

INDIANA PUBLIC DEFENDER COMMISSION
AGENDA: March 22, 2005

1. Minutes from the December 16, 2004 meeting of the Commission.

2. Claims for 50% reimbursement in capital cases.

Delaware:	Verner
Lake:	Aki-Khuam, Britt, Jeter, Maust, Roche
Madison:	Baer
Marion:	Adams, Covington, Dye, Holland
Vanderburgh	McManus

3. Claims for 40% reimbursement in noncapital cases.

Adams	Hancock	Monroe	
Allen	Henry	Montgomery	Tippecanoe
Benton	Jasper	Noble	Vanderburgh
Carroll	Jay	Ohio	Vigo
Clark	Jennings	Orange	Warren
Decatur	Knox	Parke	Washington
Fayette	Kosciusko	Pulaski	
Floyd	Lake	Rush	
Fountain	LaPorte	Scott	
Fulton	Madison	Shelby	
Grant	Marion	Steuben	
Greene	Miami	Switzerland	

4. Capital and Non-capital Policies.

5. Quarterly Report Form.

6. Annual Report.

7. Misdemeanor Caseload Reporting: Counties with attorneys assigned only misdemeanor or other nonreimbursable cases often do not provide statistics for those attorneys, since no reimbursement is allowed. **ISSUE:** If an attorney who had been assigned only nonreimbursable cases, for which no caseload statistics has been submitted, begins handling felony or other reimbursable cases, what information should be required concerning the attorney's prior case assignments?

8. County Inquiries: Howard, Putnam, and Boone.

9. Update for Additional Staff.

10. Next meeting date:

**INDIANA PUBLIC DEFENDER COMMISSION MEETING
MINUTES**

April 5, 2005

The meeting of the Indiana Public Defender Commission commenced at 12:05 p.m. Present were: Chairman Norman Lefstein, Commission members Hon. Daniel Donahue, Betty Lou Jerrel, Sen. Timothy Lanane, Rebecca McClure, Susan Carpenter, and Monica Foster. Absent were: Commission members Les Duvall, Sen. Joseph Zakas, Rep. Ralph Foley, and Rep. Bob Kuzman. Also in attendance were Larry Landis of the Indiana Public Defender Council and Bob Borgmann, Staff Counsel for the Commission.

1. Minutes from the December 16, 2005 meeting were reviewed and approved. Chairman Lefstein noted that a letter had been sent to County Public Defenders, Public Defender Boards, and Auditors indicating that the Commission would need to pro rate reimbursements for the period October 1, 2004 through December 31, 2004. A copy of the letter was provided in the board packet.
2. The Commissioners next considered and approved capital reimbursements as follows:

Reimbursements in Capital Cases		
April 5, 2005		
COUNTY	DEFENDANT	TOTAL
Delaware	Verner	\$9,530.83
Lake	Aki-Khuam	\$12,356.75
	Britt	\$1,365.00
	Jeter	\$7,234.77
	Maust	\$16,832.37
	Roche	\$4,601.18
Madison	Baer	\$31,159.57
Marion	Adams	\$815.08
	Covington	\$5,660.78
	Dye	\$15,437.92
	Holland	\$6,475.09
Vanderburgh	McManus	\$1,743.80
TOTAL		\$113,213.14

3. The Commission considered reimbursement for non-capital claims in the amounts indicated in the table, "Reimbursement in Non-capital Cases—APRIL 5, 2005," which is attached at the end of these Minutes and incorporated herein.

(SEE ATTACHED TABLE)

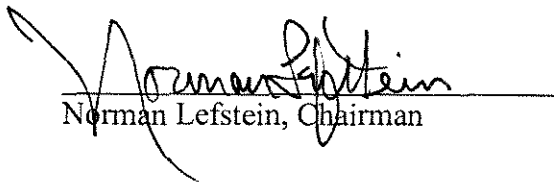
Bob Borgmann noted that Public Defender claims submitted by Koskiusko County for the quarter ending December 31, 2004 had increased approximately \$82,000 over the claims submitted for the previous quarter. Approximately \$75,000 of the increased amount were attributable to expenses incurred in the in the non-capital murder case involving Jason Ryan. The Commission asked Mr. Borgmann to obtain additional information regarding the expenses incurred in the Jason Ryan case. Mr. Borgmann also noted that in Marion County 8 of 16 full-time attorneys and 2 of 3 part-time attorneys in major felony courts had caseload assignments in that exceeded Commission Standards. The excess caseloads assignments resulted from an overflow of D-felonies that occurred at the beginning of the year 2004, and that the Marion County Public Defender was reassigning cases to bring case assignments into compliance with Commission Standards. Larry Landis indicated that much of the problem in Marion County resulted from the transferring of all cases involving the same defendant to one court.

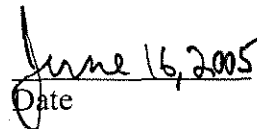
The Commission approved the submitted claims as adjusted and recommended by Mr. Borgmann.

The Commission next considered the necessity to pro rate reimbursements because of a shortage of funds in the Public Defense Fund. After examining the remaining balance in the Public Defense Fund, it was recommended that reimbursements be prorated at a rate of 69.1%. After prorating, counties would be reimbursed at a rate of 27.64% instead of the full 40%. The Commission approved the prorated reimbursements as recommended and as indicated in the attached table, "Reimbursement in Non-capital Cases—APRIL 5, 2005." The prorated reimbursement for claims submitted by Koskiusko County was conditioned upon receipt of additional information regarding the Jason Ryan case.

4. Larry Landis next discussed legislative budget bills. Mr. Landis stated that House Bill 1113 raised court fees and provided an additional \$1 million per year for the Public Defender Commission, beginning in FY 2005-06. The Public Defender Commission budget will be increased from \$9 million in FY 2005-06 to \$10 million. Mr. Landis also discussed Senate Bill 363, which provided for a raise in judges' salaries, and in turn would increase the salaries of prosecutors. This will impact the reimbursement program because Commission standards require public defender salaries to be "substantially comparable" to the salaries of prosecutors.
5. Chairman Lefstein next discussed the editorial that had been published in the Indianapolis Star on Friday, March 4, 2005. The editorial commented on the ABA report, co-authored by Chairman Lefstein, which determined that Indiana provides inadequate funding for indigent defense services. Indiana ranks 46th among the 50 states in per capita funds provided for public defenders. The editorial called for the General Assembly to provide additional funds for indigent defense services.
6. The Commission next considered drafts of "Commission Policies in Capital Cases" and "Commission Policies in Non-capital Cases." The Commission members indicated that the policies were a good idea and discussed distribution of the policies. Mr. Landis recommended amending the documents by replacing the word "Policies" with the word "Guidelines." This amendment was approved by the Commission, and the Commission approved distribution of the Guidelines to all counties that participate in the reimbursement program and approved posting of the Guidelines on the Commission's website.

7. The Commission next discussed a standardized quarterly report form and attorney caseload worksheet. The Commission approved the standardized "Request for Reimbursement" form and "Case Assignment Worksheet" for distribution to the counties. The standardized forms are to be used by the counties when submitting reimbursement claims beginning with the quarter ending June 30, 2005.
8. The Commission next discussed misdemeanor caseloads, and a recent Fort Wayne newspaper article indicating that two public defenders in Fort Wayne handled 2600 misdemeanor cases last year. Under current Commission practices, since reimbursement is not provided for misdemeanor cases, county public defenders do not submit misdemeanor statistics unless the public defenders handle a mixed felony and misdemeanor caseload. The Commission decided more information was needed regarding this topic and requested Mr. Borgmann to send a letter to chief public defenders requesting misdemeanor information.
9. Chairman Lefstein next updated the Commission on staffing the new position. Subject to the approval of the Chief Justice, an Assistant Staff Counsel position will be offered to Michael Murphy. Mr. Murphy is employed with the Marion County Public Defender and graduated from the Indiana University Law School – Indianapolis in 2000. Mr. Murphy has significant business experience and will bring maturity to the position. It is anticipated that Mr. Murphy will begin work after the first part of May.
10. The Commission next discussed future meeting dates. For the remainder of the year, the Commission approved regular meeting dates on the third Thursdays of June, September, and December at 3:00 p.m. The next meeting will be held on June 16, 2005 at 3:00 p.m. in Room 1165 of the National City Center, 115 W. Washington Street, Indianapolis, Indiana. Other meetings will be held on September 15, 2005 and December 15, 2005.
11. The meeting adjourned 2:15 p.m.


