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Washington State Bar Association

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COUNCIL ON PUBLIC DEFENSE  
SEPTEMBER 16, 2022, 9:30AM – 12:00PM VIRTUAL/VIDEOCONFERENCE  
MINUTES

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**CPD voting members:** Travis Stearns (Chair), Jason Schwarz (Vice-Chair), Larry Jefferson, Rachel Cortez, Kathy Kyle, Arian Noma, Maialisa Vanyo, Christie Hedman, Judge Drew Henke, Jonathan Nomamiukor, Justice Sheryl Gordon McCloud, Abe Ritter, Paul Holland, Anita Khandelwal, Louis Frantz, Mohammad Hamoudi

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

**WSBA Staff:** Bonnie Sterken

**Guests:** Sarah Hudson, Sophia Byrd McSherry, Molly Gilbert, Ann Christian, Leanne Stogsdill, Bob Boruchowitz, Kevin Flannery, Renee Ambacher, Katrin Johnson, Hannah Purcell, Eileen Farley, Emily Husa, Elbert Aull

**Absent:** Rebecca Stith, Christopher Swaby, Brenda Williams, Judge Patricia Fassett, Jason Bragg, Matt Anderson, Leandra Craft

**Minutes:** The July minutes were approved with a few typo corrections.

**Office of Public Defense Report:** Larry Jefferson shared about his trip to Montgomery, Alabama. They visited Dr. Martin Luther King's home and took a tour of the neighborhood. They were able to see the legacy of the neighborhood and see why they are doing the work to advocate for clients in public defense. Larry thanked the Council because there are going to be three new public defense agencies that are starting due to the independence rule, GR 42. He also thanked the trial improvement team at OPD. OPD's budget request has been approved by their advisory committee and is moving forward. The top three priorities are vendor rate increases for all contractors, the first clinic to support families, and a county and city grant program. The biennial budget request includes \$35.8mil improvements to public defenses, stabilizing operations, and WDA projects. Christie Hedman moved that the CPD submit a letter in support of the budget request (the final letter will be drafted and shared with the Council ahead of time), Jason Schwarz seconded the motion, and all approved with a supermajority and one abstention. The vote included a motion that the request is within the scope of GR 12. Larry and Sophia addressed questions.

**Washington Defender Association Update:** Christie Hedman reported that they are seeking additional funding to continue the Redemption Project to support people being resentenced. The Seattle Clemency Project is having a celebration at the end of the year and WDA and OPD are being recognized for their work. Sarah Hudson is handling the post-conviction immigration resentencing that is a continuation of the work. Seattle University will be taking a few cases with their clinic. They are also working on Blake efforts, including correcting information coming out of law enforcement entities and insurance issues. They are getting their training up and running this fall with several topics. The WDA conference will be at Sun Mountain at the end of April 2023.

**Who We Are Viewing and Panel Discussion:** Travis Stearns reported that the CPD is sponsoring a viewing of the film for later this month along with the WSBA DEI Council. He encouraged folks to register.

**Race Equity Committee:** Abe Ritter reported on the work of the Race Equity Committee and gave an overview of what they have been doing the past year, including the recent DEI training that Barbara Harris led. Barbara and her colleagues have offered to continue supporting the Council in this work. Abe encouraged others to join the committee and noted there is a seat for a new co-chair. Moving forward, they would like to focus on recruiting and retaining BIPOC and other marginalized public defenders and other staff. They might plan a regular forum to bring together BIPOC and other marginalized public defenders and other staff to learn from them about their experiences. They have brainstormed themes and are developing the format but anticipate bringing in skilled facilitators and holding affinity group break out discussions.

**Standards Committee:** Bob Boruchowitz reflected on the past work of the Council and the histories of OPD and WDA and acknowledged everyone's efforts. He also reported on the discussions in the Standards Committee focusing on caseload limits and recommend changes in the Standards. They are also considering what the WSBA Standards could say going farther than what the Court Standards could say. He anticipates that the Court will ask the Council to comment on the national workload standards that will be released by the end of October. Bob also shared an update on Council staffing for public outreach and education and policy report. WSBA is attempting to provide existing staff support for the outreach piece and is potentially hiring a new policy person who can assist with the substance of the work. The Council had a discussion.

Rachel Cortez also shared about an attorney complaint in Walla Walla that has not been properly addressed by the WSBA Office of Disciplinary Counsel. The Council discussed how they might be able to support bringing more attention to the complaint.

**Other Committee Updates:** Travis Stearns provided an update on the committees planned for the next year and encouraged folks to join, including Charter Updates, Compensation and Conflict Counsel, Independence, and others. The Council also discussed the possibility of meeting in person sometime over the year. Maia is going to lead efforts to review and potentially update the Charter. They discussed relaunching the Independence Committee to address implementation questions around GR 42. Ann Christian and Leanne Stogsdill both expressed interest in helping with this committee. Travis shared the need to set up a group on Compensation and Conflict Counsel to review what is happening and potentially making recommendations on funding. The Council had a discussion, particularly on public defender retention and burnout. They also discussed including tribal courts in these efforts.

**Announcements:** Twila Carter will be guest speaker in October.

The meeting adjourned at 11:45am