



## WSBA COUNCIL ON PUBLIC DEFENSE MEETING AGENDA

January 24, 2025  
9:30am – 12:00pm

Join by Video Conference:

For video and audio: <https://wsba.zoom.us/j/86831734727?pwd=JdPRPtrj3zUwG7Vm54liXXDo85uKa5.1>

For audio only: LOCAL OPTION: (253) 215-8782 || TOLL-FREE OPTION: (888) 788-0099  
Meeting ID: 868 3173 4727 || Passcode: 892144

The purpose of the meeting is for the Council to discuss, deliberate, and take potential final action regarding the following agenda items:

5 min	<b>Welcome and Introductions</b>	Christopher Swaby	Discussion	
3 min	<b>December Meeting Minutes</b>	Christopher Swaby	Action	pp 2-3
10 min	<b>OPD/Legislative Updates</b>	Sophia Byrd-McSherry	Discussion	
30 min	<b>Pipeline for Defense Investigators Pipeline</b>	Molly Gilbert, Joe Dozal	Discussion	
40 min	<b>Subcommittee Updates</b> Charter Recruiting Appendix B Regulatory Changes to Bar Admission	Subcommittee Chairs	Discussion	
10 min	<b>Standards Process Updates</b>	Jason Schwarz	Discussion	pp 4-5
5 min	<b>Announcements</b>	Everyone	Announcement	

**The next regular CPD meeting will be February 21, 2025, via Zoom**

**We will have a short meeting in February with committee updates.**

**The Court is Meeting En Banc on February 26 and anticipate an in-depth conversation at the March CPD meeting.**

Find Council on Public Defense guiding documents and initiatives online at <https://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/council-public-defense>.

Reasonable accommodations for people with disabilities will be provided upon request. Please email [bonnies@wsba.org](mailto:bonnies@wsba.org).



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Washington State Bar Association

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COUNCIL ON PUBLIC DEFENSE  
DECEMBER 6, 2024 - 9:30AM – 12:00PM  
MINUTES

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**CPD Voting Members:** Maialisa Vanyo (Chair), Christopher Swaby (Vice-Chair), Christie Hedman, Jonathan Quittner, Victoria Blumhorst, Paul Holland, Molly Gilbert, Jonathan Nomamiukor, Abraham Ritter, Louis Frantz, David Montes, Justice Sheryl Gordon McCloud

**CPD Emeritus members (non-voting members):** Ann Christian, Kathleen Kyle, Bob Boruchowitz, Eileen Farley

**WSBA Staff:** Cate Schur, Bonnie Sterken, Diana Singleton

**Guests:** Renata Garcia, Bobby Henry, Lindsey Townsend, Gregory Link, Liz Mustin, Sophia Byrd McSherry, Katrin Johnson, Aaron Seda, Molly Fraser, Shoshana Kehoe-Ehlers, Travis Stearns, Brett Schandelson, Alex Willard

**Absent:** Arian Noma, Jason Schwarz, Judge Dee Sonntag, Maya Titova, Anita Khandelwal, Karen Denise Wilson, Larry Jefferson, Abigail Pence, Judge Marla Polin

**Minutes:** The November meeting minutes were approved one typo correction.

**Standard Implementation and Case Weighting:** Molly Gilbert reported that King County opted to implement phase 1 of the Standards. They have been operating under a supplemental credit system, and generally the status quo has been 90 felonies or less assigned per year. When they did the analysis for phase 1 of the rollout, the analysis showed a status quo of the caseloads. The collective bargaining initially were ok with that plan, but now are claiming that the analysis was miscalculated. Due to management changes, case weights are not being calculated correctly, according to the union negotiators. This may lead to a union dispute with King County. They believe management is miscalculated felony weights for transfer credits. The issue is about the weight for transferred cases.

**Office of Public Defense Updates:** Sophia Byrd McSherry reported that the Court met en banc on the Standards the previous week. They sent it over to another discussion in February with no action this month. The governor's budget needs to be published by December 20 or sooner.

OPD is a judicial branch agency so their budget requests go into governor's budget unrevised, but there are some cases where that is not the case and OPD has methods to respond.

**Changes to the Admission of Practice:** Renata Garcia and Bobby Henry with WSBA regulatory services joined to share about the current and changes to pathways to admission. They also wanted to collect input on addressing the shortage of public defense lawyers. Renata first shared the current pathways. She also shared the upcoming pathways, pending new rules being adopted. They include graduate apprenticeship, law school experiential pathway, and an APR 6 apprenticeship. She also explains the pro bono status and other license options that could potentially expanding to use in public defense. Meeting attendees provided input and Renata addressed questions. Maialisa Vanyo shared that the CPD will start a small committee to look closer at these issues and provide more input to WSBA.

**Data Collection and Analysis with Brett Schandelson:** Maialisa Vanyo introduced Brett Schandelson who has done extensive work with data collection and analysis with the Office of Public Defense in Montana. He shared about the current technology, impacts of data efforts, ethical case management, OPD data collection and examples of data usage. Brett addressed questions.

