

INDIANA COMMISSION ON COURT APPOINTED ATTORNEYS

March 25, 2026

2:00 PM

101 West Ohio, 18th Floor, Commission Conference Room

Indianapolis, Indiana 46204

Members in attendance:

Mark W. Rutherford, Chair (in person)

Mr. Mark Clark (in person)

Ms. Samantha DeWester (remote)

Hon. Ryan Hatfield (remote)

Mr. David J. Hensel (remote)

Sen. Eric Koch (remote)

Rep. Ryan Lauer (in person)

Hon. Karin McGrath (in person)

Members absent:

Rep. Maureen Bauer

Ms. Paje Felts

Sen. Rodney Pol

Staff in attendance (participating):

Derrick Mason

Andrew Cullen

Participating audience members:

Jim Abbs, Noble County Chief Public
Defender

Jeremy Gooch, Hendricks County
Chief Public Defender

Gretchen Etling, Vigo County Chief
Public Defender

At 2:02 p.m., the Chair called the meeting to order. Commission members, individuals attending in person, and participating staff members introduced themselves, and a quorum was established.

1. Approval of December 17, 2025 Minutes

There were no changes to the minutes for the December 17, 2025 meeting. Ms. DeWester moved to approve the minutes, and Rep. Lauer seconded the motion. The minutes were approved unanimously.

2. Financial Status of Public Defense Fund & Title IV-E Reimbursements

Mr. Mason stated that there were sufficient funds in the Public Defense Fund to reimburse counties for the fourth quarter. He noted that the Monroe and Vigo County system navigator programs had been wound down by the Commission and were now fully funded by the counties.

3. Status of County Compliance (Caseloads)

Addressing county caseload compliance, Mr. Mason first addressed attorneys providing representation in multiple counties. He said that three multi-county attorneys are out of compliance this quarter, but all three have plans in place to resolve their issues. He then observed that 96 percent of Commission attorneys are in compliance, and that anything over 92 percent is very good, particularly with the current attorney shortage. In Clark County, five attorneys are out of compliance, up from two last quarter. The county has hired one new general attorney and two initial hearing attorneys, and with reallocation of contracts, the county hopes to return to compliance by the third quarter. Jennings County is using two multicounty attorneys too heavily, but it is the county's first quarter out of compliance and it is working to resolve the problem. Ripley County has three attorneys that had compliance issues over a year ago, at which time the county resolved the issue by increasing the attorneys' contracts. Mr. Mason said that that will probably have to happen again, with FTE increasing to 0.45 or 0.5. The county is working on developing a plan. Mr. Mason did not recommend a 90-day letter now but said one could be necessary at the next meeting if a plan is not implemented. Mr. Clark asked how many of the out-of-compliance attorneys are contract attorneys. Mr. Mason responded that the counties use a mix of attorneys: some are purely contract attorneys, while others have contracts but while also receiving benefits.

4. Requests for Reimbursement

A. 50% Reimbursement in Death Penalty Cases

Mr. Mason reported that two counties have requested capital case reimbursement totaling \$60,518.53 (see table below). Mr. Clark moved to approve the reimbursements for capital defense; Rep. Lauer seconded the motion. A roll-call vote was taken; all members voted in favor except the Chair, who abstained. The motion carried.

COMMISSION ON COURT APPOINTED ATTORNEYS

Reimbursement Requests in Capital Cases

March 25, 2026

COUNTY	DEFENDANT	TOTAL
Hendricks	Rodgers	\$45,958.01
Marion	Mitchell	\$14,560.52
TOTAL		\$60,518.53

B. 40% Reimbursement in Non-Capital Cases

Mr. Mason said there were a few downward adjustments due to desk audits. There were two significant increases. The first was from Elkhart County, which requested a \$40,790.65 correction due to missing staff benefits from a prior quarter. The second was from Scott County, which was requesting reimbursement for both the third and fourth quarters (an extra \$48,82.42) because its previous quarterly reimbursement request was not considered due to board issues. Mr. Mason recommended reimbursement for both counties. He further noted that the Marion County request was larger than normal because the collective bargaining agreement for the county was approved, which included an increase of approximately \$250,000 per quarter and \$1 million in back pay. The total reimbursement request, including \$210,727.95 for the misdemeanor pilot, was \$12,168,663.41 (see Appendix).

Mr. Hensel moved to approve the non-capital reimbursements in the amount of \$ \$12,168,663.41; Mr. Clark seconded the motion. A roll-call vote was taken; all members voted in favor except the Chair, who abstained. The motion carried.

5. From Prior Meeting: Standard J: Adequate Support Staff

Mr. Mason provided the Commission with an overview of what the Commission had done at the previous meeting regarding adequate staffing, including agreeing to add a notice that counties would provide to adequately staffed attorneys about the requirements, what support services are available to them, and how support staff can be used. Mr. Mason provided a proposed notice to the Commission and recommended its approval.

Judge Hatfield moved to approve the notice. Sen. Koch seconded the motion. A roll-call vote was taken; all members voted in favor except the Chair, who abstained. The motion carried.

6. Local Public Defender Board Appointments

Mr. Cullen identified the following consensus candidates for local public defender boards:

1Q 2026: County Public Defender Board Appointments	
<i>Action Requested: Re-appoint the following consensus candidates to County PD Boards.</i>	
<i>County</i>	<i>Candidate</i>
Gibson	Don Steinmetz
Greene	Stella Royal
Monroe	Betsy Greene

Mr. Clark moved to approve the consensus candidates; Judge McGrath seconded the motion. The motion carried.