Norman Lefstein, Chairman


Date

Indiana Public Defender Commission

Recommendations for Reimbursement in Non-capital Cases--APRIL 5, 2005

COUNTY	PERIOD COVERED	TOTAL EXPENSE	ADJUST	ADJUST'D EXPEND.	40% REIMB.	PRO RATED REIMB.
ADAMS	10/01/04-12/31/04	\$34,832.64	-\$2,204.84	\$37,037.48	\$14,814.99	\$10,237.16
ALLEN	10/01/04-12/31/04	\$681,791.69	\$35,529.17	\$646,262.52	\$258,505.01	\$178,626.96
CARROLL	10/01/04-12/31/04	\$17,643.48	\$0.00	\$17,643.48	\$7,057.39	\$4,876.66
CLARK	10/01/04-12/31/04	\$91,900.13	\$3,168.97	\$88,731.16	\$35,492.46	\$24,525.29
DECATUR	10/01/04-12/31/04	\$27,108.07	\$12,608.40	\$14,499.67	\$5,799.87	\$4,007.71
FAYETTE	10/01/04-12/31/04	\$44,188.05	\$0.00	\$44,188.05	\$17,675.22	\$12,213.58
FLOYD	10/01/04-12/31/04	\$89,824.31	\$0.00	\$89,824.31	\$35,929.72	\$24,827.44
FOUNTAIN	10/01/04-12/31/04	\$19,999.92	\$2,956.51	\$17,043.41	\$6,817.36	\$4,710.80
GRANT	10/01/04-12/31/04	\$108,821.00	\$12,529.36	\$96,291.64	\$38,516.66	\$26,615.01
GREENE	10/01/04-12/31/04	\$48,365.77	\$200.00	\$48,165.77	\$19,266.31	\$13,313.02
HANCOCK	10/01/04-12/31/04	\$62,153.04	\$0.00	\$62,153.04	\$24,861.22	\$17,179.10
HENRY	7/01/04-9/30/04	\$37,189.11	\$0.00	\$37,189.11	\$14,875.64	\$10,279.07
JASPER	10/01/04-12/31/04	\$41,772.44	\$9,000.69	\$32,771.75	\$13,108.70	\$9,058.11
JAY	10/01/04-12/31/04	\$43,423.37	\$7,435.00	\$35,988.37	\$14,395.35	\$9,947.19
JENNINGS	10/01/04-12/31/04	\$38,597.92	\$40.00	\$38,557.92	\$15,423.17	\$10,657.41
KNOX	10/01/04-12/31/04	\$106,589.10	\$1,434.17	\$105,154.93	\$42,061.97	\$29,064.82
KOSCIUSKO	10/01/04-12/31/04	\$144,987.04	\$0.00	\$144,987.04	\$57,994.82	\$40,074.42
LAKE	10/01/04-12/31/04	\$835,602.94	\$0.00	\$835,602.94	\$334,241.18	\$230,960.66
LAPORTE	10/01/05-12/31/05	\$88,388.55	\$0.00	\$88,388.55	\$35,355.42	\$24,430.60
MADISON	10/01/04-12/31/04	\$404,932.73	\$187.75	\$404,744.98	\$161,897.99	\$111,871.51
MARION	10/01/04-12/31/04	\$1,974,363.61	\$12,236.57	\$1,962,127.04	\$784,850.82	\$542,331.92
MIAMI	10/01/04-12/31/04	\$104,647.88	\$10,370.51	\$94,277.37	\$37,710.95	\$26,058.27
MONROE	10/01/04-12/31/04	\$174,673.00	\$3,260.91	\$171,412.09	\$68,564.84	\$47,378.30
MONTGOMERY	10/01/04-12/31/04	\$67,058.99	\$28,269.00	\$38,789.99	\$15,516.00	\$10,721.56
NOBLE	10/01/04-12/31/04	\$54,548.25	\$0.00	\$54,548.25	\$21,819.30	\$15,077.14
OHIO	10/01/04-12/31/04	\$7,029.00	\$2,495.50	\$4,533.50	\$1,813.40	\$1,253.06
ORANGE	10/01/04-12/31/04	\$67,068.27	\$0.00	\$67,068.27	\$26,827.31	\$18,537.67
PARKE	10/01/04-12/31/04	\$17,595.89	\$0.00	\$17,595.89	\$7,038.36	\$4,863.51
PULASKI	10/01/04-12/31/04	\$31,996.82	\$4,871.40	\$27,125.42	\$10,850.17	\$7,497.47
RUSH	10/01/04-12/31/04	\$26,278.04	\$7,724.03	\$18,554.01	\$7,421.60	\$5,128.33
SCOTT	10/01/04-12/31/04	\$64,038.86	\$12,466.23	\$51,572.63	\$20,629.05	\$14,254.67
SHELBY	10/01/04-12/31/04	\$44,982.97	\$3,883.42	\$41,099.55	\$19,661.79	\$13,586.30
STEUBEN	10/01/04-12/31/04	\$72,364.59	\$17,794.57	\$54,570.02	\$21,828.01	\$15,083.15
SWITZERLAND	10/01/04-12/31/04	\$17,821.73	\$3,837.75	\$13,983.98	\$5,593.59	\$3,865.17
TIPPECANOE	10/01/04-12/31/04	\$94,597.66	\$7,539.15	\$87,058.51	\$34,823.40	\$24,062.97

VAN DYKE	10/01/04-12/31/04	\$369,230.26	\$0.00	\$369,230.26	\$147,692.10	\$102,055.7
VIGOR	10/01/04-12/31/04	\$277,724.76	\$50,157.81	\$227,566.95	\$91,026.78	\$62,899.50
WARREN	10/01/04-12/31/04	\$6,619.26	\$0.00	\$6,619.26	\$2,647.70	\$1,829.56
WASHINGTON	10/01/04-12/31/04	\$57,169.96	\$15,962.42	\$41,207.54	\$16,483.02	\$11,389.77
TOTAL		\$6,497,921.10	\$263,754.45	\$6,234,166.65	\$2,496,888.64	\$1,725,350.08

ADJUSTMENTS						
Adams	Auditor overadjsuted for nonreimbursable case, but included expenses for a misdemeanor case.					
Allen	Mathematical error					
Clark	Nonreimbursable CHINS and JS cases					
Decatur	Nonreimbursable misdemeanor cases					
Fountain	Nonreimbursable cases and competency evaluations					
Fulton	Nonreimbursable CHINS/TPR cases and infractions					
Grant	Nonreimbursable misdemeanor cases					
Greene	Nonreimbursable cost for misdemeanor transcript.					
Jasper	Nonreimbursable cases					
Jay	Nonreimbursable misdemeanor cases					
Jennings	Non-reimbursable JP case					
Knox	Nonreimbursable misdemeanors, CHINS and TPR cases.					

Macon	Nonreimbursable misdemeanor cases						
Marion	Nonreimbursable misdemeanor conflict cases						
Miami	Nonreimbursable CHINS, TPR, and juvenile status cases						
Monroe	Nonreimbursable cases-divorce and misdemeanor cases						
Montgomery	Nonreimbursable CHINS, paternity, protective order, and misdemeanor cases						
Ohio	Nonreimbursable misdemeanor cases						
Pulaski	Nonreimbursable misdemeanor cases						
Rush	Nonreimbursable misdemeanor cases						
Scott	Nonreimbursable misdemeanor cases						
Shelby	Nonreimbursable cases						
Steuben	Nonreimbursable misdemeanor cases						
Sullivan	Nonreimbursable cases						
Switzerland	Nonreimbursable misdemeanor cases						
Tippecanoe	Nonreimbursable misdemeanor and other cases.						
Vigo	Nonreimbursable misdemeanor, CHINS and TPR cases						
Warren	Nonreimbursable CHINS case						
Washington	Nonreimbursable misdemeanor, juvenile paternity, and juvenile status cases						

STATE OF INDIANA



Norman Lefstein, Chairman
Indianapolis

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Les Duvall
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Rebecca S. McClure
Lebanon

Representative Ralph M. Foley
Martinsville

Representative Bob Kuzman
Crown Point

February 4, 2005

Honorable Randall T. Shepard
Chief Justice
Indiana Supreme Court
200 West Washington Street
Room 304
Indianapolis, Indiana 46204

Re: Public Defense Fund Budget/Indigent Defense in Indiana

Dear Chief Justice Shepard:

I want to report to you about the projected expenditures and budget of the Indiana Public Defender Commission for this fiscal year and beyond. I also want to offer several observations about indigent defense in Indiana.

During the current fiscal year, the Commission has received appropriated funds totaling \$8 million. When claims for capital defense reimbursements, totaling about \$500,000, are added to the claims of the 53 Indiana counties that have qualified for 40% reimbursements related to non-capital felony and juvenile delinquency cases, we estimate that eligible submissions will exceed our available funds by about \$600,000.

For FY 2005-2006, because additional Indiana counties will likely become eligible for non-capital defense reimbursements, we estimate that the shortfall in our anticipated \$9 million budget will exceed \$1 million. During the ensuing years the budget shortfall can be expected to be at least this much, if not more.

For FY 2005-2006, because additional Indiana counties will likely become eligible for non-capital defense reimbursements, we estimate that the shortfall in our anticipated \$9 million budget will exceed \$1 million. During the ensuing years the budget shortfall can be expected to be at least this much, if not more.

While we appreciate your efforts to seek additional funding for indigent defense in your budget requests, the Commission has decided that it will, as it has done in the past, undertake its own lobbying efforts on behalf of its budgetary needs. Also, as we have done in the past, we will urge that legislators cover additional funding for the Commission from increased court fees.

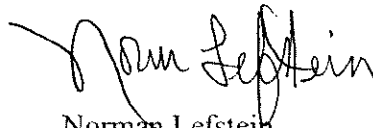
I noticed in your State of the Judiciary address that you referred to the assessment of Anthony Lewis about indigent defense in Indiana. Your remarks were of special interest to me because I may be the person responsible for Mr. Lewis' favorable impression of indigent defense in this state. Several years ago, during a program in Austin, Texas, at which both of us were speakers, I described Indiana's reimbursement program to the audience. I also spoke privately with Mr. Lewis at lunch about Indiana's system, including the progressive features related to capital defense contained in Criminal Rule 24. However, Mr. Lewis may have forgotten part of what I also said at the time, i.e., that indigent defense in Indiana is not well funded. In fact, as I have noted before in annual reports of the Commission, on a per capita basis Indiana ranks 46th in the nation in expenditures for indigent defense. Moreover, when the Commission's budget is increased, to a large extent the increase merely shifts to the state a portion of the expenditures previously borne by the counties.

