

GEORGIA PUBLIC DEFENDER STANDARDS COUNCIL

Minutes of a Regular Meeting

July 20, 2007

10:30 AM

The regular meeting of the Georgia Public Defender Standards Council (Standards Council), an independent state agency within the executive branch, was held on Friday, July 20, 2007, at the office of the Standards Council, 104 Marietta Street, Suite 200, Atlanta, GA 30303.

Council members present included: Chairman Wilson DuBose, Council Secretary David Dunn, Jerry Word, Wyc Orr, Paul Kurtz, Hon. Mark Anthony Scott, Lee Morris, Bill Rumer, and Hon. Willie Lockette (via telephone conference).

Staff members present included: Managing Deputy Director Sarah Haskin, Deputy Director Nolan Martin, General Counsel Cindy Wang, Capital Defender Chris Adams, Mental Health Advocate Sabrina Rhinehart, Training Director Burt Baker, Government Relations Manager Christie Crane, Complex Conflict Litigator Jan Hankins, Metro Conflict Defender Bentley Adams, and Carl Greenberg.

Circuit public defenders present included Michael Edwards and Tim Eidson.

Stefan Ritter and DeBrae Kennedy from the Attorney General's Office were present during the meeting.

I. CALL TO ORDER

Chairman Wilson DuBose called the meeting to order and declared a quorum at 11:00 AM.

II. APPROVAL OF MINUTES

The previously distributed minutes from the June 9, 2007 Council meeting were approved upon motion by Council Secretary David Dunn.

III. PUBLIC COMMENTS

There were no public comments.

IV. ACTION ITEMS

A. Proposed Amendment to Council bylaws.

Council member Paul Kurtz moved to adopt the previously distributed proposed amendment #2 to the Council bylaws which inserted a new subsection 6.5.1. The motion was seconded and adopted 7-1 with Council member Mark Anthony Scott opposing the motion.

Eastern Judicial Circuit Public Defender, Michael Edwards, was selected by the circuit public defenders as their representative.

- B. Appointment of New Director.**

Council member Scott moved to appoint Mr. Mack Crawford as the new director. The motion was seconded by Council member Bill Rumer and adopted unanimously with Council Secretary Dunn and Council member Word abstaining.
- C. Removal of freeze on pay increases in circuit defender offices.**

Council Secretary Dunn moved to remove the freeze. The motion was seconded and adopted unanimously.
- D. Ratify renewal of JCATS annual contract.**

Council member Kurtz moved to ratify the renewal. The motion was seconded and adopted unanimously.
- E. Proposed Technical Amendments to Council bylaws.**

Council member Kurtz moved to adopt the proposed amendments to the Council bylaws which were necessitated by the transfer into the executive branch. The motion was seconded and adopted unanimously.
- F. Grant awarded to Georgia Capital Defender office.**

Council member Lee Morris moved to approve grant. Motion was seconded and adopted unanimously.
- G. SQL Server Upgrade Contract.**

Council Secretary Dunn moved to approve the server upgrade which will allow for faster processing of JCATS data entries. Motion was seconded and adopted unanimously.
- E. Initiation of Removal Procedures.**

Council member Kurtz moved to find that there is probable cause as defined in Sections 1 (a) and 1 (c) of the Standard to Remove a Circuit Public Defender for Cause to initiate removal procedures against Mr. James Collins as the Middle Judicial Circuit Public Defender. The motion was seconded and adopted 7-1 with Council Secretary Dunn opposing the motion.

VI. MANAGING DEPUTY DIRECTOR'S REPORT

Because the contents of the report consisted solely of litigation and personnel matters, Managing Deputy Director Sarah Haskin requested that her report be given during executive session. The Council agreed by unanimous consent.

VII. OTHER REPORTS

- A. Compliance, Training & IT Report.**

Deputy Director Nolan Martin reported that the number of conflict cases has decreased. However, the caseload for the circuit public defender offices has increased from 210 cases per attorney to 225 cases per

attorney. The compliance rate for the 72 hour rule is 94%. To illustrate the efficiency of the circuit public defender offices, Deputy Director Martin reported that the cost per case for the circuit public defender offices is \$374.18 compared to the \$625.32 cost per case for the circuits with the alternative delivery systems.

Training Director Burt Baker also reported on the upcoming training events. They are also working with the technology staff to work on providing training materials on the website.

B. Office of the Georgia Capital Defender's Report.

Capital Defender Chris Adams reported that the budgeted amount for conflict death penalty cases is \$519,000. There is \$240,000 in outstanding bills.

C. Financial Report.

Managing Deputy Director Haskin reported that as of July 18, 2007, the Indigent Defense Fund has collected \$2.6 million. For Fiscal Year 2007, the Indigent Defense Fund collected a total of \$43.3 million. The Council is a little over budget going into Fiscal Year 2008. However, staff is working on reducing expenditures. The reserves will not be replenished.

D. Legislative Report.

Managing Deputy Director Haskin informed the Council that the legislative General Oversight Committee will be meeting on July 23rd at 9:30 AM. Additionally, the budget request for Fiscal Year 2009 will be due by September 1, 2007.

VIII. EXECUTIVE SESSION

The Council had two executive sessions. The first was prior to the appointment of the director to deliberate on the issue. Council member Morris moved to go into executive session to deliberate on the appointment of the director to replace Michael Mears. Council member Jerry Word seconded. Council members Morris, Word, Dunn, Scott, Lockette, Kurtz, Rumer, and Orr voted for closure. After deliberation, Council member Kurtz moved to go out of executive session. The motion was seconded and adopted unanimously.

Council member Kurtz moved to go into executive session to discuss personnel and pending litigation issues. Council member Scott seconded. Council members Orr, Word, Kurtz, Scott, Dunn, Rumer, and Morris voted for closure. After discussion of personnel and litigation matters, Council member Kurtz moved to exit out of executive session. The motion was seconded and adopted unanimously.

IX. FUTURE MEETINGS

The tentative date for the next regularly scheduled meeting is Friday, September 7, 2007 @ 10:00 AM; however, the Council may need to meet sooner to discuss the budget request.

X. ADJOURNMENT

The meeting was adjourned at 2:32 PM.

These minutes are respectfully submitted this ____ day of August, 2007, and adopted this 24th day of August, 2007.

David Dunn, Secretary