



King County

Public Defense Advisory Board Meeting

Thursday, February 1, 2018
9:30 am - noon

Dexter Horton Building, 2nd Floor
Conference Room 238

MINUTES – Prepared by Jonathan Rudd

1. **Welcome** - In attendance – Chair Paul Holland, Vice chair Kim Ambrose, Safia Ahmed, Sophia Byrd McSherry, Sharon Armstrong, John Strait, Adam Chromy, Marc Boman, Jennifer Giambattista (Council staff)
 - a. The board welcomes new member Adam Chromy.
2. **Approval of November 9, 2017 Amended Meeting Minutes** – A comment is made that the meetings should be tagged “prepared by _____”. Amended minutes approved unanimously.
3. **Approval of December 7, 2017 Meeting Minutes** – Approved unanimously
4. **Chair’s Report** –
 - a. **King County Auditor’s Office Presentation** – Justin Anderson, Principal Management Auditor, described the function of the Performance Audit. This is DPD’s inaugural audit. The final report will assess DPD’s program effectiveness and results, operational efficiency, compliance with legal and policy requirements and management controls. The audit will evaluate DPD’s management of resources and workload since 2015 (including both the Director’s Office and DPD’s individual divisions). While the audit will review DPD case assignment and management (e.g. systems and standards), it will not examine individual cases or confidential attorney-client information. The objective is to identify how DPD is using data to manage resources effectively, how efficient is the case assignment process, and to measure the consistency in administering cases.

Auditors continue to interview a significant number of Director’s Office staff and leadership team members. They will be looking at national and local peer defense groups as comparators. Once fieldwork and analysis is complete, the Auditor will share a draft of the report with DPD’s Director. The Auditor may revise the draft based on DPD’s input. The Auditor then prepares a final draft for Executive response. The Auditor then publishes the final report and the

Executive's response and presents both to Council. Currently there is a loose target date for completion and submission to council in late July, early August.

5. Department of Public Defense Director's Report –

- a. **Strategic Planning** – Director Youngcourt presents the results of the Strategic Planning process, including the poster, which the Board reviews and comments on favorably.

Director Youngcourt reports on meetings she has held with each division. Employees said they want clear communication that demonstrates that their ideas are flowing through to leadership and are being considered.

Leadership has committed to (1) three face-to-face collective meetings a year during which members discuss their work and ask for input and feedback; (2) post their weekly leadership team agenda the Thursday before their Tuesday meetings; (3) resume director on-location lunches; (4) continue director weekly court visits; and (5) creating regular newsletters on training, HR, and DPD all issues to promote inter-division thinking and transparency.

- b. **Staffing the Director's Office** – The director has chosen to have two deputy directors. Anita Khandelwal is now Deputy Director of Law and Policy. La Mer Kyle-Griffiths is now Deputy Director of Workforce, Learning & Growth. Anita's work will include caseload monitoring, union negotiations, policy, and strategic litigation. La Mer will continue to lead the training and intern team and add human resources. Gwen Clemens will continue to lead Operations & Administration (Facilities, IT, Finance, business processes) and her position will remain at its current level. Two special duty positions (competitive DPD attorney hires) will become part of Anita's team for strategic litigation. One will focus on civil legal issues such as family defense, ITA, COC, and 71.09. The other will focus on criminal legal issues such as juvenile delinquency, misdemeanors, and felonies). Both positions will work to identifying systemic issues, performing legal research, crafting legal arguments to address the issues, prepare model briefing, represent the director in litigating any issue which impacts classes of clients. They will also be delegated to staff certain county/community workgroups.

Jeanette Brinster's current role is creating supervisor tools, updating manuals, representing DPD at ops and bench/bar meetings, supporting the managing attorney team, and legal resource creation. She is also doing special projects (case management replacement workgroup, and a digital discovery workgroup).

Move update – all is going smoothly. A board member asks about Kent expansion space. Gwen Clemens reports the KC Facilities & Maintenance Division (FMD) has identified a space, and there is discussion of a letter of intent being proposed.

- c. **Union Contracts** – employees voted to approve the small table contracts. Expect transmission to Council shortly.
- d. **Recruiting** – 2018 graduate hiring will also include applicants who graduated in 2016 or 2017 and are concluding judicial clerkships and graduate fellowships. DPD's target is to hire four attorneys from the clerks/fellows applicants. Interviews for May 2018 law school graduates concluded in early November. DPD extended 22 offers and 11. No recruits were lost due to the timing of offers. DPD is considering delaying offers until after the Prettyman fellowships have been announced as many requested extension of their offer until after that announcement. Lesson learned: greater focus on west coast law schools (some who declined wanted to stay near family).

A board member asked why DPD did not fill all 15 positions. DPD chose to make offers only to those who ranked highest in their selection process and wanted to leave room for clerk/fellow hires.

The County Executive has committed to paying DPD interns in the future. Dave Roberson will attend an intern job fair at UCLA. Josh Saunders will attend a Public Interest Law fair at NYU later this year. A workgroup is in place to further streamline hiring processes. Mary Louis and La Mer Kyle-Griffiths are committed to the benefits of increasing attorney diversity. DPD's diversity target is to meet that of DPD's clients.

The final 2017 graduate hire will be placed in a division this month. DPD will post for attorneys with 3-5 years criminal experience and conduct interviews in March in an attempt to fill any vacancies which arise between end of February through August of 2018 when the 2018 graduate hires can begin. DPD is preparing for a potential uptick in retirements if the County Council passes an ordinance allowing voluntary separation payments. Bios on new hires will be provided to the Board.

Litigation - A board member asks for a litigation report.

- e. **Case Management Software (CMS)** - A board member asks about replacement of the Legal Files CMS. A Request for Information was posted and yielded 5 competitive CMS systems. The Executive, through Dwight Dively, has approved DPD seeking a supplemental budget to begin the replacement process. Funding could be approved by Council as early as summer 2018.
- f. **Expert Service Processes** - Burns Petersen presents changes to the Expert Service processes following a team LEAN review.

6. Executive Session – entered at 10:50 am.

7. Adjourn – 11:23 am