Admittedly, the Indiana Public Defender Commission has the capacity to enforce its caseload and other standards on counties that qualify for reimbursements, and there are few states in the country in which a state commission has this kind of authority. However, the funds available for indigent defense in Indiana are insufficient, the Commission's reimbursement program does not cover misdemeanor cases, does not apply in 39 counties, and true independence of the defense function appears not to have been achieved even in the counties that qualify for reimbursements. In contrast, about half the states in the country have statewide indigent defense systems in which all funding is provided at the state level, the available funding is higher on a per capita basis, and there is greater statewide uniformity in the delivery of defense services.

In a report, *Gideon's Broken Promise: America's Continuing Quest for Equal Justice*, which will be released by the ABA during the midyear meeting in Salt Lake City on February 11, information is provided about some of the states struggling to implement the promise of *Gideon*. A story about an Indiana county is related in the study to illustrate the difficulty of achieving true independence of the defense function and the potential adverse impact on clients when defense attorneys are not genuinely independent. (I expect that a copy of this ABA report will be sent to you and to the other members of the Indiana Supreme Court later this month.)

As always, on behalf of the Commission, I want to express our appreciation for your continued commitment to the financial needs of indigent defense in Indiana, as well as your overall support of the Commission's activities.

Sincerely,



Norman Lefstein
Chairman

xc: Members, Indiana Public Defender Commission

Robert A. Borgmann
Staff Counsel
Indiana Public Defender Commission

Lilia Judson
Executive Director
Indiana Division of State Court Administration

Larry A. Landis
Executive Director
Indiana Public Defender Council

INDIANA PUBLIC DEFENDER COMMISSION
AGENDA: June, 16 2005

- 1. Minutes from the April 5, 2005 meeting of the Commission.**
- 2. Staff Changes.**
- 3. Claims for 50% reimbursement in capital cases.**

Delaware:	Verner
Lake:	Aki-Khuam, Britt, Jeter, Maust, Roche
Madison:	Baer
Marion:	Barker, Bomani, Covington, Dye, Holland, Holland
Morgan:	Pruitt
Spencer:	Ward

- 4. Claims for 40% reimbursement in noncapital cases.**

Adams	Hancock	Montgomery	Switzerland
Allen	Henry	Noble	Tippecanoe
Blackford	Jasper	Ohio	Vanderburgh
Carroll	Jay	Orange	Vermillion
Clark	Knox	Parke	Vigo
Decatur	Kosciusko	Perry	Warren
Fayette	Lake	Pulaski	Washington
Floyd	LaPorte	Rush	
Fountain	Madison	Scott	
Fulton	Marion	Shelby	
Grant	Miami	Spencer	
Greene	Monroe	Steuben	

- 5. Kosciusko County.** Follow-up on questions concerning last quarter's reimbursement for expenses incurred in the Jason Ryan case.
- 6. Public Defender Salary Increases.** See attached memorandum and letters from Mark Stamper, Henry County Chief Public Defender and James L. Cole, President, Henry County Public Defender Board.
- 7. Annual Report.** Attached
- 8. Commission Guidelines and Standardize Report Forms.** Letter attached.
- 9. Vigo County.** Amended Comprehensive Plan.
- 10. Next Meeting.** September 15, 2005 at 3:00 p.m

**INDIANA PUBLIC DEFENDER COMMISSION MEETING
MINUTES**

June 16, 2005

The meeting commenced at 3:10 p.m. Present were: Chairman Norman Lefstein and Commission members Susan Carpenter, Les Duvall, Bettye Lou Jerrel, Sen. Ralph Foley, Sen. Timothy Lanane, Rebecca McClure, and Monica Foster. Absent were: Commission members Hon. Daniel Donahue, Sen. Joseph Zakas, and Rep. Bob Kuzman. Also in attendance were Larry Landis of the Indiana Public Defender Council and Bob Borgmann, Staff Counsel, and Mike Murphy, Assistant Staff Counsel for the Commission.

1. Chairman Lefstein began the meeting by introducing Mike Murphy Assistant Staff Counsel for the Commission, who began work in May 2005. Prior to being hire as assistant Staff Counsel, Mike had been with the Marion County Public Defender Agency for 7 years. Chairman Lefstein also announced that Bob Borgmann is resigning from his position as Staff Counsel, effective in August. Bob's wife has accepted a school administrator's position in Greensboro, North Carolina, and Bob and his family will be moving there this summer.
2. Chairman Lefstein next indicated that Commission records show that terms of three Commission members expire in 2005. Sen. Lanane's term expires 6-17-05; Susan Carpenter's, 6-30-05; and Bettye Lou Jerrel's, 11-16-05. Chairman Lefstein asked the members to contact their respective appointing bodies concerning possible reappointment. Chairman Lefstein indicated that he would also be willing to contact the appointing bodies concerning reappointment of the members.
3. The Commission next reviewed and approved the Minutes from the April 5, 2005 meeting.
4. The Commissioners next considered and approved capital reimbursements as follows:

INDIANA PUBLIC DEFENDER COMMISSION

Reimbursements in Capital Cases		
June 16, 2005		
COUNTY	DEFENDANT	TOTAL
Delaware	Verner	\$16,907.83
Lake	Aki-Khuam	\$8,873.25
	Britt	\$7,945.00
	Jeter	\$13,328.05
	Maust*	\$29,537.57
	Roche	\$9,941.03
Madison	Baer	\$18,671.21
Marion	Barker	\$598.70

	Bomani		\$787.50
	Covington		\$14,757.88
	Dye		\$24,234.12
	Holland**		\$19,209.44
	Holland***		\$19,296.80
Morgan	Pruitt		\$6,693.78
Spencer	Ward		\$711.48
TOTAL			\$191,493.64

Monica Foster abstained from voting because the reimbursement of costs for defense services in a case in which she is involved was being considered.

5. The Commission considered reimbursement for non-capital claims in the following amounts:

Indiana Public Defender Commission
Reimbursement in Non-capital Cases--UPDATED June 20, 2005

COUNTY	PERIOD COVERED	TOTAL EXPENSE	ADJUS'T	ADJUS'D EXPEND.	40% REIME
ADAMS	1/1/05 - 3/31/05	\$35,509.27	-\$358.27	\$35,867.54	\$14,347
ALLEN	1/1/05 - 3/31/05	\$697,169.20	\$0.00	\$697,169.20	\$278,867
BLACKFORD(4Q4)	10/1/04 - 12/31/04	\$18,547.07	\$0.00	\$18,547.07	\$7,418
BLACKFORD	1/01/05 - 3/31/05	\$10,449.00	\$0.00	\$10,449.00	\$4,179
CARROLL	1/1/05 - 3/31/05	\$24,927.93	\$0.00	\$24,927.93	\$9,971
CLARK	1/1/05 - 3/31/05	\$95,786.05	\$2,705.82	\$93,080.23	\$37,232
DECATUR	1/1/05 - 3/31/05	\$33,281.90	\$14,263.67	\$19,018.23	\$7,607
FAYETTE	1/1/05 - 3/31/05	\$55,986.17	\$0.00	\$55,986.17	\$22,394
FLOYD	1/1/05 - 3/31/05	\$98,126.14	\$0.00	\$98,126.14	\$39,250
FOUNTAIN	1/1/05 - 3/31/05	\$10,749.46	\$0.00	\$10,749.46	\$4,299
FULTON(4Q4)	10/1/04 - 12/31/04	\$42,801.25	\$11,398.39	\$31,402.86	\$12,561
FULTON	1/1/05 - 3/31/05	\$39,304.82	\$13,526.98	\$25,777.84	\$10,311
GRANT	1/1/05 - 3/31/05	\$208,165.00	\$14,389.29	\$193,775.71	\$77,510
GREENE	1/1/05 - 3/31/05	\$44,772.56	\$0.00	\$44,772.56	\$17,909
HANCOCK	1/1/05 - 3/31/05	\$68,743.90	\$0.00	\$68,743.90	\$27,497
HENRY	1/1/05 - 3/31/05	\$48,959.00	\$0.00	\$48,959.00	\$19,583
JASPER	1/1/05 - 3/31/05	\$22,552.96	\$7,032.64	\$15,520.32	\$6,208
JAY	1/1/05 - 3/31/05	\$63,576.02	\$7,279.70	\$56,296.32	\$22,518
KNOX	1/1/05 - 3/31/05	\$135,881.45	\$31,247.24	\$104,634.21	\$41,853
KOSCIUSKO	1/1/05 - 3/31/05	\$69,204.78	\$0.00	\$69,204.78	\$27,681
LAKE	1/1/05 - 3/31/05	\$759,414.05	\$0.00	\$759,414.05	\$303,765
LAPORTE	1/1/05 - 3/31/05	\$90,888.75	\$0.00	\$90,888.75	\$36,355

