

**The Virginia Indigent Defense Commission
Commission Meeting
1604 Santa Rosa Road, Suite 239
Richmond, VA 23229
June 17, 2010**

Chair, Judge Alan Rosenblatt called the meeting to order at 11:05 am. Other Commission members in attendance included Steve Benjamin, John Douglass, Senator John Edwards, Karl Hade, Judge Edward Hanson, Maria Jankowski, Kristen Howard, David Lett, Jo-Ann Wallace, and Carmen Williams. Administrative staff included Executive Director, David Johnson; Deputy Director, DJ Geiger; and Administrative Assistant, Diane Pearson.

Quorum requirements have been met.

The first order of business is to approve the proposed agenda.

Mr. Lett moved to approve the agenda, Judge Hanson seconded the motion. The motion carried.

The next item on the agenda is to waive the reading and approve the March 11, 2010 meeting minutes.

Senator Edwards made a motion to approve the minutes. Judge Hanson seconded the motion. The motion carried.

The next order of business is the report of the Executive Committee. The Executive Committee met prior to this meeting.

The Executive Committee made a recommendation to the full Commission to elect the same officers for FY2011 as FY 2010.

Mr. Benjamin moved to elect the same officers for FY2011. Judge Hanson seconded the motion. The motion carried.

Senator Edwards made a motion to reapprove the authority of the committees to do what they have been constituted to do. Mr. Benjamin seconded the motion. The motion carried.

Every year the authority of the Executive Director needs to be renewed by statute.

Senator Edwards moved to approve the renewal of the Executive Director's authority as amended. Ms. Williams seconded the motion. The motion carried.

The Commission terms of John Douglass and David Lett will expire the end of June. The Virginia State Bar is their appointing authority and has reappointed both to another term on the Commission. There are two other members, Chris Anderson and Jo-Ann Wallace whose positions will also expire the end of June. These are Governor appointments and we should know in a couple weeks if they will be reappointed.

Mr. Johnson said that the agency has been extremely busy the past couple of months, more so than usual. People in the administrative office have really stepped up. We have not filled several positions because of budget constraints. My management team has been phenomenal. DJ has been relentless in pulling us forward. Carlos Hopkins has beefed up training. There were several trainings we were not sure

we would be able to do because of the budget but Carlos was able to pull them together at the last minute. Amy Williams has built a very small but professional and hard working Human Resources Department. Ed Ernouf continues to keep the IT department running efficiently. Janice Johnson who is our General Accounting Manager has also been working hard since we have not filled the budget and finance director position.

DJ and I have been here four years and spent the first couple years just trying to stabilize things. There were statutory mandates and other items that required immediate attention. At our request, the Best Management Practices Division of the Department of Planning and Budget (DPB) came in and did an evaluation of our structure and processes. They did a very detailed analysis of the agency and their report had 23 recommendations. About two years ago the Commission voted and instructed us to implement 22 of the 23 recommendations within fiscal constraints. We have accomplished this with good effect. From the beginning we felt that we were not doing things in the most efficient way. We were so labor intensive in everything we did administratively and seemed to have many redundancies. We worked out an arrangement with DPB and they sent a Senior Analyst, Jewell Hudson who worked with us for six months. She came up with specific recommendations, some of which we have already done; others are more complicated.

All of this has been accomplished without a finance director and we still need desperately to fill that position but have not been able to find the right person.

Judge Hanson moved that the Virginia Indigent Defense Commission convene in closed session to discuss personnel issues pursuant to the personnel exemption contained in §2.2-3711(A) (1) of the Code of Virginia.

This meeting will be attended only by members of the Commission, however, pursuant to §2.2-3712 (F) of the Code of Virginia, the Commission also requests the attendance of the Executive Director and the Deputy Director because it is reasonable to believe that their presence will aid the Commission in its consideration of the matters which are the subject of the closed session.

Mr. Lett seconded the motion. The motion carried.

