



King County

Public Defense Advisory Board Meeting

Thursday, December 5, 2019
9:30 am - noon

Dexter Horton Building, Conference Room 245

MINUTES

1. Welcome

Attending in person: Kim Ambrose, chair; Lou Franz, vice chair; Adam Chromy; Sharon Armstrong; Chris Carney (appointment pending)

Not present: Matt Adams, Safia Ahmed, Marc Boman, Sophia Byrd McSherry, Jeffrey Robinson, John Strait

Meeting called to order by Kim Ambrose at 9:38 a.m.

2. Welcome to new member (appointment pending)

Welcome to Chris Carney. Kim said she expects him to be confirmed by the County Council on Jan. 6. Chris has been a public defender for 20 years; he was trial counsel on the *Trueblood* case and has been working on the *Trueblood* executive committee. He's been on DPD's assigned counsel panel for several years. He fills the mental health seat and was nominated by Disability Rights Washington.

3. Remarks from SEIU Representatives

Abbey McMahon spoke about two concerns: High caseloads with no apparent end in sight and personal safety around the building and the courthouse. The union plans to continue to work with management on these issues.

4. Remarks from Teamsters Representatives

Matt Covello noted a few things. The union has approved a change to contract language for senior supervisors; they've worked with management on changes to the bathrooms, making them all-gender bathrooms. They're working on changes to the on-call attorney policy to make it more equitable. And the union has ongoing discussions with management about staffing issues and the stress on both supervisors and staff.

5. Department of Public Defense Director's Report

Interns and Staffing. Tara Urs provided an update on the 3L hiring, noting that DPD has lots of offers outstanding and hopes to complete the process shortly. As for intern

recruitment, the department has worked hard to attract a more diverse pool of applicants, attending various job fairs and other events. Still, we have the same disproportionality in our applicant pool as in past years. That said, we've done a good job at hiring people of color. Of the 19 2L students, nine – close to 50 percent – identify as being of color.

Case filings. Gordon Hill displayed a graph that shows the situation around case filings. He noted that normally we get a dip in filings in November, but this year that dip was minimal, and December filings are already high. We also continue to struggle in SMC, where the numbers are above previous years. Kent is doing a little better. We're increasingly relying on our assigned counsel panel, but we don't have enough attorneys on the panel.

Kim asked Gordon and Scott Ketterling what the barrier is to getting more attorneys onto the assigned counsel panel. Scott said the primary issue is our low rate of pay. We're also trying to streamline the application process. He's been making cold calls to get attorneys onto the panel.

Gordon said that the Director's Office is trying to convince the County to work with us on a Delphi study, which involves a panel of experts (generally including public defenders, private attorneys, and academics) who work together in an intensive, iterative process to determine the number of hours required to provide representation in different kinds criminal and civil cases. Delphi studies are considered one of the most reliable predictive models.

Inquests. Gordon said we were called upon to provide representation to families in inquest hearings, but we vastly underestimated the resources to do this. And because our caseloads are so high, we've not been able to assign this work to attorneys in the divisions. As a result, La Rond Baker has taken these on.

Training program. Abbey McMahon, who became the training coordinator about three months ago, said she is now at a point where she can begin to envision what a high-quality and holistic training program should look like and is working with Tara and others to shape and plan such a program. Meanwhile, for 2020, we'll continue to look at attorney wellness and longevity in the workplace.

Audit follow-up. Gordon said that he and Stev Weidlich have been working with the auditor's team. The audit reflected a DPD we did not control; we took the findings as an opportunity to address some significant issues. The relationship with the auditor's office is excellent, and the auditor's updated report on DPD reflects this good working relationship and the changes we've made.

6. Chair's report

Kim talked about Jeff Robinson's status on the board and the nomination process for new board members moving forward.

7. Planning for 2019 Annual and Budget Reports

Board members discussed the need to ensure the budget report fully covers issues pertaining to assigned counsel payment rates. Other areas to be sure to include in the annual and budget reports: The exponential increase in discovery due to body cams and the need, as a result, to bolster investigative support in the divisions; the lack of a staffing model for mitigation specialists and the need for such a model; and the impact of inquest representation on DPD staff.

8. Executive session: The board goes into executive session at 11:35 a.m.

9. Adjourn: 11:55 a.m.

10. PDAB Chair's Report

11. Planning for 2019 Annual and Budget Reports

12. Executive Session

13. Adjourn