

IPDC BOARD OF DIRECTORS

Summary of Activity

1980-81

Board Members

Second Year

Harriette Bailey Conn
Donald E. Gibson
Eugene C. Hollander
Terrance W. Richmond
Gerald R. Thom
Linda M. Wagoner

Elected - August 15, 1980

Larry D. Combs (re-elected)
C. Thomas Cone (re-elected)
J. David Keckley (re-elected)
Mark W. McNeely (re-elected)
Joseph A. Williams (re-elected)

Officers

Chairman - J. David Keckley - until 11/6/80

Chairman - C. Thomas Cone (elected 11/6/80)

Vice-Chairman - Larry D. Combs (elected to 2nd term on 11/6/80)

Secretary - Mark W. McNeely (elected to 2nd term on 11/6/80)

Left Board

Meetings

The 8/14/80 Board meeting was held prior to the general election on 8/15/80, therefore, it's listed for Board year 1979-80.

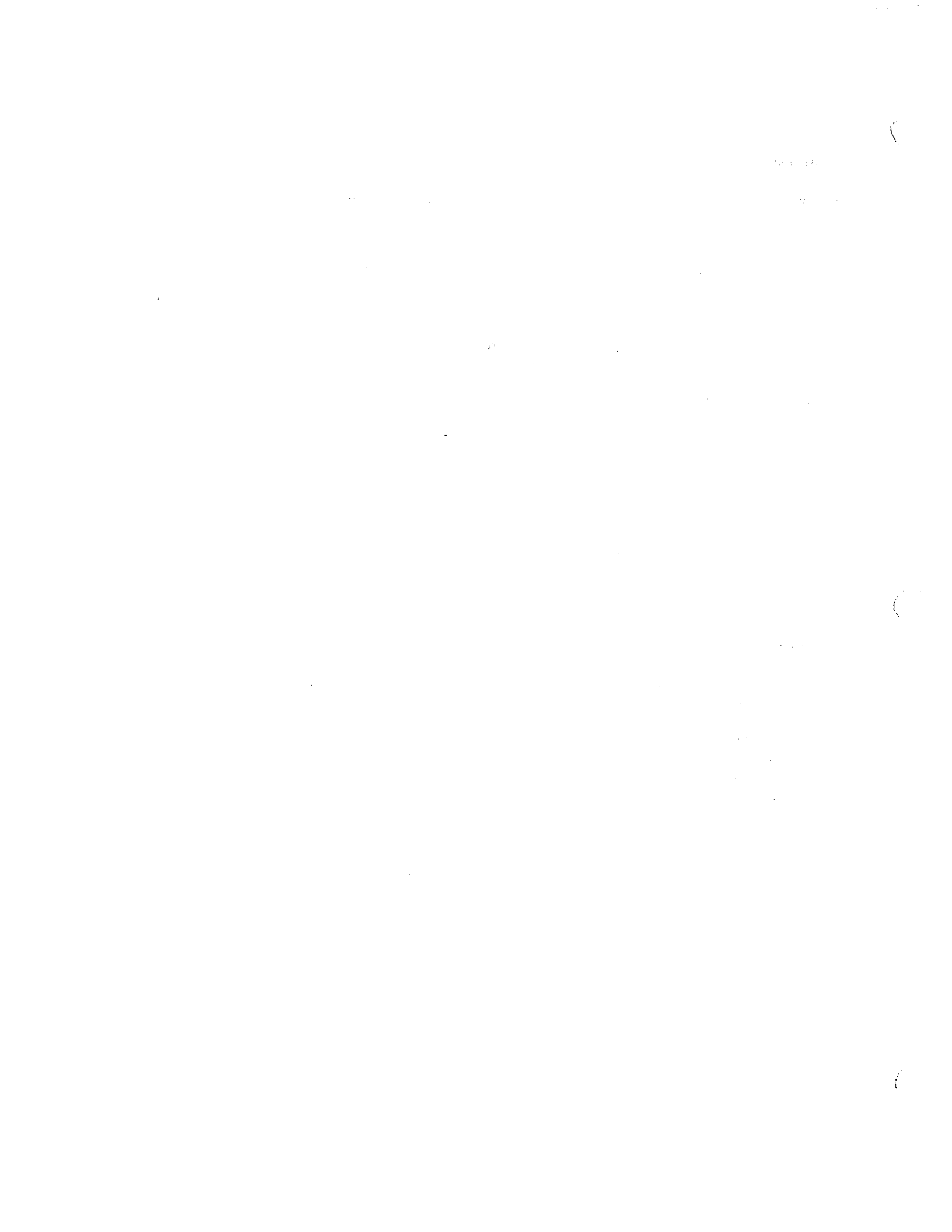
ELECTION - August 15, 1980

12. November 6, 1980

- Election of officers.
- Motion passed exempting Board members from charges for IPDC programs & publications.
- Grants running out, contingency plan if state funding is not received.

