



King County

Public Defense Advisory Board Meeting

**Thursday, August 7, 2025
9:30am – 12:00pm**

Teams Meeting and Conference Room 245

AGENDA

1. Welcome

Attending virtually: Adrien Leavitt, Chris Carney, Jackie Walsh, Kevin Hollinz, Chris Petroni, John Strait

Attending in Person: NONE

Not present: Shrounda Selivanoff, Sara Rankin

2. Approval of Minutes from Meeting on June 5, 2025

Chris Petroni moved to approve the minutes, Adrien Leavitt seconded, no objections. Approved.

3. Public Comment

None.

4. Remarks from SEIU Representatives

Molly Gilbert:

- Caseloads remain high, attorneys are feeling the strain. Some felony attorneys have received a much larger share of yearly assignments in the last month than has been historically normal.
- Confusion remains among union members about the mechanics of rolling out the new caseload credits policy.
- Staffing levels for non-attorney staff remain lower than in past years as new attorneys have joined the department.

5. Remarks from Teamsters Representatives

Stephanie Sellers:

- We have been working closely with small table bargaining with the County and that process is going well.
- Do have concerns about staffing levels for non-attorney professional staff supervisors, Rachel can provide more detail via email if the Board has questions.

6. Department of Public Defense Director's Report

Special Counsel for Criminal Policy and Practice Katie Hurley:

Katie reviewed court rule proposals that had been submitted last October and were recently ruled on by the Supreme Court in July. The first was a revision of CrR/CrRLJ 4.1 governing timeline for arraignment, which shortened the time required for PAO to schedule arraignment from 14 days after filing charges to just 3 days. DPD had tried to get the PAO to adopt this policy voluntarily due to the harm of pretrial incarceration during the height of the pandemic, but they declined.

The Court also approved a revision to CrR/CrRLJ 8.3 proposed by DPD that broadened the authority for judges to dismiss a case in the interest of justice when defense raises prosecutorial mismanagement.

Finally, the Court has now published our final proposed rule change to CrR/CrRLJ 3.2 so that clients are not unjustly held in custody pretrial due to an over-broad interpretation of a person's likelihood of "interfering with the administration of justice" by simply missing a court hearing.

Interim Director Matt Sanders and Interim Deputy Director Matt Pang:

Filings have continued to be high in felonies. However, model shows on a 12-month horizon, capacity is still adequate in our Seattle felony units. In Kent, the surge in filings is threatening to exceed capacity. The continued high filings have triggered additional hiring authority under the budget from last year, but funding constraints for those positions limits our practical ability to fill all additional 12 attorney positions without more funding from the County.

District court filings remain high as well, though they are under the overall threshold for capacity so far. Juvie assignments have spiked far above our projected capacity, exceeding the maximum range on our tachometer measuring these assignments. We're adjusting staffing between units as a result. We believe some of these filings are cases that would not have been filed in years past or could be pending cases that hadn't been filed but are now getting dumped into the system. Once our new classes of attorneys arrive in September and October, we will have more staffing flexibility to address this surge in filings.

Reviewing attrition and hiring numbers, lateral hires in 2024 did not exceed attrition. However, due to our robust hiring for new law graduates, we added a net 21 attorneys in 2024. So far in 2025, even without our 3L class on board for this year, we have added a net 5 attorneys. Due to the lag of new graduates needing to acquire trial experience before handling cases outside misdemeanor courts, emphasizing lateral hires is a core part of ensuring our felony capacity outpaces attrition. Factoring in attorneys who have accepted offers, we are projecting 32 lateral hires over the course of 2025 and another 46 new law graduates in the fall for a net gain of 60 attorneys.

Director Sanders noted that new assignments are straining our existing felony capacity, especially once credits for transferred cases are factored in. Once the remaining laterals who have accepted offers and 3L class starts in October, misdemeanor attorneys currently felony-qualified will be transferred into felony and juvenile court units and back-filled by the 3L class to bolster capacity. As we continue to add capacity and reduce attrition, we project a reduced number of transferred cases. To address SEIU's concern about professional staffing levels, we also have 10 non-attorney professionals scheduled to start in the fall as well.

