Washington State Bar Association

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

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