

INDIANA PUBLIC DEFENDER COMMISSION



COUNTY AUDITORS FALL STATE CALLED CONFERENCE 10-27-2022

ANDREW CULLEN
DIRECTOR OF PUBLIC
POLICY/COMMUNICATIONS

1



Table of Contents

1. *Brief Overview of the Public Defender Commission*
2. *How to Join*
3. *Indiana's Lawyer Shortage*
4. *Title IV-E Federal Money*
5. *At-Risk Youth & Families Funding*
6. *Why a strong public defense system matters*
7. *Questions*

2

1. Brief Overview of the Commission

- The Indiana and U.S. Constitutions and state statutes give Hoosiers the right to a lawyer for trials and appeals of the following:
 - adult criminal cases (felony and misdemeanor)
 - children in delinquency cases
 - parents in CHINS and termination of parental rights cases
 - some child support & mental health commitment proceedings

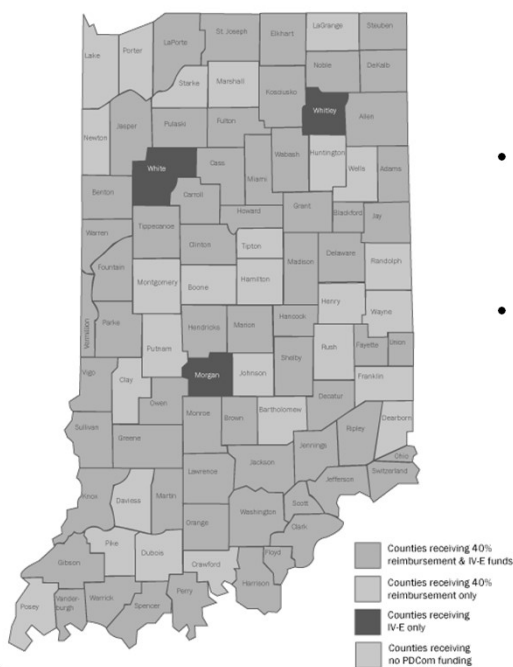
- The Constitution says it is the STATE that has this responsibility. Indiana has designated counties (as creations of the state) to manage this.

- However, the State helps counties through the Commission. If counties are willing to follow our standards (to make sure lawyers are qualified and not over-worked or under-paid), the Commission reimburses counties for 40 % most public defense related expenses. Counties may pool their resources and form PD Office Regions as well.

3

3

1. Brief Overview of the Commission



- 67 "Commission Counties" are currently receiving reimbursement.

- Chief Public Defenders are county employees who are appointed for 4-year terms by local Public Defender Boards.

4

4

3. Indiana's Lawyer Shortage

- Why should your county care about the lawyer shortage?
 - Lawyers want to be paid fairly and not over-worked. Following the Commission's Standards & Guidelines make public defense jobs in counties more attractive to a limited pool of attorneys.



9

9

4. Title IV-E Federal Money

ALL Indiana Counties are eligible to receive Federal Title IV-E reimbursement for a portion of the county's public defense expenses that have **ALREADY** been spent on Department of Child Services (DCS) cases. These funds are in addition to Commission reimbursement.

No compliance with Commission standards is necessary. There is currently no requirement from the federal government for how to spend these dollars, but the Commission encourages counties to put these funds toward public defense costs.

Two simple steps are required to begin receiving these new federal dollars:

1. Sign an agreement required by DCS, and
2. Submit quarterly public defense information on the Commission's forms so we know how much money to send your county each quarter.

If your county is **NOT** receiving these funds, please contact the Commission's Fiscal Analyst, **Stephanie Lalani** or email us at information@pdc.com.in.gov.

10

10

5. At-Risk Youth Funding

- Partially in response to concerns regarding DCS, the legislature appropriated \$2 million in additional funds to the Commission.
- The funding has allowed us to invest in significant long-term efforts:



- (1) to create long-term improvements in systems that serve Indiana at-risk youth and families involved with Indiana's family/child welfare system, the juvenile delinquency system, or both, and
- (2) to create system improvements that proactively prevent such involvements.

FUNDING IS AVAILABLE ON A ROLLING BASIS. PLEASE SHARE THE BROCHURE WITH ANYONE IN YOUR COUNTY (CHIEF PD, DEPUTY PD, JUDICIAL OFFICERS, NON-PROFIT LEADERS, ETC) WHO MAY BE INTERESTED IN LEARNING MORE.

11

11

6. Why a strong PD system matters



LIBERTY RIGHTS MATTER TO HOOSIERS

- When the government knocks on your door to take you to jail or remove children from your home, you need advice from a lawyer who is properly trained, not over-worked, and fairly compensated for their skillset.
- Creating a Public Defender Retirement Fund will encourage talented individuals to consider a long-term commitment to Indiana's criminal justice system. That will ultimately make Indiana's criminal justice system more efficient, less expensive, and – most importantly – fairer and more just.

12

12

*Thank
you*



Click here to read the Commission's FY 20-21 Annual Report

*For further information:
Andrew Cullen
Andrew.Cullen@pdcom.in.gov
cell: 317-439-7565*

13