

Minutes of Meeting
Public Defense Commission
April 3, 2019
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Public Defender (PD) Anne C. Taylor, PD Administrative Supervisor II Jamie Woods, Finance Director Dena Darrow, Staff Accountant Julina Hildreth, Resource Management Office (RMO) Program Manager Kimberli Riley and Deputy Clerk Tina Ginorio. Also present were Public Defense Commission Director Kathleen Elliott and Idaho Public Defense Commission Region 1 Coordinator Aaron Freudenthal.

- A. **Call to Order:** Chairman Chris Fillios called the meeting to order at 2:10 p.m.
- B. **Changes to the Agenda (Action):** There were no changes to the agenda.
- C. **Business:**

Introduction of new Public Defense Commission (PDC) Director, Kathleen Elliott.
(Discussion)

Public Defense Commission Director Kathleen Elliott introduced herself to the Commissioners and told them about her background.

Review Kootenai County Public Defense Issues (Action)

Chairman Fillios inquired about the status of the ACLU (American Civil Liberties Union) lawsuit regarding Public Defenders. Ms. Elliott said that the proceedings were not yet resolved. She explained that the declared purpose of the suits was to improve representation of indigent clients by public defense attorneys. She stated that funding for the PDC (Public Defense Commission) was being increased substantially to help counties meet these needs.

Ms. Elliott also explained that the NLADA (National Legal Aid and Defender Association) report represented an effort to discover the ways Idaho was not meeting requirements and to assist the State in the evaluation of its unique circumstances to achieve compliance.

Commissioner Duncan exited the meeting at 2:35 p.m.

Ms. Elliott listed improvements that had already taken place in response to the study: as of April 2019, all forty-four counties would have attorneys attending all first appearances and provide confidential meeting spaces for attorneys to meet with clients at courthouses.

Idaho Public Defense Commission Region 1 Coordinator Aaron Freudenthal informed the Board that the attorney workload standards had moved through most of the process

required for its adoption. He explained that the Idaho workload standard was being established through use specifically of Idaho statistics. Mr. Freudenthal said he thought the standard would be about two hundred ten felony-equivalent cases per attorney. Using this as a rough measure, he remarked that Kootenai County would need to increase the twenty-one attorneys at the Public Defender's Office to twenty-nine or thirty. He assured the Commissioners that the PDC would ensure that the County received enough funding, through their yearly grant or the additional fund set up specifically to ensure counties are able to reach compliance with the new standards. He added that the funding would also take staff needs such as investigators and paralegals into account.

Staff Accountant Julina Hildreth inquired whether the allocation from the compliance-related fund would be a one-time payment or represent continuing support. Ms. Elliott said ongoing support would be provided or allowances made if a future legislature cut the funding a county required to maintain compliance with the standards.

Finance Director Dena Darrow asked if upcoming Medicare Expansion costs to the State would threaten this program. Ms. Elliott acknowledged that Medicare Expansion would be costly, but that these standards represented constitutional requirements for provision of public defense services and would not be neglected in the future.

D. Public Comment (Discussion): This section is reserved for citizens wishing to address the Board regarding a County-related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing. There was no public comment.

E. Adjournment (Action): Chairman Fillios adjourned the meeting at 3:01 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
