



STATE OF NEVADA
DEPARTMENT OF INDIGENT DEFENSE SERVICES

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PUBLIC MEETING NOTICE AND AGENDA

Date and Time: January 29, 2020, 1:00 PM

Location: Capitol Building
101 North Carson Street
Old Assembly Chambers
Carson City, Nevada 89701

Video Conference Location: Grant Sawyer Building
555 E. Washington Avenue, Ste. 5100
Las Vegas, Nevada 89101

Note: DIDS may: 1) take agenda items out of order; 2) combine two or more items for consideration; or 3) remove an item from the agenda or delay discussion related to an item at any time.

Reasonable efforts will be made to assist and accommodate individuals with disabilities who wish to attend the meeting, please notify Cynthia Atanzio at (775) 687-0139 as soon as possible and at least two days in advance of the meeting. If you wish, you may e-mail her at catanzio@dids.nv.gov.

Public Comment Agenda Item: There is a time designated at the beginning of the meeting and the end of the meeting for Public Comment. The public body will limit public comments to three minutes per speaker and may place other reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint. Public comment may also be taken at other such times as requested as long as the request that public comment will not interrupt ongoing Board business. The Board may discuss the matters not on the Agenda but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future Agenda for action. In consideration of others

who may also wish to provide Public Comment, please avoid repetition. The Board reserves the right to limit public comment to three minutes.

Supporting materials for this meeting are available at 209 E. Musser Street, Suite 200, Carson City, NV 89701 or by contacting Cynthia Atanzio at (775) 687-0139 or by email at catanzio@dids.nv.gov.

AGENDA

- 1. Call to Order / Roll Call**
- 2. Public Comment (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes. Comments based upon viewpoint are welcomed).**
- 3. Approval of the December 19, 2019 Minutes (For possible action)**
- 4. Attorney-client discussion of potential and/or existing litigation. (pursuant to NRS 241.015(3)(b)(2), DIDS may go into Closed Session to receive information over which the public body has supervision, control, jurisdiction or advisory power.)**
 - a. Conference with Legal Counsel – Pending Litigation**

Attorney: Craig Newby, Deputy Solicitor General, Attorney General
- 5. Report from the Executive Director of the Department of Indigent Defense Service (For possible action)**
 - Discussion on Matters to Bring before IFC. (For possible action)
 - Proposal to give authority to Executive Director to request funds to provide investigators, social workers, a research director, expert fees, a software reporting system etc. for all rural indigent defense attorneys.
 - Contingency Fund update
 - Update on Organization Chart; obtained a P card; website: dids.nv.gov; working with UNLV students;
 - AB81 codified into NRS 180.300, et seq.
 - Proposal of Procedure to Receive Complaints and Recommendations (For Possible Action)

- Propose the form through the DIDS Website as the procedure to receive complaints and recommendations: https://hal.nv.gov/form/DIDS_Complaint/Complaint_or_Recommendation_Form
 - Discuss Internal Operating Procedure for Complaints and Recommendations
 - Propose the Resolution Form
- Presentation of RFI for weighted caseload study (For Possible Action)
- Approve Travel Policy (For Possible Action)
- Proposal for Standards on: Vertical Representation; Data Collection; Attorney Qualifications; Attorney Training; Prompt Appointment and First Appearance Representation (For Possible Action)
- Recommendation that the State Public Defender's Office should handle death penalty cases and appeals in the rural counties, except that counties may provide counsel on a non-contract fee basis (For Possible Action)
- Update from Attorney General on Work Group Question – Can be 1-2 Board Members (For Possible Action)
- Work Group Update – Establish Formula for maximum amount paid by the Counties. (For Possible Action)
 - Review County costs.
 - Proposed Standard: The maximum amount that a county will be required to pay for the provision of indigent defense services shall not exceed that county's actual costs to provide indigent defense services for the average of fiscal year 2018 and fiscal year 2019 minus any expenses related to capital and murder cases for those years plus, for each subsequent year, the percentage equal to the lesser of: a) the cost of inflation (measured by west region consumer price index); and/or b) the union negotiated cost of living increase for employees for that county.
- Proposal for Future Agenda Items (For Possible Action)

6. Presentation on Ineffective Assistance of Counsel Standards by Jonathon Kirshbaum, Chief of Non-Capital Habeas Unit, Federal Public Defender (For Discussion)

**7. Discussion and Announcement of Dates for Future Meetings
(For possible action)**

Proposal to set the monthly meeting for the last Thursday of the month. Next meeting date of February 27, 2020, at 9:00 am.

- 8. Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Board will impose a time limit of three minutes. Comments based upon viewpoint are welcomed).

9. Adjournment (For possible action)

Agenda Posted at the Following Locations

- Blasdel Building, 209 E. Musser Street, Carson City, NV 89701
- Capitol Building, 101 North Carson Street, Carson City, NV 89701
- Legislative Building, 401 N. Carson Street, Carson City, NV 89701
- Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
- Grant Sawyer Building, Capitol Police, 555 E. Washington, Las Vegas, NV 89101

Notice of this meeting was posted on the Internet:

- <https://notice.nv.gov>
- <http://dids.nv.gov/Meetings/2020/Meetings/>