



STATE OF INDIANA

INDIANA PUBLIC DEFENDER COUNCIL

309 West Washington Street, Suite 401
Indianapolis, IN 46204-2725
Telephone: (317) 232-2490
Fax: (317) 232-5524

INDIANA PUBLIC DEFENDER COUNCIL BOARD OF DIRECTORS ELECTRONIC PARTICIPATION POLICY

Adopted: September 5, 2018

The following Policy has been adopted by the Board of Directors (Board) for the Indiana Public Defender Council (Council) regarding electronic participation of Board members at Board meetings. This policy shall be effective September 5, 2018 and continuing. The Board is authorized to develop this policy. See Ind. Code §§ 5-14-1.5-3 and IC 5-14-1.5-3.6.

I. Policy Considerations

The purpose of this Policy is to allow the Board to avail itself of legislation allowing members of a governing bodies of public agencies to participate in meetings via an electronic means. Per I.C. § 5-14-1.5-2(a)(3)(B), the Council is a governing body of a public agency and is subject to the requirements of Indiana's Public Meetings (Open Door) Law.

Pursuant to I.C. § 33-40-4-3, the Council's Board is comprised of eleven members: the state public defender and ten Council members who are each elected by the entire membership of the Council. In light of time constraints imposed by geography and professional commitments of the Board members, this Policy permits Board members greater flexibility to attend and participate in Board meetings electronically.

II. Policy

1. Each Board member must physically attend at least 3 Board of Director meeting(s) annually.
2. At least three (3) Board members must be physically present at the designated meeting site on the date of the scheduled meeting before any member may participate electronically in the meeting.
3. The Board Chair and the Council staff are responsible for supervising and coordinating all electronic participation by Council members. A Board member who intends to participate in a Board meeting electronically should notify the Board Chair and the Council support staff person no later than 3 business days in advance of the meeting.
4. A Board member participating via electronic means may do so via telephone, computer, video conferencing, or any other method of communication that allows for simultaneous communication, and that is capable of being recorded by members of the public who are present at the physical meeting site.
5. A Board member appropriately participating via electronic means:
 - a. is considered to be present at the meeting;

- b. shall be counted for purposes of establishing a quorum; and
 - c. may vote at the meeting.
6. A Board member participating electronically is not required to do so in a setting that is open to the public.
 7. Where at least one (1) Board member is participating via electronic means, all votes must be taken by roll call and the vote and the roll call shall be recorded in the Board's minutes.