RESOLUTION

ASSIGNMENT OF MILLER CASES DURING RESTRICTION OF SERVICES

On the 16th day of February, 2016, at a meeting of the Louisiana Public Defender Board, held in Baton Rouge, Louisiana, with a quorum of members present, the following business was conducted:

It was duly moved and seconded that the following resolution be adopted:

BE IT RESOLVED that all District Defenders are to immediately notify the Trial Level Compliance Officer of any juvenile under the age of 18 arrested for first or second degree murder in their respective districts, supplying the name of the client, date of birth, date of offense, date of arrest and location if known.

BE IT RESOLVED that when a District Defender Office is in Restriction of Services (ROS), the District Defender is prohibited from accepting new Miller cases, including cases for resentencing pursuant to Montgomery v. Alabama. The District Defender may intervene for the limited purpose of protecting the Miller defendant’s rights, including pursuing a halt of the prosecution, litigating for funding, ensuring compliance with the Prison Rape Elimination Act (PREA) and ensuring that any Miller defendant who is detained is held in a facility that is equipped to safely and constitutionally house a juvenile.

The state public defender shall immediately cause to be filed with the relevant court a notice that counsel cannot be assigned at this time. The state public defender and district public defender shall have an ongoing responsibility to identify both counsel suitable for assignment to the case and the resources necessary to competently represent a Miller defendant.

Where a life without parole sentence is no longer a possibility, the district defender shall immediately notify the state public defender and shall assign appropriate counsel to represent the defendant.

A district in ROS should cease Miller expenditures beyond that already required by existing cases and any money or attorney time budgeted for Miller representation that is not being used on those existing cases should be re-purposed for non-Miller representation.

The above resolution was passed by a majority of those Board members present and voting at the meeting.

I CERTIFY THAT the above and foregoing constitutes a true and correct copy of the resolution resulting from a meeting of the Louisiana Public Defender Board held on the 16th day of February, 2016.

ROBERT BURNS, CHAIRMAN
RESOLUTION

On the 16th day of May, 2016, at a meeting of the Louisiana Public Defender Board, held in Baton Rouge, Louisiana, with a quorum of members present, the following business was conducted:

It was duly moved and seconded, that the following resolution be adopted:

WHEREAS, the Board recognizes that its budgeting priorities in a time of budget crisis may be misconstrued by lawmakers and stakeholders as a statement by the Board that its allocations are adequate to meet the need for indigent defense in the State; and

WHEREAS, the proposed budget allocation for the Louisiana Public Defender Board is insufficient to adequately meet the need for indigent defense in the State of Louisiana;

BE IT RESOLVED that the Board hereby expressly acknowledges and asserts that the proposed budget allocation for the Louisiana Public Defender is insufficient to meet the need for public defense in the State of Louisiana or to fully fund the operations of the Board as required by law.

BE IT FURTHER RESOLVED that the Board’s budget should not be construed as a statement by the Board that funding provided to particular organizations or projects is sufficient to provide ethical representation that meets promulgated standards or best practices for all indigent defendants who may need the services provided by such organizations or projects.

I CERTIFY THAT the above and foregoing constitutes a true and correct copy of the resolution resulting from a meeting of the Louisiana Public Defender Board held on the 16th day of May, 2016.

[Signature]
Robert Burns, Chairman
RESOLUTION

On the 14th day of June, 2016, at a meeting of the Louisiana Public Defender Board, held in Baton Rouge, Louisiana, with a quorum of members present, the following business was conducted:

It was duly moved and seconded, that the following resolution be adopted:

WHEREAS, House Bill 689 of the 2016 Regular Session has passed both houses of the legislature and is awaiting action by the Governor, which this Board respectfully urges the Governor to veto;

WHEREAS, the legislation violates Article I § 13 of the Louisiana Constitution requiring the legislature to “provide for a uniform system for securing and compensating qualified counsel for indigents” in that the bill creates five local city court boards to collect 30% of funds each city court owes to the judicial district indigent defender fund;

WHEREAS, HB 689 constitutes special or local legislation in violation of Article III § 13 of the Louisiana Constitution, thereby inviting litigation;

WHEREAS, HB 689 is flawed in that it violates the provisions of Act 307 of 2007 requiring the district public defender to provide for the delivery and management of public defender services in each judicial district, as HB 689 does not indicate the party responsible for providing the services in each city court;

BE IT RESOLVED that should HB 689 be enacted into law, this Board reads this act to remove funding intended for the judicial district indigent defender fund, under the control of the District Defender, thereby relieving the District Defender from her obligation to provide legal services to each of these courts.