After reconvening into open session, Judge Hanson moved for a roll call vote asking that each Commission member certify that to the best of his or her knowledge, during the closed session, the Commission heard, discussed, or considered, only public business matters that were lawfully exempted from open meeting requirements under the Freedom of Information Act and were identified in the motion by which the closed session was convened.

All members so certified.

The next item on the agenda is the report of the Budget Committee.

In Mr. Anderson's absence, Ms. Geiger reported that during the March Commission meeting the Commission empowered the Budget Committee to review and make a decision regarding closing the Appellate office and empowered them to address any further budget cuts. The Budget Committee met April 29th and during that meeting they took four actions. They moved and approved the prepayment of some FY2011 expenses to assist and defray the impact of the second judicial reversion and our inability to prepay any portion of that reversion this year. We were informed by the Department of Planning and Budget that agencies would not be allowed to prepay cuts for next year. In order to defray the impact in FY 2011 the Budget Committee approved prepaying additional costs up front for next year.

The second item was to approve the purchase of seven replacement copiers utilizing this year's funds in order to defray the impact next year.

The third was to continue to hold vacant the positions from our first judicial reversion. The first cut was \$544,000; we had identified existing vacant positions in Arlington, three of the four Capital Offices, and Fairfax. They moved to continue holding those open for FY 2011. The additional judicial reversion was a \$2.3 million cut to the judicial branch. We worked with the Supreme Court to determine our portion would be an additional \$400,000. They moved and approved the holding open of additional vacant positions that would include two additional vacant positions in Arlington, one vacant position in the Northern Virginia Capital Office, which was the only capital office that had not had a position frozen up to that point, and one position in Fairfax that happened to be filled but that position is now vacated.

The last thing was to approve the proposal by staff to approve two appellate coordinator positions. One would be a senior coordinator and that would be funded at the same level as a deputy public defender. The second would be an appellate coordinator and would be funded at the same level as a senior position.

The Appellate Office had been funded solely out of turnover and vacancy savings each year. When the economy was better we had about 20 percent, and at our highest 27 percent, turnover and were generating millions of dollars of turnover and vacancy. It had been proposed to us by the Auditor of Public Accounts that we use that money for an Appellate Division, which we did. Now that the turnover and vacancy money has dried up we no longer have the money to completely fund those positions, so we closed the Appellate Office. In an attempt to save the services of that office that could be of most value to the entire system, we created two appellate positions.

Mr. Johnson said that we advertised the position and hired Joe Sadighian who was the senior in the Appellate Office. He will be our first appellate coordinator. He is well qualified. Jane Chittom who is retiring this year is actually going to stay on with us for a few weeks or months to finish some appeals for us on an hourly basis. Jessica Bulos who was the other attorney in that office has gone to work for the Richmond Capital Office. The good news is that we will still get the expertise of these attorneys.

We funded the second appellate coordinator assistant position for nine months so Joe Sadighian can figure out what he will be looking for and start advertising for that person. He has already hit the ground running. Job one for him is to go to each office and do hands on training. In the future there will be audits of every office, continued training development and presentation, and also pulling files and making sure we are complying with policies and procedures.

Jane Chittom did one final revision of the appellate policies and procedures manual prior to leaving to reflect the recent amendments to the appellate rules.

Joe has been in the public defenders offices in Alexandria and Petersburg as a trial attorney and was with Jane's office for several years. He has a master's degree in education and has developed curriculums and taught writing at the college level.

Joe will be working out of this office and will not be doing any appeals.

There was discussion about acknowledging and thanking Jane Chittom. Mr. Benjamin made a motion to draft a resolution and put it on a plaque to commend and thank Jane for her dedication and recognize her exemplary work. Judge Hanson seconded the motion. The motion carried.

Mr. Benjamin said that we resolve to commend and thank Jane Chittom for her years of dedicated service, not only to the Commission but to the indigent accused in this Commonwealth and recognize her for having raised the bar and set the standard for the highest level of appellate performance.

