INDIANA PUBLIC DEFENDER COUNCIL
BOARD OF DIRECTORS MEETING
Thursday, June 23, 2011

JW Marriott Indianapolis
Room 107–Event Level
10 South West Street
Indianapolis, IN 46204

MINUTES

I. CALL TO ORDER

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by Board Chairperson David Cook at 7:10 PM in the Executive Boardroom of the Hilton Indianapolis North Hotel, Indianapolis.

Board members present were: David Cook, David Hennessy, Michelle Kraus, Jeff Lockwood, Michael McDaniel, Steve Owens, Sonya Scott, Neil Weisman, and Lorinda Youngcourt.

Board members participating via teleconference were: none

Board members absent were: Zaki Ali, Robert Hill

IPDC staff members present were: Larry Landis, Teresa Campbell, and Andrew Cullen.

II. APPROVAL OF MINUTES/AGENDA

A motion to approve the minutes from the May 12, 2011 meeting was made by David Hennessy. Lorinda Youngcourt seconded the motion. The minutes were approved.

A revised agenda was distributed by Larry Landis. Neil Weisman moved to approve the agenda. Lorinda Youngcourt seconded the motion. The agenda was approved.

III. EXECUTIVE DIRECTOR'S REPORT

A. ADMINISTRATION

Larry Landis announced that the board retreat would take place at the Michigan City Blue Chip Casino, per Chairperson David Cook.

IV. TRAINING

A. UPCOMING SEMINARS

Larry distributed an updated training schedule for discussion. He announced that the Death Penalty Seminar will focus on LWOP and homicide issues.

Larry also announced that the office is still exploring options for more in-office trainings (such as case reviews). Lorinda complimented David Hennessy for the training session he conducted in her office and suggested more of such trainings.

A general discussion was held about the new Indiana State Police forensic trainings. Generally, these trainings were found to be beneficial, particularly the Evansville Training and the Lake County training. Larry indicated that he is exploring the option of making these yearly events and is working well with Eric Lawrence of the State Police Lab, who has been very helpful.

B. DISCUSSION OF REGISTRATION CREDIT FOR IPDC BOARD MEMBERS/TRAINERS

Lorinda Youngcourt expressed her position that since she is paid by her county she believes her county should be compensated in some way for the time she spends working on training issues for IPDC. She suggested it was appropriate for IPDC to compensate trainers, including board members, in the form of free registration at a future IPDC seminar. Lorinda believes that it is important that she justify the time she spends working on IPDC seminars to her county.

Larry explained that there is a current credit system in place for Public Defenders who teach at the seminars, however there is a different system in place for board members.

Larry recommended that all board members be treated the same as trainers.

David Hennessy mentioned that he has concerns, generally, about some of the payments that have been made to trainers in the past.

Larry commented that it is important to have some sort of incentive in order to encourage compliance with deadlines and requirements.

Neil Weisman moved that IPDC institute a policy to provide training credits for either organizing a training event or providing individualized training when a board member is the trainer. The policy should account for time spent in preparation when the board member is being paid by another entity. Lorinda seconded the motion.

During discussion of Neil's motion, David Hennessy pointed out that this policy will have a fiscal impact on IPDC. He also stressed that the policy should be uniformly applied. Lorinda agreed with his concern and suggested that the credits be tracked by IPDC so the board could assess the fiscal impact.

David Cook made the suggestion that IPDC follow the policy for one year, monitor it, and address it next year. Mike McDaniel moved to amend Neil's motion to incorporate David Cook's suggestion. Neil seconded. Both the amendment and the original motion passed by voice vote.

C. DISCUSSION OF CLEs FOR LEGISLATORS/LEGISLATIVE STAFF

Larry suggested also instituting a policy of offering complimentary CLEs to State Legislators and legislative staff, in an effort to further educate legislators about issues regarding public defense. This should not have a significant fiscal impact. There are only approximately 20 individuals total who this may affect, and they have multiple other complimentary CLE opportunities to choose from.

Neil Weisman moved to approve IPDC offering complimentary CLEs to State Legislators and staff. David Hennessy seconded the motion. There was no discussion. The motion carried by a voice vote.

V. CRIMINAL JUSTICE POLICY & LEGISLATION

A. DISCUSSION OF LEGISLATIVE COUNCIL ASSIGNMENTS TO CRIMINAL CODE EVALUATION COMMISSION AND CRIMINAL LAW & SENTENCING POLICY STUDY COMMITTEE

Larry distributed a document detailing the assignments made by the Legislative Council for the purposes of summer study by the various legislative committees. The Criminal Code Evaluation Commission is expected to be very active again this interim. The committee has received approval for ten meetings, as opposed to the standard approval of four meetings. The committees are expected to delve into sex offenses, drug offenses, and potentially consider creating some new felony classes.

Larry mentioned that both he and Steve Johnson are in favor of creating some additional felony classes in order to achieve more proportionality of sentencing.

B. UPDATE ON "STAFF WORKGROUP" OF THE CRIMINAL CODE EVALUATION COMMISSION

Andrew Cullen gave an update on the Criminal Code Evaluation Commission's Staff Workgroup. The group is headed by Deborah Daniels of Krieg Devault, LLP, and consists of Andrew, 2 staff persons from IPAC, 1 staff person from the Judicial Center, 2 private practice attorneys, 4 law clerks from the Attorney General's Office, and 1 law clerk from IPDC. The group meets approximately weekly and will be the research arm of the Criminal Code Evaluation Commission. The group will also make policy recommendations to the CCEC.

VI. NEW BUSINESS

David Hennessy, in Bob Hill's absence, mentioned that Bob believes IPDC should hire a Training Director. Chairman Cook suggested that the issue become a formal agenda item for the board retreat.

David Hennessy inquired about the board election. Larry indicated that the number of Nominations coincided with the number of open seats, so the names would be placed before the membership for election by acclamation during the Annual Update Meeting.

VII. NEXT MEETING DATE/ADJOURN

The next board meeting will be held at the Annual Board Retreat on October 1, 2011 at a time and location to be determined.

The meeting was adjourned at 8:30 pm.

Prepared by Andrew Cullen, IPDC Staff.

Submitted by:

Lorinda Youngcourt, Secretary

10-1-2011

Date

Approved by:

David Cook, Chairperson

10-1-11

Date