

**APPELLATE DEFENDER COMMISSION MEETING  
MINUTES**

**DECEMBER 16, 2015  
DETROIT, SADO  
12:00 P.M.**

**PRESENT:**

**COMMISSIONERS: CHAIRPERSON THOMAS CRANMER, THOMAS ADAMS,  
DOUGLAS MESSING, JUDGE CAPRATHE (via phone),  
and JUDITH GRACEY (via phone)**

**OTHERS PRESENT:**

**SADO: DIRECTOR DAWN VAN HOEK, DEPUTY DIRECTOR MICHAEL  
MITTLESTAT, CDRC ADMINISTRATOR MARILENA DAVID-MARTIN,  
FISCAL MANAGER BRYAN VANCE, and HUMAN RESOURCES  
MANAGER WENDY DEALCA**

**MAACS: ADMINISTRATOR BRAD HALL and OFFICE MANAGER MARIAROSA  
JUAREZ PALMER**

**GUEST: ANDREW LEE, KATHERINE MARCUZ, SOFIA NELSON, and  
ADRIENNE YOUNG**

**COMMISSION AGENDA**

**WELCOME AND INTRODUCTIONS**

Ms. Van Hoek introduced newly hired SADO and MAACS staff to the Commission. Sofia Nelson and Adrienne Young are two newly hired Assistant Defenders at SADO. Andrew Lee and Katherine Marcuz were hired to work for the grant-funded Appellate Investigation Project with MAACS.

**APPROVAL OF THE MINUTES FROM THE MEETING OF SEPTEMBER 16, 2015**

***Commissioner Messing moved, seconded by Commissioner Adams, to approve the Minutes of the September 16, 2015 meeting as amended. Carried.***

## **APPROVAL OF ADVOCACY AWARDEES**

*Judge Caprathe moved, seconded by Commissioner Adams, to approve the nominees presented by SADO and MAACS for the Norris J. Thomas and Barbara R. Levine Awards. Carried.*

## **ELECTION OF CHAIR AND VICE-CHAIR**

*Commissioner Messing moved, seconded by Commissioner Adams, to elect Commissioner Cranmer to serve as the Chairperson of the Commission. Carried.*

*Commissioner Messing moved, seconded by Commissioner Adams, to elect Commissioner McNeill to serve as the Vice-Chair of the Commission. Carried.*

## **ADC MEETING LOCATIONS FOR 2016**

Chairperson Cranmer announced the meeting dates for 2016 as follows:

March 16, 2016 (Detroit)  
June 15, 2016 (Detroit)  
September 21, 2016 (Lansing)  
December 14, 2016 (Detroit)

## **ADC VACANCY**

Ms. Van Hoek reported that the State Bar is still working on nominating someone to fill Commissioner Nussbaumer's vacancy.

## **SADO AGENDA**

### **BUDGET**

Ms. Van Hoek reported that SADO requested funding to handle 40% of the statewide appellate workload. SADO should know whether or not the Governor supports its request in February 2016. SADO also requested supplemental funding to replace training money it used to receive from MCOLES.

Ms. David-Martin reported that about 50 MAACS attorneys signed up for the Westlaw/CDRC package provided by SADO.

### **HIRING AT SADO:**

SADO hired a new support person, two staff attorneys, and is in the process of hiring an additional investigator.

## **CAPACITY AND FORMULA**

Mr. Mittlestat reported that SADO is handling slightly above 25% of the statewide appeals.

## **GRANTS**

Ms. Van Hoek and Mr. Mittlestat provided the Commission with an update of the DNA and Wrongful Conviction grants.

## **CASE HIGHLIGHTS**

Mr. Mittlestat provided a summary of SADO case highlights to the Commission.

## **MAACS AGENDA**

### **APPELLATE INVESTIGATION PROJECT**

Mr. Hall reported that the Appellate Investigation Project is funded by a grant for one year. Project staffers were hired in November and are developing the initial processes that roster attorneys will utilize to request investigation services. Project staffers have already begun working on a couple of cases.

### **THREE-DAY APPELLATE WRITING WORKSHOP**

Mr. Hall provided the workshop agenda to the Commission. Feedback received by MAACS so far has been overwhelmingly positive.

### **REGIONAL PILOT PROJECT**

The Regional Pilot Project launched October 1, 2015. Local court personnel completed a survey after the rollout and responded favorably. There are some minor issues to work out within the pilot project. Any workarounds implemented during the pilot project will be fixed in the launch of the fully revamped system in October 1, 2016.

### **PERFORMANCE REVIEW OF ROSTER**

Mr. Hall reported that the performance review of the roster will take longer than initially anticipated because the reviews need to be very thorough. There was consensus among the Commission that Mr. Hall should conduct a thorough review, which hasn't been done in while, and that it will take longer to complete.

### **FEE LITIGATION SUPPORT**

Mr. Hall updated the Commission on the fee litigation cases, *In re Ujlaky* and *In re Foster*.

## **NEW LEVEL 1 ROSTER ATTORNEYS**

Mr. Hall provided the Commission with the resumes of the new level 1 roster attorneys. There were over 85 applicants. MAACS admitted 25 new attorneys.

## **REQUEST FOR ADC APPROVAL OF NEW LEVEL 3 ATTORNEYS**

*Commissioner Adams moved, seconded by Judge Caprathe, to approve the requests for Patricia Maceroni and Robyn Frankel to join the roster as Level 3 attorneys. Carried.*

## **CASE HIGHLIGHTS**

Mr. Hall provided a summary of recent roster attorney successes to the Commission.

**The meeting was adjourned at 2:15 p.m.**

Respectfully submitted,  
Wendy Dealca  
SADO

## **APPELLATE DEFENDER COMMISSION**

BY: \_\_\_\_\_  
Thomas W. Cranmer, Chair