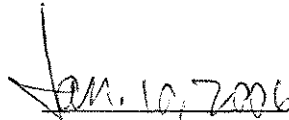
MADISON	1/1/05 - 3/31/05	\$380,196.72	\$732.56	\$379,464.16	\$151,785
MARION	1/1/05 - 3/31/05	\$1,869,487.40	\$30,006.50	\$1,839,480.90	\$735,792
MIAMI	1/1/05 - 3/31/05	\$81,332.67	\$14,523.69	\$66,808.98	\$26,723
MONROE	1/1/05 - 3/31/05	\$170,916.00	\$2,853.88	\$168,062.12	\$67,224
MONTGOMERY	1/1/05 - 3/31/05	\$60,917.56	\$22,336.44	\$38,581.12	\$15,432
NOBLE	1/1/05 - 3/31/05	\$57,959.50	\$0.00	\$57,959.50	\$23,183
OHIO	1/1/05 - 3/31/05	\$11,828.07	\$2,595.38	\$9,232.69	\$3,693
ORANGE	1/1/05 - 3/31/05	\$73,067.06	\$0.00	\$73,067.06	\$29,226
PARKE	1/1/05 - 3/31/05	\$14,948.58	\$0.00	\$14,948.58	\$5,979
PERRY	1/1/05 - 3/31/05	\$45,827.46	\$0.00	\$45,827.46	\$18,330
PULASKI	1/1/05 - 3/31/05	\$29,168.82	\$8,748.93	\$20,419.89	\$8,167
RUSH	1/1/05 - 3/31/05	\$29,385.71	\$4,668.95	\$24,716.76	\$9,886
SCOTT	1/1/05 - 3/31/05	\$47,765.44	\$8,711.94	\$39,053.50	\$15,621
SHELBY	1/1/05 - 3/31/05	\$49,732.89	\$0.00	\$49,732.89	\$19,893
SPENCER	1/1/05 - 3/31/05	\$28,669.80	\$0.00	\$28,669.80	\$11,467
STEUBEN	1/1/05 - 3/31/05	\$74,214.03	\$21,439.16	\$52,774.87	\$21,109
SWITZERLAND	1/1/05 - 3/31/05	\$30,142.88	\$0.00	\$30,142.88	\$12,057
TIPPECANOE	1/1/05 - 3/31/05	\$142,651.35	\$25,396.26	\$117,255.09	\$46,902
VERMILLION	1/1/05 - 3/31/05	\$17,416.79	\$2,081.25	\$15,335.54	\$6,134
VANDEBURGH	1/1/05 - 3/31/05	\$337,519.47	\$0.00	\$337,519.47	\$135,007
VIGO	1/1/05 - 3/31/05	\$269,253.16	\$48,217.04	\$221,036.12	\$88,414
WARREN	1/1/05 - 3/31/05	\$6,618.00	\$0.00	\$6,618.00	\$2,647
WASHINGTON	1/1/05 - 3/31/05	\$56,488.72	\$11,129.75	\$45,358.97	\$18,143
TOTAL		\$6,560,304.81	\$304,927.19	\$6,255,377.62	\$2,502,151

Rep. Foley noted apparent inconsistencies between amounts claim in county request submissions and the recommended reimbursement summary prepared by Staff. Bob Borgmann explained that the amounts differed because of certain adjustments made to requested reimbursement amounts. Bob Borgmann stated that he and Mike Murphy would update the recommended reimbursement summary and correct any inconsistencies. It was also noted that Blackford and Fulton counties had submitted reimbursement claims for both the fourth quarter of the calendar year 2004 and the first quarter of the calendar year 2005. The Commission discussed its guideline that requests for reimbursement shall be submitted within forty-five days after the end of the calendar quarter. The Commission approved waiving this guideline for both Blackford and Fulton County. The Commission asked Commission staff to prepare a proposed guideline, to be considered at the next Commission meeting, regarding a standardized penalty for late requests.

The Commission approved payment of reimbursements claims as recommended, subject to any corrections made on the updated reimbursement summary.

6. In follow-up to questions raised at the Commission meeting on April 5, 2005 regarding Kosciusko County's request for reimbursement of defense costs incurred in the Jason Ryan non-capital murder case, Mike Murphy reported on the information he received from Kosciusko County concerning the extent of defense services and payment of the cost of those services. The Commission considered no further action necessary.
7. The Commission next discussed the raise in judges' salaries and the impact this will have for public defenders. Commission standards require compensation for public defenders to be "substantially comparable" to that for county prosecutors, and Commission guidelines provide that for chief public defenders "substantially comparable" shall mean "not less than 90%." Under IC 33-39-76-5, annual salaries of county prosecutors are directly linked to the judges' salaries; therefore, the judicial pay raise will require counties to increase the compensation for chief public defenders. To lessen the impact on county budgets, the Commission approved a motion allowing counties to phase-in the increase of chief public defender salaries over two years. Counties will be required to pay 50% of the increase beginning January 1, 2006 and the remainder of the increase beginning January 1, 2007. A letter will be sent to the counties notifying them of this guideline.
8. The Commission next considered the Amended Comprehensive Plan submitted by Vigo County. Several Commission members questioned Vigo County's provision to pay a per diem to public defenders, in addition to their standard compensation, for the trial of indigent cases. The Commission tabled further consideration of the Amended Comprehensive Plan until next meeting and requested that a letter be sent to Vigo County officials, inviting them to attend the next Commission meeting.
9. The next regular meeting of the Commission was scheduled for September 16, 2005 at 3:00 p.m.
10. The meeting was adjourned at 4:55 p.m.


Norman Lefstein, Chairman


Date

DIANA PUBLIC DEFENDER COMMISSIO

Reimbursements in Capital Cases

2004-2005

COUNTY	DEFENDANT		TOTAL
Allen	Hatch	\$	7,424.67
Delaware	Verner	\$	15,163.68
Lake	Aki-Khuam	\$	8,496.15
	Britt	\$	5,297.25
	Jeter	\$	12,323.47
	Maust	\$	5,523.42
	Roche	\$	8,290.95
Madison	Baer	\$	21,968.15
Marion	Barker	\$	3,676.50
	Ben Yisrayl	\$	2,184.75
	Covington	\$	7,390.59
	Dye	\$	4,368.45
	Holland	\$	10,788.56
Morgan	Pruitt	\$	34,803.15
Spencer	Ward	\$	1,871.65
Total		\$	149,571.39

Indiana Public Defender Commission Meeting Minutes

September 15, 2005

The meeting was called to order at 3:05 p.m. by Chairman Norman Lefstein. Commission members attending were: Ms. Susan Carpenter, Hon. Daniel F. Donahue, Mr. Les Duvall, Ms. Bettye Lou Jerrell, Sen. Timothy Lanane, and Ms. Rebecca McClure. Also attending was Larry Landis of the Indiana Public Defender Council, Michael Murphy, Staff Counsel for the Commission, and Deborah Guthrie-Jones, recording secretary.

Gretchen Etling, Vigo County Chief Public Defender also attended. Members not attending were: Monica Foster, Rep. Ralph M. Foley, Rep. Bob Kuzman, and Sen. Joseph C. Zakas.

1) Approval of Commission Minutes from the June 16, 2005 meeting. Ms. Bettye Lou Jerrell made the motion for the approval of the minutes, Susan Carpenter seconded the motion and the motion carried.

2) Ms. Gretchen Etling, Chief Public Defender, Vigo County. Ms. Etling attended the meeting to answer questions and concerns of the Commission concerning the proposed amendment to the Vigo County Comprehensive Plan, which includes a provision for paying public defenders \$480.00 per diem for trying cases in addition to their annual salary. The matter had been presented to the Commission at its June 16th meeting and was tabled pending an invitation to Vigo County officials to attend the September meeting and address the Commission. Ms. Etling believes that Vigo County needs the flexibility to determine compensation for their public defenders, based on management's assessment of what is best for their county. She stated that this extra incentive was needed in their county in order to keep qualified indigent legal representation without increasing salaries.

The Commission decided that the proposed per diem amendment was potentially troublesome as an integral part of the Comprehensive plan. Thus, it was determined to be out of the Commission's jurisdiction and should not be part of Vigo County's Comprehensive Plan for indigent defense services. Some indicated that the proposal could be an incentive for a public defender to take a case to trial to receive the per diem, perhaps contrary to the best interests of the client. Furthermore, the Commission acknowledged that other alternatives to Vigo County's issue of compensation for qualified personnel exist and should be considered. Thus, it was the consensus of the Commission not to approve Vigo County's Comprehensive Plan until the following language was redacted from the plan and resubmitted to the committee:

"4. Per Diem Payment. In addition to the annual public defender salary, there shall be a \$480.00 per diem for each day the public defender is in a jury or felony bench trial. The duration of the trial shall extend from voir dire until a verdict is returned. If the trial is terminated prior to a verdict being reached, the public defender will be compensated for the days spent in trial prior to the termination."

3) Hiring of Assistant Staff Counsel Position. Chairman Lefstein reported that they had elected a subcommittee to interview for the vacancy in the commission left by the resignation of Bob Borgmann and that they are continuing the search for a new hire. Mike Murphy reported that the first 25 resumes

received with the first ad are being reviewed. To expand the pool of applicants, a revised advertisement had just been placed in the *Indiana Lawyer* that should generate greater interest.

4) Mike Murphy gave the Quarterly Staff Report. He reported that since Mr. Borgmann's leaving the Commission staff, thereby creating a 50% staff reduction, the original intention to maintain a steady schedule of county visits had been temporarily altered in order for him to continue to facilitate the review of reimbursement requests and other office functions.

Prior to August 1, 2005, a significant amount of time was spent traveling to counties. Ten counties were visited: Knox, Benton, Miami, Noble, Fayette, Monroe, Vanderburgh, Tippecanoe, Jennings and Greene. Most of the visits were prompted by requests for help in understanding and completing the new "standardized" *Request for Reimbursement Forms*.

