

APPELLATE DEFENDER COMMISSION MEETING

MINUTES

DECEMBER 17, 2014

DETROIT, SADO

12:00 P.M.

PRESENT:

COMMISSIONERS: CHAIRPERSON JOHN NUSSBAUMER, VICE-CHAIR THOMAS CRANMER, THOMAS ADAMS, JUDGE CAPRATHE, THOMAS MCNEILL, DOUGLAS MESSING AND JUDITH GRACEY

OTHERS PRESENT:

SADO: DIRECTOR DAWN VAN HOEK, DEPUTY DIRECTOR JONATHAN SACKS, CDRC MANAGER MARLA MCCOWAN, FISCAL MANAGER BRYAN VANCE, AND HUMAN RESOURCES MANAGER WENDY SCHAUB

MAACS: ADMINISTRATOR BRAD HALL AND MARIAROSA JUAREZ PALMER

COMMISSION AGENDA

WELCOME AND INTRODUCTIONS

Ms. Van Hoek introduced the Commission to Brad Hall, the newly hired MAACS Administrator. Ms. Van Hoek explained that Mr. Hall is a visionary that came from the Federal Defender Office, a very well-resourced system, and that he has great ideas on how to improve MAACS.

APPROVAL OF THE MINUTES FROM THE MEETING OF SEPTEMBER 17, 2014

Judge Caprathe moved, seconded by Commissioner McNeill, to approve the Minutes of the September 17, 2014 meeting.

ADC MEETING LOCATIONS FOR 2015

Chairperson Nussbaumer announced the meeting dates for 2015 as follows:

March 18th

June 17th (Lansing)

September 16th

December 16th

DIRECTOR PERFORMANCE

Judge Caprathe moved, seconded by Commissioner Messing, to enter into Executive Session with Dawn Van Hoek to discuss her performance review. Carried.

Ms. Van Hoek received a highly complimentary performance evaluation by the Commission.

SADO/MAACS CONSOLIDATION

Ms. Van Hoek provided the Commission with an organizational chart for the consolidation of SADO and MAACS.

Additionally, Ms. Van Hoek suggested that the Commission ask the Supreme Court for an extension from March of 2015 until October 1, 2015 to provide a draft of the new Administrative Order to the Court, allowing enough time for MAACS' new Administrator to provide input. *Commissioner McNeill moved, seconded by Judge Caprathe, to request an extension from the Supreme Court until October 1, 2015 for the Commission's input on a new Administrative Order.*

Ms. Van Hoek reported that they are close to signing a lease for space for the consolidation of SADO and MAACS. MAACS will need an extension until April 1, 2015 on their current leased space.

Ms. Van Hoek discussed the ongoing needs assessment for MAACS and using what they learn to inform the strategic planning process for the consolidated agency. Some areas of concern that will be dealt with are roster attorney fees, the use of experts and investigators on roster attorney cases, data collection, assignment levels, training, and access to the record.

SADO AGENDA

BUDGET

Ms. Van Hoek reported that she plans to ask for funding for SADO to handle 40% of the appeals and would take more cases from counties where there aren't enough attorneys on the roster to handle the appeals, particularly within the higher levels of assignment types.

NETWORK AUDIT

Ms. Van Hoek reported that SADO contracted with an outside IT company for a network audit and SADO is now implementing some of the audit recommendations.

CAPACITY AND FORMULA

SADO handled approximately 28% of the appeals for 2014.

GRANTS

Ms. McCowan reported that, with MCOLES funding, the CDRC did more training this year than in any other year. CDRC received a small funding increase from MCOLES for 2015.

POST-DOC RESEARCH FELLOW

Ms. Van Hoek provided the Commission with a description of the project Jonah Siegel is working on.

VOLUNTEER ATTORNEY CORPS

Eve Primus, a current University of Michigan Law School Professor, will be working for SADO as a volunteer attorney on SADO cases.

SOCIAL NETWORKING POLICY

Ms. Van Hoek provided the Commission with a draft of SADO's new Social Networking Policy. *Judge Caprathe moved, seconded by Commissioner Adams, to approve the Social Networking Policy.*

MIDC UPDATE

Ms. Van Hoek reported that Mr. Sacks will be leaving SADO to become the Executive Director of the MIDC.

JLWOP

Mr. Sacks reported that the US Supreme Court granted cert on a juvenile lifer case, *Toca v. Louisiana*.

SADO ADVOCATE OF THE YEAR

SADO Assistant Defender Christine Pagac was recommended for the SADO Advocate of the Year Award. ***Judge Caprathe moved, seconded by Commissioner Cranmer, to award the SADO Advocate of the Year Award Christine Pagac.***

CASE HIGHLIGHT

A summary of SADO case highlights was provided in the meeting materials.

MAACS AGENDA

GRANTS

Ms. Van Hoek reported that they will try to obtain BYRNE JAG funding for an investigator pool of money for roster attorneys.

BARBARA R. LEVINE AWARD

~~MAACS roster attorney Mike Faraone was recommended for the Barbara R. Levine Award. ***Judge Caprathe moved, seconded by Commissioner Cranmer, to award the Barbara R. Levine Award to Mike Faraone .***~~

Chairperson Nussbaumer mentioned he would like to see some sort of a show of appreciation, beyond the award, for attorneys. Ideas presented included publication advertisements or an appreciation luncheon.

The meeting was adjourned at 3:15 p.m.

Respectfully submitted,
Wendy Schaub
SADO

APPELLATE DEFENDER COMMISSION

BY: 

John Nussbaumer, Chair