

# GEORGIA PUBLIC DEFENDER STANDARDS COUNCIL

## Minutes of Regular Meeting

January 4, 2008

The regular meeting of the Georgia Public Defender Standards Council was held on Friday, January 4, 2008, at the office of the Standards Council, 104 Marietta Street, Suite 200, Atlanta, GA 30303.

Council members present were Wilson DuBose (Chairman), Stephen Tillman (Vice Chairman), David Dunn (Secretary), Lee Morris, Donald Oliver, Wyc Orr, Bill Rumer, Judge Mark Scott, and Jerry Word.

### CALL TO ORDER

Chairman DuBose declared a quorum and called the meeting to order at 10:20 AM.

### APPROVAL OF MINUTES

Chairman DuBose presented the minutes from the last Standards Council meeting held on August 24, 2007. Lee Morris made a motion to approve, motion was seconded by Wyc Orr and adopted unanimously.

### PUBLIC COMMENT

There were no public comments.

### ACTION ITEMS:

Council member David Dunn presented the **Standards** for action and notice:

#### Standards for action:

Standard # 11-Definition of a Case – Dunn stated that this standard was presented to the council at the last meeting and was noticed for 30 days. No comments were received verbally or in writing.

#### Standards for notice:

Standard # 5-Standards for conflict counsel (for notice) Approved

Standard # 6-Standard for compensating experts (for notice) Approved

Council member David Dunn presented **Policies & Procedures** for action.

#### Policies & Procedures presented for action:

39-07 (Policy on State Property Control) Motion to approve by Jerry Word, second by Lee Morris. Unanimous vote to approve.

42-07 (Policy on Employee Separation and Return of State Property). Motion to approve by Steve Tillman, second by Jerry Word. Unanimous vote to approve.

**Opt Out Circuit Memorandum of Understanding:**

Motion to approve by Jerry Word, second by David Dunn. Unanimous vote to approve.

**DISCUSSION ITEM:**

The Joint Legislative Study Committee has met 4 times, with one more meeting before the Legislative session begins. New legislation is being drafted that will affect GPDSC.

Discussion of possible changes and responses.

A motion to authorize the Chairman of the GPDSC to represent the Council to the Study Committee was made by Bill Rumer and seconded by Don Oliver. Approval was unanimous.

**ATTORNEY GENERAL'S OFFICE PRESENTATIVE:**

Stefan Ritter gave a comprehensive report on the Open Records and Open Meetings Law and the implications for GPDSC.

**DIRECTOR'S REPORT**

GPDSC Director Mack Crawford said that funding is still not available, but court dates are still being set and necessitating his appearance to explain the financial bind that the agency is in. He reported that he has been asked by the GBI to participate on a panel to study protocol for crime labs. This will involve 3-4 trips to Washington D.C.

**OTHER REPORTS**

Compliance – Deputy Director Nolan Martin

Capital Defenders – Jerry Word reported on in-house training, the heavy case load the attorneys are working under and the funding crisis for expert witnesses.

Financial – Deputy Director Sarah Haskin

**EXECUTIVE SESSION**

Council member Word moved that the Council go into Executive Session to discuss pending litigation and personnel issues, Council member Scott seconded. The motion to go into executive session was approved unanimously.

The Council reconvened in regular session at 1:20 PM. Chairman DuBose presided and Judge Scott made a motion that the council find probable cause to remove Larry Schneider, (\*\*second.) The motion was approved. Executive session was adjourned.

Council Chair Dubose announced a short break

Vice-Chair Steve Tillman called the Council back to order in regular session at 2:45 PM and a motion was made to go into Executive Session to discuss possible litigation. The Executive session adjourned and Vice-Chair Tillman reconvened the Council in Regular session at 3:57 PM

Council member Oliver made a motion and \*\*\*\*\* seconded asking that the staff prepare a Motion concerning the Nichols case.

Council member Rumer made a motion to adjourn and was seconded by Judge Scott. The meeting was adjourned at 4 PM.

There will be a Special Call meeting January 18, 2008. The date for next regular meeting is Friday, February 15, 2008, 2008.

These minutes are respectfully submitted this 4<sup>th</sup> day of January, 2008 and adopted this \_\_\_\_\_ day of January, 2008

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David Dunn, Secretary

Guests and Staff