

MEETING MINUTES – Pending Approval

Committee	UTAH INDIGENT DEFENSE COMMISSION
Date	Thursday, June 27, 2019
Time	2:00 – 4:00 p.m.
Location	Indigent Defense Commission, 370 E South Temple, Suite 500
Members Present	Sam Alba, Wally Bugden, Mary Corporon, Nicole Cottle, Kim Cordova, Shawn Milne, Margaret Lindsay, Richard Mauro, Sen. Todd Weiler, Rep. Joel Ferry, and Pam Vickrey
Members Excused	Michael Zimmerman, Ryan Loose, Aimee Winder Newton, and Michael Drechsel (representing the AOC)
Guests	Lana Taylor (AG's office, representing IDC), Rep. Eric Hutchings, Sarah Porter (IDC Intern), and Megan Vincent (West Valley City Intern)
Staff	Joanna Landau, Jojo Liu, Darien Hickey, Greg Bates, Katriina Adair, and Emily Nuvan (summer law clerk).
Agenda Item	Welcome
Notes	Nicole Cottle, who was acting as chair on behalf of Michael Zimmerman, welcomed everyone to the meeting.
Agenda Item	Approval of Minutes from May 23, 2019 Meeting
Notes	<p>Motion: Sen. Weiler moved to approve the minutes from May 23, 2019. The motion was seconded by Sam Alba. Joanna Landau noted that the word 'summary' was misspelled in one instance and requested an amendment to the motion to reflect that correction.</p> <p>Motion to amend: Todd Weiler moved to approve the minutes as amended. The motion was seconded by Sam Alba and passed unanimously by those voting members then present. (Sam Alba, Nicole Cottle, Kim Cordova, Shawn Milne, Richard Mauro, Joel Ferry, Pam Vickrey, and Todd Weiler).</p>
Agenda Item	Open and Public Meetings Act Training
Notes	Lana Taylor, IDC's counsel from the Attorney General's office, provided a brief training on the Open and Public Meetings Act, which is required by Utah law. After a general overview of the statutory requirements, Lana focused requirements regarding the work of subgroups. If work has been delegated to a subgroup, the final approval of decisions and actions must still be referred back to the public body as a whole.
Agenda Item	Housekeeping Items
Notes	Joanna introduced IDC's new staff member, Katriina Adair, the IDC's new Training Program Coordinator. She will help with grant outreach and grant training for IDC grant applicants as well as facilitating a training program of CLEs for attorneys who provide indigent defense representation. This position was approved by the Commission during the last meeting
Agenda Item	Updated Core Principles for Indigent Defense Systems
Notes	<p>Joanna explained that the Core Principles have been updated in light of the passage of SB 32.</p> <p>Principle Two update: broke out the range of what it means to provide counsel to all eligible defendants; addressed potential barriers, like recoupment, and how to deal with them.</p> <p>Principle Three update: expansion of the required scope of representation was a key part of SB 32, and that has been reflected in the new language of principle three.</p> <p>Footnotes have also been updated.</p>