Mr. Cullen said that a new board was being appointed for Hamilton County. He contacted various individuals for recommendations and received none. He

contacted Rep. Chris Jeter for recommendations and, in the discussion, asked if Rep. Jeter would be willing to serve. Rep. Jeter agreed, and Mr. Cullen recommended that the Commission approve his nomination.

<i>Action Requested: Appoint the following consensus candidates to County PD Boards.</i>	
<i>County</i>	<i>Candidate</i>
Hamilton	Rep. Chris Jeter

Rep. Lauer moved to approve the nomination, and Sen. Koch seconded the motion. The motion carried.

7. Legislative & Policy Updates

Mr. Cullen reported that it was largely an uneventful legislative session. The primary activity addressed Marion County's residency requirement for public defenders. A bill was proposed and enacted eliminating the residency requirement for all public defenders except for the chief public defender. It was a bipartisan effort to make sure it did not appear to be politically motivated. It was also expanded to be statewide and to include court personnel and prosecutors.

8. Other Matters

Ms. DeWester moved to adjourn. Mr. Clark seconded the motion. The meeting was adjourned.

Commission on Court Appointed Attorneys Non-Capital Claims 4Q2025 3/25/26

County	Total Expenditure	Non- reimbursable Adjustment	% Adjusted	Eligible Expenditure	40% Reimbursed	Prior Quarter Adjustmen t	Total
Adams	\$141,069.21	\$21,656.31	15.35%	\$119,412.90	\$47,765.16		\$47,765.16
Allen	\$1,583,866.76	\$114,199.83	7.21%	\$1,469,666.93	\$587,866.77		\$587,866.77
Benton	\$14,734.98	\$1,960.52	13.31%	\$12,774.46	\$5,109.79	-\$3,684.27	\$1,425.52
Blackford	\$110,862.03	\$11,106.26	10.02%	\$99,755.77	\$39,902.31		\$39,902.31
Brown	\$81,671.94	\$20,073.37	24.58%	\$61,598.57	\$24,639.43		\$24,639.43
Carroll	\$141,203.84	\$13,965.92	9.89%	\$127,237.92	\$50,895.17		\$50,895.17
Cass	\$210,912.86	\$28,743.12	13.63%	\$182,169.74	\$72,867.90		\$72,867.90
Clark	\$596,241.61	\$63,608.85	10.67%	\$532,632.76	\$213,053.10		\$213,053.10
Clinton	\$132,907.36	\$31,168.09	23.45%	\$101,739.27	\$40,695.71		\$40,695.71
Crawford	\$39,181.33	\$12,395.83	31.64%	\$26,785.50	\$10,714.20		\$10,714.20
Decatur	\$154,780.02	\$35,177.55	22.73%	\$119,602.47	\$47,840.99	-\$195.00	\$47,645.99
DeKalb	\$293,577.55	\$34,360.81	11.70%	\$259,216.74	\$103,686.70		\$103,686.70
Delaware	\$598,159.41	\$5,662.01	0.95%	\$592,497.40	\$236,998.96		\$236,998.96
Elkhart	\$1,243,959.40	\$200,927.93	16.15%	\$1,043,031.47	\$417,212.59	\$40,790.65	\$458,003.24
Fayette	\$117,423.34	\$25,925.56	22.08%	\$91,497.78	\$36,599.11		\$36,599.11
Floyd	\$418,170.43	\$85,016.43	20.33%	\$333,154.00	\$133,261.60		\$133,261.60
Fulton	\$114,046.52	\$45,918.81	40.26%	\$68,127.71	\$27,251.08		\$27,251.08
Gibson	\$253,657.86	\$29,452.28	11.61%	\$224,205.58	\$89,682.23		\$89,682.23
Grant	\$444,710.63	\$14,448.68	3.25%	\$430,261.95	\$172,104.78		\$172,104.78
Greene	\$224,396.16	\$30,163.17	13.44%	\$194,232.99	\$77,693.20		\$77,693.20
Hancock	\$297,057.87	\$31,023.36	10.44%	\$266,034.51	\$106,413.80		\$106,413.80
Harrison	\$263,700.29	\$56,247.21	21.33%	\$207,453.08	\$82,981.23		\$82,981.23
Hendricks	\$740,275.62	\$151,431.89	20.46%	\$588,843.72	\$235,537.49	-\$1,783.79	\$233,753.70
Howard	\$623,645.99	\$46,843.91	7.51%	\$576,802.08	\$230,720.83	-\$1,323.66	\$229,397.17
Jackson	\$323,472.53	\$18,408.81	5.69%	\$305,063.72	\$122,025.49		\$122,025.49
Jasper	\$203,881.68	\$35,144.48	17.24%	\$168,737.20	\$67,494.88		\$67,494.88
Jay	\$171,858.78	\$33,788.71	19.66%	\$138,070.07	\$55,228.03		\$55,228.03
Jefferson	\$229,058.82	\$29,537.09	12.89%	\$199,521.73	\$79,808.69		\$79,808.69
Jennings	\$124,590.97	\$8,780.16	7.05%	\$115,810.81	\$46,324.33		\$46,324.33
Knox	\$258,763.02	\$48,863.10	18.88%	\$209,899.92	\$83,959.97		\$83,959.97
Kosciusko	\$466,463.26	\$61,253.57	13.13%	\$405,209.69	\$162,083.88		\$162,083.88
LaGrange	\$198,516.24	\$31,992.13	16.12%	\$166,524.11	\$66,609.64		\$66,609.64
Lake	\$1,984,651.85	\$4,753.48	0.24%	\$1,979,898.37	\$791,959.35		\$791,959.35
LaPorte	\$422,930.84	\$43,424.71	10.27%	\$379,506.13	\$151,802.45		\$151,802.45
Lawrence	\$296,054.15	\$57,856.99	19.54%	\$238,197.16	\$95,278.87		\$95,278.87

