State of Nevada
Department of Indigent Defense Services
Board Meeting Minutes
Thursday, June 26, 2025
1:00 PM
Meeting Location:

OFFICE	LOCATION	ROOM
Department of Indigent Defense Services	751 Basque Way Carson City, NV 89706	Conference Room

1. Call to Order/Roll Call:

Vice Chair Thomas called the meeting of the Board on Indigent Defense Services to order shortly after 1:00 pm, on Thursday, June 26, 2025.

Casey Popovich conducted a roll call. A **quorum was established**.

Board Members Present: Vice Chair Kate Thomas, Joni Eastley, Chris Giunchigliani, Jeff Wells, Susan Bush, Lorina Dellinger, Dave Mendiola, and Dayvid Figler.

Members not present: Angela Cook, Joe Crim, Allison Joffee, Jarrod Hickman, and Justice William Maupin.

Others Identified Present: Executive Director Peter Handy, Deputy Director Brenda Roberts, Deputy Director Homa Sayyar, David Schiek, Casey Popovich, Derrick Lopez, Brian Filter, Senior Deputy Attorney General Todd Weiss, and Nevada State Public Defender Andrew Coates.

2. Public Comment:

Vice Chair Thomas opened the line for public comment.

Deputy Director Homa Sayyar stated that the public can join by phone:+1 (669) 900-6833 Meeting ID: 89858113598 Passcode: 254904

Vice Chair Thomas stated there would be another opportunity if someone would like to speak.

Vice Chair Thomas moved to Item 3. Election of the Board Chair

3. Election of the Board Chair: (For possible action)

Motion: **Kate Thomas nominated for Board Chair.**
By: **Jeff Wells**
Second: **Dave Mendiola**
Vote: **Passed Unanimously**

Motion: **Dave Mendiola nominated for Vice Chair.**
By: **Kate Thomas**
Second: **Jeff Wells**

Vote: **Passed Unanimously**

4. Approval of the Minutes: (For possible action)

Motion: **Approve the Meeting Minutes of February 6, 2025.**
By: **Jeff Wells**
Second: **Kate Thomas**
Vote: **Passed Unanimously**

5. Department of Indigent Defense and Board Updates: (For discussion).

a. New Deputy Director: Homa Sayyar.

Executive Director Handy shared that Homa Sayyar was the new Deputy Director of the Department.

Deputy Director Sayyar informed the Board that she started in May and gave a background of her work history. She is excited to be part of the team and bring some of her recent Purchasing background to improve efficiency in the Department.

b. New Location: 751 Basque Way, Carson City.

Executive Director Handy informed the Board of our new location. He thanked the people at state leasing who helped us find this location. He explained that it is a great space and is looking forward to holding training with multiple presenters and small groups.

c. Return of staff from the Legislature.

Executive Director Handy updated the Board on the return of DIDS team members Bet-Nimra Torresand Ashley Torres from the State Legislature after the close of the 2025 session.

d. Departure of temporary staff members.

Executive Director Handy thanked the temporary employees for all their hard work. He explained that there would be some overlap with both the temporary employees and Bet and Ashley so we could get some continuity of service.

e. New Forms, Guidelines, and Policies & Procedures.

Peter reminded the Board that the Department has been working with attorneys to develop new billing forms and guidelines, which have since been rolled out. They were working on trouble shooting any problems that may arise when a new project starts. He informed the Board that there are more forms than before, but he is hoping that it will make the payment process more succinct and faster. They are also going to be working on our new internal policies and reconciling them with policies they have adopted from other agencies.

Chair Thomas asked if there were any questions from the Board and moved to the next item on the agenda.

6. Review of New Legislation (For discussion).

a. SB407

Executive Director Handy explained that SB407 will become effective on July 1, 2025. SB407 made some modifications to the executive director and the public state defender. The executive director now appoints the public state defender and state defender may be appointed to serve multiple terms. It allows the Board or Director to do a nationwide search and find qualified candidates for the position.

b. AB541

Executive Director Handy made the Board aware that AB541 is more of an administrative bill and that it has taken the funding from the Nevada State Public Defender (NSPD) that was used to pay for post-conviction and moved it to the Department of Indigent Defense Services' account. This should allow the NSPD to spend more time working with clients.

