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Sent: Thursday, April 15, 2021 11:42 AM
To: Cullen, Andrew S
Subject: April 2021 Quarterly Newsletter

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April 2021 Quarterly Newsletter

Volume 13, Issue 2



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Governor, House, Senate Support FY 22 & 23 Full Budget Increase Request from Commission

Reprinted
April 13, 2021

ENGROSSED
HOUSE BILL No. 1001

DIGEST OF HB 1001 (Updated April 12, 2021 7:06 pm - DE 120)

Citations Affected: IC 2-2-1; IC 2-5; IC 3-3; IC 3-9; IC 4-6; IC 4-12; IC 4-33; IC 5-2; IC 5-11; IC 5-28; IC 5-34; IC 6-1-1; IC 6-2-5; IC 6-3; IC 6-3-1; IC 6-3-6; IC 6-5-5; IC 6-6; IC 6-7; IC 6-8-1; IC 6-9; IC 7-1-4; IC 8-23; IC 10-11; IC 10-14; IC 12-15; IC 12-16; IC 12-17-2; IC 13-19; IC 16-21; IC 16-29; IC 20-20; IC 20-24; IC 20-25-7; IC 20-26; IC 20-32; IC 20-36; IC 20-43; IC 20-48; IC 20-49; IC 20-51; IC 20-51.4; IC 21-17; IC 21-39; IC 31-19; IC 35-47; IC 35-52; IC 36-7; IC 36-7.6; nonecode.

Synopsis: State budget. Appropriates money for capital expenditures, the operation of the state, K-12 and higher education, the delivery of Medicaid and other services, and various other distributions and purposes. Specifies that the deadline for adjourning sine die for the 2021 session of the general assembly is November 15, 2021, and that (Continued next page)

Effective: Upon passage, January 1, 2020 (retroactive); January 1, 2021 (retroactive); June 29, 2021; July 1, 2021; January 1, 2022; July 1, 2022; July 1, 2023.

Brown T. Porter, Cherry
(SENATE SPONSORS — MISHLER, HOLDMAN)

January 14, 2021, read first time and referred to Committee on Ways and Means.
February 15, 2021, amended, reported — On Pass.
February 17, 2021, read second time, amended, ordered engrossed.
February 18, 2021, engrossed.
February 22, 2021, read third time, passed. Yeas 65, nays 30.

SENATE ACTIONS
February 24, 2021, read first time and referred to Committee on Appropriations.
April 8, 2021, amended, reported, favorable — On Pass.
April 12, 2021, read second time, amended, ordered engrossed.

Step three of a five-step state budget process has concluded, and the Commission continues to receive support for its full fiscal years '22-23 budget increase request. The state budget is now being considered in a House/Senate Conference Committee before a final version will be enrolled, likely on April 21, when the General Assembly is expected to conclude its budget process for 2021. The final step will be the Governor's signature or veto.

Considering that many agencies have been required to make cuts based on revenue changes caused by the pandemic, the Commission is grateful to Governor Holcomb and the members of the House and Senate for recognizing the need to fund operations at a level that is projected to preclude the need for any cuts to county reimbursements in the upcoming biennium.

If you have any questions about the Commission's public policy work, please reach out to [Andrew Cullen](#).

Increases in County Participation and Reimbursements Define 2020 for the Commission

The Commission is pleased to present its 2019 to 2020 financial and caseload summary.

Participating counties went from 62 in 2019 to 66 in 2020. There were increases in total reimbursements and median county reimbursement with a slight decrease in the median county expense.

It is interesting to note that there is an average net loss in the total Commission County public defense caseloads of 12%, likely due to a decrease in filings or delayed prosecutions due to the global pandemic. The Commission is cognizant of this drop and is exploring ways to support counties if those caseload numbers increase proportionally in 2021.

Click the button below to view a detailed breakdown of reimbursements by county and a detailed chart explaining the specific caseload changes.