Madison	\$644,069.68	\$12,793.10	1.99%	\$631,276.58	\$252,510.63		\$252,510.63
Marion	\$10,133,819.38	\$935,810.77	9.23%	\$9,198,008.61	\$3,679,203.44		\$3,679,203.44
Martin	\$102,536.22	\$17,822.64	17.38%	\$84,713.58	\$33,885.43		\$33,885.43
Miami	\$203,508.30	\$24,739.42	12.16%	\$178,768.88	\$71,507.55		\$71,507.55
Monroe	\$908,299.58	\$131,723.97	14.50%	\$776,575.61	\$310,630.24		\$310,630.24
Montgomery	\$270,502.44	\$42,957.13	15.88%	\$227,545.31	\$91,018.12		\$91,018.12
Noble	\$355,231.74	\$56,213.26	15.82%	\$299,018.48	\$119,607.39		\$119,607.39
Ohio	\$73,864.32	\$9,037.47	12.24%	\$64,826.85	\$25,930.74		\$25,930.74
Orange	\$113,978.92	\$16,814.51	14.75%	\$97,164.41	\$38,865.76		\$38,865.76
Owen	\$128,999.70	\$21,961.14	17.02%	\$107,038.56	\$42,815.42		\$42,815.42
Perry	\$97,159.29	\$7,857.40	8.09%	\$89,301.89	\$35,720.76		\$35,720.76
Pike	\$40,874.96	\$6,839.80	16.73%	\$34,035.16	\$13,614.07		\$13,614.07
Pulaski	\$138,796.50	\$17,796.43	12.82%	\$121,000.07	\$48,400.03		\$48,400.03
Ripley	\$72,545.68	\$11,219.10	15.46%	\$61,326.58	\$24,530.63		\$24,530.63
Rush	\$141,611.73	\$36,077.48	25.60%	\$105,534.25	\$42,213.70		\$42,213.70
Scott	\$194,997.57	\$34,015.72	17.44%	\$160,981.85	\$64,392.74	\$48,825.42	\$113,218.16
Shelby	\$285,318.95	\$51,726.01	18.13%	\$233,592.94	\$93,437.17		\$93,437.17
Spencer	\$230,769.56	\$38,082.69	16.50%	\$192,686.87	\$77,074.75		\$77,074.75
Steuben	\$243,842.19	\$86,267.30	35.38%	\$157,574.89	\$63,029.96		\$63,029.96
StJoseph	\$889,230.66	\$75,370.34	8.48%	\$813,860.32	\$325,544.13		\$325,544.13
Sullivan	\$172,025.85	\$19,657.72	11.43%	\$152,368.13	\$60,947.25	-\$592.00	\$60,355.25
Switzerland	\$51,569.17	\$22,825.74	44.26%	\$28,743.43	\$11,497.37		\$11,497.37
Tippecanoe	\$1,138,085.11	\$148,130.78	13.02%	\$989,954.33	\$395,981.73		\$395,981.73
Union	\$20,682.77	\$5,608.99	27.12%	\$15,073.78	\$6,029.51		\$6,029.51
Vanderburgh	\$1,239,680.45	\$84,438.92	6.81%	\$1,155,241.53	\$462,096.61		\$462,096.61
Vigo	\$978,138.99	\$150,735.44	15.41%	\$827,403.55	\$330,961.42		\$330,961.42
Wabash	\$166,351.80	\$23,320.23	14.02%	\$143,031.57	\$57,212.63		\$57,212.63
Warren	\$51,285.90	\$13,403.48	26.13%	\$37,882.42	\$15,152.97		\$15,152.97
Warrick	\$284,812.26	\$27,129.06	9.53%	\$257,683.20	\$103,073.28		\$103,073.28
Washington	\$192,229.24	\$30,026.50	15.62%	\$162,202.74	\$64,881.09		\$64,881.09
WCIPDO	\$194,785.53	\$28,209.78	14.48%	\$166,575.75	\$66,630.30		\$66,630.30
White	\$96,010.35	\$12,431.41	12.95%	\$83,578.94	\$33,431.58		\$33,431.58
Non-Capital							
Subtotal	\$33,376,069.94	\$3,686,324.66		\$29,689,745.27	\$11,875,898.11	\$82,037.35	\$11,957,935.46

CM Pilot	Eligible Non-reimbursable Amount	CM Pilot 40% Reimbursed
Clark	\$ 63,608.85	\$ 25,443.54
DeKalb	\$ 34,360.81	\$ 13,744.32
Floyd	\$ 85,016.43	\$ 34,006.57
Lawrence	\$ 57,856.99	\$ 23,142.80
Perry	\$ 7,857.40	\$ 3,142.96
Pulaski	\$ 17,796.43	\$ 7,118.57
Steuben	\$ 86,267.30	\$ 34,506.92
Vigo	\$ 150,735.44	\$ 60,294.18
Wabash	\$ 23,320.23	\$ 9,328.09
CM Pilot Subtotal		\$ 210,727.95
TOTAL		\$ 12,168,663.41