I CERTIFY THAT the above and foregoing constitutes a true and correct copy of the
resolution resulting from a meeting of the Louisiana Public Defender Board held on the 14th day of June, 2016.

Robert J. Burns
Robert Burns, Chairman  JTD
CERTIFICATION OF EMERGENCY SHORTFALL PURSUANT TO R.S. 15:166 C

RESOLUTION

On the 15th day of December, 2016, at a meeting of the Louisiana Public Defender Board, held in Baton Rouge, Louisiana, with a quorum of members present, the following business was conducted:

It was duly moved and seconded that the following resolution be adopted:

WHEREAS, the Louisiana Public Defender Board has been critically and chronically underfunded;

WHEREAS, there are presently fourteen (14) districts in restriction of services;

WHEREAS, it is likely two more districts will enter restriction of services before the end of the fiscal year;

WHEREAS, the 15th Judicial District Office has a waitlist of over 4000 cases wherein poor defendants are charged with crimes but remain unrepresented due to lack of funding;

WHEREAS, local funds, which provide a majority of the budget for the 19th District Defender Office have been severely decreased due to acts of nature and political unrest in the district;

WHEREAS, the State Office was informed at the beginning of the 2017 fiscal year that there could be a 5% sweep of funds allocated by the legislature to the Louisiana Public Defender Board;

WHEREAS the 13th and 39th District Defender Offices are projected to enter restriction of services;

WHEREAS the District Defender for the 21st Judicial District has indicated he might enter into restriction of services;

WHEREAS, the Louisiana Public Defender Board has reserved One Million, Two Hundred Ninety-one Thousand, Five Hundred and Twenty-three ($1,291,523) dollars in District Assistance Funds in the event there is a 5% sweep;

WHEREAS, the public defense system has severely cut funds to provide representation in capital trials, capital appeals, capital post-conviction relief, non-capital criminal appeals and other contract programs;

WHEREAS, there is presently a waiting list for assignment of counsel and the litigation team in capital cases;
WHEREAS, the funding for expert witnesses in capital cases is presently exhausted;

WHEREAS, even without a sweep of funds from the Louisiana Public Defender Board, it will have to cut over $500,000 from its operating budget;

WHEREAS, the public defense system presently finds itself in an emergency shortfall situation;

WHEREAS, the Louisiana Public Defender Act was amended during the 2016 Regular Legislative Session to include the following language:

"C. No provision of Louisiana law authorizing the return or rollback of funds from governmental programs to the division of administration shall apply to the board account during an emergency shortfall in funding as certified by the board with approval of the chief justice of the Louisiana Supreme Court." R.S. 15:166 C

BE IT RESOLVED that the Louisiana Public Defender Board hereby certifies that an emergency shortfall in funding exists. As such, the State Public Defender is instructed to contact the chief justice of the Louisiana Supreme Court to request her approval to this certification, as required by R.S. 15:166C. The State Public Defender is further instructed to contact the Division of Administration and inform that entity of the situation and our intent to invoke said statute.

I CERTIFY THAT the above and foregoing constitutes a true and correct copy of the resolution resulting from a meeting of the Louisiana Public Defender Board held on the 15th day of December, 2016.

C. FRANK HOLTHAUS, CHAIRMAN
Minutes

1. Call to Order and Remarks of the Chairman. A meeting of the Louisiana Public Defender Board, pursuant to lawful notice, was duly convened and called to order by its Chairman on Monday, May 16, 2016 at 2:17 p.m. at the LSU Law Center in Baton Rouge.

The following Board members were present:

Robert Burns
Leo Hamilton
Hector Linarcs
Gina Womack
Franz Borghardt
Frank Holthaus*
Tom Lorenzi
Hampton Carver
Robert Lancaster
Steven Singer

*Mr. Holthaus was not present for roll call but arrived at approximately 2:45 pm. This will be reflected in the voting record throughout the meeting.