Of particular interest was Miami County. The Public Defender Office has been in place without an appointed Chief Public Defender, as required by IC 33-40-7-6. Mr. Murphy had explained to Miami County officials the consequences of this violation in an extensive visit with them, and after numerous phone conversations, the county officials had authorized the board to take the appropriate steps to appoint a Chief Public Defender. No appointment has been made as of this meeting.

It was the consensus of the members to appoint Mike Murphy to draft a letter to Miami County Public Defender Board and inform them that their county was not in compliance with the guidelines and that they would not be receiving any more reimbursements until they had the situation resolved.

5) Financial Balance of Public Defense Fund. Mike Murphy reported that the balance in the Public Defense Fund as of September 5, 2005, was \$2,293,375.34. If all of the reimbursement requests before the committee at this meeting were approved the total would exceed the balance. Therefore, the non-capital reimbursement amounts would need to be pro-rated to reimburse at a rate of 33.71%.

6). Proposed Guideline for Late Requests. A discussion of late requests was led by Mike Murphy. Research regarding quarterly reimbursement request trends were relevant in reviewing the impact of no action or penalties taken on late submissions in the first two quarters. The data indicate an increasing trend of late submittals which distort effective projections for future financial requirements. To address this condition and facilitate more accurate financial predictions, the following guideline was developed by Chairman Lefstein and Mr. Murphy:

To be eligible for maximum reimbursement, claims is non-capital cases must be received by the Commission not later than forty-five (45) days after the end of the calendar quarter in which they were incurred. Claims received 1 to 10 days later than 45 days after the end of the calendar quarter will be penalized 10% of their maximum eligible reimbursement. Claims received 11 to 20 days later than 45 days after the end of the calendar quarter will be penalized 25% of the maximum eligible reimbursement. The Commission will deny all late claims received more than 65 days after the end of the calendar quarter. Upon written request demonstrating good cause, the Commission will consider setting aside the denial of a late claim. Whether a county's quarterly claim is timely, late or denied, caseload data must be submitted for public defender offices and contract attorney, pursuant to IC 33-40-5-4.

A discussion of adopting the amendment and applying it to the 2nd quarter reimbursements followed. After careful consideration, it was decided that since the existing guideline containing the language “**subject to denial,**” had not consistently been applied in the past, staff counsel would first send a letter to all Public Defender Boards, County Auditors and Public Defender Office Administrators notifying them of the amended guideline with the absolute intent apply its terms as written. Mr. Lanane made the motion, Susan Carpenter seconded the motion and the motion carried unanimously.

7) Claims for 50% reimbursement in capital cases.

INDIANA PUBLIC DEFENDER COMMISSION

<i>Amended Recommendations for Reimbursements in Capital Cases</i>		
September 16, 2005		
COUNTY	DEFENDANT	TOTAL
Elkhart	Salyers 1	\$7,724.63
	Salyers 2	\$11,996.32
	Salyers 3	\$11,709.81
Floyd	Wilson	\$4,870.66
Lake	Aki-Khuam(Williams)	\$15,250.38
	Britt	\$9,897.31
	Jeter	\$8,394.68
	Maust	\$6,504.58
	Roche	\$5,650.63
Madison	Baer	\$47,491.16
Marion	Allen	\$17,631.02
	Holland	\$4,857.70
	Ritchie	\$2,794.50
Vanderburgh	McManus	\$1,660.85
TOTAL		\$156,434.23

A discussion of a single, unique case from Elkhart County was discussed. The case had reimbursement claims going back to 1998. The defendant had been in a mental institute for 7 years and was unable to stand trial. Several documentation letters were submitted with the claim. A relatively unique small claim, it was the consensus of the committee to go ahead and pay the Elkhart County request for reimbursement. Additional discussion regarding transcription expenses and policies was conducted as practices differ from county to county.

Betty Lou Jerrell made motion for the approval of all the submitted reimbursements in Capital Cases as amended to include the Salyers case from Elkhart County. Susan Carpenter seconded the motion and the motion carried.

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8) **Claims for 40% reimbursement in noncapital cases.** Mike Murphy reported that 20 of the 44 submitted claims were on the new reporting forms. He also stated that he received case information in all of the reimbursement claims submitted, and in some cases, a lot more information than was needed. For the third quarter claims, submitted for consideration at the December 15, 2005 meeting, the “standardized” forms along with caseload data on the applicable spreadsheet are mandatory or requests will be denied. For a submittal to be “timely” it must be submitted in the proper format. The new guideline will also be applied. Counsel felt that this could be problematic but not untenable for some of the non-technological counties.

Indiana Public Defender Commission

Recommendations for Reimbursement in Non-capital Cases--September, 2005

COUNTY	PERIOD COVERED	TOTAL EXPENSE	ADJUST	ADJUST'D EXPEND.	40% REIMB.	PRORATED REIMB.
ADAMS	4/1/05 - 6/30/05	\$51,292.13	\$11,179.05	\$40,113.08	\$16,045.23	\$13,522.92
ALLEN	4/1/05 - 6/30/05	\$690,311.77	\$0.00	\$690,311.77	\$276,124.71	\$232,717.91
<i>Benton (1Q05)</i>	<i>1/1/05 - 3/31/05</i>	<i>\$21,302.00</i>	<i>\$2,574.97</i>	<i>\$18,727.03</i>	<i>\$7,490.81</i>	<i>\$6,313.25</i>
BENTON (2Q05)	4/1/05 - 6/30/05	\$24,160.84	\$3,345.35	\$20,815.49	\$8,326.20	\$7,017.32
BLACKFORD	4/1/05 - 6/30/05	\$18,492.70	\$0.00	\$18,492.70	\$7,397.08	\$6,234.26
CARROLL	4/1/05 - 6/30/05	\$25,860.32	\$0.00	\$25,860.32	\$10,344.13	\$8,718.03
CLARK	4/1/05 - 6/30/05	\$100,205.56	\$1,525.97	\$98,679.59	\$39,471.84	\$33,266.87
DECATUR	4/1/05 - 6/30/05	\$29,458.74	\$9,432.60	\$20,026.14	\$8,010.46	\$6,751.22
FAYETTE	4/1/05 - 6/30/05	\$64,215.20	\$0.00	\$64,215.20	\$25,686.08	\$21,648.23
FLOYD	4/1/05 - 6/30/05	\$91,215.38	\$0.00	\$91,215.38	\$36,486.15	\$30,750.53
FULTON	4/1/05 - 6/30/05	\$38,714.78	\$20,865.43	\$17,849.35	\$7,139.74	\$6,017.37
GRANT	4/1/05 - 6/30/05	\$151,435.00	\$17,992.28	\$133,442.72	\$53,377.09	\$44,986.21
GREENE	4/1/05 - 6/30/05	\$59,867.35	\$0.00	\$59,867.35	\$23,946.94	\$20,182.48
HANCOCK	4/1/05 - 6/30/05	\$80,945.85	\$0.00	\$80,945.85	\$32,378.34	\$27,288.46
HENRY	4/1/05 - 6/30/05	\$60,918.59	\$0.00	\$60,918.59	\$24,367.44	\$20,536.88
JASPER	4/1/05 - 6/30/05	\$32,826.71	\$13,888.22	\$18,938.49	\$7,575.40	\$6,384.55
JAY	4/1/05 - 6/30/05	\$45,562.99	\$11,058.98	\$34,504.01	\$13,801.60	\$11,631.99
<i>Jennings(1Q05)</i>	<i>1/1/05 - 3/31/05</i>	<i>\$17,951.64</i>	<i>\$0.00</i>	<i>\$17,951.64</i>	<i>\$7,180.66</i>	<i>\$6,051.86</i>
JENNINGS(2Q05)	4/1/05 - 6/30/05	\$27,531.70	\$0.00	\$27,531.70	\$11,012.68	\$9,281.49
KNOX	4/1/05 - 6/30/05	\$173,942.62	\$50,712.40	\$123,230.22	\$49,292.09	\$41,543.37
KOSCIUSKO	4/1/05 - 6/30/05	\$72,329.57	\$0.00	\$72,329.57	\$28,931.83	\$24,383.75
LAKE	4/1/05 - 6/30/05	\$837,155.44	\$0.00	\$837,155.44	\$334,862.18	\$282,221.85
LAPORTE	4/1/05 - 6/30/05	\$90,888.75	\$0.00	\$90,888.75	\$36,355.50	\$30,640.42
MADISON	4/1/05 - 6/30/05	\$327,714.33	\$1,193.86	\$326,520.47	\$130,608.19	\$110,076.58
MARION	4/1/05 - 6/30/05	\$1,777,848.22	\$33,757.99	\$1,744,090.23	\$697,636.09	\$587,967.70
MIAMI	4/1/05 - 6/30/05	\$63,209.03	\$7,950.82	\$55,258.21	\$22,103.28	\$18,628.64
MONROE	4/1/05 - 6/30/05	\$190,547.27	\$2,920.26	\$187,627.01	\$75,050.80	\$63,252.81
MONTGOMERY	4/1/05 - 6/30/05	\$71,500.82	\$15,206.06	\$56,294.76	\$22,517.90	\$18,978.09
NOBLE	4/1/05 - 6/30/05	\$51,399.41	\$0.00	\$51,399.41	\$20,559.76	\$17,327.77

