



Indiana Public Defender Council Juvenile Defense Project

Improving Juvenile Defense Services in Indiana

LAST WEEK IN REVIEW: JUVENILE DELINQUENCY NEWS

Week of August 27, 2018



IPDC Executive Director, Bernice Corley congratulates Joel

Joel Wieneke receives Indiana State Bar Association Award

Joel Wieneke, IPDC Juvenile Defense Project's post-disposition coordinator, received the Hon. Viola Taliaferro Award at the Indiana State Bar Association's annual awards luncheon August 30th. The award honors an individual who best exemplifies Judge Taliaferro's courageous leadership in addressing the unmet legal needs of children and in raising the public's awareness of these needs. Joel was described as an "obvious" choice for the award.

Joel's leadership in IPDC's Juvenile Defense Project has had a statewide impact on children and the attorneys who represent them. In his role, Joel connects children with legal services where needed and provides assistance to trial and appellate attorneys working with juvenile clients. Joel also works in the Wieneke Law Office, LLC, with his wife and law partner, Cara. The couple have two sons, Brennan and Nate.

Joel commented:

I am overwhelmingly thankful to receive the Viola J. Taliaferro Award from the Indiana Bar Association. She was an impressive advocate and jurist, and to receive an award in her namesake is a great accolade. But, the reality is I am even more thankful for the opportunity to seek and agitate for justice for children. In the past year and a half, we (the Juvenile Project of IPDC) have provided trainings to dozens of lawyers, met with hundreds of kids, and enabled several children to seek relief from adjudications and dispositions that they felt were unfair and unjust. By the obvious metrics of success, we have obtained shortened prison sentences for a handful of kids, and developed legal precedents that can and will be used to protect children's rights in the future. But, the larger measure of success is hard to quantify. We cannot easily track how many kids who had an incomplete understanding of how or why they came to be incarcerated reached a fuller grasp and acceptance, thereby encouraging them to embrace the efforts to rehabilitate them. We can't easily measure the improved consultations and day to day advocacy that is taking place in law offices and courtrooms around the State as a result of our training programs and support. But it is happening—trust me.

While the focus of my words should be on my colleagues and spouse who have made my work possible, and made me a better lawyer, I must take this opportunity to instead encourage you all to support the work that we do. The future of the Juvenile Project is uncertain. Without legislative funding our work will cease in less than a year. Therefore, I ask that you all please keep our Project in mind, and as the upcoming legislative session comes, take advantage of opportunities to help further this work.

Congrats Joel!

*Joel's recognition was celebrated by fellow juvenile advocates:
Jill Johnson, Amy Karozos, Kim Tandy, Cara Wieneke, Anne Kaiser,
Michael Wilson, and Rachel Roman-Lagunas*



The Indiana Public Defender Commission releases final report of Indiana Task Force on Public Defense

On August 31st, the Indiana Task Force on Public Defense released their full report.

The Task Force was created by the Indiana Public Defender Commission in 2017 in response to a report on Indiana's public defense system issued by the Sixth Amendment Center of Boston. That report raised serious concerns about the way in which defense services are delivered in Indiana. A second report, the result of Indiana Public Defender

Council's federal planning grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), detailed problems with Indiana's juvenile defense system and recommended improvements. The Indiana Task Force on Public Defense was chaired by the Honorable Judge John Tinder, and included 16 other members from all three branches of government, as well as various other stakeholder groups.

The Task Force recommends 3 immediate reforms deemed the highest priority:

- The Commission should be authorized to reimburse misdemeanors.
- The state should fund and manage a centralized state appellate office to provide direct services, oversight, and support.
- Counties should be authorized to enter into agreements to create a multicounty public defense delivery systems with a regional Chief.

The Public Defender Commission, in their August 22nd meeting, approved making these recommendations legislative priorities, and included establishing a juvenile office under the proposed state appellate office. <https://www.in.gov/publicdefender/files/Tentative%202019%20Legislative%20Agenda%208-31-18.pdf>

The Task Force's report makes the following recommendations regarding this state level juvenile defense office:

The Task Force recommends a permanent specialty office be created to facilitate centralized oversight and application of specific juvenile defense standards and training requirements; opportunities for regional, juvenile specific training; increased access to counsel; increased access to experts, investigators, social workers and other litigation support; and the collection of annual reporting of data and juvenile specific performance indicators. Ideally, this state level juvenile office would be able to provide direct representation for youth postdisposition. (p. 63)

Additional recommended reforms include increasing independence of public defense attorneys from the local judges and establishing a division within the Commission to launch a pilot CHINS defense program aimed to increase the involvement of specialty-trained lawyers and social workers in key counties throughout the state currently experiencing high out-of-home placement rates.

Read the executive summary at:

<https://www.in.gov/publicdefender/files/EXECUTIVE%20SUMMARY%20TASK%20FORCE%20RE>

See the full report here:

<https://www.in.gov/publicdefender/files/1%20Indiana%20Task%20Force%20on%20Public%20Defense%20Report.pdf>