The following Board members were absent:

Flozell Daniels, Jr.
Herschel Richard
Jacqueline Grant
Rebecca Hudsmith, ex officio
Herbert Larson

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

Jay Dixon, State Public Defender
Barbara Baier, General Counsel
Jean Faria, Capital Case Coordinator
Anne Gwin, Executive Assistant
Carol Kolinchak, Trial Level Compliance Officer
Richard Pittman, Dep. State Public Defender, Dir. Juvenile Defender Services
Erik Stilling, I.T. Director

2. Call for Public Comment. No one presented for public comment.

3. Adoption of the Agenda*. Mr. Lorenzi moved to adopt the agenda as presented which was seconded by Mr. Hamilton and passed unopposed.
4. Review of the Minutes, April 6, 2016 Meeting*. Mr. Hamilton moved to approved the Minutes of the April 6, 2016 meeting as presented which was seconded by Mr. Lorenzi and passed unopposed.

5. Policy Committee Recommendations.
   a. FY17 Funding Allocation*. The Policy Committee recommended adoption of funding scenario #1 on page one of the hand out in the materials which provides for 65% of the total funding allocation to LPDB to go to the districts pursuant to the DAF formula resulting in a 33.3% reduction of the FY16 funding allocation to the capital contract programs with the non-capital programs, LCCR, IPNO, and LAP receiving 100%, 90%, and 80%, respectively, of their FY16 funding allocation. Professor Singer seconded the recommendation which passed unanimously with nine members voting.
      i. Resolution. Policy Committee Chairman Leo Hamilton read a proposed Resolution stating that any actions of the Board in support the proposed FY17 budget allocation are not to be construed as agreement that funding is sufficient, but rather that the Board is adopting actions in consideration of the state's current fiscal circumstances. Mr. Hamilton stated that the Policy Committee is recommending adoption of the resolution as presented. Professor Singer seconded the recommendation which passed unanimously with nine members voting.

   a. FY16 Year End Distribution. State Public Defender Jay Dixon reported that year end funds available for reallocation to the districts have been distributed in the amount of $150,676.
   b. Financial Report*. The Budget Committee recommended adoption of the financial report as presented which was seconded by Mr. Borghardt and passed with nine members in favor and one abstention.
   c. FY17 DAF*. Mr. Hamilton moved to adopt the funding allocation to the districts as presented by staff, which was seconded by Professor Singer and passed with nine members in favor and one abstention.
   d. FY17 501c3 Contract Amounts*. Considering Board action on item 5a--FY17 Funding Allocation--Mr. Hamilton moved to approve the adoption of funding scenario #1 (page one of the hand out in the materials) allocating 65% of LPDB's total FY17 funds to the districts pursuant to the DAF formula with the non-capital programs, LCCR, IPNO, and LAP receiving 100%, 90%, and 80%, respectively, of their FY16 funding allocation. The resultant 33.3% cut to the capital contract programs will result in those programs being able to maintain two core teams with reduced expert witness funding. Mr. Lorenzi seconded the motion which passed unanimously with ten members voting.

7. Executive Session*. Mr. Borghardt moved to enter executive session which was seconded by Mr. Hamilton and passed unopposed. Mr. Holthaus moved to leave executive session which was seconded by Mr. Borghardt, which vote failed 3-5. Mr. Borghardt moved to leave executive session which was seconded by Professor Lancaster and passed unopposed.

   a. District 9 – District Defender Position and Salary Recommendation*. SPD Dixon reported that the selection committee submitted three candidates for the district defender
position in District 9 (Rapides) but that one candidate withdrew. SPD Dixon reported staff recommendation is to hire Ms. Deirdre Fuller at an annual salary of $90,085 which is equal that of the previous district defender. Mr. Dixon clarified that Ms. Fuller will maintain a private practice, but will provide not less than 40 hours per week for public defense work. Mr. Borghardt moved to adopt staff recommendation to hire Ms. Fuller as the district defender for district 9 at an annual salary of $90,085. Mr. Hamilton seconded the motion which passed unopposed.

b. District 8 - Request for Waiver*. The Policy Committee recommended approving the waiver request by District Defender Herman Castete (Winn Parish) allowing him to hire a public defender who is also a city court prosecutor provided the protocol is followed. Mr. Borghardt seconded the motion. The motion passed seven in favor and two against.

