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Washington State Bar Association

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COUNCIL ON PUBLIC DEFENSE  
MARCH 28, 2025 - 9:30AM – 10:30AM  
MINUTES

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**CPD Voting Members:** Jason Schwarz (Immediate Past Chair), Maialisa Vanyo (Chair), Paul Holland, Justice Sheryl Gordon McCloud, David Montes, Jonathan Quittner, Judge Dee Sonntag, Molly Gilbert, Christopher Swaby, Abraham Ritter, Jonathan Nomamiukor, Victoria Blumhorst, Louis Frantz

Karen Denise Wilson,

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

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

**Guests:** Aimee Martin, Ashley Cummins, Brandy Gevers, Emily Arneson, Geoff Hulse, Jonathan Patnode, Katrin Johnson, Kelsey Demeter, Kevin Flannery, Liz Mustin, Michael Schueler, Molly Fraser, Rachel Cortez, S Follis, Sophia Byrd McSherry, Susan Fisch, Chris Graves, George Yeannakis, Cale Musick Slater, Ali Hohman

**Absent:**

Larry Jefferson, Judge Marla Polin, Christie Hedman, Maya Titova, Arian Noma

**Vacancies:** Two current or former prosecutors, one local government/public defense agency representative, One At-Large

**Blake Advisory Committee:** Jason Schwarz presented draft comments to the Blake advisory opinion written by the WSBA Committee on Professional Ethics, which was circulated for review. The opinion discusses whether a lawyer on a Blake case can represent a person they have not had contact with. The CPD had previously voted on and submitted the comment to the CPE, who requested a resubmission in a redlined form. Jason's updated version was shared with the CPD, OPD, and WDA. The CPD was asked to vote on the updated version. Paul Holland asked about the procedural steps following the vote, to which Jason clarified that the opinion

would be written by the WSBA. Paul Holland moved to submit the comments to the opinion, Molly seconded, the motion passed with two abstentions.

**Standards Updates:** Jason Schwarz and Bob Boruchowitz discussed the status of the Standards with the Court. The Standards Subcommittee has been having diligent conversations about the implementation timeline and potential adjustments. The Standards Committee is not currently in agreement about if or how to adjust the implementation recommendation. If the CPD were to take a vote, it would need to happen by the April meeting in time to present to the Board of Governors. Cate Schur provided the WSBA perspective on potential ethics questions. The Council had a robust conversation about the pros and cons of adjusting the timeline and what information would be needed to settle the discussion. The Council will return to this discussion in April and may take a vote on a proposed implementation recommendation.

**Minutes:** Jason Schwarz moved to approved January minutes and all approved. Jason Schwarz moved to approve February minutes and all approved.

**Mitigation Presentation:** Alex Willard and Aimee Martin presented about the recruitment and retention of mitigation specialists in public defense. They explained what mitigation specialists can do for a public defense team. They emphasize the importance of client-centered, holistic defense and highlight the valuable role of mitigation specialists in all types of cases. Aimee explained that social workers with forensic training are ideal for this role due to their clinical skills and ability to address clients' complex needs. They suggest recruiting from existing social work fields such as child protective services, community health centers, and hospitals. To expand the pool of candidates, they recommended partnering with universities and organizations to offer classes, panel discussions, and work-study positions in forensic social work. The speakers also stressed the importance of advancing diversity and inclusion in recruitment and retention efforts. Suggestions for improvement include fostering a holistic approach to public defense, investing in career growth opportunities, and providing better supervision and support for mitigation specialists.

**RPC 6.1:** Kevin Flannery reported on a proposed amendment to RPC 6.1, which is open for public comment until April 30. This relates to an accommodation option for pro bono service. Kevin believes similar benefits should be given to compensated court appointments serving indigent service. Council members discussed the proposal and provided their input to Kevin. Public comment is open until April 30 and people can submit individual comments as appropriate.

**Office of Public Defense Update:** Maialisa Vanyo shared the distribution to funds to cities and counties. OPD continues to advocate for appropriate funding. Others shared information about budget progress, including risks to the recruitment and retention efforts managed by OPD.

**Recruitment:** Maialisa Vanyo shared about the recruitment efforts on the CPD. A number of potential nominees were in attendance to learn about the Council. There are currently open slots and others opening in the fall.

**General Announcements:** Maialisa Vanyo shared about the Access to Justice Conference and encouraged people to consider attending. The Council has funding to send some people to the conference. If anyone is interested in attending they can email Maialisa and Bonnie.

Ann Christian suggested that the CPD take up a Bar sponsored student loan repayment plan after the Standards are complete.

Paul Holland also noted that the mandatory reporting bill is still live.

The meeting adjourned at 11:13am