Update on Training: After experimenting with several models, we have now settled on a model where four special duty positions will develop curricula for both attorneys and professional staff in misdemeanor, felony, investigator, and mitigation specialist roles.

Jonathan Nomamiukor started this week as our new Special Counsel for Civil Policy and Practice and will lead on coordinating the training program and our Annual Gathering in the spring. Finally, we have filled Sithong's position for a Director's Office coordinator for training and that person will start on September 2. Director Sanders introduced Jonathan to the board and reviewed his resume.

Deputy Director Pang provided an overview of our implementation of Phase 1 of the WSBA standards. Weekly meetings with lead legal assistants and PPMs have been ongoing to support rollout of the credit policy. Shared our policy with other public defense offices statewide. Director Sanders clarified that this is just the beginning of our phased approach to caseload reduction, and that we understand staff do not have the work-life balance that we aim to provide yet at this stage. However, we are moving faster towards our goal than any other office in Washington.

Deputy Director Pang reported out on the results of the mid-year omnibus, where DPD received \$5,691,000 for this year as a result of the FTE authority triggered by the sustained surge in filings. DPD's reduction in vacancy rate required additional funding for staff salaries.

On family defense, DPD is close to finalizing our contract negotiations with OPD for parent representation. We also received \$550,000 in exceptional compensation due to the exceptional work by both attorney and professional staff in these units.

Questions from Board members:

Adrien Leavitt asked for more details about feedback at listening tour sessions.

Director Sanders:

Different units have offered a variety of concerns, ranging from questions over the caseload policy to concerns about our case management system, professional staff development, and contract negotiations with OPD over the parent representation contract for FDU.

Deputy Director Pang:

Ask of the board to move the meeting cadence to the second week of the month to account for timing of when our data on filings get validated each month.

Questions from Board members:

Chris Petroni echoed question from Molly Gilbert about how exceptional compensation from OPD contract for FDU work will be spent. Deputy Director Pang clarified that we are still working with PSB on how we can access that funding.

Deputy Director Pang:

Addressing a question from Molly Gilbert on procedures for assigning cases out to contract counsel due to surge in filings, Pang explained the difference between our conflict panel and capacity counsel panel. Sanders clarified that decisions on whether to assign out a case are dependent on in-house capacity at the time of an assignment or transfer.

**7. Overview of Procedure for PDAB Budget Report in September
Presentation from staff liaison Will Casey:**

Will Casey explained the process of creating the budget report as a mechanism for advising the County Council of the sufficiency of the Executive's proposed budget for public defense. This is a part of the Board's oversight responsibility. The budget report will be a quicker turnaround and

less extensive than the Board's annual report. The target date from the Executive for transmitting their proposed budget is September 23rd. There will then be analysis from the Board, which will work with Will to draft a report. That report will then be ratified by a vote of the Board. The report will then be transmitted to the Council by Will and Christina. Isabel Galgano will be transitioning to take over from Christina as the staff liaison, eventually.

Chris Carney has asked for two volunteers to work on a subcommittee alongside himself, Will Casey, Matt Sanders, and Matt Pang to review the analysis of the proposed budget. Members should come to that meeting with thoughts and ideas to discuss. The subcommittee's draft, with support from the staff liaison, will be approved and then ratified at the October meeting. The proposed schedule for the process starts on September 24th with the subcommittee; the draft is completed on the 25th; any revisions take place on the 26th; the draft will be included in materials for the October 2nd meeting. This timing is important due to the fast-moving nature of the Council's review of the budget.

Chris Petroni and Adrien Leavitt volunteered for the subcommittee.

John Strait noted that he will not be at the October 2nd meeting.

Will Casey will check to confirm for quorum before the October meeting. However, the week prior to the meeting will be the important week for actual budget report edits.

Christina Alburas will get prior headcount.

Christina Alburas proposed to keep the October 2nd meeting and change the meeting cadence to the 2nd week of the month in December. Matt Pang agreed. Chris Carney noted that more mature data will be a positive, but he noted the importance of the budget as a high priority. He agrees with keeping the October 2nd meeting.

Will Casey reminded Board members that emails about the budget report must be through the members' PDAB email accounts for compliance with the state's Public Records Act.

8. Executive Session

Executive session held.

9. Adjourn

Adjourned at 11:09 a.m.