9. Juvenile
a. Strategic Plan*. Mr. Pittman presented the final juvenile strategic plan for approval. Mr. Linares moved for adoption of the plan as presented which was seconded by Professor Singer and passed unopposed.

b. NJDC - Gault at 50 - Statement of Principles Endorsement*. Mr. Pittman presented a brief summary of the Gault at 50 principles and requested the Board’s endorsement. Professor Linares reaffirmed that those principles already exist in the juvenile representation standards created and passed by the Board. Mr. Hamilton moved to approve the endorsement which was seconded by Professor Singer and passed unopposed.

10. Restriction of Services Updates. Trial Compliance Officer Carol Kolinchak gave a brief update on districts in restriction.

11. Legislative Session, 2016. SPD Dixon gave a brief update on HB 1137 which seeks to restructure the Board from 15 to 11 members and set funding distribution to the districts at 65% of LPDB’s total annual allocation.

12. SPD Report. Staff activity since the March 2016 meeting is found in the Board materials.

13. Other Business. Mr. Paul Fleming announced that attorney Jennifer ? with the 24th judicial district PDO was recently named a Child Welfare Law Specialist.

14. Next Meetings. The next meeting of the Board is Tuesday, June, 14, 2016, at 2:00 p.m. The location is to be determined.

15. Adjournment*. Mr. Hamilton moved to adjourn which was seconded by Professor Singer. The meeting adjourned at 4:50 p.m.

Guests:

Herman Castete       Steve Thomas       Derwyn Bunton       Tony Tillman
Paul C. Fleming      Gary Clements      Harry Fontenot      Vic Bradley
Alan Robert          Michael A. Mitchell Kerry Cuccia      Jim Looney
Richard Tompson      Reggie McIntyre    John Lindner       Chris Murell
Deirdre Fuller       Matthew Robnett    Kathryn Sheely     Brian McRae
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 16th day of May, 2016, as approved by the Board on the 14th day of June, 2016, at Baton Rouge, Louisiana.

[Signature]
Judge Robert J. Burns (Ret.), Chairman
Minutes

1. Call to Order and Remarks of the Chairman. A meeting of the Louisiana Public Defender Board, pursuant to lawful notice, was duly convened and called to order by its Chairman on Tuesday, June 14, 2016 at 2:11 p.m. at the LSU Law Center in Baton Rouge.

The following Board members were present:

Robert Burns  Franz Borghardt  Hampton Carver
Leo Hamilton  Frank Holthaus  Robert Lancaster
Hector Linares  Tom Lorenzi  Herschel Richard
Steven Singer

The following Board members were absent:

Flozell Daniels, Jr.  Rebecca Hudsmith (ex-officio)  Jacqueline Nash Grant
Herbert Larson  Gina Womack

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

Jay Dixon, State Public Defender
Barbara Baier, General Counsel
Jean Faria, Capital Case Coordinator
Anne Gwin, Executive Assistant
Carol Kolinchak, Trial Level Compliance Officer
Richard Pittman, Dep. State Public Defender, Dir. Juvenile Defender Services
Erik Stilling, I.T. Director

Chairman Burns thanked the Board members for their service\(^1\) and quoted from the June 13, 2016 Advocate editorial regarding LPDB’s oversight of the state’s indigent defense funding. He also thanked District Defender Matthew Robnett (District 25-Plaquemines Parish) for his service to the district and indigent defense and wished him well in his future endeavors. Finally, he

\(^1\) Pursuant to HB1137 (not enacted at the time of this meeting), all current Board members with the exception of the appointment of the President of the Senate and Speaker of the House, shall submit their resignations on or before August 1, 2016, at which time a new board will be appointed by the Governor and the La Supreme Court Chief Justice.
acknowledged Josh Perry for his successful efforts in the 2016 Legislative session on behalf of Louisiana’s juveniles.

2. Call for Public Comment. No one presented for public comment.

3. Adoption of the Agenda*. Mr. Hamilton moved to adopt the agenda as presented which was seconded by Professor Singer and passed unopposed.

4. Review of the Minutes, May 16, 2016 Meeting*. Mr. Hamilton moved to adopt the Minutes of the May 16, 2016, as presented. Mr. Richard seconded the motion. Mr. Paul Fleming requested that the minutes be edited at item 3 to include “Womble”, the last name of the 24th PDO attorney recently appointed as a Child Welfare Law Specialist. Mr. Holthaus moved to amend the minutes, as discussed. Mr. Hamilton seconded the motion and the minutes passed as amended with no opposition.

