

Minutes of the  
INDIANA PUBLIC DEFENDER COUNCIL  
BOARD OF DIRECTORS  
Public Defender Council Office  
309 W. Washington St., Ste. 401  
Indianapolis, IN

June 1, 2020

2:00 pm

Minutes

**I. Call to Order – Mark Nicholson**

A meeting of the Board of Directors of the Indiana Public Defender Council was called to order at 2:05 pm EST on June 1, 2020 in the conference room at Indiana Public Defender Council in Indianapolis, Indiana. The meeting was chaired by Mark Nicholson (Chair - via electronic).

All Board Members were electronic: Mark Nicholson (Chair), David Hennessy (Vice Chair), Deana Martin (Secretary), Christopher Shema, Jennifer Sturges, Gojko Kasich, Bob Hill, David Shircliff. IPDC employee present was: Mike Moore (Asst. Executive Director) IPDC employees electronic were: Bernice Corley (Executive Director), Juli Byrne (Office Coordinator), Jack Kenney (Staff Attorney arriving at 2:26 pm), Michael Wilson, Suzan Ristich, Joel Wieneke, Ruth Johnson, and Diane Black.

**II. Approval of Agenda / Minutes from January and March emergency meeting – Mark Nicholson**

Christopher Shema requested an amendment to the agenda to include Initiatives of the Publications Committee to be added to New Business portion of the agenda, seconded by David Hennessy; motion carries unanimously.

Motion made to approve the agenda for the Board Meeting of June 1, 2020 including the amendment, motion made by Jennifer Sturges, seconded by Christopher Shema; motion passes unanimously.

Jennifer Sturges made a motion to accept all the minutes including the April 24, 2020 minutes as amended by David Hennessy in the e-mail that was distributed on June 1, 2020, seconded by Christopher Shema but due to discussion Jennifer Sturges retracted her motion. Board determined that minutes must be approved one at a time.

Mark Nicholson inquired if anyone wanted to make a motion to approve the minutes for the retreat of 2019, to which Deana Martin made a motion to approve the minutes for the retreat of 2019 as they were written and distributed in an e-mail on May 21, 2020, seconded by Jennifer Sturges – motion passed (5-3) Christopher Shema opposed and Gojko Kasich & David Hennessy abstained.

Mark Nicholson inquired if anyone wanted to make a motion to approve the minutes for the Board meeting January, 2020, Jennifer Sturges made a motion to table the voting on the January, 2020 minutes until everyone has had a chance to review them, seconded by Gojko Kasich; motion passed (7-1) with David Hennessy opposed. Christopher Shema wants the recording circulated to all board members that want the opportunity to listen to the meetings again.

Mark Nicholson inquired if anyone wanted to make a motion to approve the minutes for the Board meeting March, 2020, Jennifer Sturges made a motion to table the March 2020 minutes until the next board meeting to give everyone an opportunity to review them and be able to move forward to the action items for today, seconded by Gojko Kasich, motion passed unanimously.

Mark Nicholson inquired if anyone wanted to make a motion to approve the minutes for the Board meeting April 24th, 2020 minutes. Motion made by David Hennessy to approve the April 24, 2020- minutes as edited by David Hennessy, seconded by Christopher Shema; motion failed (2-6) Mark Nicholson, Deana Martin, Bob Hill, Jennifer Sturges, Gojko Kasich all voting No and David Shircliff abstaining.

Mike Moore will be sure to make available the audio of the meeting via google drive and drop box, Christopher Shema wants his via a cd and mailed to him. Mike Moore reiterated that all the meetings will be made available and will also include the June 1, 2020 meeting.