OHIO	4/1/05 - 6/30/05	\$9,436.75	\$2,595.38	\$6,841.37	\$2,736.55	\$2,306.36
ORANGE	4/1/05 - 6/30/05	\$36,104.77	\$0.00	\$36,104.77	\$14,441.91	\$12,171.64
PARKE	4/1/05 - 6/30/05	\$20,018.40	\$0.00	\$20,018.40	\$8,007.36	\$6,748.60
PULASKI	4/1/05 - 6/30/05	\$29,405.84	\$6,042.30	\$23,363.54	\$9,345.42	\$7,876.32
RUSH	4/1/05 - 6/30/05	\$32,078.23	\$12,994.84	\$19,083.39	\$7,633.36	\$6,433.40
SCOTT	4/1/05 - 6/30/05	\$48,621.19	\$17,249.84	\$31,371.35	\$7,282.69	\$6,137.85
SHELBY	4/1/05 - 6/30/05	\$61,814.49	\$0.00	\$61,814.49	\$24,725.80	\$20,838.90
SPENCER	4/1/05 - 6/30/05	\$9,353.25	\$0.00	\$9,353.25	\$3,741.30	\$3,153.17
STEBEN	4/1/05 - 6/30/05	\$77,163.32	\$23,121.14	\$54,042.18	\$21,616.87	\$18,218.70
<i>Sullivan (1Q05)</i>	<i>1/1/05 - 3/31/05</i>	<i>\$18,063.28</i>	<i>\$6,636.89</i>	<i>\$11,426.39</i>	<i>\$4,570.56</i>	<i>\$3,852.07</i>
SULLIVAN (2Q05)	4/1/05 - 6/30/05	\$15,718.25	\$5,463.93	\$10,254.32	\$4,101.73	\$3,456.94
SWITZERLAND	4/1/05 - 6/30/05	\$21,237.74	\$0.00	\$21,237.74	\$8,495.10	\$7,159.67
TIPPECANOE	4/1/05 - 6/30/05	\$258,467.16	\$73,847.76	\$184,619.40	\$73,847.76	\$62,238.89
VERMILLION	4/1/05 - 6/30/05	\$17,076.96	\$5,189.13	\$11,887.83	\$4,755.13	\$4,007.62
VANDEBURGH	4/1/05 - 6/30/05	\$357,389.44	\$0.00	\$357,389.44	\$142,955.78	\$120,483.13
VIGO	4/1/05 - 6/30/05	\$284,661.75	\$53,718.25	\$230,943.50	\$92,377.40	\$77,855.67
WARREN	4/1/05 - 6/30/05	\$9,298.22	\$0.00	\$9,298.22	\$3,719.29	\$3,134.62
WASHINGTON	4/1/05 - 6/30/05	\$57,238.48	\$14,522.78	\$42,715.70	\$17,086.28	\$14,400.32
TOTAL		\$6,651,952.23	\$424,986.48	\$6,226,965.75	\$2,485,520.49	\$2,094,796.67

Judge Donahue recused himself from the Clark County Non-Capital claim since he is Judge in Clark County.

Betty Lou Jerrell moved for the approval of all Non-Capital claims. Senator Lanane seconded the motion and the motion carried.

9) Attachments

A. A letter from Mr. Craig V. Braje concerning pay increases was addressed by the committee. Mr. Braje was seeking guidance on whether or not he was violating the standards set by the Public Defender Commission if he denied the raise.

After discussion by the Commission, it was determined that waiving the required increase in salary to "not less than 90%" of the Prosecutor's salary would not be allowed, and would set a dangerous precedent. Mike Murphy was appointed to address the issue by letter.

B. Tim States, the Court Administrator in Madison County Unified Courts had written to the Commission concerning a proposal in their county to reduce the health insurance benefits for existing part-time public defenders. The successful motion would require Madison County public defenders to pay all costs, above the single-rate, for health insurance beginning in 2006. The change was a cost-cutting mechanism aimed at reducing the County obligation to non-traditional county employees. The letter was asking for clarification as to whether this action by the Council jeopardized the current 40%

reimbursement for public defender expenses in Madison County. Since the prosecutor's health rates would not be affected, there was a question as to whether the plan would put at risk the current guidelines and language concerning pay "substantially comparable to prosecutors salaries". The question would be, "does it maintain a certain level of comparability?"

Before discussion, Mr. Tim Lanane, recused himself, since he is from Madison County.

After discussion by the Commission, and clarification of the issues presented by Larry Landis it was the consensus to table the agenda item until they had more information and facts on the issue. Mr. Murphy would need to look into this.

C. A letter from Mr. David Schneider, Chief Public Defender in Lake County indicated that the requested misdemeanor caseload information was not available through his office since they handled only the felony cases. The judges in circuit courts appoint their own public defenders for all misdemeanor cases.

In response to a question regarding appropriate signatures on submissions, Larry Landis reported that there is currently a manual being written with guidelines for county board members. They are making progress on the manual.

10) New Business.

A. Chairman Lefstein noted that Larry Landis would be moderating a meeting on Indigent Defense in Indiana on October 21, 2005, at the Indiana Bar Association. Justice Ted Boehm will be the opening speaker.

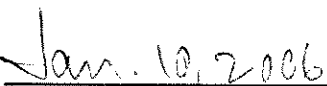
B. It was noted by Commission members that Staff Counsel Mike Murphy prepared a very adequate Quarterly Meeting.

11) The Next Meeting is scheduled for Thursday, December 15, 2005, 3:00 P.M.

12) Meeting Adjournment. The meeting adjourned at 4:40 p.m.



Norman Lefstein, Chairman



Date

INDIANA PUBLIC DEFENDER COMMISSION

Third Quarter 2005 Meeting Minutes

December 15, 2005

The meeting was called to order at 3:10 p.m. by Chairman Norman Lefstein. Commission members attending were: Ms. Susan Carpenter, Mr. Les Duvall, Ms. Monica Foster, Ms. Bettye Lou Jerrell, and Ms. Rebecca McClure. Also attending was Michael Murphy, Staff Counsel for the Commission, and Deborah Guthrie-Jones, recording secretary. Deborah Neal, an applicant for the vacant position of assistant staff counsel also attended. Members not attending were: The Hon. Daniel F. Donahue, Sen. Timothy Lanane, Sen. Joseph C. Zakas, Rep. Ralph M. Foley, and Rep. Bob Kuzman.

1. Chairman Norman Lefstein started the meeting by introducing Deborah Neal, candidate for the assistant staff counsel to the Commission. Ms. Neal had been interviewed by the designated subcommittee, and interviewed by the Executive Director of State Court Administration Ms. Lilia Judson, who recommended Ms. Neal to Indiana Chief Justice Randall T. Shepard for the open position. If approved, the Commission staff will be in the best position that it has ever been.
2. The minutes from the September 15, 2005 meeting were reviewed and approved as submitted. Ms. Bettye Lou Jerrell made the motion for the approval of the minutes. Susan Carpenter seconded the motion and the motion carried.
3. The Commission then discussed the recently adopted guideline outlining the penalty for late requests for reimbursement in non-capital cases. Chairman Lefstein pointed out that ambiguity exists in the language of the guideline. In particular, the word "claim" has no clear definition, and that the Commission may want to amend the recent guideline to address the issue.
4. Next, the Chairman Lefstein introduced the issue involving Marion County's failure to provide a request for reimbursement prior to the 65-day deadline. A letter written by David Cook, Chief Public Defender of the Marion County Public Defender Agency was discussed. After lengthy discussion of the impact and consequences of total denial of the request as appropriate under the guideline, and the circumstances outlined in the letter, the Commission determined the appropriate course of action would be to consider the language of the guideline, which states: "*(u)pon written request demonstrating good cause, the Commission will consider setting aside the denial of a late claim*", as applicable in this situation. However, the good cause determination would be held in abeyance until proof of caseload compliance is demonstrated, and the required forms are submitted. A letter will be written to Mr. Cook advising, that given the nature of this apparently exceptional situation, this consideration would be offered only once. As a further result of this discussion, the Commission determined that the necessary language defining a "claim" will be added to the recently adopted guideline as follows:

12-15-05 Amended Guideline

To be eligible for maximum reimbursement, claims in non-capital cases must be received by the Commission not later than forty-five (45) days after the end of the calendar quarter in which they were incurred. Claims received 1 to 10 days later than 45 days after the end of the calendar quarter will be penalized 10% of the maximum eligible reimbursement. Claims received 11 to 20 days later than 45 days after the end of the calendar quarter will be penalized 25% of the maximum eligible reimbursement. The Commission will deny all late claims received more than 65 days after the end of the calendar quarter. A "claim" as used in this guideline includes all requested financial information relating to defense expenditures, caseload information in proper spreadsheet format, attorney qualifications and verifications. Upon written request demonstrating good cause, the Commission will consider setting aside the denial of a late claim. Whether a county's quarterly claim is timely, late or denied, caseload data must be submitted for public defender offices, contract attorneys and assigned counsel.

Motion was made by Ms. McClure, seconded by Ms. Carpenter and it carried.

