

Minutes of Meeting
Public Defense Commission
June 17, 2020
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 Anne C. Taylor, Manager for Public Defender's Office Conflict Contracts Scot Nass, Finance Director Dena Darrow, BOCC Communications Manager Nancy Jones and Deputy Clerk Tina Ginorio. Also present through teleconference was Idaho State Public Defense Commission Regional Coordinator for East Idaho Jared H. Ricks.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 2:02 p.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business (Discussion Items):**

FY20 Annual Review

Chairman Fillios introduced Idaho State Public Defense Commission Regional Coordinator for East Idaho Jared Ricks.

Mr. Ricks noted that his predecessor, Aaron Freudenthal, had submitted Kootenai County's Annual Review to the BOCC in April 2020.

Public Defender Anne C. Taylor asked why the County had been marked non-compliant in regard to vertical representation.

Mr. Ricks said he could not locate any documentation on that, but would look into it and let her know. He said Mr. Freudenthal had noted two other items the County needed to remedy. He explained that statute 61.01.03 required that provisions be made for the establishment and maintenance of records by defending attorneys, including conflict attorneys. He said the second item was for the County to make arrangements to honor the Right of Inspection, which would permit the PDC (Public Defense Commission) to look at attorneys' records to ensure compliance with the terms of the County's Contract.

Commissioner Leslie Duncan remarked that Kootenai County had already corrected those two items. She said she would send him the relevant documents.

Explanation of the Extraordinary Litigation Fund

Mr. Ricks said they want to make sure that the Extraordinary Litigation Fund (ELF) was still in existence throughout the state for incidents of financial hardship or extraordinary need. He remarked that they would require that the County access its own appropriate resources before making an application.

Indigent Defense Financial Assistance Application

Mr. Ricks remarked that the form they used had been updated and asked for feedback on the new appearance.

Finance Director Dena Darrow asked that they include additional clarification of the items required on the new form.

Upcoming 2020 Negotiated Rulemaking Meetings

Mr. Ricks said that the PDC would continue to hold these meetings, but in a different format. He explained they would be held on the Zoom platform and urged those present to watch their emails for invitations. He added that no dates had been set yet, but the invitations should come soon. He confirmed that the PDC intended to continue discussions from last year on principals that were not yet finalized.

IDPA 61.01.03 Regarding County & Defending Attorney Contracts

Chairman Fillios noted that this topic had already been covered and suggested they move to the next item.

Defense Investigators and Expert Witnesses

Mr. Ricks commented that he had no additional information to offer on this item and asked if there were any questions. Ms. Taylor and Manager for Public Defender's Office Conflict Contracts Scot Nass said they had none at this time.

Training for Public Defenders

Mr. Ricks predicted that the PDC would begin a series of monthly webinars in a couple of weeks. He explained these were intended to be lunch hour sessions and would offer CLE (Continuing Legal Education) credits. He offered some additional details about other training opportunities and said that they could contact him at any time for more information on specific offerings.

- 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.

Ms. Taylor asked for an update on the PDC grant process for this year.

Mr. Ricks explained that the PDC had changed their procedures to allow for a more detailed examination of the applications. He said she should be contacted within the next few weeks.

Ms. Taylor asked how the Zoom meetings would be handled.

Mr. Ricks said feedback and participation would be enabled during these meetings, as it had been in the past.

Ms. Taylor said that the monthly PDC meetings no longer included time for public comment.

Mr. Ricks said he did not know if that would be included in the future. He added that he would find out and let her know.

Mr. Ricks concluded with the information that the PDC was working on hiring someone to cover the North Idaho territory once more. He urged anyone with questions or concerns to contact him in the interim.

E. Adjournment (Action): Chairman Fillios adjourned the meeting at 2:33 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
