

Georgia Public Defender Standards Council

MINUTES

3/22/2013

11:00 AM

GPDSC CENTRAL OFFICE, SUITE 200
104 Marietta Street NW, Atlanta GA 30303

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| MEETING CALLED BY | Chairman Ron Cross |
| TYPE OF MEETING | Regular Meeting |
| FACILITATOR | W. Travis Sakrison, Executive Director |
| NOTE TAKER | Janet Hankins, Jessica Corey |
| COURT REPORTER | (Linda C. Ruggeri) - JPA Reporting, 404-853-1811 |
| ATTENDEES | Council members present: L. Morris, D. Sims, R. Cross, D. Seagraves, E. Tolley, G. Hodges (by phone). Other attendees included members of the Southern Center for Human Rights, Department of Audits and Accounts, and the Attorney General's Office, as well as Circuit Public Defenders and GPDSC Central Office staff. |

After a roll call, the meeting was called to order by Chairman Ron Cross 11:00 a.m.

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| APPROVAL OF AGENDA | R. CROSS | Agenda unanimously approved. |
| APPROVAL OF MINUTES | R. CROSS | Minutes from prior meeting unanimously approved. |
| DIRECTOR UPDATE | T. SAKRISON | <p>T. Sakrison thanked many attendees present for their hard work and dedication on various projects. He reported that GPDSC has been closely following many legislative initiatives, including the human trafficking task force, accountability courts, and the Department of Corrections' Pre-Sentencing Commission. T. Sakrison noted that many of these initiatives are favorable to the GPDSC. GPDSC also continues to pursue grant funding opportunities as they become available.</p> <p>T. Sakrison provided background on the original audit in 2011, and updated the Council on the progression and follow up, acknowledging attendee Emily Denis from the Department of Audits and Accounts. T. Sakrison specifically noted that GPDSC has taken the suggestions from the original audit and created a progressing, working system, and continues to improve. D. Seagraves noted that 22 circuits have completed training on the new application for indigent defense services, with 2 additional circuits scheduled for training in the near future. D. Seagraves remarked that the balance of the circuits will likely complete training in May and June. D. Seagraves plans to contact the circuits again in October to evaluate their progress, ensure they are on track, and address any questions or issues that may arise.</p> <p>D. Seagraves also updated the Council on the progress of the Indigency Verification Systems applications. T. Sakrison noted that a committee should likely be formed. E. Tolley and D. Seagraves volunteered to serve on the committee, which will review IVS applications from the Circuits. G. Hodges moved that the committee consisting of E. Tolley and D. Seagraves be created; L. Morris and D. Sims seconded. Motion approved unanimously.</p> |
| AUDIT UPDATE | T. SAKRISON / D. SEAGRAVES | |
| OPT-OUT CIRCUIT FOLLOW UP | T. SAKRISON | T. Sakrison gave an introduction of the Opt Out Annual Review process, including the statutory authority and noting the 6 circuits which originally opted to use their own alternative |

delivery systems for indigent defense. T. Sakrison noted that there have been some changes since the circuits opted out, and some of them may not yet be using the new application and procedures for verification of indigency. T. Sakrison also thanked J. Hankins for her work in creating the questionnaire and other forms the opt out circuits will use to respond to the Council's Annual Review. D. Sims and L. Morris volunteered to serve on a committee to oversee the Annual Review. D. Seagraves and E. Tolley moved for the creation of the committee, G. Hodges seconded. Motion unanimously approved.

T. Sakrison introduced J. Rodgers to speak on the new appeals assignment system, noting that the new system is a result of the Flournoy consent decree. J. Rodgers gave an overview of the new assignment system, noting that it now gathers more information that will help both the Appellate division and the defendant assess a case, particularly relating to Garland claims. J. Rodgers stated that the new process was created with three purposes in mind: 1) giving the defendant more information so he can make an informed decision, 2) reducing the number of arbitrary declarations of conflict, and 3) providing more information for the Appellate division and securing the necessary information to comply with the consent decree. She emphasized that the overall goal is to improve the representation of clients. She also noted that the system was tested as a pilot project in three circuits in January, and rolled out state-wide in early March.

APPEALS ASSIGNMENT SYSTEM

T. SAKRISON / J. RODGERS

T. Sakrison gave an overview of the FY13 amended budget, specifically noting that it successfully passed both the House and Senate. GPDSC managed to avoid large cuts, and will continue moving forward for FY14. GPDSC will move to a Zero-Based Budget in program 2, and is currently fully-funded plus \$1 million. For FY14, GPDSC expects to be funded at \$1.5 million over indigent defense fund collections.

2013-2014 BUDGET UPDATE

T. SAKRISON / A. ROSS

T. Sakrison delivered an update on several key pieces of legislation that passed through the Legislature this session, including several bills dealing with reforms in the criminal justice system. He noted that HB 242 focused on extensive reforms to the juvenile justice system, as well as indicating that there may be a need for additional training on the changes that will be implemented as part of the reforms. He emphasized that the legislature followed many of GPDSC's suggestions on the reforms, and that GPDSC will continue to monitor the reforms when they are implemented on 1/1/14.

LEGISLATIVE UPDATE

T. SAKRISON

T. Sakrison also updated the Council on HB 349, which specifically deals with mostly procedural reforms to the adult criminal justice system. GPDSC continues to monitor the reforms, and the legislature followed some of GPDSC's recommendations.

T. Sakrison additionally provided an update on the status and progress of GPDSC's legislative oversight committee. The Lt. Governor and Speaker of the House have appointed members to the committee, and additional appointments are forthcoming from the Governor's office. T. Sakrison noted that it will be a positive experience meeting with the members once the

committee is fully formed.

OTHER DISCUSSIONS

T. Sakrison noted that Jerry Word (Capital Defender) was recently interviewed by PBS's Prime Time Lawmakers during a segment on capital defense.

Additionally, he invited attendees to an awards luncheon following the Council Meeting to honor one of Georgia's legislators, as well as celebrating the 50th anniversary of *Gideon v. Wainwright*.

NEXT MEETING DATE

R. CROSS / COUNCIL

Three dates for the June council meeting were proposed to those present. Council members will check their schedules and follow up with GPDSC's Central Office staff regarding availability.

EXECUTIVE SESSION

R. Cross suggests the Council adjourn for executive session to discuss an update on pending litigation. L. Paris moved to adjourn to Executive Session. E. Tolley seconded. Motion unanimously approved. Council adjourned to executive session at 11:58am.

ADJOURNMENT

The Council reconvened, R. Cross announcing that litigation matters were discussed during executive session and no action was taken. E. Tolley moved to adjourn the meeting, L. Morris seconded. Motion unanimously approved.

Council meeting adjourned at 12:19pm.