Ms. Geiger continued with the Budget Committee report. We tried to track some expenditures over the last couple years fully acknowledging that there were budget cuts. The economy is a little different and we have locked down on spending. We were looking to see if there were trends we could use to project what we thought we needed in FY 2011. If you are happy with the proposal and approve the budget as it has been submitted, we will take these costs and allocate them to the field offices as needed.

The two consultants we have been working with told us that the budget is a plan but it is not set in stone and we should monitor our expenses on a monthly basis against what has been projected and when there is a problem report it to the Commission and propose moving those funds where needed. One assumption that we are making is a level funding approach because we know we will not be getting more money and there may still be more cuts. Indicators seem to show that things are leveling out a bit on the revenues.

We looked at 2008, 2009, and 2010. There have been some policy changes so we tried to factor those in. The cost of funding all of the allocated positions, basically our personnel costs fully funded is \$39,474,586.

In order to plan, it is almost necessary to look at three years at a time, the year we are in, and the coming biennium. This is how we explained it to the Budget Committee and why they approved prepaying some of the FY 2011 costs in FY 2010. We know we will have a deeper cut in FY 2011 and we will not have as many funds to pay for what we need. We have always taken the approach to try and prepay some of our costs as a planning mechanism and use the funds we have available to us. This year we increased that. We know we are going to have another \$400,000 cut and we are not sure if we will get cut again in the next General Assembly. What we propose to do is prepay a little more than we normally would, specifically with rent. Instead of paying one month, we propose to pay three months ahead. We also looked at prepaying bar dues, and postage is generally reloaded at the end of the year for the next fiscal year. If we get the small purchase charge card statements in time, we try to prepay those. We are trying to head off some of the costs we know are going to come due in FY2011. In the event that something happens in FY2011 with funding, additional cuts or unforeseen projects or disasters that strike, we will be in a little better position to adjust to that.

One of the pieces of advice we have been given is that if we have costs that are delineated by user instead of field office, they can be allocated centrally to the admin office. An example of this is IT. If we need to do a refresh on computers, this will generally come from one source and will be deployed out to the field. The field offices will have very few line items that they have discretion over including, travel, training, publications, and things like that. We have tried to centralize costs when it makes sense to do so.

With the judicial reversions, we are expected to give back \$944,000. We have tried to plan for that.

We have had a ninety day hiring freeze for almost two years now. If an office has a high caseload, we will shorten that if someone leaves. If an office has a low caseload we might go up to 120 days. The flexibility will be there if we need it.

Two of the biggest categories for which changes are proposed include Training and IT. We are planning for the development of additional training for the field offices. We have one boot camp each year and would like to add an advanced trial skills boot camp along with a remedial refresher course boot camp

so we can reward the trial attorneys who have been with the system and are handling the more complex cases. To sharpen those skills and hone in on some of the skills that they need and for those who are struggling a little more with specific issues, maybe we can offer a refresher trial skills workshop.

We are trying to save the annual conference every year and have gotten feed back from the Commission members that this is an important training to keep. We just had our first sentencing advocates and investigators training in three years.

We have tightened up on our mileage reimbursements, more people are carpooling, and if they don't carpool, they need to use fleet rate which is \$.24 per mile. The costs of trainings have come down appreciably.

The other training is for the administrative office. We are going to be changing processes and systems. Most of the employees in the administrative office have been trained by their predecessor or whoever knew how to do their job and have not had any official training relative to the Commonwealth Accounting Policies and Procedures (CAPP) requirements. There are specific accounting and purchasing rules that they are required to work with each day and formal training has not been provided. We work a lot in Excel but many have not had formal training in that program. It has been a neglected area and if we expend some money and invest in them we will have a more efficient and professional staff. There are some proposed training funds in the budget for this.

IT projects: There are some items that will move us forward and will catch us up to today's business processes. One is automating our HR processing and leave reporting. Right now the process is paper driven and cumbersome. For the number of employees we have it drains way too much time on office managers and the small HR staff that we have. Improving our operational efficiency by automating our processes is a recommendation by the consultant from the Department of Planning and Budget (DPB). One of the processes calls for automating our travel voucher.