13. June 29, 1981

- Announce state funding received effective 7/1/81 (\$150,000 annually).
- Changes in the By-Laws approved by the Board, to submit to IPDC members at 8/81 meeting, included:
 - Public Defender of Indiana removed as Executive Director.
 - Board empowered to hire an executive director & staff.
 - Delete provision to hire training director.
 - One annual meeting of membership instead of two.



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INDIANA PUBLIC DEFENDER COUNCIL
Board of Directors Meeting - Nov. 6, 1980

MINUTES

The meeting of the Board of Directors of the Indiana Public Defender Council was held at the Sheraton West Hotel in Indianapolis, Indiana on November 6, 1980, and commenced at approximately 7 p.m.

1. Members Present were Linda Wagoner, Mark McNeely, Thomas Cone, Terry Richmond, Gerald Thom, Joe Williams, Harriette Conn, David Keckley. *Java Hollander*
2. Staff Members Present were Larry Landis, Executive Director, and Mary Sinnock, Administrative Assistant. Also present was Joe Grolimund, Elkhart, Board member of the Indiana Public Defender Association.
3. Approval of Minutes. Minutes of the preceding meeting of the Board of Directors on August 14, 1980 were approved as read.
4. Election of Officers. Prior to the election, David Keckley, present Chairman of the Board of Directors, expressed his concern that in the coming months the Board Chairman would be needed in Indianapolis to assist the Executive Director with the Council's request for funding before the state legislature. He expressed his willingness to be available whenever possible from South Bend, however he suggested the Board should elect a member from Indianapolis or nearby to assure the availability of the Chairman for hearings and lobbying.
Tom Cone was nominated for Chairman by David Keckley, seconded by Linda Wagoner. Tom Cone was elected Chairman by acclamation.
Larry Combs was nominated for Vice-Chairman by David Keckley, seconded by Terry Richmond. Larry Combs was elected Vice-Chairman by acclamation.
Mark McNeely was nominated for Secretary by David Keckley, seconded by Terry Richmond. Mark McNeely was elected Secretary by acclamation.
5. Executive Director's Report. Larry Landis submitted his Executive Director's Report to the Board members, a copy of which is submitted with these minutes. Larry summarized the procedural steps by which the Council's request for state funding would progress through the state legislature. A discussion was held on sentiment in the legislature concerning funding of the Council and the other judicial service agencies. A letter-writing and lobbying campaign by Council members was discussed. Larry reported that the request was presently before the Governor, and that his Executive Assistant, Jim Smith, recommended no supportive action be taken by Council members at this time (such as a letter-writing campaign). Mrs. Conn agreed with this recommendation.

5. Executive Director's Report - continued

Larry Landis discussed the possibility of engaging a lobbyist on behalf of the Council's funding request. Funds for this would have to come from the Indiana Public Defender Association. Larry and Joe Grolimund announced a membership drive for the IPDA in order to expand the organization and its roll in supporting continuation of the Council. It was agreed that funds were not available to engage a lobbyist at this time.

It was the consensus of the Board that no action be taken at this time regarding the budget request, but that a meeting would be held in December to discuss further strategy. Larry Landis was asked to keep Board members informed of any developments regarding the Council's funding.

Larry Landis called attention to the contingency plan outlined in his Executive Director's Report: If the Council is not funded for FY1981-83, decisions must be made on how best to utilize the Council's remaining funds until June 30, 1981. It was decided that a contingency plan would be considered and decided upon at the next meeting of the Board of Directors. For the present time the Council staff was directed to continue services and program planning on the assumption that funding would be forthcoming for 1981-83.

Larry Landis reported that the state Personnel Division approved re-classification of his position to that of Executive Director at the level of E V, annual salary \$31,100. Although this was less than requested by the Board of Directors, Larry reported it was the maximum acceptable to Personnel which also stipulated that if Mr. Landis leaves the Council, it would probably consider a lower beginning salary for a new in-coming executive director.

4. Proposed Amendments to By-Laws.

Larry Landis informed the Board that a proposed amendment to change Article V, Sec. 1 of the by-laws to provide for one annual meeting of the Council membership, rather than two semi-annual meetings, could not be voted on the following day if a meeting of the members was held. Procedure for amendments is outlined in the by-laws and requires advance publication of the amendment to members. It was decided that changes to the by-laws would be considered at the Board meeting prior to the 1981 summer meeting and would be submitted for approval at that time.

