

**From:** Public Defender Commission <pdcom@subscriptions.in.gov>  
**Sent:** Tuesday, April 16, 2024 3:08 PM  
**To:** Cullen, Andrew S  
**Subject:** April 2024 Quarterly Newsletter

Having trouble viewing this email? [View it as a Web page.](#)



April 2024 Quarterly Newsletter

Volume 16, Issue 1



Follow us on  
[Twitter](#)

[Our Website](#)

[Contact Us](#)

## In this Issue:

- [Governor, Legislature Approve 4-Year Misdemeanor Pilot for 12 Counties](#)
- [Required Information Update Session Scheduled](#)
- [Legislative Workgroup Formed to Address Indiana's Lawyer Shortage](#)
- [Ethics Advisory Issued for Attorneys at Initial Hearings](#)
- [2025 Salaries for Chief PDs, Chief Deputies Set](#)
- [Local Public Defender Board Appointments](#)

---

## Governor, Legislature Approve 4-Year Misdemeanor Pilot for 12 Counties

As you may be aware, SEA 179 (authored by Senator Eric Koch) has been signed into law by the Governor. It has 8 primary provisions:

- Changes the agency name to: The Indiana Commission on Court Appointed Attorneys, effective July 1,

2024.

- Permits the Commission to select up to 12 counties to reimburse misdemeanor expenses as a pilot program at up to 40% of misdemeanor expenses from July 1, 2025, to June 30, 2029. This does not exclude the Commission from continuing to collect data on case information, including misdemeanors
- Prohibits the Commission from receiving additional funding for misdemeanor reimbursement prior to July 1, 2029.
- Requires the Commission to submit a report to the Legislative Council and the State Budget Committee, not later than December 1, 2029, concerning the reimbursement's impact on the misdemeanor reimbursement including data on:
  - attorney appointment rates
  - jail population
  - trial rates
  - case outcomes
- Increases the fees that courts may order partially indigent defendants to pay to the county supplemental public defender services fund (IC 35-33-7-6) from \$100 to \$200 for felonies and from \$50 to \$100 for misdemeanors. The increased portion will be transferred to the Public Defense Fund.
- By January 31 of each year, all county clerks are required to annually report to the Commission regarding the receipt and transfers of these funds for the prior calendar year.
- Requires any counties receiving misdemeanor reimbursement in the pilot to use a form created by the Office of Judicial Administration to make indigency determinations.
- Requires the Justice Reinvestment Advisory Committee to oversee a study and submit a report to the legislature by July 1, 2025 on how courts are making indigency determinations. Expenses for the study can be paid from the Public Defense Fund.

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

[Click HERE read SEA 179.](#)

# Required Information Update Session Scheduled

Commission staff will hold an update session on **June 26**, time TBD to discuss the changes that shall result from the new legislation as well as general updates on salary and caseload requirements.

A detailed agenda will be forthcoming, but for now, please hold the date!

Save  
the  
Date

## Legislative Workgroup Formed to Address Indiana's Lawyer Shortage

Commission staff will be participating in a legislative workgroup chaired by Rep. Greg Steuerwald this interim to prepare comprehensive legislation for the 2025 session to address the lawyer shortage. We are collaborating with IPAC and IPDC on the effort. The main topics currently up for discussion include:



- Potential law school curriculum changes
- Potential changes to the Bar Exam or Rules of Admissions
- Incentives for public service legal practice, particularly in rural counties
- Compensation changes for public service legal practice

The Supreme Court has also established a separate workgroup to look at many of these issues. However, the Court did not invite the Commission to participate in their workgroup.

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

## Supreme Court Establishes "Commission on Indiana's Legal Future"

A 23-member Commission on Indiana's Legal Future is now established by [Supreme Court order](#). The Commission is tasked with exploring options for addressing Indiana's attorney shortage and presenting findings and recommendations to the Court on future actions.



[Click HERE to learn more about this new Commission.](#)

---

## Ethics Advisory Issued for Attorneys at Initial Hearings

The Indiana Supreme Court Disciplinary Commission has issued a new advisory opinion with guidance for attorneys who represent indigent clients at initial hearings.

The opinion, "Navigating Limited Representation at an Initial Hearing," addresses this question: "How may a public defender provide meaningful and efficient representation to multiple public defender clients at initial hearing while maintaining compliance with Indiana's Rules of Professional Conduct?"



All attorneys who represent indigent clients at initial hearings should carefully review the advisory opinion, which can be found by clicking the link below.

[Click HERE to read the advisory opinion.](#)

---

## 2025 Salaries for Chief PDs, Chief Deputies Set

The Chief Justice has announced updated salaries for Judicial Officers and Prosecuting Attorneys.

While these salaries are effective July 1, 2024, the Commission does not require local public defense systems to match the salaries until January 1, 2025, to allow for the county budget process.

These amounts are set annually by the Chief Justice in a letter to the State Budget Director.

Effective July 1, 2024, the new required salaries are:

- Chief Public Defender: \$183,513
- Chief Deputy Public Defender: \$137,635

[Click HERE for the full letter.](#)

---

## 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.

- **Dale Brown, LaPorte County**

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

- **Adams County**
- **Fayette County**
- **Fulton County**
- **Orange 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.](#)

---

## March Commission Meeting Draft Minutes

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

---

## Commission's 2022-2023 Annual Report

[Click HERE to read Annual Report](#)

---

## 2024 Reimbursement Request Due Dates and Commission Meeting Dates

| <b>Quarter</b> | <b>Requests Due</b> | <b>Commission Meeting</b> |
|----------------|---------------------|---------------------------|
| 1st 2024       | May 15              | June 12                   |
| 2nd 2024       | August 14           | September 18              |
| 3rd 2024       | November 14         | December 18               |

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 (101 W. Ohio Street, Suite 1800, 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](#).

[^ Back to Top](#)

SUBSCRIBER SERVICES:

[Manage Preferences](#) | [Delete Profile](#) | [Help](#) | [View as Webpage](#)

This email was sent to [andrew.cullen@pdcom.in.gov](mailto:andrew.cullen@pdcom.in.gov) using GovDelivery Communications Cloud on behalf of: State of Indiana · 402 Washington Street · Indianapolis, IN · 46204 · 800.457.8283

