



## Louisiana Public Defender Board Report of the State Public Defender

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To: The Board  
From: Jean M. Faria  
Date: February 7, 2012

### **BUDGET DIVISION**

Since the last Board meeting, LPDB disbursed \$125,000 to Juvenile Regional Services (JRS) for services to be performed from January 2012 – March 2012. If OPD is unable to match this funding obligation, LPDB will disburse an additional \$125,000 to JRS to cover services from April 2012 – June 2012.

The contracts with the eight program offices that LPDB funds have been approved, each with a contract period of January 1, 2012 – June 30, 2012.

Additionally, all 501(c)(3) programs have submitted budget requests for FY13, which are currently under review by LPDB staff.

### **COMPLIANCE DIVISION**

As a member of the LPDB working group on Orleans, Trial Level Compliance Officer Di Giulio has participated in numerous meetings regarding the restriction of services process. He has handled calls from the field regarding funding and other local issues and he continues to assist the Acting Capital Case Coordinator with expert funding requests. In two separate capital post-conviction hearings, one held in West Baton Rouge Parish and the other in Bossier Parish, he testified on the Board's behalf about capital guidelines and funding mechanisms.

### **INFORMATION TECHNOLOGY & MANAGEMENT DIVISION**

#### **Information Management**

The ITM Division spearheaded and coordinated the production and dissemination of the 700+ page LPDB 2011 Annual Report.

In collaboration with the Budget Division, the ITM Division created, distributed and tracked responses to a financial survey sent to all districts. The purpose of this survey was to determine if Public Defender Office finances are handled by office staff or by a third party. Also in collaboration with the Budget Division, the ITM Division assisted in providing to the Office of Planning and Budget those districts which would have a shortfall of revenue in FY13 if there was a proposed 3.8M budget cut.

The ITM Division began the development of the reporting form for capital programs and finalized the contract with Justice Works to collect data and produce the form online. The division also initiated work on an online, self-calculating Indigence Assessment form and finalized the contract with Justice Works to launch on the database.

### **Technology Management**

The ITM Division conducted a web-hosted user focus group with chiefs and pertinent staff of Districts 4, 19, 24, and 41 regarding district dashboard report examples. The Division also conducted a survey for these districts to rate the value of the usefulness of these dashboard reports in their districts. A prototype of one dashboard report has been created: a caseload report by attorney by district.

As part of a Byrne-JAG grant, the ITM Division created a job description for a CMS Report Analyst who would run reports from the database, support data/analysis requested by LPDB staff and board members, and assist with the identification and remedy of data inconsistencies and missing data entries. ITM staff interviewed candidates and has hired Ms. Cristine Roussel for this position as of February 1, 2012. Also as part of the Byrne-JAG technology grant, the ITM Division conducted a survey of each district's current computer hardware and software programs to pinpoint the districts which have the greatest need for computer upgrades and software upgrades. The results will assist in every district having at least one copy of the most current MS Office software ensuring data and document sharing among the districts and with the state office is uninhibited by software incompatibility problems.

Based on preliminary meetings with DAs and representatives of the Louisiana Supreme Court, the ITM Division participated in an LCLE Sentencing Commission meeting wherein the Clerks, the Supreme Court, and the DA's Association all agreed that the Supreme Court's charge codes would serve as a basis for the development of a state-wide uniform charge code table. This will ensure clarity of data regarding charges as cases pass among these diverse agencies and moves Louisiana closer to a transparent criminal justice system regarding cases.

### **JUVENILE DIVISION**

Since the last Board meeting, Juvenile Justice Compliance Officer Jack Harrison has been interacting with stakeholders and observing juvenile court proceedings in a number of jurisdictions. He has visited Slidell City Court, the 22<sup>nd</sup> Judicial District, Orleans Parish Juvenile Court and the 21<sup>st</sup> Judicial District. Plans for upcoming site visits include the 20<sup>th</sup> Judicial District, the 16<sup>th</sup> Judicial District and Denham Springs City Court.

In addition to site visits, the juvenile staff has reconstituted the Juvenile Defense Advisory Council, a group of leading juvenile defenders from across the state. The previous incarnation of

the JDAC participated in the development of the standards for parent representation in child in need of care cases as well as standards for delinquency representation. The group met in Opelousas on February 3, and will continue to develop its role in supporting and promoting continued improvements in juvenile advocacy across the state. The juvenile staff also participated in presenting on current issues of juvenile advocacy before the annual meeting of the Conference of City, Family and Juvenile Court Judges. Finally, the juvenile staff assisted the Training Division in the Juvenile Defender Training held last month.

## **SPECIAL PROJECTS**

Since the last meeting of the Board of Directors for LPDB, the Special Projects Advisor has continued to work on the following projects: writing, editing and facilitating the dissemination of the LPDB e-newsletter to 900+ subscribers (moved from bi-monthly to every third week); updating the website with relevant announcements, events and information; moderating the LPDB juvenile listserv; drafting and disseminating press statements as appropriate (in conjunction with other staff); and participating in staff meetings and other discussions/projects as a member of the executive team.

