for the September 27, 1997 retreat were postponed to give Board Members an opportunity to review prior to comment.

Executive Director's Report

Larry Landis reviewed the grant application for FY 1998. During the last biennium cycle, Landis requested the State pick up funding as the current grant expires in March, 1998. The State picked up Jack Kenney's and Loretta Jackson's salaries. Larry indicated he submitted a broad proposal for the next grant, and anticipates receiving \$300,000.00 for funding.

Landis suggested the Board consider those items identified in strategic directions during the retreat for grant projects. Landis reiterated the Board's goal to pursue a more intensive outreach in training. Several options were discussed, including using the grant to fund a team of people on contract who can go into counties to do skills training, computer training, case management and to determine better from the counties what is needed.

Terry Harper suggested augmenting the tapes of the seminars with a live facilitator to take on the road. Terry reported that there are six tapes from trial skills lectures and demos. These tapes and a facilitator and would make a good program to take into counties. Ms. Harper further indicated that in terms of training, it is important to bring in people from other jurisdictions to gain new perspective.

The Board explored a variety of the options concerning the grant including hiring a "SWAT team" of experienced lawyers to monitor and assist a public defender in a case from scratch. Advantages and disadvantages of this were discussed. Disadvantages include the difficulties involved with determining which case to take and which lawyer to assist, and the advantages include an increased quality of representation for the client and the assisted attorney.

Jeff Lantz opposed using money to send in a person or a team to help a single case. Katharine Liell agreed. Jeff Lantz suggested taking training on the road to the fourteen established agencies, which could be extended later to counties without agencies.

Terry Richmond suggested a flexible approach, where perhaps a team contracted by the council could concentrate on different areas depending on the need of the county, such as training some public defenders for computer research, others on recoupment and how to set up an agency.

Dan Toomey reiterated the need to improve the conditions in which public defenders are working.

Larry Landis indicated that flexibility was needed in any outreach program to the counties. Larry reported that the agency directors indicated until case loads decrease, there is no time for training. Currently there is an 86% indigency rate for felony cases.

Larry Landis circulated the Bureau of Justice Assistance Fact Sheet detailing the new grant.

In reference to the draft grant proposal, Jeff Lantz moved that the draft be adopted with the following changes: the typo changed in objective 2 on page 2. Jeff Lantz also indicated the Board should add computer training and call it objective 2, which was omitted in the

draft. Susan Carpenter seconded Lantz's motion with the addition of computer training. Motion passed.

Report on Training Director

Larry Landis reported to the Board that the council had received seven to eight applications for the training director vacancy, and of those applicants there appear to be one or two good candidates.

Report on Upcoming Seminars

Larry Landis reported that ^GJerry Spence cannot come in March. Thus, unless he could find a replacement for Spence there would be no March seminar. Suggestions included Charlie Daniels, Barry Scheck, and Sun Wolf. The Board agreed we need a March seminar.

Date for Next Meeting

January 11, 1998 at 1:00 P.M., place to be announced. Proposed agenda: legislation.

The outreach program may need to be coordinated by a secretary, which could be hired with some of the grant funds.

Miscellaneous Matters

1. Teresa Campbell reported that the Board Retreat would be on September 25 and 26, 1998 in Bloomington, Indiana at the Courtyard by Marriott.
2. Larry Landis inquired as to whether there were any other materials to submit on fundamental error in response to the proposed Supreme Court rule. No-one submitted any additional materials or comments at that time.
3. Regarding the Supreme Court's proposal for a constitutional amendment to limit their case load, Larry Landis asked the Board if we wanted to respond officially? It was agreed that the Board's official response will take place at the next Board meeting in response to the proposed legislation.

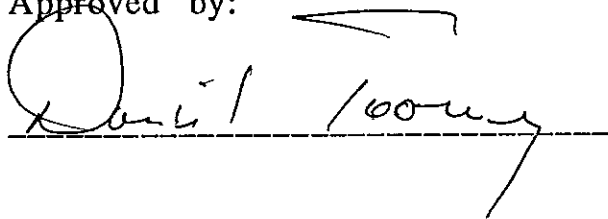
4. The Board confirmed that a survey of the membership to find out what is needed needs to be implemented, and Katharine Liell reported that her father is still willing to do this.

5. It was brought to the Board's attention that the Supreme Court is concerned about the cost of death penalty cases. It is anticipated that CR 24 will be abolished if costs aren't controlled, and if there aren't some proposals on how to control costs. Jodie English suggested requiring monthly billings, with more judicial scrutiny and monitoring once the billings exceed \$100,000.00. Larry Landis suggested perhaps county reimbursement would go down over a certain amount. All Board members are encouraged to think further about this matter before the January meeting.

Katharine Liell moved to adjourn, Quinton Ellis seconded. The meeting was adjourned.

Submitted by Katharine Liell.

Approved by:

A handwritten signature in cursive, appearing to read "Quinton Ellis", written over a horizontal line. Above the signature is a simple checkmark symbol.

Date: January 11, 1998