

## Michigan Indigent Defense Commission Meeting Minutes

The meeting was held remotely via Zoom in compliance with the Open Meetings Act and Public Act 228 of 2020 and pursuant to the City of Lansing's state of emergency resolution #2021-081 to reduce transmission of COVID-19 and protect the health of Commissioners, MIDC staff and members of the public interested in attending the meeting. The MIDC website and meeting notice included information for members of the public on how to participate.

**July 8, 2021**  
**Time: 9:00 am**

### **Commission Members Participating**

During roll call Commissioners were asked to identify the county, city, town or village and state from which they are attending, that information is reflected below in parentheses following each Commissioner's name.

- Judge Jeffrey Collins (Wayne County, Michigan)
- Joshua Blanchard (Greenville, Montcalm County, Michigan)
- Tracy Brame (Grand Rapids, Kent County, Michigan)
- Hakim Crampton (Jackson, Jackson County, Michigan)
- Andrew DeLeeuw (Ann Arbor, Washtenaw County, Michigan)
- Judge James Fisher (Grand Rapids, Kent County, Michigan)
- Christine Green (Rapid City, Kalkaska County, Michigan)
- Margaret McAvoy (Mount Pleasant, Isabella County, Michigan)
- Cami Pendell (Lansing, Ingham County, Michigan)
- Michael Puerner, Chair, (Beaver Island, Charlevoix County, Michigan)
- Judge Kristina Robinson Garrett (Detroit, Wayne County, Michigan)
- John Shea (Dexter Township, Washtenaw County, Michigan)
- William Swor (Detroit, Wayne County, Michigan)
- Gary Walker (Chocolay Township, Marquette County, Michigan),

### **Commission Members Absent:**

Kimberly Buddin, David Jones, James Krizan and Tom McMillin

### **Staff Members Participating**

Loren Khogali, Shunkea Brown, 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 Collins called the Michigan Indigent Defense Commission ("MIDC" or "the Commission") meeting to order at 9:03 am.

### **Introduction of Commission members and guests**

Chair Collins welcomed attendees to the meeting.

### **Public Comment**

Chair Collins called for public comment. There were no members of the public wishing to comment.

### **Additions to agenda**

Commissioner Swor moved that a report and resolution on behalf of the Commission be added to the agenda. Commissioner Walker seconded. The motion carried.

Judge Robinson Garrett briefly left the meeting because of a power outage.

### **Consent Agenda**

Commissioner Puerner moved that the consent agenda containing the minutes from the June 15, 2021 meeting be adopted. Commissioner Swor seconded. The motion carried.

### **Chair Report**

Chair Collins appointed an Executive Search Committee. Commissioner Walker is heading that committee. The other members of the committee are Chair Collins, Commissioners Brame, DeLeeuw, Green, Puerner, Judge Robinson Garrett and Commissioner Shea.

### **Executive Director's Report**

Ms. Khogali thanked Commissioners and staff and noted that she is excited to see the work of the Commission continue. She thanked everyone for the grace and support with which the announcement of her departure was met.

### **Report of Executive Committee**

#### **Recommendation to appoint Interim Executive Director effective July 23, 2021**

The Executive Committee is recommending the appointment of Ms. McCowan as interim director effective July 23, 2021. Ms. McCowan has indicated that she is not going to apply for the permanent position as executive director. Commissioner Walker moved that Ms. McCowan serve as interim director effective July 23 and that she return to her position after the new executive director is hired. Ms. McAvoy seconded the motion. The motion carried.

### **Report of Executive Search Committee**

The Executive Search Committee met and has two items to bring to the full commission, the proposed job description and the date of closure for the submission of applications. The Executive Search Committee recommends that the job description be adopted with a closing date of August 15, 2021. Judge Fisher moved that the job description be adopted and that the date of closure for applications be August 15, 2021. Commissioner Swor supported. The motion carried.

Commissioner Walker indicated that any commissioner will be able to view all the applications.

### **Resolution of Appreciation for Executive Director Loren Khogali**

Ms. McCowan presented the following resolution in tribute to Ms. Khogali:

**“Resolution of Appreciation  
Michigan Indigent Defense Commission  
July 8, 2021**

**Whereas,  
Loren Khogali**

Skillfully served as the Executive Director of the Michigan Indigent Defense Commission from  
February 2018 to July 2021;

Secured substantial funding from the Legislature each year so that the MIDC could fully fund the  
approved compliance plans, these amounts included \$87 million in FY19, \$117.5 million in FY20,  
and \$126.7 million in FY21;

Obtained the Department of Licensing and Regulatory Affairs’ approval of Standard 5—thereby  
requiring all indigent defense programs in Michigan to be independent from the judiciary;

Oversaw the process for the MIDC’s approval of Standards 5 through 8 and the Indigency Standard;

In the midst of a global pandemic took steps to ensure the rights of indigent defendants to receive  
effective representation was not compromised and on March 27, 2020, coordinated a special MIDC  
meeting to address new challenges facing public defense;

Encouraged an atmosphere of collaboration, connection, and innovation while leading the MIDC  
staff through 17 months of working remotely; and

Earned the utmost respect from the Commission, the MIDC’s staff, and public defense stakeholders  
statewide.

**Therefore, the Michigan Indigent Defense Commission recognizes and thanks Loren  
Khogali for her extraordinary service, her vision, her dedication, and her inspiring  
leadership.”**

Commissioner Shea moved that the resolution be adopted as presented. Commissioner Swor seconded. The motion passed.

Commissioner Walker discussed the next steps in the Executive Search Committee’s process. The committee would like to secure some administrative support outside of the MIDC staff for the limited purpose of search process. Ms. Khogali will explore options for that support, including a temporary contract.

Commissioner Shea moved that the Commission approve spending money on a contractor for administrative assistance and that that contractor view applications through a lens of equity. Judge Fisher seconded the motion. The motion carried.

Commissioner Swor moved that the meeting be adjourned. Judge Fisher seconded. The motion carried. The meeting was adjourned at 9:44 am.

The next meeting will be held August 17, 2021, the location will be determined.

Respectfully submitted,  
Marcela Westrate