Mr. Johnson added that with the help of DPB we developed an automated form for our mileage reimbursements. DPB sent it to the Department of Accounts (DOA) and in their cover letter they called us a progressive and forward thinking agency, which we were not a few years ago. They are suggesting rolling it out to all state agencies.

Judge Hanson said that it is so gratifying to see all of what Dave and DJ have accomplished, along with the rest of the staff. Several Commission members agreed and complimented them.

Ms. Geiger continued with other goals and the IT security standards that the state has now. The Library of Virginia has additional records retention requirements and we are also required to have a COOP which is the Continuity Of Operations Plan. All of the IT projects proposed have a goal of helping us to meet those more efficiently, less expensively and by minimizing our future investment in IT equipment and associated support. We have thirty offices, each with its own server. The servers have to be separate because of ethical access requirements. It gets expensive to replace them. The life span is four to five years, and they are expensive to maintain and secure. It would be easier if we had another option. Expanding our remote access capabilities and the hours of accessibility gives employees the option of working outside the office.

When we met with the Budget Committee we had just had a telephone and voice mail system crash in Petersburg. There were no parts for the voice mail system. We waited a week for a part. It illuminated the practice the telephone providers use of limiting available parts and equipment so that users are required to buy a new system every four or five years. They destroy the old systems so there are no parts available to fix an old system. We had hoped to do a more thorough analysis and more research to

determine the best solution when another system crashed. We realized that we needed to replace some of the systems. We traded in our old systems and therefore were able to get a very good price on new systems. There were three systems that were more than Mr. Johnson's authority to spend so those were built into the budget that has been presented to you.

We also have proposed in the budget to have a consultant come in to analyze the phone systems and how we can maximize their use to the benefit of the offices. The potential capabilities of the phone systems now are immense. There are a lot of computer capabilities and a lot of options. We are trying to keep things uniform for easier manageability but there may be some benefit to start using some of the technology to better effect for the agency. In three to four years when we need to look to replace the current system we will want to know what our options are. Is an actual phone system needed or is voice over IP, which is computer driven sufficient. We need to start planning for that now or we will be in the same position.

We have proposed some funding to learn about what is coming, how does it work, and how can we maximize what we already have. Voice over IP is a very viable option now; a lot of people are using it but it requires use through a computer which is new for us and if your computers go down, you lose the phones too.

The first IT project proposes increasing our network bandwidth. When we set up the bandwidth we went through the state which is very slow. The more applications that require internet or any access outside the system, slows it down. For example, we are required to take cyber security training for protecting information and technology. We made a twenty minute articulate training, provided it through our Knowledge Center and made it accessible over the internet. In some offices if more than two people are using that, the system completely locks up. The more we move toward the internet and using those types of processes the more this bandwidth is going to be a problem. In order to do any of the other projects, this one has to be done.

The good news is the state just acquired a new contract and has opened it up to broadband which will actually save us money each year, and will increase our speed. Our Portsmouth office is the only office that does not have broadband capabilities and would have to use DSL.

The next proposed project is the Human Resources leave system which we are calling My IDC. The Department of Alcoholic Beverage and Control (ABC) has a system called My ABC and over the last ten years developed a system that tracks someone from the time they apply for a position until the time they either retire or leave. This system automates their leave, their time keeping, performance evaluations, and pretty much all of their HR functions.

There will be some consultant time involved to customize it for our needs. It does a screen scrape in CIPPS. CIPPS is the payroll and leave tracker for state agencies. It processes 2000 employees' time sheets or reporting in fifteen seconds. There is a training module component that would allow us to eliminate the Knowledge Center and provide our trainings online from the field if we choose. This is a great system, again, free of charge for the initial coding and then there would be a knowledge transfer training from their developer to ours. It would be hosted by Virginia.gov which also hosts our website. There will be an initial modification cost and an initial training for employees. The first year will be a little more expensive but we will expect then that we can change from Payroll Services Bureau and would reduce costs on the HR side.

