

From: Public Defender Commission <pdcom@subscriptions.in.gov>
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October 2023 Quarterly Newsletter

Volume 15, Issue 4



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Juvenile Delinquency Pilot Showing Significant Results for Marion County Youth & Families

Project Funded by Commission's At-Risk Youth & Family Pilot Program Showing Value of Early Family Intervention to Decrease Detention of Youth

The Marion County Early Intervention Team (EIT) program provides a multidisciplinary team to clients in juvenile delinquency cases as early as possible, before the initial hearing.



The project is ongoing, but this interim evaluation shows several positive outcomes: a small decrease to case length, a small decrease in the number of cases approved for filing at the initial hearing, and a large decrease in secure detention throughout the case. The decrease in detention is large at the initial hearing, and compounds as the case continues, with only 3% of EIT cases involving detention at disposition.

Starting in 2021, the Commission has been seeking pilot proposals to assist Indiana's at-risk youth and families. Specifically, the proposals sought must improve Indiana's family and child welfare system and/or the juvenile delinquency system, or proactively prevent involvement with these systems. Four such programs are now running, with several others in various stages of development.

Questions about this project may be directed to [Torrin Liddell](#).

If you are interested in launching a pilot program to improve outcomes for at-risk youth and families, reach out to [Derrick Mason](#).

[Click HERE to read the full article.](#)

Save the Date: Federal Funding (Title IV-E) Info Session Scheduled - Spread the Word!

Commission Staff will hold a webinar for ANY Indiana County Officials (elected or appointed) who may be interested in learning about a funding opportunity. Following Commission Standards & Guidelines is NOT required for this Federal reimbursement.

DATE: Wednesday, October 18

TIME: 1 p.m. Eastern

RSVP: Jennifer Pinkston
jennifer.pinkston@pdcom.in.gov



If you prefer not to RSVP in advance, information about joining the webinar may be found by clicking [HERE](#). A camera and microphone is not necessary for participation.

All counties in Indiana not currently receiving the "no-strings-attached" reimbursement for services from the Federal Government are strongly encouraged to virtually attend a webinar about the program.

As a reminder, the Federal Government offers a reimbursement program for a portion

of public defense expenses that state and local governments spend.

EVERY county is eligible for this reimbursement, and there is NO REQUIREMENT that the county follow the Commission's Standards or Guidelines. The Commission receives a reimbursement to the Public Defense Fund for a portion of the expenses we reimburse to counties.

All that is necessary to receive these funds is to sign an agreement and fill out a reimbursement form each quarter. Click [HERE](#) to read more about the program.

Questions may be directed to [Jennifer Pinkston](#).

[Click HERE to find out if your county is receiving these funds.](#)

Commission To Seek Legislative Approval For Misdemeanor Pilot In 2024 Legislative Session



At the September meeting of the Commission, staff was authorized to begin discussions with policymakers about the establishment of a pilot program to reimburse local public defense systems for misdemeanor expenses from existing appropriations.

This program will require statutory authority. Although the 2024 session of the General Assembly is not a budget-writing session, Commission Staff will seek to advance legislation to permit this limited pilot program from existing appropriations to the Public Defense Fund. The intention would be to utilize funding only at a level that would NOT jeopardize full reimbursement to local PD Systems currently complying with standards.

The details of this pilot program are being developed now and will be presented to the Commission for final approval at the December Commission meeting. If you have comments or suggestion about the structure of the pilot program, please let staff know.

The proposed legislation will also change the name of the Commission to "The Indiana Commission on Court Appointed Attorneys". This name change is intended to clarify the Commission's role while distinguishing it from the other two state public defense agencies - the State Public Defender and the Public Defender Council.

Questions may be directed to [Andrew Cullen](#).

New Recommended National Caseload Standards Released by RAND's Justice Policy Program

The Justice Policy Program within the RAND

Social & Economic Well-Being Division has recently released new national public defense workload standards.

According to the report: "researchers conducted a comprehensive review and analysis of 17 state-level public defense workload studies conducted between 2005 and 2022 and then employed the Delphi method to facilitate the efforts of a panel of 33 expert criminal defense attorneys from across the country to come to a consensus on the average amount of time needed to provide constitutionally appropriate representation in an array of adult criminal cases."

As you may be aware, the Commission has completed a similar project and has approved changes to Commission Guidelines that accompany Standard J (Caseloads) that become effective January 1, 2024. Click [HERE](#) to review the new guideline document.

Questions may be directed to [Derrick Mason](#).

