

**Michigan Indigent Defense Commission Meeting Minutes**  
**Proposed Standard on Indigency Screening Public Hearing & Business Meeting**

The meeting was held electronically via Zoom.

The notice included information for members of the public on how to participate.

September 15, 2020

Time: 11:00 am

**Commission Members Participating**

Michael Puerner, Chair, Joshua Blanchard, Kimberly Buddin, Judge Jeffrey Collins, Nathaniel Crampton, Andrew DeLeeuw, Cami Pendell (non-voting member), Judge Kristina Robinson Garrett, John Shea

**Commission Members Absent:**

Tracy Brame, Judge James Fisher, Christine Green, Joseph Haveman, David Jones, James Krizan, Margaret McAvoy, Tom McMillin, William Swor, Gary Walker

**Staff Members Participating**

Loren Khogali, Barbara Klimaszewski, Marla McCowan, Kelly McDoniel, Rebecca Mack, Deborah Mitchell, Susan Prentice-Sao, Christopher Sadler, Jonah Siegel, Nicole Smithson, Kristen Staley, Melissa Wangler and Marcela Westrate

Chair Puerner called the Michigan Indigent Defense Commission (“MIDC” or “the Commission”) meeting to order at 11:04 am.

**Introduction of Commission members and guests**

Chair Puerner welcomed attendees to the public hearing on the Commission’s proposed indigency standard.

He requested a roll call be conducted. There was not a quorum of Commissioners present for the meeting.

**Committee presentation of proposed standard on indigency screening**

Ms. Khogali provide an overview of the contents of the standard and the statutory authority to draft the standard. She highlighted the role that various stakeholders played in providing insight and feedback throughout the process of drafting the proposed standard. This included focus groups of criminal defense attorneys and judges, a survey regarding retainers, and meetings with stakeholder groups. Feedback was incorporated into the draft standard that was reviewed by an MIDC committee and referred to the full Commission for its review.

Ms. Smithson provided an overview of the standard as it is currently drafted.

Written comments submitted to the MIDC were distributed to Commissioners for their review prior to the public hearing.

**Public Comment**

Chair Puerner asked for public comment.

The following people provided public comment:

- Marianne Talon;
- Robin Dillard-Russaw;
- John Nizol;
- Craig Paull;
- Thomas Hausmann.

There being no further public comment, Commissioner Blanchard moved that the public hearing be adjourned. Commissioner Shea seconded the motion. The motion carried. Because of the lack of quorum, Chair Puerner indicated that, had there been no motion to adjourn, he would have adjourned without a motion in his role as Chair.

The public hearing adjourned at 11:45 am.

### **Business Meeting**

The Commission moved to a business meeting at 11:45.

Chair Puerner requested a roll call vote be conducted to determine whether a quorum of Commissioners was present.

### **Commission Members Participating**

Michael Puerner, Chair, Joshua Blanchard, Kimberly Buddin, Judge Jeffrey Collins, Nathaniel Crampton, Cami Pendell (non-voting member), Judge Kristina Robinson Garrett, John Shea

### **Commission Members Absent:**

Tracy Brame, Andrew DeLeeuw, Judge James Fisher, Christine Green, Joseph Haveman, David Jones, James Krizan, Margaret McAvoy, Tom McMillin, William Swor, Gary Walker

A quorum of Commissioners was not present.

Chair Puerner moved the adoption of the consent agenda to the October meeting. The following two items were changed from action items to discussion items because of the lack of quorum: the amendment to allow for expenditure of fiscal year 2020 unexpended funds and the Executive Committee's Recommendation to extend Wayne County's fiscal year 2020 planning grant until December 31, 2020.

Ms. Khogali provided an overview of the administrative amendment to allow for expenditure of fiscal year 2020 unexpended funds. She will recirculate the amendment to the Commission and if there are no objections, then she recommends that ratification be put on the October agenda. The amendment is necessary for some systems, who will not have an executed contract in place by October 1 and need the amendment so that compliance with MIDC standards does not stop.

Chair Puerner provided an overview of the Wayne County planning grant. The Commission's Executive Committee recommends changing the end date from September 30, 2020 to December 31, 2020. This administrative change is the only part of the contract that is being modified. The end of the State's fiscal year is approaching, and the date must be changed by September 15.

Chair Puerner requested that MIDC staff convene the committee that considered the proposed indigency standard to complete a technical review of the standard and make any corrections that are necessary. He asked that the committee consider the comments that were submitted to the MIDC.

The next meeting will be October 20, 2020 at 9:00am.

Chair Puerner adjourned the meeting without a motion at 12:03 pm.

Respectfully submitted,  
Marcela Westrate