5. Budget Reports and Recommendations
   a. Financial Report*. Budget Officer Natasha Carter reported zero funds available for reallocation and 98.6% of the LDPB budget either expended or encumbered to be spent before June 30, 2016. Mr. Richard moved to adopt the financial report as presented. Mr. Holthaus seconded the motion which passed unopposed.
   b. FY17 DAF*. State Public Defender Jay Dixon presented the final FY17 DAF amounts and answered questions. Mr. Hamilton moved to approve the DAF amounts. Mr. Holthaus seconded the motion which passed unopposed.
   c. FY17 501c3 Contract Amounts. Mr. Dixon presented the capital contract program amounts reminding the Board that the remaining three non-capital program contract amounts were approved at the May, 2016 meeting. Mr. Hamilton moved to approve the contract amounts for the capital programs as presented. Mr. Richard seconded the motion which passed unopposed.

6. Restriction of Services Updates
   a. Wait List Status – Database Entry for Districts in ROS*. Mr. Dixon explained a situation recently brought to light regarding how districts in ROS are entering waitlist cases into the statewide database. Mr. Dixon reported that staff will be drafting a guidance policy for the next meeting on the most effective and accurate way in which to enter these types of cases.

7. District Issues
   a. District 25 – Selection for District Defender. Mr. Dixon reported that the formation of a selection committee in District 25 for a new district defender has begun and that Mr. Clark Beljman has been appointed as interim pending a permanent appointment.

8. Legislative Session, 2016. Mr. Dixon, Deputy Public Defender-Director of Juvenile Defender Services Richard Pittman and Trial Level Compliance Officer Carol Kolinchak provided brief summaries of the bills/acts from the 2016 legislative session that impact LPDB and/or public defense.

Mr. Hamilton moved that staff draft and send a Resolution to the Governor respectfully urging his veto of HB 689 which allows the five city courts in the 16th judicial district to form their own
public defense boards. The resolution is to address the significant flaws within the bill and outline the consequences if the bill becomes law. After discussion, Mr. Holthaus called the question which was seconded by Mr. Hamilton. Upon a vote, the decision to send a resolution to the Governor addressing HB 689 as discussed passed by a vote of ten to one.

9. Executive Session*. Prior to going into executive session, Mr. Franz Borghart moved to amend footnote 1 to include discussion on potential litigation in District 15 (Lafayette Parish). Professor Singer seconded the motion which passed unopposed.

Professor Linares moved to go into Executive Session which was seconded by Mr. Hamilton and passed unanimously. Mr. Holthaus moved to leave executive session which was seconded by Professor Linares.

10. Litigation*. Mr. Dixon gave a brief summary of the on-going litigation in the Yarls case. Mr. Holthaus moved to authorize Mr. Dixon in his official capacity to sign the proposed judgment in Yarls v. Bunton, et al, subject to the contents of the letter to Mr. John Landis dated June 7, 2016, as it is the most fiscally prudent action to take. Professor Singer seconded the motion which passed unopposed.

11. Other Business. There was no other business presented for discussion; however, Mr. Lorenzi moved to commend staff on their hard work and dedication over the years. Mr. Hamilton seconded the motion. Ms. Faria thanked the Board for all that they have done.

12. Next Meeting(s). Mr. Holthaus moved that Chairman Burns, in consultation with Mr. Dixon, set the next meeting date according to their wisdom and best judgments. Mr. Hamilton seconded the motion which passed unopposed.

13. Adjournment*. Mr. Borghart moved to adjourn which was seconded by Mr. Holthaus. The meeting adjourned at 5:10 p.m.

Guests:

Deirdre Fuller      Harry Fontenot      Derwyn Bunton      Kerry Cuccia
Alan J. Robert     Matt Robnett       John Burkhardt     Lindsay Blouin
Michael A. Mitchell Richard M. Tompson Thomas Gernhauser Jim Looney
Gary Clements      Kyla Romanach      Ryan Clough        Chris Murell
Paul C. Fleming, Jr. Vic Bradley, Jr. Steve Hanlon        John Landis
David Price        Cecelia Bonin      Emily Maw

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 14th day of June, 2016, as approved by the Board on the 15th day of December, 2016, at Baton Rouge, Louisiana.