There was discussion regarding notice being given to Payroll Services.

Ms. Geiger said that the memorandum of agreement that we are operating under with Payroll Services Bureau requires a one year notice so they can plan for staffing. We hope by the September or December Commission meeting we can come with that proposal to give notice.

We also have built in IT security funding. Every year under the IT security standards we are required to have an audit of our sensitive IT systems. We had built some funds in for last year, but unfortunately the person we identified to do the audits was employed by the Department of Accounts (DOA) and they refused to let him take outside employment. He has now left DOA and is available to us. We have provided amounts for him to come in and perform that mandatory audit.

The next project is the web enabled email and Google documents. There are several vendors that have this capability which involves going to a web based email system. They need to meet all of the protocols for security and would also need to segregate information and access by office. This project would allow 24/7 access to email and documents for employees. Sometimes this is referred to as cloud computing. It also provides records retention capability for emails and also some continuity of business operations, because it is not in a server and relying on the server to be backed up nightly by our internet connection, which is really slow.

This is a proposal that we have been talking with Google about in order to get specifications and ideas of what is available out there. There will probably be several vendors to whom we would issue requests for quotes.

We have five test accounts that we set up in the administrative office and have been experimenting with documents and applications and email to test the setup. The Google document that is similar to Microsoft Word is probably not capable of doing the appeals documents. We would need to go to another open source which would provide that ability. Ed Ernouf has gone to several meetings, which are all day educational forums. They have taken world wide companies and transformed them overnight. There will need to be some training that will go with this as well.

The next project is the electronic content management system. This was actually proposed in last year's budget. The agency that is driving this is Virginia Correctional Enterprises. They have had some trouble with RFP's and there are some internal disputes between agencies and VITA. It has been delayed. It does provide us with records retention. We end up sending boxes of documents to storage that the Library of Virginia provides for a per box fee. Electronic content management would allow for information to be electronically stored and deleted when the time comes under the retention requirement. It can also provide work flow and efficiencies for staff by automating some processes.

We propose some funding for this in the hope that the agencies involved can work out their differences and move forward with it. This was an application that was recommended state-wide until the project fell apart at the state level.

The last project proposed is a web enabled case management system. Our current case management system was developed in 1998 and had a specific intent to meet a requirement to report on how many cases we had. When we went through the caseload study, we found that we needed more capability to pull data, information, types of cases, provide events, and data entry. The system is getting dated. In looking where we want to head, the web enabled case management system allows access to case information 24/7 from just about anywhere.

There are some web based systems that are completely web based and others that are client based where software is needed. Database driven versions similar to what we currently have continue to be available. We do not think this is feasible this fiscal year. This is an optimistic agenda of IT programs, but

we are proposing that we have some start up money for the case management system in the event that we can make a move toward the last quarter of the year by identifying something that we think will work for us.

With everything we are proposing, the total budget needed would be \$44.7 million. The General Assembly appropriated \$42,600,000 with a required judicial reversion amount totaling \$944,000. If we reduce our initial appropriation by the judicial reversion amount, our adjusted appropriation is \$41.6 million and is \$3 million less than we ideally would like to have in our budget. While we have fully funded all of our positions, we are estimating, based on turnover and vacancy history, we will generate about \$2 million in funding from turnover and vacancy. That is fairly consistent with the last three years. This year we generated \$1.9 in turnover and vacancy.

There was language in the Appropriations Act that for the last five pay periods of the year we did not pay certain benefits in retirement amounts and is sort of a delayed savings. Our amount for those benefits was \$800,000. While the benefits were not paid, that money was taken from us. That money will be given back to us next year, and we have added that \$800,000 back.

We prepaid \$700,000 of the costs for FY 2011. Adding turnover and vacancy, the return of the Caboose Bill fringe benefit, and the prepaid items it would leave us with an unallocated positive bottom line of \$473,000. Basically that is our rainy day fund. If something comes up we haven't planned for, we have this amount set aside.