In addition, since the last meeting, the Special Projects Advisor contributed to the 2011 Annual Report; has begun all the annual district updates and the 2010 Census Data updates on the website; completed the design/upload and dissemination of the *Trial Court Performance Standards for Attorneys Representing Children in Delinquency Proceedings*; completed all edits to the online juvenile collateral consequences website ([www.beforeyouplea.com/la](http://www.beforeyouplea.com/la)); researched two federal grant opportunities; conducted orientation and ongoing projects with the LPDB extern Jackson Carney; provided staff support to the sub-group of the board providing support and guidance to OPD through their Restriction of Services plan; and, participated in several professional development opportunities with Spitfire Strategies communications (as part of pro bono technical assistance procured with the support of NLADA).

## **TRAINING**

The Training Division hosted a Legislative Update program on Friday, December 16, 2011 with Greg Riley, Senior Attorney for the Louisiana House of Representatives, presenting an update of all bills passed in 2011 that affect criminal law and procedure.

The annual Juvenile Defender Training was held January 25 – 27, 2012 in Baton Rouge and provided separate tracks for attorneys representing children in delinquency cases and attorneys representing parents in Child in Need of Care cases. The program focused on skills training for new and experienced defenders with a focus on the most recent science and information on adolescent brain development and abuse/neglect issues.

The annual Defender Leadership Training is scheduled for March 8 – 9, 2012 in Baton Rouge. Additional trainings for 2012 include the Investigator Workshop (July 16 – 18, 2012), the Defender Training Institute (September 9 – 14, 2012), and the Capital Defender Training (October 24 – 26, 2012).

## **STATE PUBLIC DEFENDER**

Amidst all the business of the last couple of months, LPDB is sorry to announce the departure of Lynette Roberson, who for two years served first as the JIDAN Coordinator and then as a research attorney in our office. Lynette's contributions to the agency were significant, especially her commitment to juvenile projects during other staff transitions within the Juvenile Division. She assisted in the drafting and promulgation of the juvenile standards, assisted in the passage of the 2010 legislation granting children a presumption of indigence and further protections of their 5<sup>th</sup> Amendment rights, and taught sessions at two LPDB juvenile trainings. We're glad that she will continue to dedicate her talent to good work. Lynette leaves us to begin a new staff position with the Louisiana State Law Institute.

We are welcoming a new staff member – Cristine Roussel joins the LPDB ITM Division as the new CMS (Case Management System) Report Analyst. This position is funded by a grant from the Louisiana Commission on Law Enforcement and the Administration of Justice. Cristine will be working to provide additional report-creating capacity in our office to improve LPDB's ability to monitor caseloads and delivery performance throughout the districts, advance data-driven policies statewide, respond to legislative inquiries and be an appropriate partner in collaborative efforts to improve the criminal justice and related social service systems. Cristine joined LPDB on February 1, 2012.

On January 31, 2012, LPDB uploaded its Calendar Year 2011 Annual Report to the website and delivered hard copies to key stakeholders and state archives. Many thanks to LPDB staff, defenders and defender staff and LPDB board members for an amazing year of challenge and success, which is all chronicled in the Annual Report. LPDB staff is currently working to prepare the Report to the Joint Legislative Committee on the Budget, due March 1, 2012.

Chairman Frank Neuner and staff attended the ABA Mid-Year Meeting, which was held in New Orleans February 2-5, 2012. The Criminal Justice Section hosted its Summit on Indigent Defense on Saturday, February 2, 2012, including a luncheon presentation by U.S. Attorney General Eric Holder..

Finally, staff across all divisions has spent significant time focusing on all districts facing financial insolvency and overseeing the Restriction of Services Plan that OPD has been forced to implement due to funding shortfalls. In addition to the recent hiring freeze, OPD has suspended payments to its conflict panel and assigned capital counsel, implemented salary cuts for its leadership and management attorneys and laid off staff within its main and conflict offices. LPDB members (particularly Frank Neuner, Luceia LeDoux, Tom Lorenzi and Pam Metzger) and staff have helped OPD develop and implement various protocols relating to the office restructuring, caseloads, financial reporting and others. David Greer has dedicated significant time to reviewing OPD's accounting files and making recommendations and board members and staff have made numerous on-site visits. Spitfire Strategies has donated free technical assistance for LPDB media communications, considering both the imminent crisis in Orleans and the possibility of other funding shortfalls in other districts. Board members and staff have continued to foster collaboration with the New Orleans Inspector General and LPDB has procured a forensic auditor who, with agreement from New Orleans Traffic Court, is expected to begin a forensic audit of Traffic Court next week. While inadequate, the City of New Orleans dedicated

\$1.225 million to OPD, with an upfront disbursement of \$500,000 on January 31, 2012. The remaining funds will be distributed monthly through the end of the fiscal year. LPDB also continues to work with local and state allies to increase the ability to find more local funding in Orleans, and advocate for a more significant and sustainable funding appropriation from the State of Louisiana. Thank you to everyone for long days and lots of travel through this period of restriction implementation.