

Georgia Public Defender Standards Council
Meeting Minutes
October 24, 2003

Meeting was called to order at 10:15 AM. Quorum was declared.

Seven Council members were present. Two ex-officio members were present. Judge Lockette, Judge Hancock, Michelle Henderson, Evelyn Pugh, and Russell Gabriel could not attend.

Motion was made to approve the minutes from the October 3, 2003 meeting, approved.

New Business:

Fines, Fees & Forfeitures – Chairman Bondurant relayed to the council that he has been told that the Georgia General Assembly feel comfortable about finding the funds for indigent defense. Chairman Bondurant will try to meet with the Governor and find out what information they need from us.

Information Technology Manager Search – Natasha Silas

The board reviewed and approved the posting for the new technology manager position. Funding was located within the GIDC's operating budget to fund the position at a level of \$65,000. The posting will go out and will close on December 15th. The person selected will come on board on January 1, 2004. Natasha Silas will head up the search committee for this individual. The main duties of the position will be project management, data collection, and maintaining the website.

Association of County Commissioners Indigent Defense Committee

Sarah Haskin reported that the ACCG has appointed a committee to work on the transition to the new statewide indigent defense system. Bud Sanders from Greene County chairs the committee. Staff have been working very closely and been very involved in working with the county commissioners. The ACCG's platform calls for 100% state funding for indigent defense. Chiquita Johnson, Deputy Counsel for the ACCG attended the meeting and reported that ACCG is committed to lessening the burden of indigent defense on the counties. Ms. Johnson distributed a handout regarding their Indigent Defense Legislative Priority. Chairman Bondurant has agreed to sit as a member of the ACCG's committee, Wilson DuBose will sit in on meetings that the Chair cannot attend. Wyc Orr pointed out that it is a priority for us to maintain a close relationship with the ACG based on our historical alliance with them and their key role in making this work. ACCG hopes to have a model implementation program to help demonstrate to the counties how to implement indigent defense programs in their counties.

Cordele Judicial Circuit Lawsuit

Chairman Bondurant reported that the 15 GIDC council members and director have been named as defendants in the Cordele lawsuit. GIDC has delayed distribution of funds to

the four counties in the Cordele Circuit based on allegations made by the Southern Center for Human Rights that the circuit is not meeting the 72 hour rule listed in the Supreme Court Guidelines as well as several other guidelines. The Council has written a letter to the circuit asking for a response to the allegation.

GIDC/GPDSC Joint Meeting

The GIDC is holding its last scheduled quarterly meeting on November 14, 2003. Since the GPDSC is scheduled to hold interviews that day it was determined that the two councils will hold a brief joint meeting in the morning commencing at 9:30 a.m.

Appointment Form for Selection Panels

Chairman Bondurant has drafted a letter and appointment form to send to the 5 appointing authorities for each local circuit public defender selection panel. The letter will go out next week and will request that the local 5-member panels be appointed before the end of this calendar year. We would like to try to bring the 49 circuit public defenders on staff by July 1, 2004 (3 months earlier than anticipated). This is pending availability of funds. This will give the circuit panels 6 months to recruit and hire the circuit public defender and will give the circuit defender 6 months to set up his/her office(s) and recruit staff.

Committee Reports

Update of Executive Director Search – Paul Kurtz

Paul Kurtz reported that 19 applications were received to date. The selection panel is scheduled to meet via conference call on Tuesday to review what has been received so far. The number of candidates to be interviewed will probably be reduced to single digits. Paul Kurtz said that there should be a standards list of questions asked to each candidate during the interview and then other questions can be asked. Interviews will be held on November 14, 2003. A full list of the candidates that have applied will be released after the posting deadline of November 10th. Candidates who have asked to remain confidential will have an opportunity to withdraw before the list is published.

Legislative Review Committee – Ed Hine

Ed Hine distributed the list of technical and substantive amendments to House Bill 770. He reported that we will either wait for the appropriate vehicle, or if approved by the Speaker, will engross the bill with the proposed changes. Sarah Haskin reported that the Speaker may be willing to assist with this process. *Motion to approve technical amendments, seconded, approved.*

Determination of Indigency – Michelle Henderson Postponed.

Caseload Standards / Definition of a Case – Judge Lockette

Jerry Word distributed proposed caseload survey to be distributed to indigent defense attorneys around the state. *Motion to approve survey, seconded, approved.*

Performance Standards – Jerry Word

Word reported that Mike Mears has drafted performance standards. He asked everyone to review the standards Mears drafted. There was a comment that we should seek input from GACDL on setting performance standards. Word reported that Mears will be discussing death penalty performance standards at the GACDL seminar at Unicoi.

Compensation for Appointed Counsel – Ed Hine

Ed Hine reported that his committee met via conference call. This committee is still seeking input from bar associations and others. They reviewed a report on overhead expenses for attorneys published by Justice Huntstein. They are still looking at sticking with the current rate of \$45/\$60 per hour.

Georgia Capital Defender Personnel & Salary Handbook – Michael Mears

Michael Mears presented a salary handbook for the capital defender's office that was prepared by the Georgia Merit System. Mears office contracted with the merit system to prepare the handbook. It lists job descriptions, salary ranges, and evaluation tools for each position level. The merit system performed a market analysis on each position to determine the appropriate salary range.

Announcements

The GPDSC has a website at www.gpdsc.com

Other

Motion was made to appoint Evelyn Turner-Pugh as the Council's Treasurer. *Motion seconded, approved.*

Materials

Notebook on Court fines, fees & forfeitures
Georgia Capital Defender Personnel & Salary Handbook

Future Meetings:

Future Meeting Date: Friday, November 14, 2003 at 9:30 a.m.
Friday, November 21, 2003 at 10:00 a.m.
Friday, December 12, 2003 at 10:00 a.m.

Meeting was adjourned.