



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19333

Proposed No. 2021-0193.3

Sponsors Zahilay

1 AN ORDINANCE relating to the public defense advisory
2 board; and amending Ordinance 17678, Section 4, and
3 K.C.C. 2.60.031.

4 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 SECTION 1. Ordinance 17678, Section 4, and K.C.C. 2.60.031 are each hereby
6 amended to read as follows:

7 A. The public defense advisory board shall: regularly review the activities and plans
8 of the department of public defense, make recommendations to the county public defender on
9 matters concerning the department, advise the executive and council on matters of equity and
10 social justice related to public defense, prepare the reports required in this section and such
11 other reports as the board may deem appropriate; and when there is a vacancy in the office of
12 county public defender, as provided in K.C.C. 2.60.026, recommend to the county executive
13 candidates to fill the vacancy.

14 B. In performing its duties, the board shall work collaboratively with the county
15 public defender and may reasonably request relevant, (~~non-privileged~~) nonprivileged
16 information from the county public defender. The board through its chair shall consult with
17 the county prosecutor, courts(~~(s)~~) and department of public defense in the performance of all
18 of its duties except for instances of conflict of interest, when it is not appropriate to discuss
19 issues with all parties identified above, or for the recommendation of candidates.

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20 C. The board shall consist of eleven members, shall establish its own rules of
21 procedure, subject to the county charter, the county code and other applicable law, and shall
22 choose its own chair.

23 D. The board shall consist of one representative from each of the following:

- 24 1. The Washington Association of Criminal Defense Lawyers;
- 25 2. The Washington state Office of Public Defense;
- 26 3. The Washington Defender Association;
- 27 4. The King County Bar Association and ;
- 28 5. ~~((A-b))~~Bar associations identified as ~~((a))~~ minority bar associations by the
29 Washington State Bar Association; and
- 30 6. ~~((A nonpartisan organization active in King County that focuses on mental~~
31 ~~health;~~
- 32 7. ~~A nonpartisan organization active in King County that focuses on substance~~
33 ~~abuse issues;~~
- 34 8. ~~A nonpartisan organization active in King County that focuses on issues~~
35 ~~concerning military veterans;~~
- 36 9. ~~A nonpartisan organization active in King County that focuses on issues related~~
37 ~~to poverty;~~
- 38 10. ~~A nonpartisan organization active in King County that focuses on juvenile~~
39 ~~justice issues; and~~
- 40 11. ~~A nonpartisan organization active in King County that focuses on immigration~~
41 ~~issues))~~ The remaining six members of the board shall represent areas or issues that may
42 affect public defense clients, including mental health, substance abuse, military veterans,
43 poverty, juvenile justice and immigration issues.

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44 E. Candidates for a position referenced in subsection D.6. of this section may either
45 be nominated by an organization active in the areas referenced or may apply individually for
46 one of the seats listed if the applicant has significant experience or knowledge in one of the
47 listed areas.

48 E. Members of the board shall serve staggered three-year terms and until their
49 successors are appointed and confirmed(~~(, except that the members designated in subsection~~
50 ~~D.1., 2., 3. and 4. of this section shall serve an initial term of one year and the members~~
51 ~~designated in subsection D.5., 6., 7. and 8. of this section shall serve an initial term of two~~
52 ~~years)). If a member leaves the board midterm, the person appointed as a replacement shall~~
53 serve the remainder of the unexpired term, rather than beginning a new term of three years.
54 The county council may reappoint board members for additional three-year terms and may
55 remove any board member by motion adopted with the affirmative votes of at least five
56 councilmembers. Members of the board shall not be compensated for the performance of
57 their duties as members of the board, but may be reimbursed for parking expenses in the
58 King County parking garage when attending meetings of the committee, which shall be
59 deemed to be for the business convenience of the county and shall be paid for by the
60 department of public defense.

61 ~~((F.))~~ G. The process for filling vacancies on the board is:

62 1.a. Upon learning of a pending or existing vacancy or one hundred twenty days
63 before a scheduled vacancy on the board, the board chair and the county public defender shall
64 provide written notice of the vacancy to the clerk of the council and to the executive.

65 b. Upon learning of a pending or existing vacancy or one hundred twenty days
66 before a scheduled vacancy, the ~~((clerk of the council))~~ executive shall provide written notice
67 of the vacancy to ~~((the executive,))~~ all councilmembers, the board chair, the county public

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68 defender and:

69 (1) to the represented organization for vacancies in the board seats designated in
70 subsection D.1., 2., 3., and 4. of this section;

71 (2) to each of the bar associations identified as a minority bar association by the
72 Washington State Bar Association for a vacancy in the board seat designated in subsection
73 D.5. of this section; and

74 (3) ~~((by publication of notice of the vacancy in the official county newspaper and
75 in the largest newspaper of general circulation within the county for the board seats
76 designated in subsection D.6., 7., 8., 9., 10. and 11. of this section))~~ to organizations active in
77 the areas referenced in subsection D.6. of this section for vacancies in boards seats designated
78 in subsection D.6. of this section.