5. The Commission next discussed the Marion County Criminal Modest Means Program, and the potential conflict with Standard C of the Standards for Indigent Defense Services in Non-Capital Cases. Failure to comply with the Commission Standards could jeopardize approximately \$2 million of annual reimbursement that Marion County receives from the Public Defender Commission. More information is required and the issue was tabled until the April meeting.
6. Michael Murphy discussed the Staff activities contained in the Staff Report.
7. Ms. Rebecca McClure announced that this would be her last meeting with the Commission. She has been appointed by the Governor to the position of Boone Superior Court Judge. She will begin in that capacity January 1, 2006. The Commission members congratulated her on her accomplishment and reminisced about old times as a Commission member.
8. The Commission discussed the requested Misdemeanor caseload information and apparent lack of data. While some counties seem reticent to provide the information, others indicate they do not handle misdemeanors. Consensus was that continued effort to gather information is appropriate to ascertain the conditions in the counties.
9. Discussion of the financial balance of the Public Defense Fund resulted in the decision to delay reimbursement of the 3rd Quarter requests until after January 1, 2006, thereby allowing full reimbursement of eligible amounts.
10. The Commission next discussed the necessity to repeal an earlier guideline to Standard G,

which stated:

(if the Chief Public Defender is not paid in compliance with guidelines, the Commission will not reimburse a county for any portion of the Chief Public Defender's salary; however, the Commission will not reject the county's entire claim.

Due to the recently-passed Judicial Salary Increase legislation, which included Prosecutor salaries, the Commission determined that this guideline was in direct conflict with the requirement that Chief Public Defender Salaries be "substantially comparable" to Prosecutor salaries. Ms. Foster made the motion. Ms. Carpenter seconded the motion and the motion carried. (Ms. McClure cast her "in favor of" vote via telephone to Mr. Murphy at 3:45 pm on 12-16-05).

11. The Commission discussed a letter from Vanderburgh County concerning use of supplemental fund moneys. Ms. Jerrell is aware of the situation, would look into it and report to the Commission in April, if necessary.
12. The Commission addressed claims for 50% reimbursement in capital cases as follows:

Recommendations for Reimbursements in Capital Cases			
12/15/05			
COUNTY	DEFENDANT	CASE CHRONOLOGY	TOTAL
Clark	Melcher		\$4,112.00
Lake	Aki-Khuam(Williams)	X	\$12,783.49
	Britt	X	\$10,539.27
	Jeter	X	\$6,812.05
	Maust	X	\$6,691.97
	Roche	X	\$4,422.15
Madison	Baer		\$20,295.49
Marion	Adams	X	\$2,142.65
	Bomani (Davis)	X	\$978.75
	Holland	X	\$13,406.54
	Holland #2	X	\$7,024.50

	Voss	X	\$6,463.50
Morgan	Pruitt	X	\$10,182.52
Spencer	Ward		\$1,646.98
Vanderburgh	McManus	X	\$540.00
TOTAL			\$108,041.86

Ms. Jerrell made the motion for the approval of the submitted 50% reimbursement in capital cases. Ms Carpenter seconded the motion, and the motion carried (Ms. McClure cast her "in favor of" vote by telephone to Mr. Murphy at 3:45 pm on 12-16-05).

13. The Commission addressed claims for 40% reimbursement in non-capital cases as follows:

Recommendations for Reimbursements in Non-Capital Cases						
County	Penalty Factor	Period Covered	12/15/05			
			Total Expenditure	Adjustment	Eligible Expenditure	Reimbursement
ADAMS	0.00	7/1/05 - 9/30/05	\$56,944.29	\$8,481.06	\$48,463.23	\$19,385.29
ALLEN	0.00	7/1/05 - 9/30/05	\$686,653.86	\$0.00	\$686,653.86	\$274,661.54
BENTON	1.00	7/1/05 - 9/30/05	\$10,143.76	\$0.00	\$10,143.76	\$0.00
BLACKFORD	1.00	7/1/05 - 9/30/05	\$29,329.60	\$0.00	\$29,329.60	\$0.00
CARROLL	1.00	7/1/05 - 9/30/05	\$31,965.06	\$0.00	\$31,965.06	\$0.00
CLARK	0.00	7/1/05 - 9/30/05	\$101,114.64	\$0.00	\$101,114.64	\$40,445.86
DECATUR	1.00	7/1/05 - 9/30/05	\$27,985.80	\$0.00	\$27,985.80	\$0.00
FAYETTE	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
FLOYD	0.00	7/1/05 - 9/30/05	\$150,341.30	\$0.00	\$150,341.30	\$60,136.52
FOUNTAIN 2Q05	1.00	4/1/05 - 6/30/05	\$21,402.94	\$0.00	\$21,402.94	\$0.00
FOUNTAIN 3Q05	0.00	7/1/05 - 6/30/05	\$15,149.94	\$3,412.15	\$11,737.79	\$4,695.12
FULTON	0.00	7/1/05 - 9/30/05	\$41,013.05	\$12,089.08	\$28,923.97	\$11,569.59
GRANT	1.00	7/1/05 - 9/30/05	\$130,465.00	\$9,284.03	\$121,180.97	\$0.00
GREENE	0.00	7/1/05 - 9/30/05	\$49,632.31	\$12,732.90	\$36,899.41	\$14,759.76
HANCOCK	0.00	7/1/05 - 9/30/05	\$91,120.72	\$0.00	\$91,120.72	\$36,448.29
HENRY	0.00	7/1/05 - 9/30/05	\$97,641.21	\$21,869.04	\$75,772.17	\$30,308.87
JASPER	0.00	7/1/05 - 9/30/05	\$32,388.21	\$9,201.20	\$23,187.01	\$9,274.80
JAY	0.00	7/1/05 - 9/30/05	\$41,412.55	\$5,987.36	\$35,425.19	\$14,170.08
JENNINGS	0.00	7/1/05 - 9/30/05	\$46,382.14	\$6,548.07	\$39,834.07	\$15,933.63

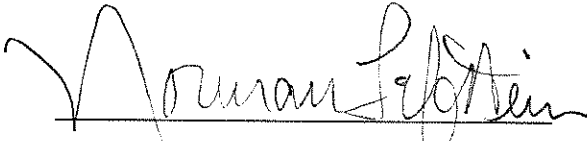
KNOX	0.10	7/1/05 - 9/30/05	\$167,116.24	\$55,045.83	\$112,070.41	\$40,345.35
KOSCIUSKO**	0.00	7/1/05 - 9/30/05	\$95,708.38	\$0.00	\$95,708.38	\$38,283.35
LAKE	0.10	7/1/05 - 9/30/05	\$744,855.73	\$0.00	\$744,855.73	\$268,148.06
LAPORTE	0.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
MADISON***	0.00	7/1/05 - 9/30/05	\$398,509.77	\$120,143.10	\$278,366.67	\$111,346.67
MARION	1.00	7/1/05 - 9/30/05	\$1,790,840.57	\$0.00	\$1,790,840.57	\$0.00
MARTIN	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
MIAMI	1.00	7/1/05 - 9/30/05	\$75,987.58	\$7,950.82	\$68,036.76	\$0.00
MONROE	0.00	7/1/05 - 9/30/05	\$216,961.42	\$25,404.07	\$191,557.35	\$76,622.94
MONTGOMERY	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
NEWTON	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
NOBLE	0.00	7/1/05 - 9/30/05	\$59,919.98	\$5,656.83	\$54,263.15	\$21,705.26
OHIO	0.00	7/1/05 - 9/30/05	\$8,877.20	\$3,284.56	\$5,592.64	\$2,237.06
ORANGE	0.00	7/1/05 - 9/30/05	\$51,986.08	\$8,603.10	\$43,382.98	\$17,353.19
PARKE	0.00	7/1/05 - 9/30/05	\$18,990.33	\$0.00	\$18,990.33	\$7,596.13
PERRY	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
PIKE	1.00	7/1/05 - 9/30/05	\$56,363.40	\$0.00	\$56,363.40	\$0.00
PULASKI	1.00	7/1/05 - 9/30/05	\$24,384.09	\$12,482.33	\$11,901.76	\$0.00
RUSH	0.00	7/1/05 - 9/30/05	\$41,253.23	\$15,952.70	\$25,300.53	\$10,120.21
SCOTT	0.00	7/1/05 - 9/30/05	\$52,311.53	\$18,748.03	\$33,563.50	\$13,425.40
SHELBY	0.00	7/1/05 - 9/30/05	\$74,773.77	\$6,003.73	\$68,770.04	\$27,508.02
SPENCER	0.00	7/1/05 - 9/30/05	\$23,618.75	\$8,244.10	\$15,374.65	\$6,149.86
STEUBEN	1.00	4/1/05 - 6/30/05	\$75,018.34	\$23,121.14	\$51,897.20	\$0.00
SULLIVAN	0.00	7/1/05 - 9/30/05	\$16,593.74	\$6,331.82	\$10,261.92	\$4,104.77
SWITZERLAND	0.00	7/1/05 - 9/30/05	\$27,408.69	\$10,182.77	\$17,225.92	\$6,890.37
TIPPECANOE	0.00	7/1/05 - 9/30/05	\$278,354.56	\$111,295.70	\$167,058.86	\$66,823.54
UNION	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
VANDEBURGH	0.00	7/1/05 - 9/30/05	\$388,812.20	\$0.00	\$388,812.20	\$155,524.88
VERMILLION	0.00	7/1/05 - 9/30/05	\$22,697.51	\$5,842.01	\$16,855.50	\$6,742.20
VIGO	0.00	7/1/05 - 9/30/05	\$317,855.72	\$68,907.00	\$248,948.72	\$99,579.49
WARREN	0.00	7/1/05 - 9/30/05	\$8,718.00	\$0.00	\$8,718.00	\$3,487.20
WASHINGTON	1.00	7/1/05 - 9/30/05	\$64,299.00	\$26,275.88	\$38,023.12	\$0.00
WELLS	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
WHITE	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
WHITLEY	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL			\$6,763,302.19	\$629,080.41	\$6,134,221.78	\$1,515,783.30