	<p>Motion: Sam Alba moved to adopt the updated Core Principles. The motion was then seconded by Wally Bugden and passed unanimously by those voting members then present. (Sam Alba, Wally Bugden, Mary Corporon, Nicole Cottle, Kim Cordova, Shawn Milne, Margaret Lindsay, Richard Mauro, Todd Weiler, Joel Ferry, and Pam Vickrey.)</p>
<p>Agenda Item</p>	<p>Indigent Defense Grant Review</p>
<p>Notes</p>	<p>Appeals: Joanna provided a recap of the decisions made during the last grant meeting. The Commission authorized Joanna to develop a formula for a centralized appellate solution for 3rd-6th class counties. The IDC is proposing a solution where eligible counties contribute \$5k of their existing indigent defense services budgets to the program in Utah County Public Defender Association, combined with \$300,000 of previously approved IDC funding will be used to fund appellate representation that will be overseen by the – Utah County Public Defender’s Appellate Division. Margaret Lindsay is currently developing standards for appellate representation based on national standards are in progress. IDC has reached out to additional counties that did not initially apply for help with appellate funding—many are interested in the proposed solution.</p> <p>Performance Metrics: Jojo gave an overview of the improvements to the grant contracts and the compliance monitoring for this funding cycle. During the last fiscal year, IDC has worked on developing performance metrics that are tied to the improvement goals articulated in the Core Principles. In the current funding cycle, performance metrics will be integrated into the performance plans, which creates a shared understanding between the IDC and the Systems that clearly articulate (1) what are the inputs that are being funded, (2) what are the improvement goals to be achieve through those inputs, and (3) what are the performance indicators by which progress is going to be measured. The quarterly reporting forms have also been updated to align the data provided by the Systems with the data needed by the IDC to measure progress.</p>
<p>Agenda Item</p>	<p>IDC Grant Finalization Discussion and Votes – New Grant Applications</p>
<p>Notes</p>	<p>Greg Bates explained the process for grant finalization, that the Commissioners would review the project plans for all the new grant applicants, and then vote on the new applications as a block. Then, the Commission would consider all the project plans for the renewal applicants.</p> <p>All grant awards will be for a one-year contract through June 30, 2020, to align with the state fiscal calendar (i.e., July 1st- June 30). Greg also explained that all counties in the 3rd-6th class are eligible for centralized appellate solution discussed earlier.</p> <p>The commission then reviewed in detail and discussed the project plans for each of the new grant applicants.</p> <p>Motion: Wally Bugden moved to approve, as a block, all new grant applications as presented. The motion was seconded by Sam Alba and passed unanimously by those voting members then present. (Sam Alba, Wally Bugden, Mary Corporon, Nicole Cottle, Kim Cordova, Shawn Milne, Margaret Lindsay, Richard Mauro, Todd Weiler, Joel Ferry, and Pam Vickrey.)</p> <p>Abstentions: Shawn Milne abstained from the vote regarding Tooele County. Margaret Lindsay abstained from the votes regarding Kane and Iron Counties.</p>

Agenda Item	IDC Grant Finalization Discussion and Votes --- Grant Renewals
Notes	<p>The commission then reviewed in detail and discussed the project plans for each of the grant renewal applicants.</p> <p>Motion: Sam Alba moved to accept the staff recommendations for all the renewal grants as presented. The motion was seconded by Shawn Milne and passed unanimously by the voting members then present. (Sam Alba, Wally Bugden, Mary Corporon, Nicole Cottle, Kim Cordova, Shawn Milne, Margaret Lindsay, Richard Mauro, Todd Weiler, Joel Ferry, and Pam Vickrey.)</p> <p>Abstentions: Margaret Lindsay abstained from the votes regarding Millard, Sanpete, and Utah Counties. Richard Mauro abstained from the vote regarding Salt Lake County. Pam Vickrey abstained from the votes regarding Salt Lake and Summit Counties.</p>
Agenda Item	Dialogue with Representative Eric Hutchings
Notes	<p>Rep. Hutchings indicated he was impressed by what he saw during IDC's meeting because the funding decisions are results-oriented and data-driven. He answered questions and encouraged the IDC to focus on increasing data capacity in order to support requests for appropriations and demonstrate how investments in public defense yield system improvements and savings.</p>
Agenda Item	Adjournment
Notes	<p>Motion: Margaret Lindsay moved to adjourn the meeting. The motion was seconded by Sam Alba and passed unanimously by the voting members then present. (Sam Alba, Wally Bugden, Kim Cordova, Shawn Milne, Margaret Lindsay, Todd Weiler, Joel Ferry, and Pam Vickrey.) (Mary Corporon, Nicole Cottle, and Richard Mauro left the meeting early and did not vote.)</p>
Next Meeting	<p>July 30, 2019 9am-10am Telephonic Meeting (via conference line)</p>