

**INDIANA PUBLIC DEFENDER COUNCIL**

**Board Meeting  
May 19, 2005  
Indianapolis, Indiana**

**MINUTES**

**I. CALL TO ORDER**

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by chair Doug Garner on May 19, 2005 at 7:00 p.m. in the Terrace Room of the Holiday Inn Select North, Indianapolis. Present were Bob Hill, Terry Harper, Michelle Kraus, Kitty Liell, Mike McDaniel and Neil Weisman. Staff present were Larry Landis, Jodie English, Teresa Campbell and Loretta Jackson.

**II. APPROVAL OF MINUTES**

Minutes of the board meeting on March 10, 2005, were unanimously approved.

**III. COMMITTEE REPORTS**

**A. Training Committee**

Mike McDaniel suggested adding a lunchtime ethics presentation at TPR. He mentioned discussion of 5<sup>th</sup> amendment and clients lying as possible topics.

Jodie English stated there will be one hour of ethics in the forensics seminar in December.

Jodie reported that the TPR brochure is ready and that there are already 107 registrants for the Annual Update seminar on June 24. She also reported that the Evidence seminar received very good reviews and she was somewhat surprised considering how basic the information was. Larry Landis responded that many of the attendees may only have tried 1-2 cases in five years. Jodie also reported that there were requests for another day of evidence covering other rules.

The following board members agreed to meet and greet at upcoming seminars:

TPR, September 9: Mike McDaniel  
Death Penalty, September 15-16: Bob Hill  
Fundamentals, October 7: Doug Garner  
Ethics, October 20: Mike McDaniel and Micki Kraus  
Forensics, December 16: Micki Kraus and Doug Garner

**B. Technology Committee**

Doug Garner reported that the current issue before the Committee is improving defendnet by creating an archive that is easier to use and search. Dawn Nolan is working with the company Akiva, a provider that could host a web board that is better organized and easier to search than the current defendnet. They will be providing a demonstration to Dawn soon. There would be an initial set up cost of approximately \$2500 and a monthly fee.

Doug also reported that collecting transcripts for the database that is to be demonstrated at Annual Update is still being worked on.

Larry Landis reported that Don Murphy has been contacted by a graduate student who wants to study defendnet to understand how a professional community uses this type of technology. He would send surveys to members and monitor defendnet. The Board agreed that he would need to sign a confidentiality agreement to not disclose any messages posted. Bob Hill moved and Mike McDaniel seconded that the study be approved. The motion passed on a 4-3 vote. Bob then suggested, and it was agreed, that because of the closeness of the vote, that this be tabled until the full board is available to discuss it. Doug Garner also requested that the student submit a written proposal outlining his study.

Terry Harper expressed concerns regarding possible ethics problems when messages on defendnet include information which makes the case readily identifiable, without a waiver by the client. Larry suggested routinely posting an ethics notice on defendnet and stated that clearly there is no confidentiality on defendnet.

#### **C. Publications Committee**

The publications committee had nothing new to report. Doug Garner stated, and the Board agreed, that congratulations are in order to Andy Krull for a job well done on the DOC Pamphlet.

#### **IV. AWARDS**

There was a general discussion concerning the Gideon and Gault awards, and the small number of nominations. Neil Weisman stated we are failing to get the word out and he suggested posting the information on defendnet and doing a separate mailing of nomination forms, not just including them in the *Defender*. Larry Landis suggested appointing a nominating/awards committee for next year. Bob Hill, Terry Harper and Neil Weisman agreed to serve on the committee. It was agreed to add this to the agenda at the board retreat. It was also suggested that people should be encouraged to re-nominate people for these awards.

After a discussion of the nominees for the Gideon and Gault awards, it was unanimously decided to present the Gideon Award to Ann Sutton and the Gault Award to Steve Smith.

#### **V. BOARD ELECTIONS**

Larry Landis reminded the board that those up for election cannot act as meeters/greeters at Annual Update. Neil Weisman suggested having photos of the candidates at the seminar. Bob Hill agreed this is a good idea, but emphasized that there can be no campaigning at the seminar, and neither should they be presenters at the seminar.

Bob Hill also stated that there should be no campaigning on defendnet. It was decided that Larry is to draft rules for campaigning and will have them available for discussion at the board retreat in September.

Terry Harper asked about the status of the forensic diversion staff member. Larry replied that he has not yet written a job description and he is still working with the DOC on this.

**VI. EXECUTIVE DIRECTOR'S REPORT**

Larry Landis distributed a draft of the legislative summary. He reported that SB 96 has been signed, and was effective on April 25.

**VII. NEW BUSINESS**

Larry asked if anyone was interested in attending the NACDL meeting in Portland or the NLADA meeting in Orlando later this year. Bob Hill said he was interested in the NACDL meeting. Terry Harper noted that the NLADA meeting contains a lot of civil and organizational/management information.

Mike McDaniel asked whether Terry Richmond had been offered any position with the Council for mentoring. Larry replied that he had offered Terry a \$10,000 contract to set up in-house training programs in Marion, Lake and Vanderburgh Counties.

The status of the mentoring program was then brought up. Larry said there is no money available at this time, that the funds are instead going to be used for the forensic diversion program. Doug Garner brought up the fact that there has never been a discussion whether the mentoring program is working and that the board needs to revisit whether this is a good use of funds. It was agreed to discuss the future of the mentoring program at the Board retreat in September.

**VIII. NEXT BOARD MEETING**

The next board meeting will be held June 24 after the election.

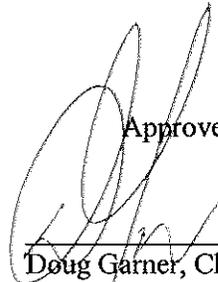
The meeting was adjourned at 8:09 PM.

Respectfully submitted:

  
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Loretta Jackson, Acting Secretary

Date: 10/2/05

Approved:

  
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Doug Garner, Chair

Date: 10/2/05