ADJUSTMENTS as of 11/22/05								
Adams -- non-reimbursable misdemeanors								
Benton -- no caseload spreadsheets- only vouchers								
Blackford -- no standard form - no caseload spreadsheets								
Carroll -- no caseload spreadsheets - no attorney compensation								
Decatur -- no standard form - no caseload spreadsheets								
Fayette -- No submission								
Fountain 2Q05 -- more than 65 days after end of quarter								
Fountain -- non-reimbursable misdemeanors								
Fulton -- non-reimbursable misdemeanors, chins and status cases								
Grant -- no caseload spreadsheets								
Greene -- non-reimbursable misdemeanors								
Henry -- non-reimbursable misdemeanors and chins cases								
Jasper -- non-reimbursable misdemeanors								
Jay -- non-reimbursable misdemeanors								
Jennings -- non-reimbursable misdemeanors								
Knox -- LATE -10% non-reimbursable misdemeanors and others								
Laporte -- incomplete forms - auditor certified different amount								
Lake -- LATE -10%								
Madison -- non-reimbursable misdemeanors and status cases								
Marion -- LATE -100%-no caseload spreadsheets, except juvenile								
Martin -- No submission								
Miami -- continued non-compliance - No Chief PD								
Monroe -- non-reimbursable misdemeanors and chins cases								
Montgomery -- No total expenditure or requested amount								
Newton -- No submission								
Noble -- non-reimbursable misdemeanors								
Ohio -- non-reimbursable misdemeanors								
Orange -- non-reimbursable misdemeanors								
Perry -- No submission								
Pike -- no standard forms - no caseload spreadsheets								
Pulaski -- incomplete, separate forms - missing caseload data								
Rush -- non-reimbursable misdemeanors and chins cases								
Scott -- non-reimbursable misdemeanors, chins and status cases								
Shelby -- non-reimbursable misdemeanors and chins cases								
Spencer -- non-reimbursable misdemeanors and others								
Steuben -- no standard forms - no caseload spreadsheets								
Sullivan -- non-reimbursable misdemeanors								
Switzerland -- non-reimbursable misdemeanors, chins and others								
Tippecanoe -- non-reimbursable misdemeanors and others								
Union -- No submission								

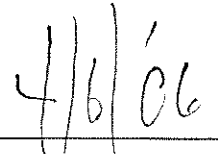
Vermillion -- non-reimbursable misdemeanors and others				
/igo -- non-reimbursable misdemeanors and others				
Warren -- LATE 10% - caseload data based on vouchers, not cases				
Washington -- no standard forms				
Wells -- No submission				
White -- No submission				
Whitley -- No submission				
NOTES				
** 85 cases, \$95,000 (3rd quarter) vs. 103 cases, \$72,000 (2nd quarter)!				
*** 3 part-time attorneys are assigned -- 962 juvenile and other cases in 3rd quarter				
-- 943 juvenile and other cases in 2nd quarter				

Ms. Carpenter made the motion for reimbursement as shown. Ms. Jerrell seconded the motion, and the motion carried (Ms. McClure cast her "in favor of" vote by telephone to Mr. Murphy at 3:45 pm on 12-16-05).

14. The meeting adjourned at 4:50 p.m. with the next meeting scheduled for April 6, 2006.



 Norman Lefstein, Chairman



 Date

INDIANA PUBLIC DEFENDER COMMISSION

Recommendations for Reimbursements in Non-Capital Cases

12/15/05						
County	Penalty Factor	Period Covered	Total Expenditure	Adjustment	Eligible Expenditure	Reimbursement
ADAMS	0.00	7/1/05 - 9/30/05	\$56,944.29	\$8,481.06	\$48,463.23	\$19,385.29
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BENTON	1.00	7/1/05 - 9/30/05	\$10,143.76	\$0.00	\$10,143.76	\$0.00
BLACKFORD	1.00	7/1/05 - 9/30/05	\$29,329.60	\$0.00	\$29,329.60	\$0.00
CARROLL	1.00	7/1/05 - 9/30/05	\$31,965.06	\$0.00	\$31,965.06	\$0.00
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DECATUR	1.00	7/1/05 - 9/30/05	\$27,985.80	\$0.00	\$27,985.80	\$0.00
FAYETTE	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
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LAPORTE	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
MADISON***	0.00	7/1/05 - 9/30/05	\$398,509.77	\$120,143.10	\$278,366.67	\$111,346.67
MARION	1.00	7/1/05 - 9/30/05	\$1,790,840.57	\$0.00	\$1,790,840.57	\$0.00
MARTIN	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
MIAMI	1.00	7/1/05 - 9/30/05	\$75,987.58	\$7,950.82	\$68,036.76	\$0.00
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NEWTON	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
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PERRY	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
PIKE	1.00	7/1/05 - 9/30/05	\$56,363.40	\$0.00	\$56,363.40	\$0.00
PULASKI	1.00	7/1/05 - 9/30/05	\$24,384.09	\$12,482.33	\$11,901.76	\$0.00
RUSH	0.00	7/1/05 - 9/30/05	\$41,253.23	\$15,952.70	\$25,300.53	\$10,120.21
SCOTT	0.00	7/1/05 - 9/30/05	\$52,311.53	\$18,748.03	\$33,563.50	\$13,425.40
SHELBY	0.00	7/1/05 - 9/30/05	\$74,773.77	\$6,003.73	\$68,770.04	\$27,508.02
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SWITZERLAND	0.00	7/1/05 - 9/30/05	\$27,408.69	\$10,182.77	\$17,225.92	\$6,890.37
TIPPECANOE	0.00	7/1/05 - 9/30/05	\$278,354.56	\$111,295.70	\$167,058.86	\$66,823.54
UNION	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
VANDEBURGH	0.00	7/1/05 - 9/30/05	\$388,812.20	\$0.00	\$388,812.20	\$155,524.88
VERMILLION	0.00	7/1/05 - 9/30/05	\$22,697.51	\$5,842.01	\$16,855.50	\$6,742.20
VIGO	0.00	7/1/05 - 9/30/05	\$317,855.72	\$68,907.00	\$248,948.72	\$99,579.49
WARREN	0.00	7/1/05 - 9/30/05	\$8,718.00	\$0.00	\$8,718.00	\$3,487.20
WASHINGTON	1.00	7/1/05 - 9/30/05	\$64,299.00	\$26,275.88	\$38,023.12	\$0.00
WELLS	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
WHITE	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
WHITLEY	1.00	7/1/05 - 9/30/05	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL			\$6,763,302.19	\$629,080.41	\$6,134,221.78	\$1,515,783.30

ADJUSTMENTS as of 11/22/05

Adams -- non-reimbursable misdemeanors						
Benton -- no caseload spreadsheets- only vouchers						
Blackford -- no standard form - no caseload spreadsheets						
Carroll -- no caseload spreadsheets - no attorney compensation						
Decatur -- no standard form - no caseload spreadsheets						
Fayette -- No submission						
Fountain 2Q05 -- more than 65 days after end of quarter						
Fountain -- non-reimbursable misdemeanors						
Fulton -- non-reimbursable misdemeanors, chins and status cases						
Grant -- no caseload spreadsheets						
Greene -- non-reimbursable misdemeanors						
Henry -- non-reimbursable misdemeanors and chins cases						
Jasper -- non-reimbursable misdemeanors						
Jay -- non-reimbursable misdemeanors						
Jennings -- non-reimbursable misdemeanors						
Knox -- LATE -10% non-reimbursable misdemeanors and others						
Laporte -- incomplete forms - auditor certified different amount						
Lake -- LATE -10%						
Madison -- non-reimbursable misdemeanors and status cases						
Marion -- LATE -100%-no caseload spreadsheets, except juvenile						
Martin -- No submission						
Miami -- continued non-compliance - No Chief PD						
Monroe -- non-reimbursable misdemeanors and chins cases						
Montgomery -- No total expenditure or requested amount						
Newton -- No submission						
Noble -- non-reimbursable misdemeanors						
Ohio -- non-reimbursable misdemeanors						
Orange -- non-reimbursable misdemeanors						

Perry -- No submission					
Pike -- no standard forms - no caseload spreadsheets					
Pulaski -- incomplete, separate forms - missing caseload data					
Rush -- non-reimbursable misdemeanors and chins cases					
Scott -- non-reimbursable misdemeanors, chins and status cases					
Shelby -- non-reimbursable misdemeanors and chins cases					
Spencer -- non-reimbursable misdemeanors and others					
Steuben -- no standard forms - no caseload spreadsheets					
Sullivan -- non-reimbursable misdemeanors					
Switzerland -- non-reimbursable misdemeanors, chins and others					
Tippecanoe -- non-reimbursable misdemeanors and others					
Union -- No submission					
Vermillion -- non-reimbursable misdemeanors and others					
Vigo -- non-reimbursable misdemeanors and others					
Warren -- LATE 10% - caseload data based on vouchers, not cases					
Washington -- no standard forms					
Wells -- No submission					
White -- No submission					
Whitley -- No submission					
NOTES					
** 85 cases, \$95,000 (3rd quarter) vs. 103 cases, \$72,000 (2nd quarter)!					
*** 3 part-time attorneys are assigned -- 962 juvenile and other cases in 3rd quarter					
-- 943 juvenile and other cases in 2nd quarter					