Chair Thomas wanted to know if there were any questions regarding the legislature that was passed.

Member Giunchigliani asked what the changes in the first bill regarding the executive director's position were.

Executive Director Handy stated that it was the governor who appointed the state public defender and now it is the director of the Department who appoints the state public defender.

Member Joni Eastley asked if there was ever any pushback on either of those bills?

Executive Director Handy was not aware of any pushback. He went on to explain some history regarding the formation of the bill and how it came to be SB407.

Chair Thomas wanted to know if there were any questions. She did not take any public comment because it was a non-action item. She moved to Item 7.

7. Budget Discussion and Approval (For discussion and possible action).

a. Overview of current state of budgets for DIDS (BA 1008) and NSPD (BA 1499) for Fiscal Year 2025.

Executive Director Handy explained the budgets are healthy **(BA 1008) and NSPD (BA 1499)** and he is working on some new work programs to ensure the Department reimburse the counties. He has requested approximately $5,000,000. This money will be added to the $3,500,000 that is in their current budget account to make those reimbursements. He didn't think there was any action needed for the current state of the budgets, so they moved on to the overview of the budgets for Fiscal Year 26-27.

b. Overview of budgets currently available for Fiscal Year 2026-2027.

Executive Director Handy explained the budgets are available for Fiscal Year 26-27; however, he has not had a chance to review them. They are substantially the same as the Governor's recommended budget. The reports have been posted to the website and included in the binders under tab 4. He stated there have been major changes to the Department's budget. All the money from the Fiscal Year 24-25 budget has been carried over to their base budget for Fiscal Year 26-27. There is nearly one million for oversight advisors, $200,000 for training and resources and another $99,000 for providing justice texts. There is also over $6,000,000 in their base budget for county reimbursement. If the Department should run out of money, they will go to the inner finance committee to replenish that budget account. The NSPD has increased their upcoming biennium budget since Humboldt County has opted into services of the NSPD's office. They may make some additional requests for funding in Humboldt County because renting is more expensive than they originally thought. There will be some challenges but nothing the Department can't manage. Peter informed the Board that pursuant to statute, they are required to approve the budget for the upcoming biennium. He asked if there were any questions about the budget or if there were any issues he would be happy to discuss them.

Chair Thomas paused here to find out if there were any questions about the budget.

Chris Giunchigliani had a question but was unsure if it was for the budget part. She went on to ask if Humboldt was the only county that wanted to be serviced by the Department.

Executive Director Handy explained that White Pine County will continue to be serviced by the NSPD's office and that Humboldt was the only new county.

Motion:	**Adopting the budget**
By:	**Chris Giunchigliani**
Second:	**Joni Eastley**
Vote:	**Passed Unanimously**

c. County Quarterly Reports and current reimbursement status.

Executive Director Handy stated most, if not all, the Davis counties have been paid or their funds stuck in transit with the Administrative Services Division (ASD). He went on to say fourth quarter reports are not due until next week. Once they are received, they will start processing them. The process will be the same as last year. Since the counties close their books at the same time as the Department, they may take funds from this Fiscal Year to close out last Fiscal Year. He thanked the counties for being gracious when the Department is slower to respond. He also stated that if counties do not submit reports, we will not be able to reimburse them.

d. County Annual Financial Reports, including Fiscal Year 2024 expenditures and Fiscal Year 2026 projections.

Executive Director Handy stated as of today we have received annual financial reports from 14 counties. The expenditures from Fiscal Year 2024 are similar expenditures to what we expected based on their quarterly reporting. The Fiscal Year 2026 projections are important this year; however, the following year will be extremely important because that is what they will base our budget on.

e. County Maximum Contribution Amounts for Fiscal Year 2026.

Executive Director Handy believed that maximum contribution accounts have been released and posted.

Chair Thomas inquired if there were any further questions.

