

INDIANA PUBLIC DEFENDER COUNCIL

Board Meeting
June 25, 2009
Cambria Suites
Plainfield, IN

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 Mike McDaniel at 6:10 PM in the Board Room of the Cambria Suites. Board members present were Dave Cook, David Hennessy, Bob Hill, Micki Kraus, Jeff Lockwood, Sonya Scott, Neil Weisman and Lorinda Youngcourt. Staff present were Larry Landis, Teresa Campbell, Don Murphy, Jodie English and Loretta Jackson

II. APPROVAL OF MINUTES

The Minutes of the January May 7, 2009 meeting were unanimously approved.

III. EXECUTIVE DIRECTOR'S REPORT

A. Budget

Larry stated that the legislature approved the requested \$3 million increase for the Public Defender Commission reimbursement fund for a total budget of \$18.25 million and will allow full 40% reimbursement for participating counties. He also reported that the Public Defender Council budget has been fully funded.

Larry reported on the need to gather data regarding contract public defenders' overhead costs. He stated that PD Commission staff attorney Deb Neal has been comparing salaries of part-time public defenders and prosecutors with approximately the same salary. However, prosecutors have access to an office and support staff at no personal cost to them, which looks like PDs are either over-compensated or under-worked. We need data from counties on overhead costs in order to show that a \$30,000 contract is not really \$30,000 in income.

B. New Attorney Position

Larry reported that we have received applications from many well-qualified individuals and have so far interviewed four persons for the position.

C. JTAC/PD Module

Don Murphy reported on the progress of the public defender module of the case management system. A prototype was demonstrated at the PD administrators meeting in April and it was well received. It was initially planned to have a pilot release in September but budget problems have delayed it. A grant from the federal stimulus funds is being sought to continue working on the PD module. When complete, PDs will be able to upload files to the system, download files from JTAC, have the ability to assess performance. The PD module will be separate from Odyssey and prosecutors will not be

able to access PD information.

D. Quality Standards

Don reported that since our last meeting, Jim Abbs of Noble county has started meeting with attorneys to discuss performance based on the following five standards: (1) meet weekly with attorney; (2) observe attorneys in courtroom weekly; (3) investigate complaints/review requests for different attorney; (4); speak with judges and other court personnel monthly; (5) yearly evaluations. Vanderburgh, Tippecanoe and Marion counties are considering starting a quality assessment program. Shelby and Lake counties are also interested. Don mentioned an internet software company that has a quality assessment system used for doctors and he is looking into the possibility of creating a system for attorneys. He has also met with Regina Baker, a quality control engineer, who helps clients build quality control systems.

E. Committees

Larry requested that the Training Committee meet via conference call regarding the evidence seminar in July at the IU Law School in Indianapolis. Mike McDaniel, as chair, should consider re-appointing or adding new members.

F. Lobbying/PAC

Larry reported on the status of the PAC. There is approximately \$1100 in the Indiana Justice Fund that can be used for mailings. Andrew Cullen had a table at the annual update to speak to people about the PAC.

G. Forensic Diversion

Larry reported that there is several million dollars in federal stimulus money available and he is attempting to get counties' community corrections departments to file grant requests for forensic diversion programs.

III. INDIGENT DEFENSE SYSTEMS

The Board needs to get back on schedule working on a state-funded system. Larry will encourage C.J. Shepard to get a working committee set up and the IPDC Board needs to figure out what comes between the Public Defender Commission and the counties. We need to have something by the next legislative session.

IV NEW BUSINESS

Jodie English suggested that, based on the NAS report on forensic science, that a group be assembled that can be on-call for local public defenders who want to litigate a forensics issue. David Hennessy said it would be better to train local PDs to do it themselves rather than doing it for them. Larry said at the very least we should have a packet of information we can send to anyone who requests it. Jodie will assemble motions and pleadings that can be used.

Neil asked about the possibility of once again providing the Defender in hard copy, because people are not reading it on-line. Larry will put this on the agenda for the Board Retreat.

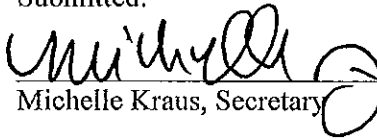
V. NEXT BOARD MEETING

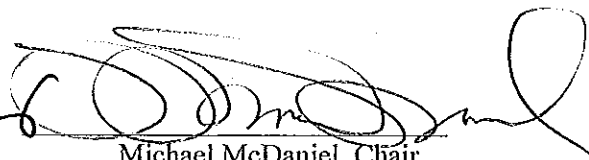
The Annual Board retreat will be held in Bloomington on September 25-26.

The Board went into executive session at 7:25 PM.

Prepared by Loretta Jackson, Executive Assistant.

Submitted:


Michelle Kraus, Secretary


Michael McDaniel, Chair