Chairman, Frank Holthaus

3 – LPDB Minutes, Jun 14 2016
Juvenile Strategic Plan
Adopted May 16, 2016

Mission Statement: Juvenile defenders in Louisiana engage in high-quality, client-centered, ethical, holistic advocacy for children from the time of arrest, detention, or first contact with the defender until the client’s contact with the juvenile justice system ends.

Goal #1: Build a robust and supportive statewide community of juvenile defenders that shares knowledge, skills, and support with each other.

<table>
<thead>
<tr>
<th>Strategies</th>
<th>Responsible Party</th>
<th>Target Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provide talking points on 5 juvenile-related bills per year beginning in CY17</td>
<td>Juvenile Community</td>
<td>April 1, 2017</td>
</tr>
<tr>
<td>Plan and conduct regionalized juvenile defender meetings to discuss changes in law following legislative general session beginning CY2016</td>
<td>RMP</td>
<td>July 31, 2016</td>
</tr>
<tr>
<td>Draft and submit a quarterly newsletter for the juvenile community</td>
<td>RMP</td>
<td>December 1, 2016</td>
</tr>
<tr>
<td>Create a standing data advisory group of juvenile defenders and administrators</td>
<td>RMP</td>
<td>December 31, 2017</td>
</tr>
<tr>
<td>Hold two meetings of the JDAC each year, beginning CY 2017</td>
<td>RMP</td>
<td>December 31, 2017</td>
</tr>
<tr>
<td>In CY2017 and each year thereafter, 12 juvenile defenders seek guidance on case-specific issues on the juvenile list serve</td>
<td>Juvenile Community</td>
<td>December 31, 2017</td>
</tr>
</tbody>
</table>

Goal #2: Create a specialized practice in juvenile delinquency defense, ensuring that all children in the state are represented by an attorney committed to juvenile defense practice.

<table>
<thead>
<tr>
<th>Strategies</th>
<th>Responsible Party</th>
<th>Target Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop Trial Skills Training Curriculum for juvenile defenders</td>
<td>RMP</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Create Adolescent Development Toolkit For Defenders</td>
<td>RMP</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Train 5 juvenile defenders to train on Trial Skills Curriculum</td>
<td>RMP</td>
<td>June 30, 2017</td>
</tr>
<tr>
<td>One district will create a district-level training program in juvenile defense.</td>
<td>Juvenile Community</td>
<td>December 31, 2018</td>
</tr>
<tr>
<td>Sponsor 6 hours of juvenile-related webinars each year</td>
<td>LPDB</td>
<td>January 1, 2017</td>
</tr>
<tr>
<td>Create a standing group for standards review and revision</td>
<td>RMP</td>
<td>September 30, 2016</td>
</tr>
<tr>
<td>Prepare revised delinquency standards for distribution to key stakeholders</td>
<td>Standards Group</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Promulgate revised delinquency performance standards</td>
<td>LPDB</td>
<td>June 30, 2017</td>
</tr>
<tr>
<td>Prepare draft FINS standards for distribution to key stakeholders</td>
<td>Standards Group</td>
<td>June 30, 2017</td>
</tr>
<tr>
<td>Promulgate FINS performance standards</td>
<td>LPDB</td>
<td>December 31, 2017</td>
</tr>
<tr>
<td>Prepare revised standards for representing children in adult court</td>
<td>Standards Group</td>
<td></td>
</tr>
<tr>
<td>Promulgate revised standards for representing children in adult court</td>
<td>LPDB</td>
<td>December 31, 2017</td>
</tr>
<tr>
<td>Collect information about juvenile defenders obtaining training required by standards</td>
<td>LPDB and Juvenile Community</td>
<td>March 1, 2017</td>
</tr>
<tr>
<td>Measure the % of clients represented by defenders who are compliant with training standards in CY2016</td>
<td>LPDB</td>
<td>April 1, 2017</td>
</tr>
<tr>
<td>Reduce by half the % of clients represented by defenders who are not compliant with training standards by CY2018</td>
<td>Juvenile Community</td>
<td>December 31, 2018</td>
</tr>
</tbody>
</table>

**Goal #3:** Improve representational services throughout the lifetime of the case, particularly in post-dispositional proceedings, by adding legal and multidisciplinary capacity