2019		2020
Participating Counties 62		66
Total Spending \$79,822,880.49		\$84,086,546.64
Total Reimbursements \$28,759,810.29		\$29,917,978.29
Median County Expense \$476,086.54		\$469,081.26
Median County Reimbursement \$162,126.10		\$166,361.36

New Federal Funding Source Begins Flowing to Counties for CHINS/TPR Expenses



The Commission is very pleased that the first installment of Federal Title IV funds have been secured to assist in providing reimbursements to counties for CHINS/TPR public defense expenses.

Counties do not have to take any additional action for these funds to be delivered. Commission staff calculates each county's eligibility for these funds and requests the reimbursement from the Department of Child Services. Counties then receive two payments, one being these

federal pass-through funds.

From the last two quarters, counties received \$582,029.36, half of which is federal funding (because it requires a 50/50 split). So, \$291,014.68 federal dollars have gone to counties in the last two quarters. If you have any questions about this process, please contact [Jennifer Pinkston](#) or [Torrin Liddell](#).

Public Defender Council Seeks Nominations for Gideon/Gault Awards and for Board of Directors

Nominations are Open for Gideon & Gault Awards - Deadline April 28

Each year, the Indiana Public Defender Council honors two attorneys--nominated by their peers--who have demonstrated zealous advocacy to indigent adults and children in Indiana: The Gideon and Gault Awards.

The recipient of each award must be an active member of the Bar who devotes a significant portion of his or her legal practice to providing indigent defense representation to adults (Gideon) or juveniles (Gault) in adult criminal or juvenile matters. We encourage you to nominate a deserving candidate. [Click here to learn more. Nominations close on April 28.](#)

Council Seeks Candidates for Board of Directors - Deadline April 29

The Indiana Public Defender Council will hold an election for 5 members of the Board of Directors, with winners announced on June 18, 2021 during the 43rd Annual Update Seminar. IPDC will provide opportunities for all of our members to receive candidate information and to vote.

[If you wish to be submit your candidacy in this election, please click here to complete this online form no later than April 29, 2021 at 5p Eastern.](#)

Board Training Spotlight: How to Use County Supplemental Public Defender Funds



Counties often ask for clarification regarding the types of expenses that can be paid with the County Public Defense Supplemental Fund.

In our new regular feature, Board Training Spotlight, [Commission Staff Attorney Jennifer Shircliff](#) discusses the issue and covers the do's and don'ts of using these funds.

[Click here to read this Quarter's Board Training Spotlight](#)

IU Public Policy Institute Releases Study on the Pandemic's Impact on County Jail Populations

The Indiana University Public Policy Institute recently released a study entitled: "EFFECT OF COVID-19 ON INDIANA JAIL POPULATIONS & OPERATIONS."

Among other findings, the study concluded that during the early stages of the pandemic (February 2020 through April 2020), jails across the country reduced inmate population levels by about 27 percent. The 19 Indiana counties in the sample saw reductions of more than 30 percent.



[Read the full study by clicking here](#)

Standards Spotlight: Standard C: When is a Person Eligible for Public Defense Services?



The Commission's Standards can often be a challenge for counties to comply with, and clarifications can be helpful.

In another new regular feature in our newsletter, Standards Spotlight, [Commission Staff Attorney Andrew Falk](#) delves into the issue of how

Standard C defines when a person is eligible for public defense services.

[Click here to read this Quarter's Standards Spotlight](#)

March Commission Draft Meeting Minutes

[Click here to read the draft minutes from the March Commission Meeting](#)

2021 Reimbursement Request Deadlines and remaining Commission Meeting Dates

2021 Reimbursement Request Due Dates:

1st Quarter '21 (January 1 - March 31): *May 15, 2021*

2nd Quarter '21 (April 1 - June 30): *August 14, 2021*

3rd Quarter '21 (July 1 - September 30): *November 14, 2021*

2021 Commission Meeting Dates:

1st Quarter '21: *Wednesday, June 16, 2021*

2nd Quarter '21: *Wednesday, September 22, 2021*

3rd Quarter '21: *Wednesday, December 15, 2021*

All meetings will be at 2 p.m. Eastern. Location TBD and may be virtual based on the public health emergency.

If you have any questions about the Commission meetings, contact [Derrick Mason](#).

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