

Minutes of Meeting
Idaho State Public Defense Commission
February 22, 2023
8:30 a.m.

The Kootenai County Board of Commissioners: Chair Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda items. Also present were BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present were Public Defense Commission (PDC) Regional Coordinator Jennifer Roark, PDC Policy and Compliance Counsel Tammy Zokan and Kootenai County Public Defender Conflict Program Administrator Scot Nass. Commissioner Brooks, Ms. Roark and Ms. Zokan were present via Zoom. Commissioner Bruce Mattare was excused.

- A. **Call to Order:** Chair Leslie Duncan called the meeting to order at 8:32 a.m.
- B. **Changes to the Agenda (Action):** There were no changes to the agenda.
- C. **Business:**

Idaho State Public Defense Commission Annual Review and Updates with Regional Coordinator Jennifer Roark (Discussion)

Idaho State Public Defense Commission (PDC) Regional Coordinator Jennifer Roark remarked that she had met with Public Defender Anne C. Taylor and Conflict Program Administrator Scot Nass recently.

Ms. Roark reported that the PDC was continuing its training program for all public defenders throughout the state. She listed a number of courses and other opportunities coming up, including lectures offered through PDC².

Ms. Roark said that they were in the middle of the PDC Annual Review process. She explained that she would be meeting with attorneys, commissioners and clerks and then the PDC will generate a report which will be submitted back to the counties by April 15. She reminded those present that House Bill 735a had taken over the quarterly payments from the Tax Commission to counties, so this would be the last cycle of PDC financial assistance. She said Kootenai County had previously received formula financial assistance and workload compliance financial assistance. She assured the Board that the PDC would work closely with them on the application process and review. She stated that the result would be received during the summer.

Ms. Roark expressed her hope that, if there were issues identified in the annual review, that the Counties could then directly apply for funds through formula or workload assistance to help correct them.

Ms. Roark asked why there had been an increase in hourly rate for the Kootenai County Conflict Attorneys.

Chair Duncan said hourly rates had been raised because the payment previously offered had been too low to attract attorneys who ran their own businesses. She confirmed that they were able to hire three more attorneys after this was put in place, but stressed that they were also able to retain the attorneys that already worked for the program. She remarked that three or more had been planning on exiting the program due to the low hourly rates and this had been averted.

Ms. Roark stated that, according to information provided by Ms. Taylor, the Public Defender’s Office currently employed about 18 attorneys but had at least 10 open positions. She asked what the County was trying to do to fix this.

Chair Duncan replied that the Board was addressing wages each budget season, but when the Workload Grant did not keep pace with the wages, it became more difficult to make progress. She added that the local housing shortage made it difficult to attract attorneys from outside the area.

Ms. Roark indicated that the caseloads for attorneys in Kootenai County exceeded the limits placed by the PDC for 2022. She described how caseloads were calculated.

Chair Duncan responded that, unless the PDC could provide more personnel, there was little or nothing the BOCC could do to reduce caseloads. She expressed concern regarding the accuracy of how cases were counted. She said that they had recruited vigorously for conflict attorneys so that additional cases could be sent out, to try to reduce the caseloads.

Ms. Taylor entered the meeting via Zoom at 8:47 a.m.

Ms. Taylor reported that she was actively recruiting for more attorneys. She confirmed that the increased wage offered had helped their efforts. She described methods they were using to attract more applicants. She commented that, when cases were assigned, they had to be represented regardless of limits. She also stated that she kept track of her attorneys’ caseloads and did what she could to mitigate them.

D. Public Comment: 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 were no public comments.

E. Adjournment (Action): Chair Duncan adjourned the meeting at 8:49 a.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk