



LOUISIANA PUBLIC DEFENDER BOARD
EMERGENCY BOARD MEETING

May 15, 2011

500 Laurel Street, Baton Rouge, Louisiana

4:00 P.M.

MINUTES

1. Call to Order and Remarks by the Chairman. An emergency meeting of the Louisiana Public Defender Board, pursuant to lawful notice, was duly convened and called to order by its Chairman at 4:20 p.m. on Tuesday, May 15, 2012, at 500 Laurel Street, Baton Rouge, Louisiana.

The following Board Members were present:

Frank Neuner, Chairman
Judge Robert Burns
Sam Dalton
Frank Holthaus
Luceia LeDoux
Dan Krutz
Jacqueline Nash
Herschel Richard
Gina Womack

The following Board Members were absent:

Add Goff
Leo Hamilton
Tom Lorenzi
Lucy McGough
Pam Metzger
Gina Womack

The following *ex officio* Board Members were absent:

Judge Robert Brinkman
Rebecca Hudsmith

The following members of the Board's staff were present:

Julie Kilborn, Deputy Public Defender–Director of Training
John Di Giulio, Trial-Level Compliance Officer
Anne Gwin, Executive Assistant
Erik Stilling, ITM Officer
Angel Williams, Budget Officer

2. Review and Approval of the Agenda. There being no changes requested, the agenda was approved as presented.

3. Budget Committee Recommendations

b. FY 12 DAF*. Committee Chairwoman Luceia LeDoux reported that the Budget Committee met prior to this Board meeting and approved emergency funding in the amount of \$528,073 to be distributed to districts facing shortfall in the order of their projected insolvency dates. This method will allow the pending \$10 special costs increase (HB 325, if passed) to the districts to be implemented and will provide additional time for staff to prepare for restriction of services in fewer districts. However, due to an accounting error realized after Committee adjournment, that amount was reduced by \$147,072 (funds not authorized for reallocation pending approval by the Office of Planning and Budget) for a balance of \$381,001 for reallocation. On behalf of the Budget Committee, Ms. LeDoux moved that the Board consider a modification of the recommended distribution amounts to the following districts for the following amounts: District 39 - \$58,397; District 2 - \$132,022; District 5 - \$161,675, District 41 - \$0¹; District 11 - \$28,907; and District 32 - \$0. Further, should the \$147,072 unauthorized funds remain in LPDB's coffers upon approval for reallocation by the Office of Planning and Budget, those funds will be distributed to Districts 11 and 42 in the following amounts: District 11 - \$74,339 and District 32 - \$72,733, which amounts reflect the Budget Committee's original approved distribution. After a brief discussion, Mr. Holthaus seconded the motion which passed unopposed.

a. Emergency Funding*. Ms. LeDoux presented the Budget Committee's recommendations for emergency funding approval for several districts separately and individually.

The Budget Committee moved to fund District 4 (Morehouse/Ouachita) in the amount of \$53,461 which was previously encumbered by the Committee and recommended by staff. Ms. Womack seconded the motion which passed with no opposition.

The Budget Committee moved to fund to District 10 (Natchitoches) in the amount of \$5,021, which is staff's recommendation. The district had requested \$56,225; however, since the

¹ Although District 41 (Orleans) is facing insolvency and is currently in service restriction, it was not included in the distribution calculation because of substantial outstanding funds owed them from New Orleans Traffic Court.

original request local revenues in that district have increased. Judge Burns seconded the motion which passed with no opposition.

The Budget Committee moved to fund to District 16 (Iberia/St. Martin/St. Mary) in the amount of \$135,150, which is staff's recommendation. The district had requested \$106,000; however, the original request did not consider the district payroll scheduling which includes a third pay period. Mr. Holthaus seconded the motion which passed with no opposition.

The Budget Committee moved not to fund District 35 (Grant) based on current financial reports and on staff's assurance that the district is being monitored and is currently solvent. Judge Burns seconded the motion which passed with no opposition.

The Budget Committee moved not to fund the Baton Rouge Capital Conflict Office (BRCC) after due consideration of all facts presented. Mr. Holthaus seconded the motion which passed with no opposition.

4. Orleans Traffic Court Audit*

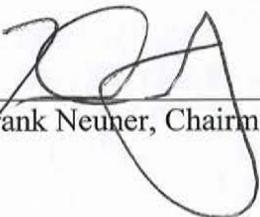
a. LaPorte Report and Attachments. Mr. Neuner reported on the New Orleans Traffic Court audit and the LaPorte report which indicates substantial funds not being remitted to OPD. Mr. Neuner informed the Board he had met with Mayor Landrieu's representative and was informed that while the City of New Orleans is willing to work with OPD and LPDB prospectively regarding payment due OPD, they should not expect retroactive payment or restitution of those funds owed OPD.

b. Resolution. Mr. Neuner presented a draft Resolution authorizing Deputy State Defender Kilborn to take whatever action, including the institution of legal proceedings, that she deems necessary and/or appropriate on the Board's behalf, to ensure that the Orleans Public Defenders' office (OPD) has received and/or is receiving the monies to which it is statutorily entitled.

Ms. Womack moved to adopt the resolution which was seconded by Professor Nash. Mr. Holthaus objected to the wording of the Resolution and moved to substitute the existing resolution with clarifying language and bring the item to the full board for consideration. A discussion followed and with all in agreement to address this issue at a later date, Mr. Holthaus withdrew his substitute motion. There was no opposition to the Resolution as presented, with the agreement that the issue would be presented to the full Board for consideration at a later date, the motion passed.

5. Adjournment. The being no other business and upon motion of Ms. LeDoux, seconded by Ms. Womack, the meeting adjourned at 5:05 p.m.

I HEREBY CERTIFY that the foregoing is a full, true, and correct account of the proceedings of the Louisiana Public Defender Board meeting held on the 15th day of May, 2012, as approved by the Board on the 29th day of May, 2012, in Gonzales, Louisiana.



Frank Neuner, Chairman