Mr. Johnson added that the Budget Committee expressed that this is cutting it close and it is but we feel it is what we need to do because we do not want to finish the year with a lot of money. We are going to be closely monitoring our expenditures through the year and if we have to make adjustments we will.

Ms. Geiger said that one of the sources we have to make the adjustments is a very ambitious IT agenda. With the case management system, the \$200,000 might not be used this year. The two consultants we have been working with who have fiscal and budget backgrounds advised that ideally no less than \$500,000 should be unallocated and that we really need to watch the turnover and vacancy rate. We have expenses that have to be made. The IT projects should keep us moving forward and eventually will move some costs down. She believes we are in as good a position as any agency with this budget.

There was discussion regarding the budget, and the possibilities of the General Assembly taking back the Caboose Bill fringe benefit. Some of the IT projects will need to be tabled if that happens. No binding contractual commitments have been made on any of the proposed projects. The money that was not paid in benefits those last five pay periods was pulled out of the agencies for redistribution next year (FY 2011). It was an immediate savings for FY 2010 that will be regained in FY 2011.

We have been assured by the budget analyst consultant, who spoke with a DPB staffer, that we will be getting the \$800,000 back.

Our FY 2011 budget has to be loaded into the Commonwealth Accounting Reporting System (CARS) in the next month and a half.

Judge Hanson moved to adopt the budget as presented by staff and as recommended by the Budget Committee. Mr. Lett seconded the motion. The motion carried.

The next item on the agenda is policies and procedures.

Jane Chittom chose to retire when the appellate office closed. In order for her benefits to be effective in connection with her retirement date, we had to pay the entire severance amount with her last pay check rather than in two payments. That diverged from the Commission's approved procedure; therefore we ask that you ratify the action taken in order to pay her in coordination with her retirement benefits.

Judge Hanson made a motion to approve the ratification of the diversion from the established severance procedures. Senator Edwards seconded the motion. The motion carried.

The second item with policies and procedures is a proposed recommendation of changing our procurement policy to fully move to the electronic procurement system (eVA). This is a recommendation of the DPB consultant.

We are one of a few remaining agencies not using eVA.

Senator Edwards made a motion to approve the procurement policy amendments. Judge Hanson seconded the motion. The motion carried.

The next item on the agenda is the travel policy.

There are two recommendations from the Department of Planning and Budget (DPB).

1. Replace and no longer allow handwritten travel vouchers. Vouchers must be submitted electronically on the form that has been provided.
2. Move from a sixty day time limit from the first date of travel to requiring submission of no later than thirty days, which is the time limit used by most of the Commonwealth agencies.

This will be effective for travel starting August 1, 2010.

Judge Hanson made a motion approving the travel policy amendments. Mr. Lett seconded the motion. The motion carried.

The next item on the agenda is the APA audit report.

Mr. Johnson said that the audit went very well. We learn something every year when we get audited and this year we have one management point that involves our IT security. We have made significant progress and will continue to do so.

ARMICS Certification:

Millie Sauer came back again this year and has completed all of the test work to ensure that we are following all of our internal control processes. The certification will be signed by Mr. Johnson by June 30, 2010. ARMICS went smoothly this year.

The next item on the agenda is training.

We had our annual conference May 10th and 11th in Virginia Beach. We didn't have a conference last year and this was an opportunity to get over 300 lawyers together. It was very cost effective.

May 14th the Juvenile Law and Ed conference was held at the University of Richmond with an attendance of about 200 lawyers who do juvenile work. Carlos Hopkins was on the planning committee and was a presenter.

We did a live certification training. We redesigned it this year and tried to make it more for lawyers who are new to criminal practice. We added a section on ethics specifically dealing with representing defendants in criminal cases. We also had a section on appellate practice for the new attorneys as part of our desire to beef up the appellate training.

