



Washington State Bar Association

COUNCIL ON PUBLIC DEFENSE
DECEMBER 2, 2022, 9:30AM – 10:30AM VIRTUAL/VIDEOCONFERENCE
MINUTES

CPD voting members: Jason Schwarz (Chair), Maialisa Vanyo (Vice-Chair), Erika Rutter, Abraham Ritter, Arian Noma, Kathleen Kyle, Paul Holland, Christopher Swaby, Justice Sheryl Gordon McCloud, Jonathan Nomamiukor, Kevin Flannery, Judge Drew Henke, Christie Hedman

CPD Emeritus members (non-voting members): Bob Boruchowitz, Ann Christian, Eileen Farley, Travis Stearns

WSBA Staff: Bonnie Sterken

Guests: Sarah Hudson, Katrin Johnson, Kari Reardon, George Yeannakis, Jonathan Patnode

Absent: Judge Patricia Fassett, Jason Bragg, Anita Khandelwal, Mohammad Hamoudi, Anthony Powers, Rachel Cortez, Larry Jefferson, Louis Frantz, Leandra Craft

Minutes: The November minutes were approved without edits.

Public Defense Standards with Case Processing Deadlines: Kari Reardon reported about an issue in Clark County Superior Court. She will share additional reports on the listserv. There is an older standard from 1997 from AOC that provided timeline guidelines for how Courts should operate. Clark County is trying to enforce this standard, but even shorter. The Standards for Indigent Defense and other technology did not exist when the time standard was drafted. Kari is raising concerns that the Clark County Courts are expecting cases to rush through too quickly, resulting in insufficient representation. The Council discussed the need to talk with folks in Clark County about the impact of this decision and how to better follow the Standards for Indigent Defense and where resources would be better spent. The Council also discussed some of the complications and needs to create some structure while ensuring that there is sufficient time to represent an individual. There was a note that the main issue to address is ensuring that public defense offices are adequately resourced. This will be added to the January agenda for continued discussion after people have a chance to review materials and learn from others.

Charter Edits: Maia Vanyo shared that she and a few others proposed new edits to the CPD's Charter, which were included in the materials. Maia addressed questions. Some small edits were added in the discussion that will be included. Jason Schwarz moved to approve the revisions and recommend them to the Board of Governors, including the edits provided in the meeting, and all approved.

Standards Committee: Bob Boruchowitz reported that they are working on short-term and long-term goals to revise the existing Standards. They plan to have some initial revisions by early next year, and the Committee continues to meet frequently. There is some urgency to relieve pressures on public defense and provide some

assistance to increasing funds. There is also activity with the NAPD on national standards and a standards conference in March. They are aiming for a draft by the January meeting.

Race Equity Committee: Abe Ritter reported that the Committee continues to meet. Their main goal is the recruitment and retention of BIPOC defenders. They will be hosting a series of forums where BIPOC defenders and other staff can discuss their stories, and the first one will be in March. Save the dates will be sent. They will be starting outreach soon.

Who We Are Follow Up: Bonnie Sterken reported that Jeffery Robinson will be holding a 90-minute CLE in January as a follow up to the film viewing discussion.

Office of Public Defense Update: Katrin Johnson reported on legislative activity. The House Civil Rights and Judiciary Committee are discussing Blake and a 1077 client proposal regarding folks who are hospitalized.

Announcements:

Justice Sheryl Gordon McCloud asked for input on a recently adopted rule that the Court has received a letter about.

On the January agenda we will include 10-15 minutes to plan for the 60th Anniversary of Gideon.

The meeting adjourned at 10:19 am