

**MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS
OF THE OFFICE OF THE STATE APPELLATE DEFENDER**

February 22, 2013

**Office of the State Appellate Defender
Conference Room
203 North LaSalle, 24th Floor Chicago, IL**

The following matters were covered at the February 22, 2013, meeting of the Board of Commissioners of the Office of the State Appellate Defender.

Present - **Board Members:** Thomas Breen, Honorable Michael P. Toomin, Honorable Charles Hartman, Honorable A. C. Cunningham, Jr., and Rebecca Janowitz. Also in attendance was former Commissioner David Reid Clark. Present via teleconference: Honorable Scott Drazewski, Honorable Dennis Middendorff, and Thomas Sullivan. Absent: Gary A. Dobbs.

Present - **Agency Staff:** Michael J. Pelletier, State Appellate Defender; Patricia Unsinn, Deputy State Appellate Defender; Tonya Janecek, Chief Fiscal Officer and Human Resource Director; and Sue Ryan, Senior Administrative Assistant. Present via teleconference: David P. Bergschneider, Deputy State Appellate Defender.

The meeting was called to order by Chairman Thomas Breen. Chairman Breen welcomed Rebecca Janowitz to the Board. Ms. Janowitz succeeds Judge David Donnersberger. While Judge Donnersberger was unable to attend this meeting, Chairman Breen extended the gratitude of the Board and the Agency for his years of service on the Board of Commissioners.

A motion to approve the minutes of the September 21, 2012, Board meeting was made by Judge Charles Hartman and seconded by Judge A. C. Cunningham. The minutes were approved unanimously.

New Business

A. Report for the First Six Months of Fiscal Year 2013

State Appellate Defender Michael J. Pelletier reported on the activities of the Agency for the first six months of Fiscal Year 2013.

During this time period, the Agency was appointed to 1,538 new cases and disposed of 1,429 cases. The number of cases waiting to be briefed is 2,765.

The Office of the State Appellate Defender is currently revising its website. The Expungement Unit is also updating their aspect of the website to make it more user friendly while continuing to provide materials for the expungement/sealing of records and assistance to callers on the toll-free hotline.

At the September 2012 meeting, the Board approved the operating budget for FY2013 which represented an almost 5% decrease from the previous year and again did not provide for either the Juvenile Defender Resource Center or the law student program. The Agency has been able to keep up with the caseload with a time span of 12-13 months from the filing of the Notice of Appeal to the filing of an original motion or brief. There is currently one attorney position and one support staff vacancy.

There were staff changes during this six-month period. Fifth District Deputy Defender Jo Beth Weber was elected Jefferson County Circuit Court Judge in November. Ellen Jenkins Curry, who clerked for the Fifth District Appellate Court for over 17 years, was a former Public Defender and was in private practice, was hired as the new Fifth District Deputy Defender. Additionally, a new position was created. Effective December 1, 2012, Laura Weiler, an Assistant Appellate Defender with the First District office for over 10 years, was named Director of Training. She will be responsible for training within the Agency as well as Public Defender training.

The Agency celebrated its 40th anniversary in October this year. Each district office individually recognized this milestone.

Two training programs for Public Defenders were conducted during this six-month period. The Illinois Public Defender Association 2012 Fall Seminar was held in October and was well attended. In continuing its mission to provide training to Public Defenders, a regional training program co-sponsored by the IPDA and OSAD was held in November in Chicago at no cost to Public Defenders.

For the week-long OSAD/IPDA Trial Ad program to be held in March in Chicago, the Agency will once again provide from the Public Defender training budget the cost of the registration fee, travel and lodging for downstate Public Defenders as well as the cost of the registration fee for Cook and Collar County Public Defender participants.

An audit for Fiscal Years 2011 and 2012 was conducted by the Auditor General's office and there were no audit findings.

B. Proposed Budget for Fiscal Year 2014

The proposed budget for Fiscal Year 2014 is \$21,597,300 and represents an increase of 4.8% over the current Fiscal Year 2013 operating budget.

This budget request will provide for the following:

- Full staffing of agency;
- Increase the current pay plan for all titles;
- Expungement Program - \$175,000;
- Public Defender Training Program - \$63,000;
- Implement the Juvenile Defender Resource Center pursuant to PA 95-0376 which became effective January 1, 2008 - \$300,000;
- Law Student Intern Program - \$61,100.

A motion to approve the Proposed Budget for Fiscal Year 2014 was made by Judge Charles Hartman and seconded by Judge A.C. Cunningham, Jr. The motion was unanimously approved.

C. **Haddad, Hughes and Gottfried Award Recommendations**

Deputy State Appellate Defender David Bergschneider presented the following nominating committee recommendations to the Board for approval:

For the **James B. Haddad Award**, the 2013 nominating committee recommends the following nominees:

Heidi Linn Lambros, Assistant Appellate Defender in the First District Office,
Steven Wiltgen, Assistant Appellate Defender in the Second District Office,
Mark Fisher, Assistant Appellate Defender in the Third District Office.

For the **Patrick J. Hughes, Jr. Award**, the 2013 nominating committee recommends the following nominees:

Paul Glaser, Assistant Deputy Defender/Supervisor in the Second District Office,
Josette Skelnik, Supervisor in the Second District Office,
Arden Lang, Supervisor in the Fourth District Office,

For the **Theodore A. Gottfried Award**, the 2013 nominating committee recommends the following nominees:

Carol Chatman, Legal Secretary in the First District Office,
Vnette Mistretta, Legal Secretary in the Second District Office,
Sue Mateer, Administrative Assistant, in the Administrative Office.

A motion to approve the recommendations of the Haddad, Hughes, and Gottfried Award Nominating Committees was made by Rebecca Janowitz and seconded by Justice Michael Toomin. The motion was unanimously approved.

Other Business

State Appellate Defender Michael J. Pelletier expressed his appreciation for the service and support to this Agency by retired commissioner Judge David R. Donnersberger during his six year term. This sentiment was shared by the Board.

During his term, Judge Donnersberger served as the Vice-Chairman. With his departure, the Board elected Judge Charles Hartman as his successor. A motion to approve Judge Charles Hartman as Vice Chairman was made by Justice Michael Toomin and was seconded by Judge A.C. Cunningham.

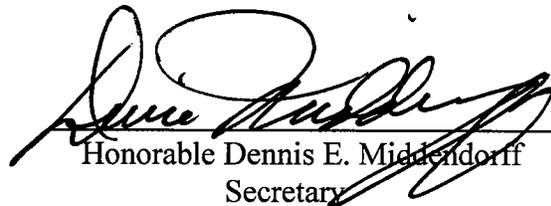
Additionally, Board secretary David Reid Clark's successor was appointed, and the Board secretary position became vacant. Judge Dennis Middendorff was elected and a motion to approve Judge Dennis Middendorff as the Board Secretary was made by Rebecca Janowitz and seconded by Judge A.C. Cunningham.

New Commissioner Rebecca Janowitz expressed her pleasure that the Office of the State Appellate Defender presents an annual employee award in memory of her friend, James B. Haddad.

The date for the next meeting of the Board of Commissioners was set for Friday, September 13, 2013, to be held in the First District office in Chicago at 9:30 a.m.

Adjournment

There being no further business, a motion to adjourn the meeting was made by Judge A.C. Cunningham, Jr. and seconded by Justice Michael Toomin. The motion was approved unanimously.


Honorable Dennis E. Middendorff
Secretary