

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

**Ft. Harrison Inn
Indianapolis, IN**

**February 19, 2015
6 p.m.**

Minutes

CALL TO ORDER

A meeting of the Board of Directors of the Indiana Public Defender Council was called to order at 6:13 p.m. on February 19, 2015, in the Harrison Conference Room of the Ft. Harrison Inn, Indianapolis, IN by Board Chairperson Steve Owens.

Board members present were: Steve Owens (Chairperson), Joel Wieneke (Secretary), Luther Garcia, David Hennessy, Michael McDaniel, Laura Paul and Bob Hill. Board members attending via conference call were: Neil Weisman (Vice Chair) and Gojko Kasich. Ann Sutton arrived late.

I. APPROVAL OF MINUTES FROM LAST MEETING

1. The minutes of the Board meeting on December 11, 2014 were reviewed. Luther Garcia moved to approve the minutes. David Hennessy seconded the motion, which was approved with no discussion.

II. REVIEW AND APPROVE AGENDA/BOARD COMMITTEES

David Hennessy moved to approve the agenda. Mike McDaniel seconded that motion, which was approved after Bob Hill asked to add discussion of "reverse waiver in juvenile delinquency cases" to the Legislation discussion.

III. EXECUTIVE DIRECTOR'S REPORT

A. ADMINISTRATION/BUDGET

1. Larry Landis reported that the state budget bill, HB1001, passed the House Ways and Means Committee with no additional money included for the Council. He reported the Justice Steve David informed him verbally and followed up in writing that the Court has included \$250,000 per year in their budget for PDIS. Larry stated that if no funding is provided by the Legislature for PDIS, he will negotiate with the Court do an MOU with the Supreme Court for them to take over the continued development and maintenance of PDIS. Bob Hill offered to help negotiate an MOU. Larry said what he needed most was help getting funding from the legislature.

2. Bob Hill requested a copy of the email exchange with Justice Steve David. Larry said he will send it to all board members. Larry said he will continue to work on getting more funding in the budget, but there are no guarantees that the Senate will increase our funding. After the Senate passes HB 1001, it will go to a conference committee at the end of April.
3. David Hennessy requested a copy of the current personnel manual, which is the December 2014 version. Larry requested Toni to send it to all members. David also asked for an accounting for all contracts, not just operating budget contracts, which Toni will send to all members.
4. There was a discussion about the contract with InReach, which provides hosting and processing services for on-line training modules. The consensus was that the on-line services may not be widely used and might not be the best use of limited contract money. A request was made to provide a report of usage and costs by the next Board meeting, to determine whether it should be continued.

IV. COMMITTEE REPORTS

A. MEMBER OUTREACH COMMITTEE

1. Laura Paula reported that her committee has divided the state into 11 regions with the expectation that board members would complete visits with each county by the next Board meeting in June.
2. Laura provided a state map, the county groupings and topics to be covered. During the meeting members selected the region they wanted to cover. Assignments are:

	1	2	3	4	5	6	7	8	9	10	11	12
Gojko	Lake	Porter	La Porte	Newton	Jasper	Stark	Pulaski	Barton	White	Carroll	Cass	Miam
Neil	St. Joe	Elkhart	La Grange	Stouben	Marshall	Kosciusko	Noble	DeKalb	Fulton	Whitley	Allen	
David	Howard	Wabash	Grant	Huntington	Blackford	Delaware	Wells	Adams	Jay	Randolph		
Chris	Warren	Tippecanoe	Clinton	Fountain	Montgomery	Boone	Tipton	Hamilton	Hendricks			
Steve	Possey	Vanderburgh	Warrick	Spencer	Gibson	Pike	Dubois	Knox	Davless			
Jack	Vermillion	Parke	Putnam	Vigo	Clay	Owen	Sullivan	Greene	Marin			
Bob	Morgan	Marion	Johnson	Madison	Hancock	Shelby	Henry	Wayne	Monroe			
Steve	Rush	Fayette	Union	Franklin	Decatur	Bartholomew	Brown	Dearborn	Ohio			
Justin	Brown	Jackson	Jennings	Ripley	Lawrence	Jackson	Orange	Washington				
Mike	Crawford	Perry	Harrison	Floyd	Clark	Scott	Jefferson	Switzerland				

3. David Hennessy requested information on members in each county and the type of delivery system in each county. This will be sent following the meeting.

B. BY-LAW COMMITTEE

1. Gojko Kasich stated that he has not had a lot of time to focus on this topic so there has not been any action taken since the last meeting.

C. TRAINING COMMITTEE

1. David Hennessy reported on the training committee's conference call and the training calendar for 2015.
2. Luther Garcia and Laura Paul asked to be added to the training committee.
3. Bob Hill noted that the Marion County Ethics seminar on 11/11/15 was not on the training calendar. It will be added.
4. Toni Schaney reported on the charts and graphs that were provided showing a break-downs of seminar costs. It was noted that now that we have this organized information and have also implemented some new processes (higher registration fees, structured RFP review process, more attention to getting the best prices for food costs, etc.) effective the first of the year, we should begin seeing and can measure improvements to the bottom line on seminar costs. The goal isn't necessarily to make money; rather it is to get to at least a break-even point and not lose money.
5. David reported that Stacy has been stepping up and taking responsibility for training. This has been helpful.
6. Bob Hill asked David about the Voir Dire, Opening and Closing seminar and whether it would include break-out sessions. David asked Bob if he wanted to help with the program. Bob said he would talk to Stacy Uliana about the program.
7. Don Murphy shared sample pre-seminar and post-seminar surveys that were implemented for the new attorney training this month. These were generated out of CVENT, the seminar registration and management software used by the Council. The Council staff are looking into using this for all seminars. Comments and feedback would be appreciated.
8. David Hennessy asked if the TPI program should be under the Training Committee. The consensus was that it should be.
9. Larry Landis reported that Jodie English has informed him that she will not be available to provide an evidence-based training program.