<table>
<thead>
<tr>
<th>Strategies</th>
<th>Responsible Party</th>
<th>Target Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seek dedicated funding for juvenile delinquency defense</td>
<td>LPDB</td>
<td>March 30, 2018</td>
</tr>
<tr>
<td>Seek dedicated funding for post-dispositional delinquency defense</td>
<td>LPDB</td>
<td>March 30, 2018</td>
</tr>
<tr>
<td>Include provisions for incorporating social work service and youth advocates into revised delinquency standards</td>
<td>Standards Group</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Include provisions for post-dispositional representation into revised delinquency standards</td>
<td>Standards Group</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Identify key performance measures for post-dispositional representation</td>
<td>Data Advisory Group</td>
<td>June 30, 2017</td>
</tr>
<tr>
<td>Collect data relevant to post-dispositional representation</td>
<td>LPDB</td>
<td>December 31, 2017</td>
</tr>
<tr>
<td>In CY2017, 50% of youth held in OJJ custody will be provided at least one review hearing</td>
<td>Juvenile Community</td>
<td>December 31, 2017</td>
</tr>
<tr>
<td>In CY2018, 90% of youth held in OJJ custody will be provided at least one review hearing</td>
<td>Juvenile Community</td>
<td>December 31, 2018</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
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</tr>
<tr>
<td>In CY2018, 50% of youth released from OJJ will be released prior to the expiration of original disposition</td>
<td>Juvenile Community</td>
<td>December 31, 2018</td>
</tr>
<tr>
<td>Offer a statewide training on special education advocacy</td>
<td>LPDB</td>
<td>December 31, 2017</td>
</tr>
<tr>
<td>In CY2018, juvenile defenders will be instrumental in scheduling 30 Individualized Education Plan meetings for clients</td>
<td>Juvenile Community</td>
<td>December 31, 2018</td>
</tr>
<tr>
<td>Advocate for reform of the juvenile expungement provisions of the Children’s Code to reduce delays and improve access to expungement</td>
<td>Juvenile Community</td>
<td>June 30, 2018</td>
</tr>
</tbody>
</table>
GAULT AT 50:
DEFENDING CHILDREN’S RIGHTS
STATEMENT OF PRINCIPLES

Fifty years ago the United States Supreme Court said that children have fundamental rights in America’s courtrooms.

It is time to fulfill that promise.

In May 1967, the U.S. Supreme Court issued its decision in re Gault, requiring children to have the same basic due process rights as adults when they are prosecuted. These rights include the right to counsel, the right to notice of charges against them, the right to remain silent, and the right to cross-examine witnesses. In the nearly five decades since then, the promise of Gault has not been realized. Children in many states have problems accessing an attorney or do not get effective representation from an attorney trained to represent young people. Children are our most vulnerable defendants, and therefore they need a skilled attorney to defend them from a system that incarcerates more children than any other country in the world.

The Gault at 50 Campaign seeks to ensure that every child has an effective attorney in America’s juvenile courts.

Justice demands that all children in juvenile court have access to counsel. Therefore, we believe that:

- Every child should always be provided a juvenile defense attorney at the earliest possible moment.
- Every child should be automatically eligible for a publicly funded juvenile defense attorney.
- A child’s juvenile defense attorney should represent the child throughout the time the child is under the jurisdiction or supervision of the juvenile justice system, from arrest through post-disposition, which may include incarceration, probation, and/or parole, related appeals, and reentry.
- Every juvenile defense attorney must receive specialized training and support to be an effective advocate for children.
- Publicly funded defense systems must provide the necessary training, leadership, funding, tools, and resources to develop juvenile defenders with specialized knowledge and expertise.

To join the growing list of organizations endorsing this Statement of Principles, visit www.gaultat50.org
AN ACT

To amend and reenact R.S. 13:2005.1, 2488.7, and 2488.77 and to enact R.S. 13:2005(D) and (E) and 2013, relative to city courts; to provide for the city courts of New Iberia, Franklin, Breaux Bridge, Jeanerette, and Morgan City; to provide for the creation of Indigent Defender Fund Boards in those city courts; to provide for membership; to provide relative to fees collected for purposes of indigent defense; to deposit a portion of those fees into a special fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2005.1, 2488.7, and 2488.77 are hereby amended and reenacted and R.S. 13:2005(D) and (E) and 2013 are hereby enacted to read as follows:

§2005. Morgan City

* * * *

D. Thirty percent of the funds collected by the city court of Morgan City pursuant to the provisions of R.S. 15:168(B) shall be deposited into a special fund created for this purpose. The fund shall be referred to as the Morgan City Indigent Defender Fund.