### **III. New Business – Training Committee Proposal – Deana Martin**

Training Committee met and all, were able to attend the meeting, except for Mark Nicholson. Because of the information that Diane Black had gotten from the 502 about steps that they had taken as far as social distancing and making sure that things are sanitary and implementing CDC guidelines, and the committee also received some information from the state Government center that basically stated that most of the training rooms that we generally use at the Government center, which is where many of the trainings were going to be, the rooms would not be available and the ones that would be available would be so restrictive that many of our members would not be able to attend. The meeting also found out that some of the speakers that were going to present at the seminars contacted Diane Black and stated that they were not comfortable doing live trainings this year.

- OVWI training, which was going to be an all-day training can be broken up into a couple different Zoom seminars and delivered remotely.
- LWOP seminar, there wasn't going to be a facility large enough and some of the speakers did not want to do it live so the committee decided to do a homicide training focusing on vore dire, homicide, and LWOP cases next year in addition to the death penalty seminar also pushed to next year.
- TPI was discussed and the committee felt that it could be done in April (2021) since it has been done in April before. Diane Black has already gotten ahold of Brown County Inn and they have agreed to host us in April.
- Leadership Conference (training for chiefs, supervisors, or managers) that one will be rescheduled in 2021 however we have not located any rooms that were available that

would handle that seminar. This conference will be a 1 day seminar and is scheduled for early February 2021.

- Forensics & Ethics was a tentatively scheduled seminar to be held at the Government center but since they do not have rooms big enough to handle the amount of people that would show interest, we checked with 502 to see if they would be able to handle it on December 4, to which they agreed they could, and it has already been reserved. We understand that some speakers may still not be ready for live conferences as well as some members who will not want to attend live so we will have the ability for the speakers to present electronically and we will also have the ability for members to watch the conference electronically. Jack Kenney stated that he would like to have a draft of the Forensics outline developed prior to this conference.

David Hennessy made a motion to approve the recommendations of the Training Committee to the extent that is necessary, seconded by Jennifer Sturges, motion passed unanimously.

### **Budget Agenda – Bernice Corley 1:03:56**

It is time for use to submit our budget agenda and she provided some background materials. She informed the board that the stated is looking to cut the state budget by 15%. The CJ is looking to see if there is a way to cut back in the Judicial Branch during these difficult time. She feels that we can go into this next session and be hopeful to maintain what we have and that we are not looked at to be cut. She also informed the board that we were asked to revert which is something that is done in the Executive Branch and that we have never reverted. She informed the board that with the increase that we received for the raises from last appropriation will pay for Joel Wieneke's salary to keep the juvenile project going however we will not be able to do anything else. Bernice Corley's recommendation is that we still ask for funds for juvenile and that we have a strong argument for that. She said that there are some state agencies that can receive some donations and she wants to be able to receive donations and ask for a fund be set up, for example: TPI and scholarships. At this point we have not yet been told when our submission is due, normally we are given instructions on when they want in our package of request, we have not received that but in 2018 it was due in August.

Christopher Shema made a motion for 3% increase to cover raises, request funding for the Juvenile Project, and request the authority to establish a donating fund, seconded by David Hennessy; motion passed unanimously.

Bernice Corley will send the board the DOE Statutory language for the donation fund.

**Christopher Shema discussed the app update (created by Michael Wilson – He wanted to let everyone know that there are a couple of items that got left off and a couple that need to be added:**

- Rules of Judicial Conduct – need added (3 hours cost)
- Rules of Access to Courts are new – need added (3 hours cost)
- Indiana Administrative rules – need added (3 hours cost)
- US Constitution and the State Constitution – needs added (3 hours cost)

There is an issue of search ability – would like to have a word search for certain items.

Mike Wilson sent over a breakdown of the cost for these changes and will send it over to Mike Moore. The total amount of people that have downloaded the app since we went live is: 550 people, Christopher Shema suggested about the possibility of charging a nominal fee due to the value of this tool.

Christopher Shema would like to have the costs of the update be put on the agenda for the June 11<sup>th</sup> meeting.

**IV. Motion to adjourn made by David Hennessy (3:41pm), seconded by Mark Nicholson, passed unanimously.**