

From: Public Defender Commission <pdcom@subscriptions.in.gov>
Sent: Friday, June 24, 2022 1:30 PM
To: Cullen, Andrew S
Subject: June 2022 Quarterly Newsletter

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June 2022 Quarterly Newsletter

Volume 14, Issue 3



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Annual Training Materials Available Online

Thanks to everyone for attending our annual training this week. As always, the materials are available for your review.

We work hard to make our once-a-year required training efficient and as brief as possible. Please let us know if you have any feedback.



[Click here for the presentation from the training.](#)

New Salaries for Chiefs/Chief Deputies Set for '23

The Chief Justice has set the new salaries for Judges and Prosecuting Attorneys. As you know, the Commission requires that these salaries are matched for Chief PDs and Chief Deputies.

The salaries for judges and prosecutors are adjusted by the state, effective July 1. However, the Commission does not require the corresponding increase for Chiefs and Chief Deputies to be effective until January 1 of the following calendar year, to allow for the increases to be included in the county budgeting process.



Please click [here](#) and scroll to "salaries" for more information.

[Click here to read the letter from the Chief Justice.](#)

Commission Approves Hourly Rate Increase

Beginning January 1, 2023, the hourly rate for attorneys will rise to \$100 per hour for counties participating in Commission reimbursement.

The rate has been \$90 per hour since 2016. The Commission expects that the increase will help with attorney recruitment and retention.

Additionally, the new rate is based on a change to the Commission's Standard H. Going forward, the hourly rate will be 75% (rounded up or down to the nearest \$10) of the Rule 24 Capital Rate, which is adjusted every other year.

See the [draft meeting minutes](#) for further information on this change.



Federal Money Rolling Out: But not to everyone!

Is your county receiving the new federal money?
It's easier than you might think.

Federal Title IV-E funds are pass through



entitlement funds for activities you're already doing and paying for. There's a mathematical formula that determines how much your county receives based on total amount spent on public defense, relative portion of CHINS/TPR cases, and the current penetration rate (given to us by DCS). By your county signing the agreement and sending us the quarterly reports, every quarter your county will receive a small additional reimbursement. The only requirement with these funds is that your county lets us know every year how they are spent. The federal government places no restrictions on how it's spent, but we encourage everyone to use them for public defense.

Counties are handling these funds in a variety of ways. Some put them in Supplemental Funds to ensure they are spent on public defense. Some are creating new funds and only depositing these dollars in the new funds. Still others place it in County General and use a designated accounting string to track how they are spent. Again, there are no restrictions on how the money is spent, we just need to track the work being done with these dollars.

We have a new tool on our website each county can visit and see the date and amount of each deposit. Because the penetration rate varies from quarter to quarter, we have no way of calculating it before the request for reimbursement is submitted. [Click here for details about payments received](#) By now, counties have received the 4Q21 IV-E reimbursement. The 1Q22 IV-E reimbursement will be coming in the next couple of weeks (in addition to the regular 40% reimbursement). We have set these payments up to come separately and the IV-E portion will be identified as such. Please feel free to forward this to your county auditor and work with that office to let them know how and where to deposit these funds.

Please contact the Commission's Fiscal Analyst, [Stephanie Lalani](#), for details.

[Click here to see if your county is benefiting.](#)

Commission/Chiefs' Association/PD Council to Collaborate on New Pension Proposal

At the most recent meeting, the Commission approved its staff to be involved in a supporting role to the Chief Public Defender Association and the Public Defender Council on efforts to establish a Public Defense Retirement Fund through the Indiana Public Retirement System (INPRS).



A final endorsement will be considered once the proposal is finalized. Staff will be collaborating during this legislative interim to seek approval from the legislature's Pension Management Oversight Commission.

This has been a long-term goal of the Chiefs' Association, and the Commission sees

this opportunity as a recruitment tool as well as a pay parity issue. Contact [Andrew Cullen](#) if you would like to discuss this further or to offer assistance.

Commission Members & Staff Spotlight

Corley Receives 2022 Leadership In Law Award

The Commission congratulates Bernice Corley upon receiving the 2022 Leadership in Law Award from the Indiana Lawyer Newspaper.

Click [here](#) to read the profile. Bernice serves as the Executive Director of the Indiana Public Defender Council and currently serves as a member of the Commission as an appointee of the Indiana Criminal Justice Institute.

