



PUBLIC NOTICE

Notice is hereby given to the public that the Louisiana Public Defender Board will meet at 1:30 p.m. on Thursday, September 27, 2018, at the Bluebonnet Regional Library, 9200 Bluebonnet Boulevard, Baton Rouge, LA.



LOUISIANA PUBLIC DEFENDER BOARD

Bluebonnet Regional Library
9200 Bluebonnet Boulevard
September 27, 2018
1:30 p.m.

AGENDA

1. Call to Order and Comments by Chairman, Frank Holthaus
Commendations: James H. "Jim" Looney; Robert E. Clark; Michelle Duncan and
the 20th District Public Defender Office
2. Adoption of the Agenda* pgs. 525-527
3. Call for Public Comment
4. Adoption the Minutes, July 17, 2018 Meeting* Tab 1, pgs. 528-533
5. Executive Session^{1, 2}
6. *Crimmins v. Goodwin*, Orleans Parish, Expert Post Conviction
Funding Request*. *Pro Bono attorneys for Jose Crimmins are seeking
post-conviction expert funding from the Board in the amount of \$2,000
for psychological testing.* Tab 2, pgs. 534-559
7. Fiscal and Budget Committee Report/Recommendations Tab 3
**The Budget Committee met on Sep. 12, 2018. Below are
actions/recommendations:**
 - a. Financial Report* pgs. 560-564
Approved the financial report through July 31, 2018 for Board adoption.
 - b. FY20 Budget Request*.
*Recommending a FY20 budget request of \$66,822,565 be submitted on
or before **the November 1, 2018 deadline** for the Legislature's consideration.*

¹ The Board may vote to go into executive session pursuant to La. R.S. 42:16 and 42:17 (formerly La. R.S. 42:6 and 42:6.1), by a two-thirds vote of the members present. The executive session is limited to matters allowed to be exempted from public discussion pursuant to La. R.S. 42:17, including strategy sessions with respect to litigation and prospective litigation after formal demand. In accordance with La. R.S. 42:19(A)(b)(iii), the Board may discuss the following: *Joseph Allen et al v. John Bel Edwards*, et al, Docket: C655079, Section 27, 19th JDC, Parish of East Baton Rouge; *Crimmins v. Goodwin*, Parish of Orleans, Criminal District Court, Docket: 193-992, Section: D.

² The Board may vote to go into executive session pursuant to La. R.S. 42:16 and 42:17 (formerly La. R.S. 42:6 and 42:6.1), by a two-thirds vote of the members present. The executive session is limited to matters allowed to be exempted from public discussion pursuant to La. R.S. 42:17, including character and professional competence of a person; provided, however, such person(s) may require that such discussion be held at an open meeting pursuant to La. R.S. 42:17(A)(1). No final or binding action will be taken during executive session: District 3 Public Defender Office.

- c. **Needs Based Budgets*** pgs. 565-566
The FY20 Budget request includes the districts' submitted Needs Based Budget amounts which include amounts for specific needs to be brought to the attention of the Legislature for funding increases.
- d. **District 16 – Salary Ratification*** pgs. 567
Recommending an annual salary of \$97,500 for District Defender Maggie LeBlanc in District 16.
- e. **Local Funding Issues - informational**
- i. **District 4** pgs. 568-569
Reviewed documentation submitted by District Defender Michael Courteau regarding potential financial hardship and/or shortfall in his district and his efforts addressing the issue. The committee has directed staff to monitor his district and provide monthly updates.
- ii. **Districts 11/42 - informational** pgs. 570-585
Reviewed documentation submitted by District Defender Steve Thomas regarding the funding and litigation issues in districts 11/42. The committee has directed staff to monitor his district and provide monthly updates and for District Defender Thomas to provide recommendations for his districts.
- f. **Accumulating Fund Balances - informational** pgs. 586
Briefly addressed the accumulation of funds by some districts while other districts continue to struggle or possibly fail. In the formulation of a new DAF for FY20, the Board will need to address this and other district specific issues affecting equitable DAF disbursement.
- g. **Federal Ruling in Orleans Regarding Bond - informational** pgs. 587-626
A federal judge has ruled that Orleans judges may not set bonds in Orleans Parish Courts as it is a conflict of interest.
- h. **FY19 DAF Disbursement – Informational** pgs. 627-628
All FY19 DAF funds have been disbursed.
8. **District 30 – Public Defenders Serving as City Prosecutors** **Tab 4**, pgs. 629-631
9. **JLWOP – Informational**
Deputy Public Defender, Director of Juvenile Defender Services Richard Pittman has been compiling the signed Memoranda of Understanding submitted by participating districts and will submit a brief report to the Board.
10. **ROS Update.** *SPD Dixon will provide a brief update on the current status of Service restriction in Louisiana.*
11. **District Defender Salary Increase Requests - Update**
District Defenders Donald Kneipp (District 2), Rick Candler (District 3) and G. Paul Marx (District 15) have submitted formal requests for salary increases. Staff is preparing for site visits to each of those districts under the protocol and will bring recommendations to the board at the earliest possible time. SPD Dixon will ask the Board to consider retroactive payment from September 27, 2018 if increases are approved.
12. **Capital - Informational**
- a. **State v. Robinson, Caddo Parish.** *SPD Dixon was subpoenaed to appear in Caddo Parish on Monday, September 17, 2018 in State v. Robinson and ordered to reappear on October 30, 2018 along with all capitally certified public defenders to show cause as to why each of them cannot represent defendant Robinson.*

13. Division Reports
 - a. Capital
 - b. Juvenile Strategic Plan
14. Other Business
15. Next Meeting
16. Adjournment*

Tab 5
pgs. 632-635
pgs. 636-637