

# MEETING MINUTES

## STATE PUBLIC DEFENSE COMMISSION

*Date | time* 11/5/2015 1:00 PM | *Location* Len B. Jordan Building, Conference Room B-09,  
650 W. State Street, Boise, ID 83702

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*Meeting* November Commission Meeting

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### Commission members present

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Molly Huskey, Chair, District Judge | Darrell Bolz, Vice Chair, Juvenile Justice Comm. | Sara Thomas, SAPD |  
Chuck Winder, Senator | William Wellman, Defense Attorney

Nichole Devaney, Admin. Asst.

### Commission members absent

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Christy Perry, Representative | Kimber Ricks, Madison Co. Comm.

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### Others present

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Marilyn Paul, Twin Falls Public Defender; Kathy Griesmyer ACLU

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Item	Responsible
1. Welcome and Call to Order: Judge Huskey called the meeting to order at 1:01pm	Huskey
2. Approval of prior Meeting Minutes (10/06/15): Rep. Bolz moved to accept the minutes with one correction to the Executive Session comments. The reference to section 74-209 should be corrected to read 74-206, Ms. Thomas seconded, and the vote to approve was unanimous.	
3. Follow Up Discussion on Interim Committee Meeting: Mr. Hoskins presented on two state systems that may appeal to Idaho. The committee requested that some draft legislation be proposed for consideration based on these systems at the next meeting. Nothing new was requested of the Commission.	Huskey
4. Public Defender Access to Information in Odyssey: A concern was brought to the commission on behalf of the Twin Falls Public Defenders. The Odyssey system does not allow attorneys access to case files when a warrant has been issued. The SAPD is also having difficulty seeing case files for clients. Marilyn Paul indicated that coding of the warrants upon entry to the system could be causing this issue. Additionally, she stated that PD's are not able to access privately filed child termination cases even when appointed by the court. A larger problem still is access to criminal case files and financial information. It is Ms. Paul's belief that prosecutors are provided access to the files but PD's are not on the extended list. Judge Huskey stated that training for the clerks has been problematic and could be the source of a lot of these issues. Ms. Thomas suggested writing a letter to the court to ask what access differences there are between prosecutors	Thomas

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and PD's additionally it was suggested the commission look at clarity on rule 30. Judge Huskey suggested that these issues be brought up at the next court technology meeting to discuss possible solutions. The members felt the issues need to be resolved prior to Ada county implementing the system. Ms. Paul also stated that PD's are unable to print out a complete case history, which is often requested by evaluators.

5. Training Update: Child Protection Conference – An invitation has gone out to each of the districts with an allowance of up to four attorneys within the district to attend. The agenda is being developed with the assistance of the Debra Alsaker-Burke. Ms. Thomas has been working closely with Ms. Alsaker-Burke, they are planning a multi-agency training the first day that would include PD's, prosecutors and other child protect representatives. The goal would be to develop strategies for all of these agencies to have open communication and begin working together in these juvenile cases. The second day would focus directly on public defender issues.

Mental Health – Ms. Thomas would like to delegate planning of this training to Eric Fredericksen in her office as her schedule has grown very busy. Mr. Wellman offered to assist Mr. Fredericksen with the conference content. Ms. Thomas suggested that Mr. Fredericksen could work on the organizational portion of the agenda if Mr. Wellman could provide guidance on content.

6. Administrative Assistant Schedule: The chair shared that continuing to extend the administrative assistant's hours to cover the office would likely result in the position status going from PTE to FTE which may require both the Commission and Ms. Devaney to make back payments to PERSI. Additionally, the reduction in work load due to the lack of a director does not support a full time person. Ms. Thomas offered by way of a solution, to have the commission phone lines forwarded to her office during the AA's off hours. There was some concern as to if the commission fell under the statutory obligation requiring all state agency offices to be open during normal business hours. Judge Huskey agreed to check with David Fulkerson to determine what the requirement is, dependent upon his response the AA's hours could be amended.

7. Future Meeting Schedule: November 20, 2015 – 10:00am (Pending Interim Committee Meeting outcome.)  
December 1, 2015 – 1:00pm at Nampa Public Library  
January 5, 2016 – 1:00pm at JRW Building, East Conf. Room

8. Agenda Items for Next Meeting: The next meeting's agenda should include follow up to all items on today's agenda.

9. Next Meeting Location : Nampa Public Library, 3<sup>rd</sup> Floor Board Room  
215 12<sup>th</sup> Avenue South, Nampa, ID 83651

10. Adjournment: Mr. Wellman moved to adjourn, Rep. Bolz seconded, and the meeting was adjourned at 1:42.

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Attachments:

Access to Cases with Warrants Email