

**INDIANA PUBLIC DEFENDER COUNCIL
BOARD OF DIRECTORS MEETING**

Thursday, December 5, 2013
Sheraton Hotel Indianapolis
Keystone at the Crossing
2nd Floor, Suite 10
Indianapolis, IN 46208

Minutes

A meeting of the Board of Directors of the Indiana Public Defender Council was called to order at 7:15 p.m. by Vice Chair Lorinda Youngcourt.

Board members present were: Michelle Kraus (Chairperson), Lorinda Youngcourt (Vice-Chairperson), Neil Weisman (Secretary), David Cook, Luther Garcia, David Hennessy, Robert Hill, Gojko Kasich, Michael McDaniel, Steve Owens, and Joel Wieneke.

IPDC Staff present were: Larry Landis, Paula Sites, Don Murphy, and Teresa Campbell.

I. SEPTEMBER 2013 MEETING MINUTES

Dave Cook moved to approve the minutes of the meeting on September 28, 2013. Luther Garcia seconded the motion. The motion was approved. Gojko Kasich abstained.

II. APPROVAL OF MEETING AGENDA

Neil Weisman moved to approve the agenda. Dave Cook seconded the motion. The motion passed unanimously.

III. EXECUTIVE DIRECTOR'S REPORT

A. Public Defender Commission

1. Staff Attorney Position - Larry announced that Deborah Neal, staff attorney, will retire effective Dec. 31, 2013. Applications will be accepted for her replacement until December 20.
2. Commission's Qualifications for CHINS/TPR Cases – Larry reported that many attorneys are not qualified under the Commission's Standard E and cannot be assigned TPR/CHINS cases for reimbursement. The Commission requires more than one year experience in TPR litigation or have litigated at least one TPR case to completion. Lorinda Youngcourt and others stated that this standard is higher than the Commission's standards to qualify for misdemeanor and D felony cases. The result is that there are not enough attorneys who can qualify

to represent clients in these cases. Larry said he would propose language to relax this standard at the next Commission meeting.

B. Legislation Update

Larry reported that he did a presentation on HB 1006 to the Court of Appeals. He said the judges seemed unaware of the contents of HB 1006. He also said that a couple of the judges contacted the Indiana Judges Association (IJA) and recommended that they get involved. As a result, the IJA adopted a resolution stating that they supported increased suspendability of sentences and judicial authority to modify sentences.

C. Public Defender Information System (PDIS) 2014 Grant

Larry reported that the Indiana Criminal Justice Institute (ICJI) staff recommended denial of the 2014 PDIS grant application. They also recommended denial of the grant applications of the public defender offices in Lawrence County and Marion County. Larry said he was able to persuade the ICJI staff to award the Council a 6-month grant for \$150,000.00. During the six month time frame Larry expects the Judicial Technology Oversight Committee (JTOC) to decide what to do about PDIS.

IV. TRAINING REPORT

Larry reported on the three training programs conducted since the board retreat: Juvenile Law, Trial Practice Institute, and the Public Defender Administrator Conference. Larry said that based on his observations, discussions with staff and participants, and a review of the participant evaluations, in his opinion the programs conducted during the past year have been good quality and that current staff and program contractors met IPDC's training goals.

Don Murphy reported on his performance improvement activities. During the 4th quarter of 2013, five (5) different county PD offices conducted in-house training with CLEs for sixty-nine (69) different PDs. The PD offices in Lake, Noble, Allen, St. Joseph, and Vanderburgh counties shared the costs of sponsoring Josh Karton from California. In addition, Lake County hosted two (2) national speakers for an in-house CLE: Aaron Romano from Connecticut, and, E.X. Martin from Texas.

Of the twenty-four (24) PD offices in Indiana, now only nine (9) have yet to conduct in-house CLE training.

IPDC also conducted local training for the first time in eleven counties that do not have PD offices: Newton, Knox, Fayette, Switzerland, Decatur, Hancock, Blackford, Steuben, Montgomery, Jefferson, and Jennings. We now have a contact person in each of these counties to help organize future training.

Four (4) county PD offices have scheduled training for the first quarter of 2014: Monroe County, Tippecanoe, Wayne County and Madison County.

V. TRAINING DIRECTOR POSITION

Larry reviewed the contents of an email memo he sent to the board on the morning of the meeting re: the training director position.

Larry also reported that the current financial situation is uncertain due to two events. First, the grant from ICJI for PDIS for \$150,000 is for six months, from January 1, 2014 until June 30, 2014. Second, we have received no word from the Judicial Technology Oversight Committee as to whether they intend to take up the issue of funding for PDIS. Thus, we have no funding for PDIS other than the state budget after July 1, 2014. Larry said due to the uncertainty of continued grant funding for PDIS past July 1, 2014, his recommendation is that we continue with our current plan of using staff and contractors to design and conduct training. He also stated that when we obtained a resolution of secure funding for PDIS, we should revisit the issue of a training director.

VI. NEW BUSINESS

A. Website

- 1. Paula Sites announced that the website is now updated and includes new features such as a membership directory that is searchable.

VII. OLD BUSINESS

A. Executive Director's Evaluation

- 1. David Hennessy moved that the Board Chair Micki Kraus summarize the results of the staff's evaluation of Larry Landis, and present the summary to the Board at the next meeting. He also moved that the staff's completed evaluation forms be made available for review at the next Board meeting. The motion was seconded by David Cook. The motion was adopted.

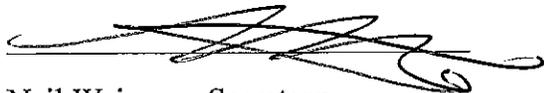
B. Executive Director Compensation

- 1. The Board approved by acclamation a motion that the Executive Director's salary should be the same as the Executive Director of IPAC, which is the amount paid to judges and elected prosecutors. The amount approved was \$134,112.42.

The meeting was adjourned at 9 pm, EST.

Minutes prepared by Teresa Campbell, Don Murphy, and Larry Landis.

Submitted by:



Neil Weisman, Secretary

Date: _____

Approved by:



Michelle Kraus, Chairperson

Date: 3.14.14