E. The Morgan City Indigent Defender Fund Board shall manage and oversee funds remitted to the Morgan City Indigent Defender Fund and shall consist of three members residing in the Morgan City Court district and shall be composed of the following:
(3) One member appointed by the legislative delegation from nominees from
the Louis A. Martinet Legal Society.

§2005.1. New Iberia

A. Fines, forfeitures and penalties imposed in criminal prosecutions by the
city court of New Iberia for city violations shall be paid into the city treasury of the
city of New Iberia; fines, forfeitures and penalties under state statutes shall be paid
into the city treasury of the city of New Iberia. Costs assessed in criminal matters by
the city court of New Iberia shall be disposed of and used as is provided by R.S.
13:1899.

B. Notwithstanding any other provision of this Section to the contrary, thirty
percent of the funds collected by the city court of New Iberia pursuant to the
provisions of R.S. 15:168(B) shall be deposited into a special fund created for this
purpose. The fund shall be referred to as the New Iberia Indigent Defender Fund.

C. The New Iberia Indigent Defender Fund Board shall manage and oversee
funds remitted to the New Iberia Indigent Defender Fund and shall consist of three
members residing in the New Iberia City Court district and shall be composed of the
following:

(1) One member appointed by the city council of New Iberia.

(2) One member appointed by the Iberia Parish Council.

(3) One member appointed by the legislative delegation from nominees from
the Louis A. Martinet Legal Society.

*   *   *

§2013. Jeanerette

A. Thirty percent of the funds collected by the city court of Jeanerette
pursuant to the provisions of R.S. 15:168(B) shall be deposited into a special fund
created for this purpose. The fund shall be referred to as the Jeanerette Indigent
members residing in the Jeanerette City Court district and shall be composed of the
following:

(1) One member appointed by the city council of Jeanerette.

(2) One member appointed by the Iberia Parish Council.

(3) One member appointed by the legislative delegation from nominees from
the Louis A. Martinet Legal Society.

* * *

§2488.7. Collection of fines, forfeitures, penalties and costs

A. The city judge or any officer of the city court as may be designated by the
city judge, shall collect all fines, forfeitures, penalties and costs, and all funds so
collected, excluding costs, shall be paid into the town treasury of the town of
Franklin when the prosecution is on behalf of the town, and into the parish treasury
when the prosecution is on behalf of the state or the parish.

B. Notwithstanding any other provision of this Section to the contrary, thirty
percent of the funds collected by the city court of Franklin pursuant to the provisions
of R.S. 15:168(B) may be deposited into a special fund created for this purpose. The
fund shall be referred to as the Franklin Indigent Defender Fund.

C. The Franklin Indigent Defender Fund Board shall manage and oversee
funds remitted to the Franklin Indigent Defender Fund and shall consist of three
members residing in the Franklin City Court district and shall be composed of the
following:

(1) One member appointed by the city council of Franklin.

(2) One member appointed by the St. Mary Parish Council.

(3) One member appointed by the legislative delegation from nominees from
the Louis A. Martinet Legal Society.

* * *
Bridge when the prosecution is on behalf of the town, and into the parish treasury of 
the St. Martin Parish police jury general fund when the prosecution is on behalf of 
the state or the parish.

B. Notwithstanding any other provision of this Section to the contrary, thirty 
percent of the funds collected by the city court of Breaux Bridge pursuant to the 
provisions of R.S. 15:168(B) shall be deposited into a special fund created for this 
purpose. The fund shall be referred to as the Breaux Bridge Indigent Defender Fund.

C. The Breaux Bridge Indigent Defender Fund Board shall manage and 
oversee funds remitted to the Breaux Bridge Indigent Defender Fund and shall 
consist of three members residing in the Breaux Bridge City Court district and shall 
be composed of the following:

(1) One member appointed by the city council of Breaux Bridge.

(2) One member appointed by the St. Martin Parish Council.

(3) One member appointed by the legislative delegation from nominees from 
the Louis A. Martinet Legal Society.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

__________________________________________

PRESIDENT OF THE SENATE

__________________________________________

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: __________________