

Minutes: Indiana Public Defender Council Board of
Director's Meeting

Date: March 19, 1998

Place: Radisson Hotel & Suites, Indianapolis, IN

Board members in attendance:

Larry Landis, Executive Director	
Jeff Lantz, Vice-Chair	Michelle Fennessy
Kitty Liell, Secretary	Jodie English
Susan Carpenter	Quinton Ellis
Bob Hill	Don Pagos
Don Murphy, Staff Attorney	Paula Sites
Terry Richmond	

Call to Order:

The meeting was called to order at 5:15 P.M.

Approval of Minutes:

Minutes from the Board Meeting held February 6, 1998 were approved.

Executive Director's Report:

A. Legislative Update.

The Board unanimously congratulated Larry Landis in playing a role in defeating the Sexual Predator Bill.

Concern was voiced over lowering the permissible blood alcohol content to .08% in order to receive Federal Highway monies.

B. Grant

Funding for the new Grant Project will start April 1, 1998. Presumptively the grant is for \$300,000 for a term of four years. Larry Landis reported that the funds will be used to improve training on a local level both in a traditional format and by utilizing system analysis. A team of attorneys will be responsible for taking training and technical assistance to the counties. Richard Kammen, Jodi English, and Terry Richmond are the designated team members. Terry and Jodi will resign from the Board of Directors before any contract is entered into with the Council.

C. Performance Standards:

1. The Board was unable to approve the commentary to Chapters 1 through 5, as the proposed draft distributed prior to the meeting for review by Board members was not the final draft. Apparently Don Murphy was not made aware of the suggested changes to the Commentary as reflected in prior minutes, but has incorporated those changes and distributed revised standards to the Board for their review. All Board members should review those chapters previously assigned, and be prepared to make any final changes. If Don Murphy does not hear from any Board members concerning proposed changes at the next board meeting, he will presume the revised standards as revised are correct.

2. The Board unanimously determined that performance standards for indigent representation of juveniles should be the next priority.

New Business:

A. Board Election: Larry Landis reported that there will be five (5) seats up for election at the annual update on the Board of Directors.

B. Gideon Award: A committee was established to recommend to the Board the nominees for the Gideon award. The following board members were assigned: Katharine Liell, Chair; Jodi English, and Susan Carpenter.

C. Dates for future meetings: June 19, 1998 at 5:00 p.m. with new members of the Board; Board Retreat, September 17-18, 1998, Bloomington, Indiana.

D. Other:

1. Susan Carpenter reported the Supreme Court requested more comments concerning abolishing the Fundamental Error Rule. Susan further reported that she is expanding the list previously prepared by Larry Landis of cases in which the Fundamental Error Rule was used in reversing convictions, to include structural errors. For example, the inability to raise ineffective assistance of counsel on direct appeal if those errors upon which it is based are not in the face of the record, and if IAC is not raised, it is waived. Susan believes the Supreme Court is intent on abolishing the Fundamental Error Rule, and requests any assistance or ideas to prevent this from happening.

2. Jeff Lantz also indicated that the Evansville Criminal Defense Bar is planning a seminar in May, 1998. The Bar wants permission from the Council to use the mailing list to mail Public Defender's letters notifying them of the seminar. Larry Landis indicated that there is no real policy on the use of the

mailing list, or concerning who may use the mail list. The Board unanimously voted in favor of giving the Council's mailing list to Evansville to promote the local Criminal Defense Bar.

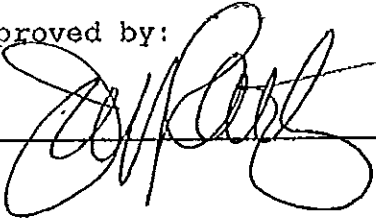
3. Jodi English indicated that the training committee was having trouble getting a key note speaker for the annual update seminar in June. Jodi hopes to get Judy Clark. Any assistance would be appreciated.

Adjournment:

The meeting was adjourned at 6:20 P.M.

Submitted by Katharine Liell.

Approved by:



Date: 7/9/98