[Click HERE to read the full RAND Report on National Standards.](#)

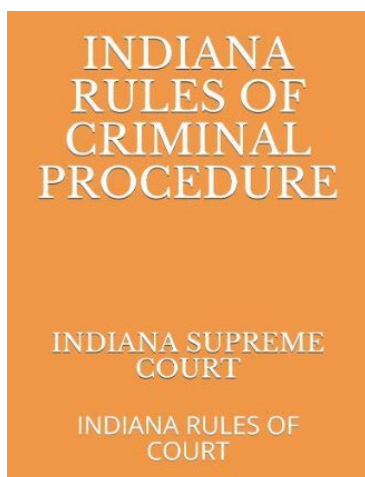


Research Report

NICHOLAS M. PACE, MALIA N. BRINK, CYNTHIA G. LEE, STEPHEN F. HANLON

National Public Defense Workload Study

Commission to Recommend Change to Criminal Rule 24 (Death Penalty Cases) to Supreme Court



The Public Defender Council Board has expressed concern about a lack of death penalty qualified attorneys in Indiana and has created an ad hoc death penalty committee to look into the issue. The Commission participated in this committee. While the committee has already completed its work, we anticipate the Public Defender Council will submit final, proposed changes for the Commission's consideration in time for the December meeting.

However, the Commission was able to take action on one item in the anticipated recommendations: allowing the death penalty hourly rate to adjust during the life of the case. In addition to any additional recommended

changes to Criminal Rule 24 to be considered at the December meeting, the Commission agreed at the September meeting to advise the Supreme Court to make the following edit to the rule:

"Beginning July 1, 2002, and July 1st of each even year thereafter, the CAO shall announce the hourly rate for defense counsel appointed in capital cases, effective ~~filed or remanded after appeal on or after~~ January 1; of the years following the announcement."

Questions about this issue or any issues regarding the Commission's statutory duty to

advise the Supreme Court regarding Criminal Rule 24 may be directed to [Derrick Mason](#).

Commission Enhances Job Posting Service



In an effort to assist Commission-compliant local public defense systems with recruiting, the Commission is expanding our job posting service.

When an open position is submitted, it will now be posted on the following websites:

- Commission's website
- American Bar Association and Indiana State

Bar

- Law School Job Boards: IU McKinney, IU Mauer, Notre Dame, Cooley (Michigan), University of Louisville Brandeis, University of Illinois (Urbana-Champaign)

As a reminder, to post an open position, simply email a PDF document that includes all necessary information to information@pdcom.in.gov. If you have any comments about this service, please contact [Derrick Mason](#) or [Andrew Cullen](#).

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

Commission Staffers Discuss Lawyer Shortage On Indiana Lawyer Extended Interview Podcast

The Commission's Executive Director, Derrick Mason, and Director of Public Policy & Communications, Andrew Cullen, recently conducted an extended interview with Tyler Fenwick, Senior Reporter with the *Indiana Lawyer* publication.

The topic was Indiana's lawyer shortage and the potential solutions that Commission Staff outlined in the recent in-depth article. Topics such as student loan reimbursements, law school accreditation, attorney salaries, and others were discussed in depth. To review the article, click [HERE](#).

To listen to the interview, click the button below or [HERE](#), and select August 9. The interview begins at the 11:00-minute mark.

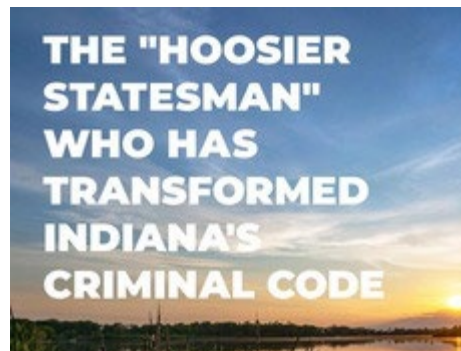


[Click HERE to listen to the podcast.](#)

History of Indiana's Criminal Code Reform Discussed in Res Gestae Article

The Commission's Director of Public Policy & Communications, Andrew Cullen, recently served as a guest contributor to the Indiana State Bar Association's October Edition of its Res Gestae Newsletter.

The article discusses the successful efforts by State Representative Greg Steuerwald (R-Avon) to make significant changes to criminal justice policy over the past decade.



[Click HERE to read the article.](#)

Local Public Defender Board Appointments

The Commission welcomes the following new and/or re-appointed members to local Public Defender Boards. Their 3-year terms were approved at the prior Commission meeting.

- **William Smith, Decatur County**
- **Anne Scott, Pulaski County**

At the December meeting, the Commission will consider appointments or re-appointments to the following local boards:

- **Harrison County**
- **Hendricks County**
- **LaPorte County**
- **Owen County**
- **Rush County**
- **Washington County**

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

[Click HERE for more information regarding local boards.](#)

September Commission Meeting Draft Minutes

[Click HERE to read the draft minutes.](#)

2023 Reimbursement Request Due Dates

<u>Quarter</u>	<u>Reimbursement Request Due Date</u>	<u>Commission Meeting</u>
3rd 2023	Tuesday, November 14	Wednesday, December 13

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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