



Washington State Bar Association

COUNCIL ON PUBLIC DEFENSE
MARCH 22, 9:30AM – 12:00PM VIRTUAL/VIDEOCONFERENCE
MINUTES

CPD voting members: Jason Schwarz (Chair), Maia Vanyo (Vice-Chair), Larry Jefferson, Erika Rutter, Kevin Flannery, Judge Dee Sontag, Molly Gilbert, Arian Noma, Kathy Kyle, Abigail Pence, Abraham Ritter, Maya Titova, Jonathan Nomamiukor, Paul Holland, Christie Hedman, Christopher Swaby, Rachel Cortez, Justice Sheryl Gordon McCloud

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: Sophia Byrd McSherry, Lei Young, Jonathan Patnode, Gordon Hill, Geoff Hulseley, Katrin Johnson

Absent: Judge Marla Polin, Leandra Craft, Abraham Ritter, Anthony Powers, Louis Frantz, Anita Khandelwal,

Standards Adoption: Larry Jefferson took a moment to acknowledge and celebrate all the hard work that led to the WBSA BOG adopting the new WA Standards for Indigent Defense. Jason shared that the BOG was receptive, especially regarding issues for lawyer wellness. He also shared that the BOG received many written comments that covered a wide range of opinion, and those were linked in the meeting materials. He encouraged people to read them.

Office of Public Defense Legislative Update: Sophia Byrd McSherry shared about House Bill 5780, which received bipartisan support. This bill provides funding to OPD to provide intern positions in counties and cities, alongside additional funding for statewide recruitment and training opportunities. It specifically targets rural and underserved communities, though further discussions are needed to refine these parameters. There were also discussions on other bills that didn't progress but are expected to be revisited next year. For instance, there's a proposal for loan repayment assistance at the outset of working in underserved areas for a specified period. OPD received their supplemental budget request. On the topic of parental representation, a budget proviso was introduced to include social workers at initial shelter care hearings. This provision will be piloted in two counties.

Preparations for the next biennial budget are underway, with plans to gather input from cities and counties. Sophia addressed questions.

They also discussed how the lawsuit from the Counties may impact future budget issues, but there is more to be seen about how the lawsuit plays out.

New Committees: Jason Schwarz shared that OPD has asked that the CPD work on develop Standards for Appellate Defense and Family Defense. Jason shared that these committees are being developed. They will also be forming a committee on Standards implementation and enforcement. They expect updates from all committees in the fall. Jason also noted a need to address ITA standards at some point. They are recruit members for all three committees.

Race Equity Forum: Abraham Ritter gave an update on the CPD's race equity forums over the past year. The forums were wrapped up in January and they are preparing a report to submit to the CPD in the coming weeks. The biggest takeaway was the framework of the forums, and he acknowledge Barbara Harris for her work to design the forums. They focus of the forums was to learn about how best to advance the goal of improving the recruitment and retention of BIPOC legal professionals. The data and recommendations will be in the report. Abe addressed questions. The Council discussed how one of the issues is that it can be challenging to attract people to Washington, especially people of color, because of system racism and how the experience for lawyers of color can be very isolating. It was noted that part of the solution to retention is building a community where practitioners of color can find community and fellowship.

CPD Leadership: Jason Schwarz shared that he and Maia Vanyo have been discussing leadership transitions. As Jason's chair term ends and Maia moves to the chair role, they will be recruiting a new vice-chair. Jason noted that it has been challenging to struggle to recruit chairs for the committee. They have wondered if one obstacle is the length of the commitment, which is 2 years as vice-chair and 2 years at chair. They also want to work on making the process more transparent and equitable. Looking at the Charter, they are thinking about whether to review recommendations about changing the Charter to make the leadership selection more transparent and for the commitment to be more manageable. Francis Adewale shared about the leadership structure on the Access to Justice Board and the Board's recruitment structure. He recommended that the CPD form a leadership development committee that does broader work to bring people on the CPD and form a pipeline. There was also a discussion about needing to reach out to local offices to encourage them to create space for staff to actively participate in the CPD work. It was also noted that daily work for practitioners can make it very hard to participate in CPD meetings, especially for hourly workers who are forced to use PTO or unpaid time off. They discussed issues like the length of the meetings, when meetings are scheduled, and limitations on when votes can be taken.

Pathways to the Profession Summit: Jason Schwarz shared about the plan to host the summit and noted that the planning group has asked for participation on the planning. Multiple members expressed interest and Chris Swaby is already involved in the planning.

Announcements: Jason Schwarz shared that we are posting articles about the Standards to the WSBACommunity page. Bob Boruchowitz shared about the June 1 conference at Seattle University to discuss how to implement the Standards, diversion alternatives, and changes implemented in other states. Bob will share the registration link once it's ready. Christie Hedman shared about the planning for WDA conference, while Justice Charles Johnson and Twila Carter will be keynotes speakers.

The meeting adjourned at 10:54am