V. LEGISLATION

A. LEGISLATION UPDATE

1. Larry Landis provided an update on the legislative current agenda:
 - a. HB 1006 is the bill that will provide funding for the counties for the community corrections, probation, and treatment for mental illness and addiction. Currently, the bill provides \$30 m in the first year and \$50m in the second year, and requires that 75% must be used for actual treatment. We are recommending that there be 5 people on the advisory committee by adding a representative from the Judicial Center.
 - b. HB 1196 CHINS and Delinquent Child Dual Determination.
 - c. HB 1302 Expungement.
 - d. SB 464 – this may be the time to push support of this bill; the thought is to partner with the Chiefs Association to provide suggestions for spending the money.

- e. HB 1304 (IPDC wish list) has passed the House. This bill currently provides for 100% reimbursement for juvenile delinquency case. We will try to get that changed to provide for 100% reimbursement for the compensation of the chief public defender.
- f. HB 1531 Video Conferencing – After a discussion, Bob Hill moved to oppose the bill. Mike McDaniel seconded the motion, which passed unanimously.
- g. SB 137 Magistrates – no position
- h. SB 173 DOC Specialized Vocational Program – Position to support approved by acclimation.
- i. SB 445 Making Pseudoephedrine a Prescription Drug – Laura Paul moved to support this bill and Bob Hill seconded the motion. The motion failed: 3-5.
- j. SJR 15 Judicial selection for appellate courts – died in committee.
- k. SB 507 Attorney and Judicial Discipline Complaints - Larry discussed the request by the AG for IPDC support and his request that the bill be changed from a public defender in a public defender office to all salaried and contractual public defenders. Bob suggested that we seek a change in who approves reimbursement from the AG to the PD Commission chair. David Hennessy moved to support the bill and seek an amendment so that it include all appointed counsel to indigent persons and that the approving person is the chair of the PD Commission rather than the Attorney General. Mike McDaniel seconded the motion. The vote in support of the motion was unanimous.
- l. Bob Hill initiated discussion about the concept of reverse waivers in delinquency cases where the child is either directly filed into adult court or waived into adult court. He would like the Board to take a position in favor or creating a reverse waiver procedure and get the issue on the agenda of a summer study committee. rt this. Bob moved to adopt this as Board policy. Neil Weisman seconded the motion. It passed unanimously
- m. Joel Wieneke suggested that we take a position on excluding accomplices from being waived based on the nature of the charge against the principal, and seek to have this amended into HB 1304. Larry said he would run it by Rep. McMillin. If he doesn't want to deal with it this session, Larry will ask that it be included on the agenda for the summer interim study committee.

VI. BOARD POLICY AND PROCEDURES

- 1. Lorinda Youngcourt, Luther Garcia, Bob Hill, Mike McDaniel, and Ann Sutton are the Board positions up for re-election in 2015.
- 2. Neil Weisman moved that notice of the vacancy be sent by newsletter, Defendnet, and email to all members, set a deadline of 30 days for applications, and set a Board conference call to make an appointment. The motion was seconded and unanimously adopted.
- 3. After further discussion of the timelines and a realization that Lorinda Youngcourt's term expires in 2015 rather than 2016, Luther Garica moved that the Board allow the vacancy to be filled by the election at the Annual Meeting in June. Bob Hill seconded the motion, which was unanimously approved.

VII. OLD BUSINESS

None

VIII. NEW BUSINESS

A. RETREAT

- 1. Steve Owens asked for suggestions for venues in northern Indiana for this year's Board retreat. Suggestions made were: Blue Chip Casino and Blue Heron Inn.

IX. NEXT MEETING AND ADJOURNMENT

Next meeting was set for June 11, 2015 at a place to be determined.

The meeting was adjourned at: 9:44 pm, EST.

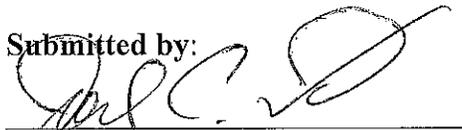
The meeting was followed by an Executive Session.

Follow-up Items

- 1. Toni to send out the following documents as soon as possible:
 - a. Committees – changes to add Luther and Laura to Training
 - b. Contract Ledger – all current contracts and detail of payments for this fiscal year
 - c. Personnel Manual – updated 12/14
 - d. Indigent Defense – counties, contacts, program details, etc
 - e. Laura's Handouts – includes county assignments for visits
 - f. Training schedule 2015 – change to add Marion County Ethics seminar
 - g. Sample Eval Docs – Don's sample seminar evaluation handout
 - h. Meeting packet – to Gojko and Neil

Minutes prepared by Toni Schaney and Larry Landis.

Submitted by:

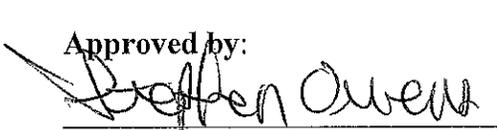


Joel Wieneke, Secretary

9/26/15

Date

Approved by:



Steve Owens, Chairperson

9/26/15

Date