Member Giunchigliani referenced the annual report regarding three problems with hiring and inquired if housing was no longer a problem in the rurals.

Executive Director Handy responded that housing was still an issue. He explained that the pay disparity is so huge that the interns don't consider housing a main issue. He hopes to put into effect a housing down payment assistance program for attorneys who take positions in rural Nevada.

Chair Thomas moved on to Item 8.

8. Annual Report of the Department (For discussion and possible action).

a. Review of Annual Report for BIDS input.

Executive Director Handy informed the Board he finished final edits late, so the report wasn't sent out until last night. The reports are posted on the website or under tab 6 in the binders. He stated that the reports are different from past years due to limited staff. He thanked Brenda and Homa for their help. He stated that this was an action item, and the statute does require him to get input from the Board.

Member Eastley inquired why there was no data on page 15 of the report.

Executive Director Handy explained he uploaded the documents separately, one as a word document and the other as an excel spreadsheet. The data is on the excel spreadsheet and not on the word document. Peter stated he would provide additional information should the Board have any questions.

Member Wells had a question regarding the State of Nevada tab and data. What is the 87.9 under the attorney calculated equivalent? He wanted to confirm that this number was based on the Davis report and not what the counties should come up with.

Executive Director Handy confirmed that the number was based on the Davis report and not something the counties came up with.

Member Figler wanted to make a comment regarding the attorney oversight section. He highlighted the volume of monitor reports (Section: Attorney Oversight) from across the state and expressed an interest in having more robust coverage of that reporting within the annual report versus a reference to the raw submissions. He wanted to make sure that the highest care possible was given through this program.

Executive Director Handy acknowledged the desire of the Board to distill reviews, remedies, and what protocols and follow ups were in place or took place. The individual reports are posted online.

Motion:	**Accept annual report with an asterisk noted at the third paragraph in the attorney oversight section that further protocols will be made in the future annual report.**
By:	**Chris Giunchigliani**
Second:	**Susan Bush**
Vote:	**Passed Unanimously**

Chair Thomas noted for the record there was a commitment to develop these protocols and follow up measures regarding the oversight reports. She then moved to Item 9.

9. NSPD Status and Update on Humboldt County Office (For discussion).

State Public Defender Coates wanted to note that White Pine County is fully staffed with complete coverage by attorneys. He has secured an ideal office space along with two legal secretaries with local ties to the community and two investigators. The biggest challenge has been obtaining attorneys due to pay, location and housing. He was pleased to announce that they are moving forward with the current lawyer firm Mansfield Mayo, so it should be a smooth transition and consistency. He is on track to securing a Supervising Chief Deputy Attorney; however, he is a little bit more limited in a Second Chief Deputy. He is trying to finalize that this week. He has a potential deputy defender, but he is not as experienced as the two chiefs. He will be handling misdemeanor cases. He traveled to Winnemucca to meet with court staff and attorneys, to help ensure court cases move smoothly. He finished by stating that they can use the previous public defender space and the county is providing a transitional staff member (out of their budget).

Member Giunchigliani inquired about our plan for next year's budget regarding salary issues and asked if we reached out to the Tribal Council to see if there are individuals that might be interested.

State Public Defender Coates thanked Chris for the idea and that he would follow up on reaching out to the Tribal Council.

Executive Director Handy explained that we did attempt to get stipends through a bill to pay a particular group of state employees and was told no. He will continue to ask, as well as coming up with other creative ways to incentivize people. He can't change salaries, but there may be a way to fund this through some stipend. He wants to incentivize people through money, remote work or limited commutes.

Member Wells inquired about the salary range.

State Public Defender Coates informed the Board that the salaries were about $135,000 and for Chief Deputies about $151,000.

Executive Director Handy confirmed that salaries were low.

Member Bush stated that Clark County was still below Washoe County's top salaries.

Chair Thomas moved on to Item 10 since Item 9 was a discussion item.

10. Davis Litigation Updates (For discussion).

a. Monitor's Report(s).

Executive Director Handy stated there was not a lot to update at this moment. We have been in non-compliance since November because we didn't meet the workload requirements. This will continue to be a work in progress.