**Standards Implementation:** The current update is that the Court has not taken action yet but will continue discussing the request in February.

**Subcommittee Sign Ups:** Maialisa Vanyo shared the committee opportunities and who is on each committee.

Charter

Recruiting CPD membership – Maia noted we still need to fill seats for two current or former prosecutor positions.

Appendix B Updates

Regulatory Changes to Bar Admission (add to spreadsheet Bob Boruchowitz, Chris Swaby, Maia Vanyo, David Montes)

Standards Implementation (currently on hold)

**Announcements:** In January there will be presentation on investigator and mitigation pipelines.

The meeting adjourned at 11:54am

**From:** [Ward, David](#)  
**To:** [sunitha](#); [Schwarz, Jason](#); [Maia Vanyo](#); [greg](#); [Urs, Tara](#); [Terra Nevitt](#); [crystal](#); [Thea L. Jennings](#); [Bonnie Sterken](#)  
**Subject:** [External]Update re Proposed Amendments to Standards for Indigent Defense for Family Defense and Appeals  
**Date:** Tuesday, January 7, 2025 5:33:25 PM  
**Attachments:** [image001.png](#)

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Good evening,

I am writing to let you know that the proposed amendments to the Standards for Indigent Defense related to family defense cases and appellate caseloads have now been officially published for comment. The comment period for these proposals will be open until April 30, 2025.

Here is a link to the proposals as they appear on the Court Rules website:

- Appellate caseloads: [https://www.courts.wa.gov/court\\_rules/?fa=court\\_rules.proposedRuleDisplay&ruleId=6222](https://www.courts.wa.gov/court_rules/?fa=court_rules.proposedRuleDisplay&ruleId=6222)
- Family defense cases: [https://www.courts.wa.gov/court\\_rules/?fa=court\\_rules.proposedRuleDisplay&ruleId=6223](https://www.courts.wa.gov/court_rules/?fa=court_rules.proposedRuleDisplay&ruleId=6223)

All of the proposed court rules that are being published for comment in January 2025 may be viewed here: [https://www.courts.wa.gov/court\\_rules/?fa=court\\_rules.proposedDetails&proposedId=2202](https://www.courts.wa.gov/court_rules/?fa=court_rules.proposedDetails&proposedId=2202)

Please note that the Supreme Court's Office of the Reporter of Decisions reviewed the proposed amendments before they were published for comment, and they may have made some edits.

Comments on the proposal should be submitted to the Clerk of the Supreme Court by e-mail at [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov) or by U.S. Mail to P.O. Box 40929, Olympia, WA 98504-0929. After the comment period has closed, the Supreme Court Rules Committee will consider the proposals and the comments received. I will be in touch with you again after the Court has made a decision about the proposals.

Thanks, and please feel free to contact me with any questions.

Sincerely,

**David Ward**

Principal Legal Analyst | Office of Legal Services & Appellate Court Support

**Administrative Office of the Courts**

**(206) 948-7400 (mobile)**

[David.Ward@courts.wa.gov](mailto:David.Ward@courts.wa.gov)



-----Original Message-----

From: Aziza Ozgoren <azizao@wsba.org>  
Sent: Wednesday, September 11, 2024 4:02 PM  
To: Gonzalez, Chief Justice Steve <J\_S.Gonzalez@courts.wa.gov>  
Cc: sunitha <sunitha@amlawseattle.com>; Pazooki, Reza <Reza.Pazooki@courts.wa.gov>; Lipford, Ashley <Ashley.Lipford@courts.wa.gov>; Jason Schwarz <[Jason.Schwarz@co.snohomish.wa.us](mailto:Jason.Schwarz@co.snohomish.wa.us)>; Maia Vanyo <[MVanyo@co.whatcom.wa.us](mailto:MVanyo@co.whatcom.wa.us)>; greg <[greg@washapp.org](mailto:greg@washapp.org)>; Urs, Tara <[Tara.Urs@kingcounty.gov](mailto:Tara.Urs@kingcounty.gov)>; Ward, David <David.Ward@courts.wa.gov>; Terra Nevitt <terran@wsba.org>  
Subject: Suggested Amendments to Standards for Indigent Defense for Family Defense and Appeals

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Dear Chief Justice Gonzalez,  
Attached are cover letter from Executive Director Terra Nevitt and Suggested Amendments to Standards for Indigent Defense for Family Defense and Appeals.

If you have any questions, please feel free to contact Terra, or direct them to Maialisa Vanyo, incoming Chair of the WSBA Council on Public Defense, at [mvanyo@co.whatcom.wa.us](mailto:mvanyo@co.whatcom.wa.us)<<mailto:mvanyo@co.whatcom.wa.us>>.

Best,

[Image]

Aziza Ozgoren | Executive Assistant to ED Washington State Bar Association | 206.727.8282 | [azizao@wsba.org](mailto:azizao@wsba.org)<<mailto:azizao@wsba.org>>  
1325 Fourth Avenue, Suite 600 | Seattle, WA 98101-2539 | [www.wsba.org](http://www.wsba.org)<<http://www.wsba.org/>>