

Indiana Public Defender Council
Board of Directors Meeting
October 17, 2002
Crowne Plaza Hotel

MINUTES

I. CALL TO ORDER

The meeting of the Board of Directors of the Indiana Public Defender Council (IDC) was called to order by Acting Chair, David Hennessy at 6:10 p.m. on October 17, 2002. Directors present were Michelle Kraus, Neal Weisman, David Cook, and Mike McDaniel. Doug Garner and Lorinda Youngcourt participated by conference call. Absent were Susan Carpenter, Kitty Liell, Robert Hill, and Terry Harper. Staff members present were Larry Landis, Teresa Campbell, Donald Murphy, and Terry Richmond.

II. APPROVAL OF MINUTES AND AGENDA

Minutes for the meeting held on July 17, 2002 were unanimously approved.

III. EXECUTIVE DIRECTOR'S REPORT

A. Legislation

1. Jury Override – The Board voted to support legislation that provides in case of a hung jury in a capital case the sentencing should go to the judge with only a term of years as an option.
2. Expungement – At the next meeting Larry Landis will provide a draft of a proposed expungement statute, and a summary of expungement statutes from other states.
3. Juvenile law study commission – Larry Landis reported that the Governor has begun to make appointments to the commission to study the juvenile code created by executive order. Larry will be appointed to serve as the council representative and will organize an advisory group of 8-12 public defenders.

B. Publications

Larry Landis reported that the update of the Sentencing Manual was finished and the 2002 Indiana Criminal Code books arrived from the printer.

C. Liaison

Larry Landis reported on the campaign tactics in the St. Joseph Prosecutor race. The incumbent Prosecutor, Chris Toth, has attacked his opponent Michael Dvorak for being a criminal defense lawyer. The Criminal Justice Section (CJS) of the Ind. State Bar Association (ISBA) has adopted a position criticizing this tactic and requesting that Toth cease and desist this attack on the criminal justice system.

IV. TRAINING

A. Programs

At the Board Retreat in July, the Board decided to assign 2-3 board members for each program to assist in the planning, evaluation, and welcoming of new members. The following members volunteered for the scheduled programs. Additional assignments will be made by Chairman Robert Hill.

Seminar

Forensic
Child Molest
Mental Health/Sentencing
Voiur dire and Four Defenses
Appellate Advocacy
Annual Update

Board members

Micki Kraus, Mike McDaniel, David Hennessy
Lorinda Youngcourt

Micki Kraus, David Hennessy
David Cook
Neil Weismann

V. PUBLICATIONS

A. Review of Attorney Competency List

After a discussion of a process for reviewing and approving the competency list, the board decided to divide the competency list into four sections and review it by teams of three persons. The following review teams were assigned:

Review Team

McDaniel, Kraus, Youngcourt

Weismann, Cook, Garner

Hennessy, Hill, Liell

Harper, Carpenter, Landis

Sections

Client Contact and Pretrial Preparation

Pretrial Motions and Guilty Pleas

Trial

Sentencing / Post-trial motions

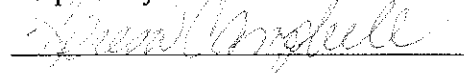
The Review Teams are to have their written comments to Don Murphy by November 30th. Don Murphy will send out individual team reports to the entire board before December 6.

VI. NEXT MEETING

The next board meeting will be Thursday, December 12 at 6:00 p.m. in the Boardroom of the Hyatt Regency, downtown Indianapolis.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted:



Teresa Campbell

Date: 12-12-02

Approved:



David Hennessy, Acting Chair

Date: 12-12-02