Chair Thomas asked if there were any questions and we moved on to Item 11.

11. Oversight Update (For discussion and possible action).

a. Reports from Outreach Advisors.

Executive Director Handy updated the Board that we received 750 reports from July 2024 to present and that it is a huge amount of information to sift through. He asked the outreach advisors if they wanted to pass along any information to the Board.

Derrick Lopez asked for guidance on more protocols or specifics on what he could be doing in terms of reporting, so there could be more continuity. He went on to update the Board on a few things he has observed in the counties. Douglas County has created an in-house oversight attorney position which should be a positive change. Elko's Public Defender is leaving, effective July 3, 2025. He is unsure how that will affect the office. He was well liked and did a good job on behalf of his clients. Chief Deputy will be covering in the interim. Humboldt has new changes going into effect which should be positive; however, it is still up in the air. Lander and Pershing County workloads are small. They have two new justices of the peace (JPs), and he is pleased with what he sees. There is also a new justice of the peace in Carlin. He thinks she is doing her best, but she is a little inexperienced. The contract conflict attorney is giving up his contract with Pershing County but keeping his contract with Lander.

Member Giunchigliani commented on the number of reports that we received and suggested that we might want to streamline that as well and thanked Dave for offering to help. She then asked if we offered training for new JPs.

Executive Director Handy responded, saying the Administrative Office of the Court (AOC) offers training to new JPs and they are currently in training. He also thoughts new JPs must go through training at the Judicial College in Reno.

Member Giunchigliani inquired if JPs can attend when the Department holds training courses.

Executive Director Handy stated that we haven't reached out to them about attending but the Department would not prohibit them from attending. He explained judges don't want to be seen attending training that could be seen as having a bias on either side. In the future, Peter would like to be involved with the AOC regarding training they provide.

Member Figler added he did not go to attorney training at all. He stated that he was asked by the Supreme Court to do focused training for judges. He suggested we could ask the Supreme Court if we could put something together for our topics of interest.

b. CLE Compliance reporting update.

Deputy Director Roberts stated there were a dozen attorneys that did not come into compliance and were marked inactive. Another dozen was removed from their list due to retirement or other reasons. Most of attorneys did come into compliance.

Member Wells confirmed with Brenda that the members who were marked inactive were allowed to continue with the cases that they had been previously appointed.

Member Giunchigliani inquired about the letter from Soro and Rogers that was in the supplemental back up. She wanted to know what they were appealing and if we would be addressing it in this meeting.

Executive Director Handy stated they reapplied for determination of their qualifications, and they are appealing that. It could not be added to the agenda because it had to be posted by Monday at 9:00 a.m. and this came either Tuesday or Wednesday. He recommended setting a time for a meeting or a hearing to discuss this appeal during item 15.

Senior Deputy Attorney General Weiss confirmed what Peter said.

Member Wells wondered while they were waiting for the appeal to hear if the Board could approve her continuing with the Class A Case because the defendant wants to keep her even though she is not qualified.

Senior Deputy Attorney General Weiss stated that it wouldn't be allowed because it is not agendized.

Chair Thomas clarified the appeal is the matter that needs to be heard by the Board. She stated that there is no further action required and moved on to the next item.

12. Training and Pipeline Update: (For discussion).

a. Pipeline/LASSO Update.
b. Annual Conference Update.
c. Virtual Training Update.
d. Summer Externs from Boyd.

Executive Director Handy stated there was a LASSO update in the annual report, and the Department is excited about the expanding numbers. One student took a job in Carson City as part of the original stipend program and another new graduate who accepted the position in Carson City who was a LASSO recipient. They hope to continue this success and get students to understand that there are a lot of reasons to move to rural Nevada. There are great places to live and great communities to work in. He explained the Annual Conference had a very large turnout. They brought in 5 trainers from out of the state and 7 in-state trainers. They changed the schedule this year from 2 to 3 days, which worked better for the attorneys so they could flex their days. They also had a couple of social events, which provided opportunities for the attorneys to get to know each other better. Overall, he felt that it was a success and thanked Brenda for all her hard work.