INDIANA COMMISSION ON COURT APPOINTED ATTORNEYS

June 17, 2026

2:00 PM

101 West Ohio, 18th Floor, Commission Conference Room

Indianapolis, Indiana 46204

Members in attendance:

Mark W. Rutherford, Chair (in person)

Rep. Maureen Bauer (remote)

Mr. Mark Clark (in person)

Ms. Paje Felts (remote)

Hon. Ryan Hatfield (in person)

Rep. Ryan Lauer (in person)

Hon. Karin McGrath (in person)

Sen. Rodney Pol (remote)

Staff in attendance (participating):

Derrick Mason

Andrew Cullen

Participating audience members:

Amy Karozos, Indiana State Public

Defender

Members absent:

Ms. Samantha DeWester

Mr. David J. Hensel

Sen. Eric Koch

At 2:00 p.m., the Chair called the meeting to order. The Chair stated that due to a concern the Commission might lose quorum over the course of the meeting, he would take the agenda items out of order, starting with items that would require a quorum.

1. Commission Guideline Updates (Agenda Item No. 4)

Mr. Mason stated that Elkhart County had a question about reimbursement. By way of background, he explained that the Public Defense Fund statutorily reimburses counties for eligible indigent defense expenses. The Commission has historically declined to reimburse certain categories of expense, including costs associated with county self-insurance programs. He noted a narrow exception, adopted in 2017, capped reimbursement of self-insured health-benefit costs at the state's premium rate.

Since the fourth quarter of 2024, Elkhart County has been submitting expenses incurred related to a lawsuit, including attorney fees. For this quarter's reimbursements, Elkhart County asked whether it could submit for reimbursement a \$10,000 settlement the county had reached with the plaintiff. Commission staff learned that the underlying event was an accident where a public defender was driving and the defender's client was the passenger. The client sued the county. The public defender office was paying because the expense fell under the county's self-insurance policy. Under current guidelines, the Commission should not have been reimbursing the county for expenses associated with this self-insurance program.

Mr. Mason recommended that the Commission (a) amend the guidelines as follows:

(Amended Guideline, See-6/14/17 and 6/17/26) The Commission will reimburse counties for the cost of insurance premiums (~~e.g., i.e. health and~~ malpractice and liability), but will not reimburse counties for costs associated with self-insurance programs. The Commission will not reimburse for legal judgments or settlements arising out the county's provision of public defense services. For self-insured healthcare costs, see the 6/14/17 guideline.

He further recommended that the Commission reduce Elkhart County's current quarterly reimbursement request by \$20,035.48 and claw back the \$11,342.02 previously reimbursed.

In response to a question whether the Commission should instead vote on a case-by-case basis rather than adopt a fixed guideline, Mr. Mason stated that a fixed guideline would provide counties clearer notice of what was reimbursable, and that the Commission would retain the ability to revisit the guideline in the future, as it had done with self-insured health expenses.

Judge Hatfield moved to approve the guideline amendment together with the associated reduction and clawback for Elkhart County. Judge McGrath seconded the motion. A roll-call vote was taken. All members voted in favor, except the Chair, who abstained. The motion carried.

2. Status of County Compliance (Caseloads and Qualifications) (Agenda Item No. 5)

Mr. Mason reported that two multi-county attorneys remained out of compliance, down from three the previous quarter, and that both were on track to reach compliance. He noted continued improvement in the caseload of an attorney serving Jennings and Scott Counties. On qualification issues, he reported that an Owen County attorney became qualified to handle CHINS cases after an approximately one-year delay. He recommended no further formal Commission action, as the matter had been resolved and the county was already aware of it.

Turning to individual county compliance, Mr. Mason reported the following:

- Clark County continued to have compliance issues. The county had a new chief public defender (in the role approximately one year) who could become mayor in 2027 year. Mr. Mason was scheduled to meet with the county's public defender board the following week to discuss compliance and the county's participation in the misdemeanor pilot program. No recommendation was made at this time.
- Fayette County's compliance issue, driven by an unusually high second-quarter caseload, was expected to resolve within a quarter.
- Howard County has requested a letter to its county council to raise attorney compensation to address rising caseloads. It also needs to improve its case-assignment practices. Progress would be assessed as the year continued.
- Jefferson County fell out of compliance due to an attorney's medical leave. The county was expected to return to compliance, depending on the length of that leave.
- Jennings County's caseloads had improved and were expected to reach compliance. An update would be provided in September.
- Ripley County continued to have caseload compliance issues affecting three attorneys, a recurrence of an issue identified over a year earlier. Mr. Mason had sent a letter last quarter requesting confirmation by September of the county's willingness to adjust attorney contracts.
- Jasper County's reimbursement was being withheld pending correction of errors identified in its financial reporting.

He did not recommend any 90-day letters at this time.

In response to a question regarding the cause of rising caseloads generally, Mr. Mason stated that his office did not yet have data isolating the specific driver (for example, charging practices, filings, or judicial appointments). He noted that the Commission had recently obtained 2025 Indiana Supreme Court filing and appointment data that would allow further analysis. Staff added that increases appeared concentrated in CHINS and Level 5, and to a lesser extent higher-level, felony cases statewide. Staff further noted that this was consistent with a recent statutory change shortening timeframes for termination-of-parental-rights filings and increased Department of Child Services filing activity.

