



Washington State Bar Association

COUNCIL ON PUBLIC DEFENSE
MARCH 24, 9:30AM – 12:00PM VIRTUAL/VIDEOCONFERENCE
MINUTES

CPD voting members: Maia Vanyo (Vice-Chair), Larry Jefferson, Rachel Cortez, Anita Khandelwal, Abraham Ritter, Erika Rutter, Kevin Flannery, Kathleen Kyle, Jonathan Nomamiukor, Judge Drew Henke, Justice Sheryl Gordon McCloud, Louis Frantz

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

WSBA Staff: Bonnie Sterken

Guests: Molly Sullivan, Erik Kaeding, Christine Olson, Sharonda Amamilo, Sarah Hudson, Magda Baker, Sophia Byrd McSherry, Lindsey Townsend, Grace O'Connor, Katrin Johnson, Shoshana Kehoe-Ehlers, Geoff Hulse, Oiana Luke, George Yeannakis

Absent: Jason Schwarz (Chair), Judge Patricia Fassett, Leandra Craft, Anthony Powers, Christie Hedman, Jason Bragg, Mohammad Hamoudi, Arian Noma, Taylor Herring, Christopher Swaby, Paul Holland

Office of Public Defense Report: Larry Jefferson reported on the recent Gideon at 60 Conference in Seattle where he heard Jeffery Robinson speak and learned from other practitioners. OPD will be hosting a public defense day on July 14. They are formalizing the topics but will focus on what it means to have a public defender and recruitment and retention. They have been participating more with the Office of Civil Legal Aid and are now co-located and the management teams are meeting more regularly to find collaboration opportunities. Sophia Byrd McSherry also shared about legislative updates. The Senate budget includes several of OPD's requests. They see funding for two of the bills they have been working on. She shared about the progress of individual bills that are still in process.

Washington Defender Association Report: Sarah Hudson provided an update on the Redemption Project WA, which is now up and running. They had a post-conviction release training a few weeks ago and have more trainings scheduled. Sarah also provided a legislative update on bills they are tracking. Christie Hedman will send an updated list about what is still moving forward after the next cut off.

Potential Court Rule Proposal Collaboration – CrR 4.2(e): Maia Vanyo reported that have started a conversation with Judge Amamilo about a potential rule change to CrR 4.2. A memo was included in the meeting materials that outlined the issues. After today's conversation the plan is to keep this on the April agenda to determine next steps. Judge Amamilo presented her idea. She has noticed that often not enough information is presented to judges in a timely manner to determine if a recommended sentence is appropriate in each case. She reviewed the rules about providing information to judges and noted that they are often dealt with at the local level. Her approach is to try to make rule changes to create more clarity about the information a judge needs to make a

decision. Judge Amamilo addressed questions and the Council had a conversation providing feedback on the potential rule change.

February Minutes: The February minutes were approved without edits.

Standards Committee Update: Bob Boruchowitz reported that the national standards are still under review. He predicts it will be out the middle of April. There will be a CLE next week to discuss the Standards. The committee is working hard and will have a proposed revisions to the entire WA Standards in a few months.

Race Equity Update: Abe Ritter reported that the first forum is scheduled the following week. He will provide an update on the forum at the April meeting, including learnings for the June forum.

Celebrating Gideon at 60: Maia Vanyo reported that a number of op-eds have been submitted.

Announcements: Maia Vanyo shared that a targeted discussion on Task Force 2.0 will be put on the CPD agenda in the coming months. In April there will also be guest speakers to discuss rural justice systems. The September meeting will be in person in Seattle.

Ayerts Decision: Justice Sheryl Gordon McCloud excused herself from this portion of the meeting. Travis Stearns shared a summary of the case and concerns it raises regarding the certification of attorneys. The Council discussed the importance of a motion to reconsider. They discussed the need to publicize the issue to draw attention to the harm done. The Council discussed the importance of bringing credibility to the Standards and the needs for structural reform at the local and regional levels to ensure compliance.

The meeting adjourned at 11:03am