



Washington State Bar Association

COUNCIL ON PUBLIC DEFENSE
APRIL 19, 9:30AM – 12:00PM VIRTUAL/VIDEOCONFERENCE
MINUTES

CPD voting members: Jason Schwarz (Chair), Maia Vanyo (Vice-Chair), Erica Rutter, Rachel Cortez, Christie Hedman, Abigael Pence, Kathy Kyle, Arian Noma, Louis Frantz, Paul Holland, Molly Gilbert, Kevin Flannery, Abe Ritter, Anita Khandelwal, Judge Dee Sontag, Jonathan Nomamiukor, Leandra Craft, Christopher Swaby

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

WSBA Board of Governors Liaison: Francis Adewale

WSBA Staff: Bonnie Sterken, Catherine Schur

Guests: Travis Stearns, Gordon Hill, Katrin Johnson, Jonathan Patnode, Sara Hudson, Lei Young, Geoff Hulsey, Liz Mustin,

Absent: Judge Marla Polin, Anthony Powers, Larry Jefferson, Maya Titova, Justice Sheryl Gordon McCloud

January Meeting Minutes: Approved without edits.

March Meeting Minutes: Approved without edits.

Race Equity Forum: Abe Ritter provided the background on the project. The final report had been shared to the Council ahead of the meeting. Abe highlighted some of the main points in the report. Abe said the report can be shared widely. CPD members will spend time reviewing the report in detail and it will be back on the June agenda for discussion. Abe put out a call for a new co-chair of the Race Equity Subcommittee.

Caseload Standards: Jason Schwarz reported that the Court is sending the Standards through the normal court rules process. The next rules committee is on May 13, which can be viewed. Then it will move on to the normal comment process. This means the process will take some time.

Anita Khandelwal talked about Standard 14 regarding qualifications. The Standards passed by the Bar are in conflict with the Court rule currently. Anita suggested to ask the Court to rescind its current Standard 14, pending consideration of the larger package. Being able to start tracking qualifications under the new categories now will be helpful. There's also a rapid shift in juvenile caseloads and the new qualifications need to be in place now to be ready. Anita has started drafting a letter and wanted to discuss further with the CPD. Anita hopes to send the letter before the May 13 en banc. Individually, others can support the letter. The CPD will not send a letter collectively because the process to receive BOG approval is too slow. Christie Hedman shared the WDA Board will discuss the idea as well and may potentially join on the letter. The CPD discussed the pros and cons of this plan, including the lack for enforceability of the WSBA Standards and jurisdictions being ready to implement the new standards right away. One idea is to change the certification form. The CPD had an in-depth discussion providing input from a number of perspectives. Anita took the input and will consider it as she pursues the ask to the Court with other partners.

Subcommittee Updates: Jason Schwarz shared that the Family Defense Subcommittee has been meeting regularly and will join a meeting when they have a report to share. Bob Boruchowitz shared that the Appellate Subcommittee has been meeting as well and they are reviewing what other states have done.

Paul Holland gave an update on the Standards Enforcement Subcommittee and process they've been taking to gather input and address questions/concerns/next steps with getting ready.

Charter: Jason Schwarz shared about discussion to update the Charter to revise leadership structure. Suggested revisions will be brought to the CPD in June. He also noted they will need a new Vice-Chair by September and encouraged people to consider the role.

Pathways to the Profession: Jason Schwarz shared about the Pathways to the Profession and encouraged CPD participation in the planning. Bonnie will share the meeting details.

The meeting adjourned at 10:43am