3. Requests for Reimbursement (Agenda Item No. 6)

A. 50% Reimbursement in Death Penalty Cases

Mr. Mason reported capital case reimbursement requests from two counties, reflecting a \$9.05 downward adjustment to the Hendricks County claim for an addition error:

COUNTY	AMOUNT
Hendricks	\$23,824.98
Marion	\$14,443.10
TOTAL	\$38,268.08

Judge Hatfield moved to approve the capital case reimbursements as presented. Mr. Clark seconded the motion. A roll-call vote was taken; all members voted in favor. The motion carried unanimously.

B. 40% Reimbursement in Non-Capital Cases

Mr. Mason reported the following adjustments to the quarterly non-capital reimbursement request: the reduction to Elkhart County's request discussed under Item 1, above; a temporary withholding of Jasper County's claim in the amount of \$9,461.43 pending correction of the financial reporting errors noted under Item 2; and a downward adjustment of \$5,769.44 to Ohio County's claim following a desk audit.

With these adjustments, the total non-capital reimbursement request was \$11,350,953.85, plus \$239,569.78 for the misdemeanor pilot program (see Appendix A).

Mr. Clark moved to approve the non-capital reimbursements, including the misdemeanor pilot program amount, as presented. Judge Hatfield seconded the motion. A roll-call vote was taken; all members voted in favor. The motion carried unanimously.

4. Approval of March 25, 2026 Meeting Minutes (Agenda Item No. 1)

There were no changes to the minutes of the March 25, 2026 meeting. Judge Hatfield moved to approve the minutes. Judge McGrath seconded the motion. A roll-call vote was taken; all members present voted in favor. The motion carried unanimously.

5. Financial Status of Public Defense Fund and Title IV-E Reimbursements (Agenda Item No. 2)

Mr. Mason reported a total fund carryover of approximately \$3.5 million, general and dedicated fund revenue of approximately \$39.77 million, and approximately \$250,000 in supplemental public defense fee revenue. He advised that the reimbursements approved earlier in the meeting would cause the Fund's expenditures to exceed its annual appropriation by approximately \$8 million, reducing the Fund's anticipated total carryforward from approximately \$30 million to approximately \$22 million. He indicated that this trend would be addressed further under the legislative and budget discussion later in the meeting.

6. Approval of Internal Budget for FY 2027 (Agenda Item No. 3)

Mr. Mason presented the Commission's internal operating budget for Fiscal Year 2027, noting that Commission approval of this budget, while not statutorily required, was a longstanding practice. He reported that the anticipated fund carryforward was approximately \$8 million less than the prior year, with a larger discrepancy expected in the following year.

Mr. Mason noted that the Indiana Supreme Court, under Criminal Rule 6.1, had announced that the state hourly public defense rate would increase from \$151 to \$160, effective January 1, 2027. Because the Commission's non-capital hourly reimbursement rate was set at 75 percent of that figure (rounded to the nearest \$10), the non-capital rate would increase from \$110 to \$120 per hour on that date.

He reported that supplemental public defender compensation was projected to remain roughly flat, reflecting a modest increase in estimated health-care costs. He also reported that judicial and prosecutorial compensation was expected to remain flat for a second consecutive year. He noted modest increases in several budget lines, offset by a reduction in operating and supply expenses, which kept the internal operating budget at approximately 3.8 percent of the Commission's annual appropriation. He recommended approval.

Judge Hatfield moved to approve the internal operating budget for Fiscal Year 2027 as presented. Mr. Clark seconded the motion. A roll-call vote was taken; all members voted in favor. The motion carried unanimously.

7. Commission Guideline Updates (cont'd) (Agenda Item No. 4)

A. Guardian Ad Litem Expenses

Mr. Mason recommended a new guideline stating that guardian ad litem (GAL) expenses are not public defense expenses and are therefore ineligible for reimbursement. He noted that GAL services should be provided under a separate contract. He also noted that GAL appointments need not be reported to the Commission unless included within a public defense contract, in which case the GAL portion must be excluded from the following year's contract and reimbursement request. He proposed the following change to the guidelines:

Guardian ad Litem (GAL) expenses are not public defense expenses and therefore ineligible for reimbursement. A contract for public defense services should not include the provision of GAL services, rather a separate contract should be issued for GAL services. A county that joins the CCAA with a public defense contract that includes GAL services shall remove the

GAL portion from the following year's public defense contract(s). GAL appointments are not to be reported to the CCAA unless they are temporarily part of the public defense contract.

Mr. Clark asked if judges are appointing attorneys for children. Judge McGrath said there are not enough attorneys to appoint attorneys for children. The numbers of cases are staggering. Mr. Cullen said that there seems to be a bill in the General Assembly every year proposing that attorneys be appointed for children in these circumstances. The Commission has not taken a position on such legislation, but it is also mindful of the attorney shortage.

Judge McGrath moved to create the guideline as recommended by staff. Judge Hatfield seconded the motion. A roll-call vote was taken; all members present voted in favor. The motion carried unanimously.

