

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

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URGENT CALL TO ACTION: Contact the State Senate Regarding Misdemeanor Funding

We need your help. Please contact your State Senator with the following message:

"Please allow the PD Commission to reimburse counties for misdemeanor expenses in the State Budget."

Contacting any Senator is helpful.



However, the Senators on the Senate Appropriations Committee are most CRITICAL AT THIS TIME.

Call 800-382-9467 and leave a message or [click HERE](#) for a listing of the Senators on the Appropriations Committee and their email addresses.

As you may recall, the Governor proposed a budget that will allow the Commission to continue to fully fund felony reimbursement and add up to \$6.3 million in additional reimbursement for misdemeanor cases to public defense regions and counties. However, it was NOT approved by the House. The Senate is now considering the proposal. Senators need to hear from county officials about how desperately this funding is needed.

Click [HERE](#) to read the Commission's "Misdemeanors Matter" document, with the policy arguments about why raising the quality of legal representation to individuals charged with a misdemeanor crime is good public policy.

If you have any questions or wish to discuss this, please contact [Andrew Cullen](#).

[Click here for contact information for the Senate Appropriations Committee Members.](#)

Some Counties Refusing New, Effortless Federal Reimbursement for Expenses Already Paid

During the Trump Administration, the Federal Government changed its policy and now provides a partial reimbursement to counties for CHINS/TPR expenses ALREADY SPENT. Counties DO NOT have to follow any standards or guidelines to receive this funding.



Commission staff is perplexed as to why ANY county would not take advantage of this opportunity.

Click [HERE](#) to view the current map to determine if your county is benefitting.

Click [HERE](#) for more information about this reimbursement.

If your county is listed below, please contact [Stephanie Lalani](#) as soon as possible.

The following counties HAVE NOT signed up to receive this funding:

Bartholomew	Boone	Clay
Daviess	Dearborn	Franklin
Hamilton	Henry	Huntington
Johnson	Lake	Marshall
Montgomery	Newton	Porter
Posey	Putnam	Randolph
Starke	Tipton	Wayne
Wells	White	

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

Legislation to Merge Full-Time Chief PDs and Chief Deputies into Current Prosecuting Attorney Retirement Fund Passes Indiana House, 94-1

The Commission has partnered with the Chief PD Association and the PD Council to advocate for the creation of a PD Retirement Fund, similar to the fund currently available to prosecutors and judges.

House Bill 1602 passed out of the House 94-1. It passed out of the Senate Pensions & Labor Committee 9-1. It is now currently awaiting further action by the Senate Appropriations Committee.

The bill currently allows all full time Chiefs and Chief PDs who do not maintain a private practice to receive credit for years of service starting in 2014. They must be compensated according to Commission Standards. Upon vesting, those individuals would be eligible for the same pension benefit currently available to Prosecutors and Chief Deputy Prosecutors. It also includes the two top staffers at the PD Council, the PD Commission, and the State PD Office.

The Commission believes this new benefit will serve as a recruiting tool to encourage more pay and resource parity in PD Offices going forward.

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

[Click here to read the House Bill 1605.](#)

Introduced Version

HOUSE BILL No. 1605

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-8; IC 5-10.3-7; IC 5-10.5-2-2; IC 33-39-7.

Synopsis: Public defender participation in PARF. Adds a person who serves in one of the following positions on or after January 1, 2014, to the prosecuting attorneys retirement fund (PARF): (1) The state public defender or the second highest paid staff person employed by the state public defender. (2) The executive director of the public defender council of Indiana or the second highest paid staff person employed by the public defender council of Indiana. (3) The highest paid or the second highest paid staff person employed by the Indiana public defender commission. (4) A chief public defender or chief deputy public defender. Changes the name of the prosecuting attorneys retirement fund to the prosecuting attorneys and public defenders retirement fund. Makes corresponding changes.

Effective: July 1, 2023.

VanNatter, McNamara, Hatfield

January 19, 2023, read first time and referred to Committee on Employment, Labor and Pensions.

Preliminary Results Released: At-Risk Youth and Families Projects Demonstrating Impacts

The Commission has tabulated some initial results regarding the effectiveness of the At-Risk Youth and Families Grant funds. As of January 2023, the following results have been demonstrated.



Social Workers and System Navigators Pilots:

- Provides additional social worker or system navigator support (depending on site and individual case) to parents in CHINS and TPR cases
- 197 clients enrolled in the new program across two sites
- Cases enrolled in the new program show an 8% decrease in overall case length in site one and a 25% decrease in site two, relative to the control group
- In site one, cases enrolled in the new program show a 30% decrease in time out of the home in cases where there was a removal, relative to the control group
 - Site two does not yet have sufficient data for this comparison
- **In summary: Initial results show that the pilots are yielding shorter case times and decreased time out of the home**

Juvenile Delinquency Early Intervention Team (EIT):

- Provides an attorney and social worker team to clients in juvenile delinquency cases as early as possible, usually before the initial hearing
- Over 600 clients represented by the EIT in some capacity since inception
- Relative to non-EIT-represented clients, EIT clients were 19% less likely to be in detention immediately following the initial hearing
- Relative to non-EIT-represented clients, EIT clients were 80% less likely to be in detention 20 days after the initial hearing
- **In summary: Initial results show that EIT-represented juvenile clients are less likely to be detained, and this effect is especially pronounced further on in the case**

***Note:** All results here are based on preliminary analysis of data that is still being collected. Final results will not necessarily match these preliminary results.

If you have any questions about the Request for Proposal Process, contact [Derrick Mason](#) or [Torrin Liddell](#). If you are unsure if your potential project meets the criteria above, we encourage you to reach out!

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

Key Reminders: Reimbursement Updates

1. New Hourly Rates:

- As a reminder, the rate of \$100/hour for all

non-capital work beginning on January 1 is now in effect.

- The January 1 rate of \$136/hour for new capital work is also in effect. However, the effective rate at the time the death penalty request was filed remains in effect throughout the life of the case unless the case is remanded to the trial court after appeal.



2. The "Next Meeting Date" field is required:

- Counties and Regions are required to report the next scheduled meeting date for local Public Defender Boards. This is to guarantee compliance with the legal requirement that the boards must meet at least quarterly. Beginning with the 1st quarter reimbursement due May 15, reimbursement MAY be withheld if this date is not reported.

The Commission welcomes feedback or comments on the efficiency of our reporting process. If you have any comments to share, please reach out to [Jennifer Pinkston](#) or [Torrin Liddell](#).

[Click here for more information about reporting requirements.](#)

Local Public Defender Board Appointments

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

- Stella Royal, Greene
- Don Steinmetz, Gibson
- Randy Shepherd, Jennings
- Betsy Greene, Monroe
- Jody Barger, Scott
- Jerry Ault, Wabash

At the June meeting, the Commission will consider appointments to the following local boards:

- Blackford
- Brown
- Orange
- Spencer

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.](#)

March Commission Meeting Draft Minutes

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

Public Defense Employment Opportunities

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

2023 Reimbursement Request Due Dates

Quarter	Reimbursement Request Due Date	Commission Meeting
1st 2023	Monday, May 15	Wednesday, June 14
2nd 2023	Monday, August 14	Wednesday, September 20
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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