79 c. The notice shall specify the deadlines established in subsection ~~((F))~~ G.2. of this
80 section;

81 2. Within sixty days after the ~~((clerk of the council))~~ executive provides the notice
82 required in subsection ~~((F))~~ G.1.b. of this section, ~~((the represented))~~ an organization ~~((, any
83 minority bar association organization may and each nonpartisan organization with the
84 required subject matter focus that wishes to do so))~~ listed in subsection D1.,2.,3. and 4. of this
85 section shall submit in writing ~~((at the same time))~~ to the county executive ~~((and the clerk of
86 the council,))~~ the names of three candidates recommended for appointment to fill a vacancy
87 in the board seat for which notice was required to be given to the organization~~((, together)).~~
88 For the board seats designated in subsection D.5 and D.6. of this section, the organizations
89 with the required subject-matter focus may submit the names of up to three candidates. All
90 nominations shall include the board application, with the resume of each candidate and all
91 other written materials that the organization considered in deciding to recommend the

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92 candidate. The organization shall not rate the candidates, but may provide a brief description
93 of the strengths of each candidate. (~~The clerk of the council shall provide an electronic copy~~
94 ~~of the resumes and other written materials to each councilmember~~) An individual candidate
95 shall also submit to the county executive a board application, resume and other relevant
96 materials, including a written statement or other documents that establish the candidate's
97 expertise in one of the areas listed;

98 3. Within thirty days after receiving the written materials concerning the
99 recommended candidates for a board seat designated in subsection D.1., 2., 3. or 4. of this
100 section, or within sixty to ninety days after the (~~clerk of the council~~) executive provides the
101 notice required in subsection (~~(F.)~~) G.2. of this section for a board seat designated in
102 subsection D.5(~~(;)~~), or 6.(~~(, 7., 8., 9., 10. or 11.)~~) of this section, the county executive shall
103 appoint one of the recommended candidates by providing written notice of the appointment
104 to the clerk of the council, who shall provide an electronic copy of the notice to each
105 councilmember. If the applicable organization referenced in subsection D.1., 2., 3. and 4. of
106 this section fails to timely recommend three candidates, the executive may either make an
107 appointment from among the recommended candidates or candidate or wait until the
108 organization has recommended three candidates and make an appointment within thirty days
109 after receiving the board's recommendation of the third candidate;

110 4. The county council may confirm or reject the executive's appointment by motion
111 adopted by the affirmative votes of at least five members. A motion to confirm the
112 appointment shall be referred for committee consideration to the council's law(~~(;)~~) and
113 justice(~~(, health and human services)~~) committee, or its successor; and

114 5. If the council rejects the executive's appointment of a board member nominated
115 by an organization referenced in subsection D1., 2., 3. and 4. of this section, the clerk of the

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116 council shall provide written notice of the rejection to the executive and the represented
117 organization or organizations. Within thirty days after receiving the written notice, the
118 represented organization shall provide to the executive in writing, and contemporaneously to
119 the clerk of the council, the name, board application, resume((;)) and all other relevant
120 written information for one additional candidate. Within thirty days after receiving the
121 additional candidate recommendation and the relevant written materials, the executive shall
122 appoint the board member from among the recommended candidates, excluding any
123 candidate whom the council has rejected. If a represented organization fails to timely provide
124 the additional candidate recommendation and relevant written materials, the executive shall
125 proceed in the same manner as if the entity had recommended fewer than the required
126 number of candidates, as provided in subsection ((F)) G.3. of this section.

127 ((G)) H. Each member of the advisory board shall have substantial experience and
128 expertise that are relevant to the work of the department of public defense and shall have an
129 ability and willingness to commit the time necessary to attend meetings and participate
130 effectively as a member of the board. A majority of the members should have substantial
131 familiarity with advocating on behalf of the indigent. To the extent practicable, the board
132 membership shall reflect the diversity of the county. A member may not, while serving on
133 the board, hold elective public office except precinct committee officer, be a candidate for
134 elective public office except precinct committee officer, serve as a King County judicial
135 officer, a King County prosecuting attorney or a King County public defender or be an
136 employee of a King County court, the King County prosecuting attorney or the King County
137 department of public defense.

138 ((H)) I. The board shall meet at least once every two months and shall issue at least
139 two written reports to the executive and the council ((each calendar year)), including: one

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140 report on the board's review of the executive's proposed budget for public defense; and one
141 report on the state of county public defense. Each report shall be issued at least every other
142 year. The report on the state of county public defense shall include an assessment of the
143 progress of the county in promoting equity and social justice related to the criminal justice
144 system and may include recommendations for advancing equity and social justice.

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145 ((~~F~~)) J. The council shall provide funding, subject to appropriation, for executive
146 staffing of the advisory board.

Ordinance 19333 was introduced on 5/18/2021 and passed as amended by the Metropolitan King County Council on 9/14/2021, by the following vote:

Yes: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:
Claudia Balducci
7E1C273CE9994B6...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:
Melani Pedroza
8DE1BB375AD3422...
Melani Pedroza, Clerk of the Council

APPROVED this _____ day of 9/29/2021, _____.

DocuSigned by:
Dow Constantine
4FBCAB8196AE4C6...
Dow Constantine, County Executive

Attachments: None

Certificate Of Completion

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Subject: Please DocuSign: Ordinance 19333.docx	
Source Envelope:	
Document Pages: 8	Signatures: 3
Certificate Pages: 5	Initials: 0
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Envelope Stamping: Enabled	Cherie Camp
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	401 5th Ave
	Suite 100
	Seattle, WA 98104
	Cherie.Camp@kingcounty.gov
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Signer Events

Claudia Balducci
 claudia.balducci@kingcounty.gov
 King County General (ITD)
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Signature

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Melani Pedroza
 melani.pedroza@kingcounty.gov
 Clerk of the Council
 King County Council
 Security Level: Email, Account Authentication (None)

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 Security Level: Email, Account Authentication (None)

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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

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Kaitlyn Wiggins kwiggins@kingcounty.gov Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	<div style="border: 2px solid blue; padding: 5px; display: inline-block;">COPIED</div>	Sent: 9/21/2021 10:16:23 AM Viewed: 9/21/2021 12:21:09 PM
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Witness Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	9/29/2021 5:10:37 PM
Signing Complete	Security Checked	9/29/2021 5:10:50 PM
Completed	Security Checked	9/29/2021 5:10:50 PM

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Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum

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