Deputy Director Roberts spoke to virtual training stating there were three training courses this year, including an updated juvenile primer. They also have two scheduled for next month. She also informed the Board they have two summer interns from Boyd Law School who will provide research support on various administrative issues. They are excited to have them.

Chair Thomas stated that this item was just for discussion and asked if there were any comments or questions from the Board.

13. Workload Compliance Update: (For discussion and possible action).

Executive Director Handy stated this will be a standing item for the agenda.

a. Douglas County

Executive Director Handy informed the Board that Brian Filter is the Director of Indigent Defense Services for Douglas County and he will defer to him. His current understanding is that they do not have the requisite 8.8 attorney the NCSC study recommended. The system is changing substantially, and it is a new way of thinking about the public defense rather than having a true public defender's office or having contactors in a county. It is a very interesting model. This model may be recommended in other areas.

Douglas County Director Brian Filter stated he became the director of the newly formed Department of Indigent Defense. He realizes that they are deficient in some areas. He informed the Board that he previously worked as an indigent defense defender in Douglas County for seven years, so he knows workloads, the courts and processes. It is going to take time to make things happen, but they will make it happen. One of these efforts is that they currently have 5 annual contract attorneys, and we are adding a sixth which will be brought online in quarter 2. They need to recruit an attorney and as Executive Director Handy mentioned it is difficult. They have some attorneys in mind and are hopeful they will be able to get that done by October 1, 2025. He also wanted to point out that they have a dozen hourly attorneys, and they are trying to expand to 15. They have taken the 432B (Child Welfare cases) away from the contract attorneys and it is now a separate contract. They are going to opt in to have the state public defender handle capital and appeal cases, which will also help lighten the load for the contract attorneys. He is very pleased with how he has been received, and he believes that they can be a model for the rest of the state.

b. Nye County.

Executive Director Handy stated Nye County had some significant contract changes in the last month. They have set aside funding to hire 12 contractors since they are down to 7. They do not have a lot of applicants, so the rate was increased from $175,000 per year to $200,000 and the terms were changed from one to two years to help incentivize more attorneys to apply for these contracts. They have decreased from 9 to 7. DIDS is going to help with that by selecting counsel. They will be reaching outside of that rotation to ensure the workload doesn't exceed what should be reasonable under the work case study. We need to get in compliance with Davis.

c. Lyon County.

Executive Director Handy informed the Board that there was a restructuring of some of the conflict counsel and an increase in the number of attorneys provided under the contract. They have three contracts with Mario Walther, Kale Brock and Mansfield Mayo. They have a different number per attorney, which does match the number they need of 12. They are making changes to improve the system for adding contracts or to allow these firms to hire attorneys. They have provided better communications than we ever had.

d. Churchill County.

Executive Director Handy informed the Board that Churchill County has added positions. They have Jacob Sommer's as public defender, they hired a deputy, and the alternate public defender position has been staffed. They have considered converting some of the positions because they have had the jobs posted for a while. The pay bands have been adjusted to reflect a truer indication of the salary ranges, and it seems like they are getting more applicants. Executive Director Handy mentioned they might convert one position to a social worker. He encouraged them to try it if they felt it would benefit the attorneys. It is not the same as having another attorney, but they should track their data and see if it is beneficial and something we might want to implement in the future. He did mention they are still 3-4 attorneys short.

Chair Thomas thanked Executive Director Handy for being open to different kinds of case management. She asked for any questions and moved to Item 14.

14. County Requests Regarding NCSC Workload Study (For discussion only).

Executive Director Handy wanted to mention several counties have indicated that the workload studies resulted in incorrect data for required attorneys. He is unsure what data was relied on and wanted to bring it to the Board's attention. He will be revisiting the NCSC's workload study every 5 years. He wanted to open the forum to make sure that everyone was heard.

Member Bush inquired if our workload studies were lower than the Rand Study.

Executive Director Handy confirmed our workload studies were lower. If we applied the Rand case study, we would need triple the number of attorneys.