B. Reimbursement for Contempt, Red-Flag, and Adoption Case Appointments

Mr. Mason recommended a guideline providing that public defender appointments in contempt proceedings be reported as reimbursable "other" cases, given a clear right to counsel. He further recommended that appointments in firearm "red flag" proceedings and involuntary-termination adoption cases be reported as non-reimbursable "other" cases, but only when the appointed attorney otherwise receives reimbursable public defense cases. Where such matters are instead handled by an attorney outside the public defender office, they need not be reported at all. In discussion, Mr. Mason confirmed that such appointments did not affect the reimbursement status of an attorney's other, ordinarily reimbursable caseload. He proposed the adoption of the following guideline language:

Public defender appointments in contempt proceedings are to be reported as a non-reimbursable other case. Appointments in Red Flag cases and adoption cases are to be reported only if the attorney receiving the case receives other public defense cases, in which they are to be reported as a non-reimbursable other case.

Judge Hatfield moved to approve the guideline as recommended by staff. Sen. Pol seconded the motion. A roll-call vote was taken; Mr. Clark voted no, the Chair abstained, and the remaining members voted yes. The motion carried.

C. Update: Standard J — Adequate Support Staff Notice

Mr. Mason updated the Commission that the adequate-staffing notice approved at the prior meeting would take effect July 1, 2026, as scheduled. He reported that no negative feedback or requests for changes had been received. No further action was required.

9. Definition of Full-Time Equivalent Caseload (Agenda Item No. 7)

Mr. Mason explained that recent legislation requires the Commission to annually certify whether public defenders receiving the newly created prosecutor/public defender scholarship, and separately, those seeking statutory address-confidentiality protection, are maintaining a full-time equivalent (FTE) caseload, but that no definition of “full-time equivalent” existed for this purpose.

After consulting the Indiana Public Defender Council, Mr. Mason recommended defining a full-time equivalent caseload, for purposes of IC 21-13-12-16, as follows:

Define a contract and/or hourly public defender who is maintaining a full-time equivalent caseload for the purpose of I.C. 21-13-12-16 as: 1) Having a .75 county-combined maximum FTE for all contract work or 2) have received .75 FTE of actual caseload for attorneys that do hourly work (including attorneys that do both hourly and contract work).

He noted that this definition was consistent with the 75-percent threshold used elsewhere for benefits eligibility. He noted that certification would be possible only for counties that report caseload data to the Commission, and that the change was expected to primarily affect county-employed full-time attorneys rather than many contract attorneys.

Judge Hatfield moved to approve the definition as recommended. Mr. Clark seconded the motion. A roll-call vote was taken; Sen. Pol did not vote, and all other members voted in favor. The motion carried.

10. Local Public Defender Board Appointments (Agenda Item No. 8)

Mr. Cullen provided the Commission with a list of individuals contacted regarding appointments to county boards. He identified the following consensus candidates for local public defender boards:

Q 2026: County Public Defender Board Appointments	
<i>Action Requested: Re-appoint the following consensus candidates to County PD Boards.</i>	
<i>County</i>	<i>Candidate</i>
Brown	Atty. Heather Schuh-Ogle
LaGrange	Judge (Ret.) Scott VanDerbeck
Spencer	Julie Schmitt, Local Accountant

Mr. Cullen further reported on Jennings County, where the incumbent appointee did not seek reappointment. Representative Alex Zimmerman nominated attorney Mark Dove, a former public defender now in private criminal defense practice, whom Mr. Cullen described as highly qualified. Judge Bright opposed the nomination and, after the nomination deadline had passed, requested reappointment of the incumbent instead. Mr. Cullen recommended proceeding with Mr. Dove's appointment notwithstanding Judge Bright's objection.

In Blackford County, Mr. Cullen received two recommendations, Bill Aspy and Ryan Goodspeed. Both candidates were highly recommended. The county commission's appointment is leaving the board, so the county commissioners will appoint Ryan Goodspeed, allowing the Commission to reappoint Bill Aspy.

Rep. Lauer moved to approve the staff recommendations for all pending public defender board appointments, including the three consensus reappointments as well as the Jennings appointment and Blackford County reappointment. Mr. Clark

seconded the motion. A roll-call vote was taken; Sen. Pol did not vote, and all other members voted in favor. The motion carried.

11. Legislative and Policy Updates (Agenda Item No. 9)

Mr. Cullen reported that an interim legislative study committee would conduct a comprehensive review of statewide court fees and fines. He advised that he might need to rely on the Commission's prior delegation of interim authority to the Chair in order to respond to any resulting recommendations before the Commission's next meeting.

Mr. Cullen further reported that the Commission's top priority for the 2027 legislative session remained its budget. He noted that the Fund had not required proration in several years, but that a significant funding increase would likely be needed. This was due in part to an additional county that was expected to join full Commission participation, at an estimated cost of approximately \$2.5 million per year. The Commission's total reimbursement budget was being finalized at approximately \$46 million for the coming year.

Mr. Cullen requested authorization for staff to explore and, as appropriate, pursue legislative sponsorship for the following items, with a formal agenda to follow at the Commission's October meeting:

- Working with the Department of Correction and the State Budget Agency to route public defense billing for offenses alleged to have occurred within DOC facilities through the Commission's standard reimbursement process, subject to the Commission's non-capital hourly rate cap and standard caseload reporting, at no additional cost to the counties in which such facilities are located;
- Requiring all counties to report indigent defense data by a target date of July 1, 2028, with reporting counties automatically eligible for federal Title IV-E reimbursement, which they may accept or decline;
- Pursuing reinstatement of state funding for the previously enacted but unfunded Prosecutor and Public Defender Scholarship Fund, via a joint letter to the Governor and the Chief Justice requesting inclusion in their respective proposed budgets;

- Maintaining the Commission's existing opposition to consolidation with the Indiana Public Defender Council, absent further Commission direction; and
- Supporting a legislative effort to reestablish community mental health facilities.