Congratulations, Bernice!



Commission Hires Operations Administrator

The Commission welcomes (or welcomes back) our recently-hired Operations Administrator, Linda Hunter.

Linda joins us with extensive experience in Indiana State Government, having worked for the Office of Judicial Administration for many years as well as on

staff of the Commission in the past.

She will be taking the reins on a number of key operational duties, and she may be reached by clicking [here](#).

Welcome, Linda!

Round 2: Youth and Family Funding Available

The Commission has opened a second round of "At-Risk Youth and Families" funding, and proposals will be evaluated on a rolling basis.

The primary goals of these projects are:

(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.

This is a very unique opportunity to fund projects at the local level. Please share this opportunity with attorneys practicing CHINS & TPR law.

When this program was established, Commission Chair Mark W Rutherford issued the following statement:

"Indiana families are often subjected to state intervention as a result of a minor issue



that could and should have otherwise been resolved.” Rutherford continued, “We hope to receive innovative funding proposals that will lead to systemic improvements that reduce the need for state intervention.”

For an example of a program that is currently in operation in Los Angeles, click [here](#).

If you have any questions, contact [Derrick Mason](#) or [Torrin Liddell](#).

[Click here to read the Request for Proposals.](#)

PD Board Spotlight: Required Quarterly Meetings

County Public Defender Boards are REQUIRED BY LAW to meet at least quarterly. These meetings should be posted and open to the public.

Starting this quarter, the Commission will begin auditing the "next meeting date" field on the reporting forms, and a failure of a public defense system to follow the statute may result in regulatory action by the Commission.

If you have any questions about this or any matters regarding local public defender boards, contact [Andrew Cullen](#).



[Click here to read the state statute regarding local boards.](#)

New Attorney Qualifications Form Launched

The Commission’s Standards E and F determine the level of cases an attorney is qualified to handle. For many years, this form has been submitted using a PDF form. In an

effort to increase efficiencies and reduce processing time, the Commission has released a web-based version:



[Non-Capital Attorney Standards E & F Qualifications Form](#)

Attorneys will now enter their information directly into the online form which feeds directly to our database. The form was designed with smart navigation which walks attorneys through the various methods of qualifications for each case type. We have developed a short manual and a preview of the questions asked on the form:

[Instruction Manual for the Non-Capital Attorney Standards E & F Qualifications](#)

Form

If the attorney wishes to only update one section, they can click “no” on the sections they wish to skip until they reach the section they want to edit. PDCOM staff will correct any duplicate entries. The PDF forms will no longer be accepted if signed after July 1. Please contact us at information@pdcom.in.gov if you have questions regarding the new web-based form.

We are currently developing a tutorial for navigating the new database. Please check our [website](#) for this update. If you have any questions about this form update, please contact [Jennifer Pinkston](#).

June Commission Meeting Draft Minutes

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

2020-2021 Fiscal Year Commission Annual Report

[Click here to read the Commission's latest Annual Report.](#)

Public Defense Employment Opportunities

[Click here for a list of current Public Defense Employment Opportunities.](#)

Remaining 2022 Commission Meetings & Reimbursement Request Due Dates

<i>Quarter</i>	<i>Reimbursement Req Due</i>	<i>Commission Meeting</i>
2Q	Mon, Aug 15	Wed, Sept 21
3Q	Mon, Nov 14	Wed, Dec 14

Commission meetings begin at 2 p.m. Eastern and comply with the Indiana Open Door Law ([IC § 5-14-1.5](#)). Meetings are held at the Commission Office (309 W. Washington Street, Suite 501, Indianapolis, IN, 46204) unless otherwise stated on the meeting notice and agenda. The public is invited to attend in person or via electronic means permitted under [IC § 5-14-1.5-3.6](#) excluding any Executive Sessions that may be scheduled as permitted under [IC § 5-14-1.5-6.1](#). To view the Commission's Electronic Meeting Policy, click [here](#).

Notice of Executive Sessions & meetings will be posted at the entrance to the Commission Office (309 W. Washington Street, Suite 501, Indianapolis, IN, 46204) and will be posted on [the front page of the Commission's website under "News &](#)

[Announcements](#)" at least 48 hours in advance. Meeting materials and agendas will be posted at least 24 hours in advance.

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

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