5. New Business.

Mary Sinnock advised Board members that beginning in 1981, travel reimbursement for Board meetings would be paid as a contractual expense, rather than as 'employee reimbursement'. This change is required by the State Budget Agency to comply with their requirements. Board members will receive a 'statement of income' at the end of each calendar year stating the amount they have been paid for travel. Although this sum must be reported as income for tax purposes, it is directly deductible as business expenses.

5. New Business - continued

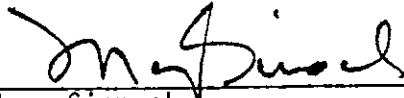
Board members were asked to decide whether charges established at the last meeting for Council publications and seminars should apply to Directors. After discussion, Dave Keckley proposed that Board members not be charged for publications and seminars. The motion was seconded by Tom Cone and carried by acclamation.

Larry Landis distributed a proposed program schedule for 1981 to Board members, a copy of which is attached to these minutes. The schedule was accepted by the Board. Members were also asked to determine a location for the 1981 summer meeting and seminar. After brief discussion, Tom Cone proposed the meeting be held in the southern part of the state, preferably Nashville or Bloomington. The motion was seconded by Terry Richmond and carried by acclamation.

Linda Wagoner gave a description of malpractice insurance available through the National Legal Aid and Defenders Association, and the procedure for obtaining coverage.

The meeting was adjourned at approximately 8:30 p.m.

Respectfully submitted,



Mary Sinnock
Administrative Assistant
Indiana Public Defender Council

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EXECUTIVE DIRECTOR'S REPORT

To: Board of Directors
Indiana Public Defender Council

From: Larry A. Landis, Executive Director

Date: November 6, 1980

Funding for FY 1981-83

The FY 1981-83 Biennial Budget submitted by the Council requested \$173,133 for FY 1981-82 and \$167,889 for FY 1982-83. This budget proposal complied with the guidelines of the State Budget Agency that we not request any increase in funding over the FY 1980-81 "base year" budget of \$166,824.

The budget committee hearing was held on Sept. 16, 1980, at which time I presented our budget request and responded to questions from the committee members.

On October 22, 1980, I was informed by our budget analyst, Bob Rudolph, that the Budget Agency had recommended that we receive \$1 per year for the coming biennium.

On November 14, 1980, it is anticipated that the Budget Committee will vote on the Agency's recommendation. If the Agency maintains its current position, the Committee will most likely vote to ratify the recommendation. The State Budget Plan will then be submitted to the Governor who most likely will sign the Plan and submit it to the General Assembly.

I am unable at this time to predict what will happen in the legislature.

Contingency Plan for Phase-Out

In the event that the Budget Agency's recommendation becomes the State Plan submitted to the legislature, I recommend that we hold a Board meeting in mid-December and adopt the following plan for services to be provided by the Council from 1-1-81 to 7-1-81.

Seminars

1. Cancel Jury Selection Workshop
2. Cancel Trial Advocacy Program
3. Move Annual Meeting Seminar up to June 1981

Publications

1. Cease publication of Training Bulletins
2. Continue Newsletter
3. Complete Trial Manual
4. Prepare Forms Manual - (for distribution at Annual Meeting)
5. Prepare Instructions Manual - (for distribution at Annual Meeting)
6. Complete Criminal Law Research Index
 - index all Training Bulletin cases
 - gather as much material as possible for research files for transfer to the Indiana Public Defender Association

Research

1. Cease research assistance except for telephone response

Technical Assistance

1. Compile returns from Association survey
2. Prepare final report on
 - type of defender delivery system in each county
 - FY 1980 expenditure for defender services in each county, by court

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1981 PROGRAM SCHEDULE
Indiana Public Defender Council

TRIAL ADVOCACY WORKSHOP

- Dates: Session 1 - March 26-29, 1981 (Thursday through Sunday)
- Location: Indiana University Law School, Indianapolis
- Program: Two intensive four-day sessions on trial skills utilizing small groups for instruction and practice in voir dire, opening statements, direct and cross-examination, and final arguments.
Limited to 32 participants.

ANNUAL MEETING AND SEMINAR

- Dates: Two days in mid-August, not confirmed
- Location: McCormick's Creek State Park or Brown County Inn, Nashville
- Program: Annual meeting of Council members.
Variety of programs, workshops and demonstrations on recent developments in criminal defense: update on forensic sciences; Indiana death penalty task force; new legislation; recent trends in criminal law; sex crimes; family violence; public defender management workshop; collateral remedies (PCR and federal habeas corpus); representing the mentally retarded criminal offender.

DIRECT AND CROSS-EXAMINATION WORKSHOP

- Date: November 6, 1981 (Friday)
- Location: Airport Hilton Inn - Indianapolis
- Program: Lecture and workshops on direct and cross-examination.