Regarding the Department of Correction item, Amy Karozos, Indiana State Public Defender, confirmed the rationale for the proposed change. She explained that courts approved DOC-related defense billing without a uniform rate structure, resulting in hourly rates ranging from the Commission's standard non-capital rate up to approximately \$300 per hour. Mr. Cullen stated that the Commission had compiled several years of billing data in anticipation of the proposed reforms.

A motion was made by Judge Hatfield and seconded by Judge McGrath to authorize staff to pursue all five items described above. A roll-call vote was taken; all members present voted in favor except Rep. Lauer, who abstained. The motion carried.

12. Other Matters (Agenda Item No. 10)

Mr. Mason noted a correction to the county-reporting figures discussed earlier in the meeting: 70 counties, rather than 69, currently reported data to the Commission, reflecting Marshall County's first quarter of participation.

There being no further business, the meeting was adjourned.

Appendix A

Commission on Court Appointed Attorneys Non-Capital Claims 1Q2026 6/17/26

County	Total Expenditure	Non- reimbursable Adjustment	% Adjusted	Eligible Expenditure	40% Reimbursed	Prior Quarter Adjustment	Total
Adams	\$160,654.52	\$34,948.38	21.75%	\$125,706.14	\$50,282.46		\$50,282.46
Allen	\$1,390,837.15	\$109,804.30	7.89%	\$1,281,032.85	\$512,413.14		\$512,413.14
Benton	\$42,277.75	\$2,048.56	4.85%	\$40,229.19	\$16,091.68		\$16,091.68
Blackford	\$147,594.02	\$18,720.27	12.68%	\$128,873.75	\$51,549.50		\$51,549.50
Brown	\$77,381.08	\$27,042.01	34.95%	\$50,339.07	\$20,135.63		\$20,135.63
Carroll	\$159,900.58	\$23,051.01	14.42%	\$136,849.57	\$54,739.83		\$54,739.83
Cass	\$187,852.08	\$27,122.93	14.44%	\$160,729.15	\$64,291.66		\$64,291.66
Clark	\$617,641.95	\$76,695.97	12.42%	\$540,945.98	\$216,378.39		\$216,378.39
Clinton	\$89,603.97	\$17,856.88	19.93%	\$71,747.09	\$28,698.83		\$28,698.83
Crawford	\$37,500.00	\$10,606.06	28.28%	\$26,893.94	\$10,757.58		\$10,757.58
Decatur	\$149,465.10	\$32,881.49	22.00%	\$116,583.61	\$46,633.45		\$46,633.45
DeKalb	\$309,412.69	\$33,179.67	10.72%	\$276,233.02	\$110,493.21		\$110,493.21
Delaware	\$478,852.55	\$1,837.96	0.38%	\$477,014.59	\$190,805.84		\$190,805.84
Elkhart	\$1,235,926.94	\$203,650.78	16.48%	\$1,032,276.16	\$412,910.46		\$412,910.46
Fayette	\$112,606.74	\$18,454.73	16.39%	\$94,152.01	\$37,660.80		\$37,660.80
Floyd	\$475,432.16	\$80,887.24	17.01%	\$394,544.92	\$157,817.97		\$157,817.97
Fulton	\$114,848.66	\$32,709.59	28.48%	\$82,139.07	\$32,855.63		\$32,855.63
Gibson	\$228,550.53	\$28,897.05	12.64%	\$199,653.48	\$79,861.39		\$79,861.39
Grant	\$496,327.54	\$3,435.81	0.69%	\$492,891.73	\$197,156.69		\$197,156.69
Greene	\$209,691.08	\$34,690.57	16.54%	\$175,000.51	\$70,000.20		\$70,000.20
Hancock	\$322,454.30	\$38,249.06	11.86%	\$284,205.24	\$113,682.10		\$113,682.10
Harrison	\$224,056.10	\$30,165.16	13.46%	\$193,890.94	\$77,556.37		\$77,556.37
Hendricks	\$620,605.72	\$127,745.06	20.58%	\$492,860.66	\$197,144.26		\$197,144.26
Howard	\$627,078.54	\$39,731.69	6.34%	\$587,346.85	\$234,938.74		\$234,938.74
Jackson	\$294,207.31	\$14,071.44	4.78%	\$280,135.87	\$112,054.35		\$112,054.35
Jasper	\$188,142.52	\$39,488.94	20.99%	\$148,653.58	\$59,461.43		\$59,461.43
Jay	\$140,175.62	\$25,788.18	18.40%	\$114,387.44	\$45,754.97		\$45,754.97
Jefferson	\$219,677.97	\$23,414.40	10.66%	\$196,263.57	\$78,505.43		\$78,505.43
Jennings	\$128,740.16	\$7,322.02	5.69%	\$121,418.14	\$48,567.26		\$48,567.26
Knox	\$258,763.02	\$33,973.95	13.13%	\$224,789.07	\$89,915.63		\$89,915.63
Kosciusko	\$318,247.74	\$58,765.34	18.47%	\$259,482.40	\$103,792.96		\$103,792.96
LaGrange	\$145,016.52	\$27,765.51	19.15%	\$117,251.01	\$46,900.40		\$46,900.40
Lake	\$1,754,630.51	\$2,226.71	0.13%	\$1,752,403.80	\$700,961.52		\$700,961.52
LaPorte	\$434,919.02	\$37,418.98	8.60%	\$397,500.04	\$159,000.02		\$159,000.02
Lawrence	\$337,642.62	\$59,831.23	17.72%	\$277,811.39	\$111,124.56		\$111,124.56
Madison	\$697,006.87	\$15,486.99	2.22%	\$681,519.88	\$272,607.95		\$272,607.95
Marion	\$9,747,084.62	\$970,801.94	9.96%	\$8,776,282.68	\$3,510,513.07		\$3,510,513.07
Marshall	\$167,652.34	\$45,740.58	27.28%	\$121,911.76	\$48,764.70		\$48,764.70
Martin	\$54,161.45	\$6,896.55	12.73%	\$47,264.90	\$18,905.96		\$18,905.96
Miami	\$233,836.25	\$30,503.76	13.04%	\$203,332.49	\$81,333.00		\$81,333.00
Monroe	\$788,929.66	\$160,154.79	20.30%	\$628,774.87	\$251,509.95		\$251,509.95
Montgomery	\$241,421.82	\$41,273.67	17.10%	\$200,148.15	\$80,059.26		\$80,059.26
Noble	\$342,344.00	\$67,511.56	19.72%	\$274,832.44	\$109,932.98		\$109,932.98
Ohio	\$95,854.68	\$14,821.19	15.46%	\$81,033.49	\$32,413.39	(\$5,769.44)	\$26,643.95
Orange	\$93,652.45	\$12,120.46	12.94%	\$81,531.99	\$32,612.79		\$32,612.79
Owen	\$114,411.46	\$18,150.29	15.86%	\$96,261.17	\$38,504.47		\$38,504.47
Perry	\$81,022.79	\$10,476.73	12.93%	\$70,546.06	\$28,218.42		\$28,218.42
Pike	\$96,481.16	\$5,221.67	5.41%	\$91,259.49	\$36,503.80		\$36,503.80
Pulaski	\$94,574.16	\$19,729.30	20.86%	\$74,844.86	\$29,937.94		\$29,937.94
Ripley	\$73,188.34	\$12,240.41	16.72%	\$60,947.93	\$24,379.17		\$24,379.17

