

Supreme Court of Nevada
ADMINISTRATIVE OFFICE OF THE COURTS

ROBIN SWEET
Director and
State Court Administrator



JOHN MCCORMICK
Assistant Court Administrator
Judicial Programs and Services

RICHARD A. STEFANI
Deputy Director
Information Technology

MEETING NOTICE AND AGENDA

**Indigent Defense Commission (IDC)
VIDEOCONFERENCE**

Date and Time of Meeting: November 20, 2019 at 1:30 p.m.

Place of Meeting:

Carson City	Las Vegas	Washoe	Ely	Elko
Supreme Court Library Room 103 201 S. Carson Street Carson City, Nevada	Nevada Supreme Court Building Conference Room A/B 408 E. Clark Avenue Las Vegas, NV	Second Judicial District Court Room 214 75 Court Street Reno, NV	Seventh Judicial District Court 801 Clark Street Ely, NV	Fourth Judicial District Court 571 Idaho Street Elko, NV
Teleconference Access: Dial-In # 1-408-740-7256 Meeting ID 1110011234				

All participants attending via teleconference should mute their lines when not speaking; it is highly recommended that teleconference attendees use a landline and handset in order to reduce background noise.

AGENDA

- I. Call to Order
 - a. Call of Roll
 - b. Determination of a Quorum
- II. Public Comment

Because of time considerations, the period for public comment by each speaker may be limited. Speakers are urged to avoid repetition of comments already made by previous speakers.
- III. Review and Approval of the September 11, 2019 Meeting Summary*
- IV. Discussion on the Department of Indigent Defense Services/Board on Indigent Defense Services
- V. Caseloads – Update/Discussion - *Mr. Hans Jessup*
- VI. Update on ACLU of Nevada - *Ms. Franny Forsman*

Supreme Court Building ♦ 201 South Carson Street, Suite 250 ♦ Carson City, Nevada 89701 ♦ (775) 684-1700 • Fax (775) 684-1723

Supreme Court Building ♦ 408 East Clark Avenue ♦ Las Vegas, Nevada 89101

- VII. Update on Indigent Defense Clark County - *Mr. Drew Christensen, Mr. Darin Imlay, Ms. JoNell Thomas*
- VIII. Update on Indigent Defense in Washoe County - *Mr. John Arrascada, Ms. Krista Meier, Mr. Marc Picker*
- IX. Update on the State Public Defender's Office - *Ms. Karin Kreizenbeck*
- X. Update on the Federal Public Defender's Office - *Mr. Jonathan Kirshbaum*
- XI. Update on Eighth Judicial District Court Homicide Program – *Judge Doug Herndon, Mr. Chris Lalli*
- XII. Other Business
- XIII. Adjournment

- Action items are noted by * and typically include review, approval, denial, and/or postponement of specific items. Certain items may be referred to a subcommittee for additional review and action.
- Agenda items may be taken out of order at the discretion of the Chair in order to accommodate persons appearing before the Commission and/or to aid in the time efficiency of the meeting.
- If members of the public participate in the meeting, they must identify themselves when requested. Public comment is welcomed by the Commission but may be limited to five minutes per person at the discretion of the Chair.
- The Commission is pleased to provide reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If assistance is required, please notify Commission staff by phone or by email no later than two working days prior to the meeting, as follows: Jamie Gradick, (775) 687-9808 - email: jgradick@nvcourts.nv.gov
- This meeting is exempt from the Nevada Open Meeting Law (NRS 241.030 (4)(a))
- At the discretion of the Chair, topics related to the administration of justice, judicial personnel, and judicial matters that are of a confidential nature may be closed to the public.
- **Notice of this meeting was posted in the following locations:** Nevada Supreme Court website: www.nevadajudiciary.us; Carson City: Supreme Court Building, Administrative Office of the Courts, 201 South Carson Street; Las Vegas: 408 East Clark Avenue.

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Indigent Defense Commission
Summary Prepared by Kimberly Williams
September 11, 2019
1:30 p.m.

