

# **INDIANA PUBLIC DEFENDER COUNCIL**

**Board Meeting  
December 7, 2007  
Holiday Inn Select Airport  
Indianapolis, IN**

## **I. CALL TO ORDER**

The meeting of the Board of Directors of the Indiana Public Defender Council (IPDC) was called to order by Chair David Hennessy at 6:40 p.m. in the Board Room at the Holiday Inn Select Airport, Indianapolis, Indiana. Board members present were Bob Hill, Mike McDaniel, Neil Weisman, Lorinda Youngcourt, Zaki Ali, Doug Garner and Sonya Scott. Staff present were Larry Landis, Jodie English, Don Murphy and Loretta Jackson.

## **II. APPROVAL OF MINUTES**

The minutes of the last meeting on September 13, 2007, were unanimously approved.

## **III. EXECUTIVE DIRECTOR'S REPORT**

### **A. Grant Application**

Larry Landis reported on the recently submitted 2008 grant application, which requests funds to continue the on-line training program and to develop a defense case information system and a case weighting system.

#### **1. On-Line Training**

Grant funds have been requested to continue the live web-based training and also to build the library of recorded CLEs. So far the Council has seven hours of recorded programs.

#### **2. Case Information System/Caseload Standards**

Larry reported on the case management system developed by JTAC, Odyssey. The pilot program in Monroe County does not permit access by the public defender office. The grant requests funds to hire an IT person to help design components for a management information system for public defenders that will interface with Odyssey so public defender offices will not have to manually input data.

Funds are also requested to design a case weighting system for assessing caseload/ workload of individual attorneys and public defender offices.

### **B. Equipment Funds**

Larry reported that the IPDC budget has \$50,000 available in equipment funds. It was decided that the Technology Committee would work with Dawn to develop suggestions for using these funds.

## **IV. INDIGENT DEFENSE SYSTEMS**

Larry Landis began the discussion with a quick review of the current tax crisis, stating that the

legislative fix will likely force the counties to raise local option taxes.

Larry then summarized the recommendations of the IPDC Board and the Chief Public Defenders. IPDC recommended expanding the Public Defender Commission from 11 to 15 with the four new members having strong criminal defense experience, going to a regional public defender system, dividing the state into 14-20 districts with a district administrator. The chiefs prefer maintaining a county-based system with each county establishing a public defender board which would determine the type of delivery system in the county, hire a chief public defender or administrator and approve funding requests submitted to the PD Commission.

Doug Garner was concerned that in a county-based system the local judges would appoint the Public Defender boards, resulting in essentially the local judges controlling the system. It was agreed that a regional or district system is preferred.

After a discussion concerning the handling of direct appeals, with Lorinda pointing out that district appellate attorneys would be better able to access records, clients and trial counsel, the consensus was that option III.E.1.b. (responsibility to be at the district or circuit level) was the preferred option.

Discussion then turned to the method of selecting the district administrator. It was decided that the best method is as described in section III.D.1.b:

Hired by the Commission based on names submitted to Commission by 3 member selection committee elected by all attorneys in the district or circuit, except prosecutors. The selection committee submits 3 nominees to the Commission. If the Commission rejects all 3 nominees, the selection committee submits another 3 nominees. The Commission must appoint from the second panel of 3 nominees. If the Commission fails to act, the selection committee will select the District or Circuit Administrator.

There was a discussion concerning the power and authority of the district or circuit administrator who reports to the PD Commission, without a resolution. It was agreed this issue needed further discussion.

Regarding expanding the PD Commission from 11 to 15, all agreed with Sonya Scott's suggestion that members of IPDC should select these members.

The meeting was adjourned at 8:40 P.M.

Respectfully submitted:

\_\_\_\_\_  
Sonya Scott, Secretary

Approved:

\_\_\_\_\_  
David Hennessy, Chair

Date: \_\_\_\_\_

Date: \_\_\_\_\_ / - 18 - 08