Rush	\$129,527.48	\$29,504.97	22.78%	\$100,022.51	\$40,009.00	\$40,009.00
Scott	\$115,042.08	\$12,343.89	10.73%	\$102,698.19	\$41,079.28	\$41,079.28
Shelby	\$176,335.84	\$30,084.50	17.06%	\$146,251.34	\$58,500.54	\$58,500.54
Spencer	\$101,307.41	\$8,650.43	8.54%	\$92,656.98	\$37,062.79	\$37,062.79
Steuben	\$212,343.45	\$72,564.53	34.17%	\$139,778.92	\$55,911.57	\$55,911.57
StJoseph	\$985,426.58	\$90,469.57	9.18%	\$894,957.01	\$357,982.81	\$357,982.81
Sullivan	\$41,610.60	\$3,865.05	9.29%	\$37,745.55	\$15,098.22	\$15,098.22
Switzerland	\$47,051.01	\$7,306.72	15.53%	\$39,744.29	\$15,897.72	\$15,897.72
Tippecanoe	\$1,222,136.91	\$157,324.22	12.87%	\$1,064,812.69	\$425,925.08	\$425,925.08
Union	\$22,612.70	\$8,590.30	37.99%	\$14,022.40	\$5,608.96	\$5,608.96
Vanderburgh	\$1,329,426.84	\$76,812.78	5.78%	\$1,252,614.06	\$501,045.63	\$501,045.63
Vigo	\$1,251,021.81	\$217,972.57	17.42%	\$1,033,049.24	\$413,219.70	\$413,219.70
Wabash	\$167,879.49	\$27,587.20	16.43%	\$140,292.29	\$56,116.92	\$56,116.92
Warren	\$37,521.20	\$6,696.48	17.85%	\$30,824.72	\$12,329.89	\$12,329.89
Warrick	\$200,465.84	\$14,696.08	7.33%	\$185,769.76	\$74,307.90	\$74,307.90
Washington	\$211,057.74	\$40,033.96	18.97%	\$171,023.78	\$68,409.51	\$68,409.51
WCIPDO	\$222,908.34	\$31,569.70	14.16%	\$191,338.64	\$76,535.46	\$76,535.46
White	\$142,065.89	\$33,543.98	23.61%	\$108,521.91	\$43,408.76	\$43,408.76
Total					\$11,435,540.93	-\$5,769.44 \$11,429,771.49

	Eligible Non-reimbursable Amount	CM Pilot 40% Reimbursed
CM Pilot		
Clark	\$ 76,695.97	\$ 30,678.39
DeKalb	\$ 33,179.67	\$ 13,271.87
Floyd	\$ 80,887.24	\$ 32,354.90
Lawrence	\$ 59,831.23	\$ 23,932.49
Perry	\$ 10,476.73	\$ 4,190.69
Pulaski	\$ 19,729.30	\$ 7,891.72
Steuben	\$ 72,564.53	\$ 29,025.81
Vigo	\$ 217,972.57	\$ 87,189.03
Wabash	\$ 27,587.20	\$ 11,034.88
CM Pilot Subtotal		\$ 239,569.78