<u>Attendees</u> Sr. Justice Michael A. Cherry, Chair Judge Tom Armstrong John Arrascada Drew Christensen Joni Eastley Judge Gary Fairman Franny Forsman Darin Imlay Jonathan Kirshbaum Karin Kreizenbeck John Petty	Marc Picker Judge Mason Simons Dagny Stapleton JoNell Thomas Jeff Wells <u>AOC Staff</u> Jamie Gradick Hans Jessup Kimberly Williams
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- I. Call to order
 - Call of Roll and Determination of a Quorum
 - Ms. Gradick called Roll.
 - A quorum was not present.
- II. Public Comment
 - There was no public comment.
- III. Review and Approval of the June 12, 2019 Meeting Summary
 - Senior Justice Cherry, as chair, unilaterally approved the summary from the June 12, 2019 meeting.
- IV. Discussion on the Department of Indigent Defense Services/Board on Indigent Defense Services.
 - Ms. Forsman reported that one position remains vacant. Once the Board is in place, they executive director position will be filled. The Board will accept applications, hold interviews, and recommend three candidates to the Governor for selection.
- V. Caseload Standards Discussion/Update
 - Mr. Jessup presented a brief status update.
 - His team is continuing to capture information provided by the district courts.
 - Justice and municipal courts do not really report indigent defense data.

- Self-represented data is being captured but not consistently.
 - Attendees discussed whether information should still be gathered if it is incomplete data. Ms. Forsman suggested to keep gathering the statistics for now; Mr. Jessup agreed.
 - Senior Justice Cherry commented that the Commission should remain committed to establishing caseload standards.
- VI. Status Update on ACLU of Nevada (*Portions of this discussion were inaudible*)
- Ms. Forsman reported that the merits discovery process is ongoing and told attendees to expect requests for documents and evidence.
 - Attendees discussed the rural focus of the lawsuit. The lawsuit is against the state with public defenders comprising the class members.
- VII. Status Update on Indigent Defense in Clark County (*Large portions of this discussion were inaudible*)
- Mr. Christensen provided a brief status update; his office works with newly licensed attorney but needs more experienced lawyers for post-conviction work.
 - Ms. Thomas reported her office negotiated three capital cases in the last month. They have their first 2 cases going to settlement conference soon.
 - Mr. Christensen explained to the committee the process his office went through to figure out the logistics of running a settlement conference.
 - Ms. Thomas reported that, so far, everyone involved in a settlement conference is satisfied. They anticipate three more cases coming.
 - Attendees briefly discussed coercion concerns and settings for settlement conferences.
 - Mr. Imlay reported his office had a case in front of the Supreme Court.
 - Mr. Imlay's office started a new training program for attorneys. His office is working on filling seven positions.
- VIII. Status Update on Indigent Defense in Washoe County
- Mr. Arrascada provided a brief update.
 - His office has not had any cases appropriate for the settlement conference model but most stakeholder are aware of the option.
 - Washoe County has never carried more than three Category A felonies and is currently handling eight; the county is being supportive.
 - Krista Meier started about a month ago; she is recruiting new lawyers, organizing the processes within the office, and working on clearing work backlog.
- IX. Status Update from the State Public Defender's Office
- Ms. Kreizenbeck provided a status update.
 - The State office is still in the process of transitioning out from under Health and Human Services; this involves establishing new IT and personnel support.
 - The State office is not opposed to the settlement conference program but has not has cause to utilize it yet.
- X. Status Update on the Federal Public Defender's Office
- Mr. Kirshbaum introduced himself and provided a brief update.

- The Federal PD office is continuing with the CLE program offering training on indigent defendants and related issues.
- Attendees briefly discussed the need for training on habeas cases and representing people before the Pardon's Board.

XI. Update on Eighth Judicial District Court Homicide Case Program

- No updates

XII. Other Business

- Senior Justice Cherry requested Ms. Gradick schedule the meeting for November.

XIII. Adjournment

- Senior Justice Cherry adjourned the meeting at 2:15 pm.