

**Minutes of Meeting**  
**Public Defense Commission**  
**June 27, 2016**  
**3:00 p.m.**

The Kootenai County Board of Commissioners: Chairman Dan Green, Commissioner Marc Eberlein, and Commissioner David Stewart met to discuss the following agenda item. Also present were Deputy Public Defender Chris Schwartz, Administrative Supervisor Jamie Woods, Chief Deputy Clerk Pat Raffee, and Deputy Clerk Randi Davis. Also present was Public Defense Commission (PDC) Executive Director Kimberly Simmons.

- A. Call to Order:** Chairman Dan Green called the meeting to order at 3:00 p.m.
- B. Changes to the Agenda:** There were no changes to the agenda.
- C. Old Business:** There was no old business discussed.
- D. New Business:**

**Discussion regarding the activities of the PDC, the passage of House Bill 504, and resources available to the County**

PDC Executive Director Kimberly Simmons presented the Idaho Public Defense Act and the passage of House Bill 504. She said the Bill would benefit the County by awarding grant money for compliance with the new legislative standards or to improve the Public Defender's office. Commissioner David Stewart asked if the grant could be used to supplement the cost of County leased office space. Ms. Simmons said the grant was not meant to supplant previously budgeted funds, but rather to add to the existing budget.

Ms. Simmons said since Kootenai County was already in compliance with the grant's indigent defense service requirements, it could proceed with the application process. She said as the PDC added new standards and guidelines, the County would need to be in compliance by March 31 of the applicable year. Chairman Green asked whether she had visited with the County's Public Defender office. Ms. Simmons replied that she was scheduled to visit in August.

Chairman Green noted the grant amount was \$25,000 or 15% of the County's local share, whichever was greater. He asked Ms. Simmons to define what a "local share" meant within the application. She said it was the median amount of the County's Indigent Defense service costs between the fiscal years of 2011 and 2013.

Commissioner Marc Eberlein asked whether the standards for defending attorneys noted in the information handout would be the types of cases they could handle. Ms. Simmons replied it would be whether the attorneys were handling the right kind of cases for their experience and the appropriate work load. Commissioner Eberlein asked how House Bill 504 would establish procedures for providing extraordinary litigation costs to counties. Ms. Simmons said there was a provision for extra grant money for

cases that used a lot of County funds, but were not capital cases. She said the PDC would provide a formal definition of extraordinary litigation soon. Commissioner Eberlein said he thought the funding of public defense should be under the State of Idaho and separate from the County.

Ms. Simmons asked the Commissioners whether she could provide any more information. Chairman Green responded he would like to know how many attorneys the County would need on a per capita basis and the required training levels.

Deputy Public Defender Chris Schwartz asked whether House Bill 504 would allow smaller counties to contract with larger counties for public defense services. Ms. Simmons said it was possible if all affected commissioners agreed and created a memorandum of understanding for the Public Defense office.

- E. 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.

Chairman Green adjourned the meeting at 3:52 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

DANIEL H. GREEN, CHAIRMAN

BY: \_\_\_\_\_  
Randi Davis, Deputy Clerk

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