Chair Thomas moved to Item 15 and stated that we should figure out a time to discuss the appeal.

15. Upcoming Meetings. (For discussion and possible action).

a. September 25, 2025, at 1:00 p.m.
Virtual Board Meeting via Zoom.

b. December 4, 2025, at 1:00 p.m.
Virtual Board Meeting via Zoom.
c. February 5, 2026, at 1:00 p.m.
Virtual Board Meeting via Zoom.
d. June 11, 2026, at 1:00 p.m.
In-Person Board Meeting and Virtual. Location: TBD.

Executive Director Handy mentioned that the dates are flexible at the Board's discretion. He also stated it was up to the Chair or the Board if they should set a special meeting for the appeal issue.

Chair Thomas asked if the Board had a sense for the urgency of the appeal.

Deputy Director Sayyar stated that we are not of the opinion that there is anything urgent.

Executive Director Handy agreed with Directory Sayyar stating that we have a different understanding of the procedure and nature of the case. Our perspective is this can be resolved without an appeal to change her qualification level. She sees it as needing to increase the qualification level to continue her case.

Chair Thomas stated that without debating the merits of her level since this was not on the agenda, her recommendation would be for DIDS to see if this can be resolved without having to do the appeal. She stated that if it cannot, then it should be on the agenda for the next Board meeting. She was not inclined to call a special meeting unless the Board would like to.

Member Giunchigliani did not think the level of urgency was present if staff continued to monitor this situation. She felt that further discussing this at the next Board meeting made good sense.

Member Bush wanted to confirm that if a private attorney withdrew then an attorney who is contracted with Lyon County would be appointed.

Executive Director Handy responded that hypothetically if an attorney were to withdraw after being obtained, that attorney would need to move to withdraw and have an order granted. The district court would need to move to find and determine indigence for that client, so it would get referred to the county plans or to our Department. It is preferable for the Department to retain that vertical representation, so they would make an exception to continue with the same attorney.

Member Bush stated she would call Executive Director Handy privately because they had some similar issues with this procedure going on in Clark County and that they handle it differently.

Executive Director Handy followed up by stating what he would expect that the judge would exercise some scrutiny in taking that withdrawal. He would decide if that withdrawal was appropriate before it ever comes back to the Department.

Member Bush is fine with moving it until the next Board meeting if there is another attorney available to handle this case.

Executive Director Handy confirmed there would be.

Chair Thomas moved to adopt these meeting dates so we can make them publicly available.

Motion: Accept the Board dates

By: **Chris Giunchigliani**
Second: **Joni Eastley**
Vote: **Passed Unanimously**

Question in the chat: Randolph Fiedler asked if someone would be kind enough to share the Supreme Court of Nevada's case number in regard to the Lyon County case?

Chair Thomas stated we would get someone to email that to him.

16. Public Comment.

Chair Thomas asked if there was anyone who would speak regarding this public buy.

Member Eastley wanted to bring to the attention of the Board that the county shut down the jail in Tonopah, which means anyone that has been arrested in Nye County must be transported to and from the jail in Pahrump, which is the only facility open in Tonopah. She anticipated problems and was informed the transports were frequently late and most of the time the inmates do not have access to food or water. She was contacted by an indigent client who was arrested for failure to appear. The client stated that when the transport brought him back, he had none of his personal belongings, which meant he didn't have the key to his apartment or his food stamps. He had to sleep on streets that night. She was told this happens repeatedly. She did inform Executive Director Handy and reached out to David Schieck but wanted the Board to be aware of how the defense was being treated.

Chair Thomas thanked Member Eastley and made a note of the situation. She stated her intent to move on unless Member Eastley wanted it to be agendized.

Member Giunchigliani inquired if there were protocols put into place when someone is arrested.

Member Eastley said she assumed that when they are brought into jail there is a bag with their name on it that contains all their personal possessions.

Chair Thomas thanked Member Eastley again and stated we will continue to monitor this situation and inquired if there was anyone else with public comment.

17. Adjournment.

Chair Thomas adjourned the meeting at approximately 2:38 p.m.