We had our first investigator and sentencing advocate training in several years in Virginia Beach. It was a big success.

July 26-30th will be our week long boot camp that we have each year for our new lawyers. A couple years ago we peaked with 77 new attorneys which made it difficult. This year we are expecting 24. This will allow us to do a really great training with the faculty we have and the program we have in place. At the end of the week they each do a jury trial. We need about 60 witnesses and about 70 jurors, which is a big challenge for the training department.

September 28-29th we will hold the Public Defender management training. Amy Williams has been very helpful with this training making it a true management training, getting them the tools they need not just to be good trial lawyers but to head off some of the personnel issues in their offices.

Around the same time we will be holding a Capital Defender conference. The capital offices get together and pool their resources. This training is geared specifically to our system for our capital offices.

We will continue to have our monthly certification trainings and our late day lecture series. The training room is in continual use.

Mr. Johnson said that he and Ms. Geiger will be going on the road to visit all of the field offices. There are 21 office visits planned so far in September and October. The other nine we will meet with at our conference and will make sure to visit their offices next year.

Our Alexandria office is the first to get salary supplements. The statute was changed to allow for it. Alexandria's budget actually went up this year. The locality actually passed a tax increase. They are getting \$23,000 to move everyone to a level commensurate with what city employees in similar job classifications make. This will go into effect with the city of Alexandria's new budget and their fiscal year.

Ms. Geiger said that the September meeting is usually when we propose the annual report for the Commission's review. Hopefully we will have that to you a couple of weeks prior to the meeting and it will be sent electronically. The submission for pre-filed legislative drafts is Monday, December 6th and our meeting before that is December 2nd.

Judge Rosenblatt reminded everyone that there will be a group picture taken during the September meeting.

Ms. Wallace said that the staff of the NLADA will meet with the Justice Department to talk about the imbalance in indigent defense systems in terms of technology and will ask the justice department to step up with money, training, technical assistance, and support across the country for defenders so we can have some balance. The problem is that defender systems across the country do not have the capacity to compete for federal funding or federal grants.

Mr. Johnson added that congress enacted the John R. Justice Prosecutors and Defendants Loan Forgiveness Act. We have been tracking it for years. The NLADA was key in passing it through. It is a loan forgiveness program. Originally it would have brought millions of dollars to Virginia, but the funding was cut back in the first year. There will be about \$230,000 coming to Virginia to be split between prosecutors and defenders. In theory it could mean that an attorney working for us could get up to \$10,000 a year toward their loans for each year they are working. The maximum is \$60,000 over the lifetime of their employment. The challenge was getting another agency besides us who would be willing to be the managing agency in order to avoid the appearance of a conflict. The Department of Criminal Justices seemed like a good fit and the Governor is going to designate them as the managing agency. We have been added to the list of states that are in this first year.

There was discussion regarding hiring more investigators which would be cost effective for the agency. The caseload study identified a need for more investigators.

Ms. Howard announced that the Crime Commission has been working with the Department of Forensic Science and are conducting a DNA notification project. They are getting ready to do a second round of case assignments and will need assistance getting the word out and letting attorneys know that they need more help. They have a need for more case assignments. They will be doing some training and will need facilities. They will use list serves, fliers, and most anything to get word out to as many people as possible.

Mr. Benjamin said the defenders need access to forensic resources. Defenders do not have laboratories where data can be analyzed. We need our own independent labs.

Ms. Wallace added that a forensic science advisory board is being formed that will advise on forensic science issues. Additionally, they are reviewing office of justice programs that give out the grant money for forensic science issues. One of the pledges the Attorney General made was that defenders would always be at the table. The NLADA will be diligent to make sure defenders are represented.

There was no further business.

Senator Edwards moved to adjourn. Mr. Lett seconded the motion. The motion carried.

The meeting adjourned at 1:10 pm.

Respectfully Submitted:

Approved By:

Diane Z. Pearson, Administrative Assistant

David J. Johnson, Executive Director