

Lawyer Representatives Coordinating Committee [LRCC] Meeting
Conference Call: November 14, 2017

Minutes

Participants: John (Jay) B. McEntire, Esq., WAE, Chair Elect, Doreen Spears Hartwell, NV, Vice Chair, Mary B. Pinkel, Esq., AK, Jody Corrales, Esq., and Christina Covault, Esq., AZ, Misty Perry Isaacson, Esq., CAC, Peter Fear and Thomas R. Phinney, Esq., CAE, Maria Bermudez & Linda Lopez, Esq., CAS, Gail Cosgrove, Esq., James Blaine Rogers, Esq., HI, Nicole C. Hancock, Esq., ID, Kathleen DeSoto, Esq., MT, Russell E. Marsh, Esq., NV, Amy Potter, Esq., OR, and Samantha D. Malloy, Esq., OR, Thomas S. Linde, Esq. and Roger Townsend, Esq., WAW and James Stephen Azadian, Esq., CAC, Chair, Appellate Lawyer Representatives

Unable to Participate: Darrel J. Gardner, Esq., AK, LRCC Chair, Doreen Spears Hartwell, LRCC Vice Chair, NV, Erick Howard, Esq. and Ashok Ramani, Esq., CAN, Rodney J. Jacob, Esq., GU, Roger Seman, Esq., CNMI, Shea C. Meehan, Esq., WAE, James Stephen Azadian, Esq., CAC, Chair, Appellate Lawyer Representatives

I. Roll Call, Introductory Remarks and Approval of the Minutes John "Jay" McEntire, WAE, LRCC Chair Elect

After the roll call, Mr. McEntire welcomed everyone to the conference call on behalf of Mr. Gardner who was unable to participate due to trial responsibilities. He told participants that the primary purpose of the call would be to get an update on the programs being planned for the Conference of Chief District Judges and the LRCC. He encouraged participants to provide feedback and more ideas on improving the program. Before moving to the program updates, Mr. McEntire asked for a motion to approve the minutes. Linda Lopez, CAS, moved that the minutes be approved and Samantha Molloy, OR, seconded the motion.

II. Conference of Chief District Judges & LRCC Meeting All Participants

A. Immigration program confirmed

Linda Lopez stated that Judge Irene Feldman has confirmed her participation and will speak for as long as the group wants.

B. Additional programs?

There was discussion about adding 1-2 more programs. After hearing that Judge Feldman had confirmed, Mr. McEntire suggested the possibility of adding more topics.

Mary Pinkel stated that she believes strongly that pro se prisoner cases are a major issue. She suggested this because the Chiefs would be receptive and she would like to address

the issue of cultural competence that is becoming more prevalent. Also, she discussed evidence based decision making that is more related to mental health issues and involves making decisions based on doing risk assessments.

Nicole Hancock suggested an additional program about civility and alternative legal service models. She explained that new companies have come out the past few years and referred to AXIOM and Legal Zoom as examples. These are companies that are not providing legal services under a traditional model. She asked that questions are being asked about where the line is with respect to proper representation? Ms. Hancock explained that this is something that will become more prevalent and it might be interesting to take a look at alternative service models from the standpoint of where the conflicts and ethical considerations may be. She thinks this would be of interest to the Chiefs and that doing a panel may be interesting because she thinks it is an emerging issue though she has not yet seen such service providers come through the court system.

Another consideration would be a program about implicit bias. Have other districts had presentations or talks about implicit bias? Roger Townsend explained that in the Western District of Washington, they had a lengthy and sensitive presentation about implicit bias. He added that for jury selection candidates, a video about implicit bias is played. The issues are discussed for both jurors and judges. Roger Townsend is inclined to leave the implicit bias topic for now and Tom Linde agreed that there will be more research about the movie's effectiveness since it will have been shown for over a year by the time of the 2018 Ninth Circuit Judicial Conference.

Jay McEntire thinks that the jury video and issues dealing with implicit bias will probably be more effective outside the Chief District Judges' conference. He thinks that honing in on the prisoner pro se issues and the alternative legal service models would be effective. After more discussion, the decision was made to have three panels, each for one hour. The panels to be presented will be:

1. Immigration by Immigration Judge Irene Feldman
2. Prisoner Pro Se Issues to be headed up by Mary Pinkel
3. Alternative legal services: Tom Linde added that there are now 18 paralegal or non-lawyer professionals that have been recognized by the Washington State Bar working in the Family Law areas in their state courts. He added that in the future, they may add such limited legal technicians to work with real estate issues. Nicole Hancock, Tom Finney and Linda Lopez will work on this topic and examine alternative legal services models such as AXIOM and Legal Zoom.

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Mary Pinkel will be the lead on the prisoner pro se program and will be assisted by Jody Corrales. Ms. Pinkel described a CLE about Pro Se prisoners that was presented in the District of Alaska. District Judge Sharon Gleason, AK, made the presentation about the basics of a 1983 case. The panel included lawyers who have taken these cases. Christina Covault, AZ, stated that she might be able to refer a possible speaker and that there are a number of lawyers who have volunteered on these cases.

Step Up to Justice: Stacy Butler...

Jay proposed the question: 1 topic for 60 minutes.

2 hours left.

Jay McEntire stated that the LRCC will reconvene on December 12 and by that time, it will be important to know who the speakers will be and how the topic areas will be developed. Nicole Hancock stated that she will reach out to AXIOM to answer in depth questions. She added that it will be important to have an ethics expert involved in the panel because the ethical issues will dominate.

Jay McEntire thanked everyone for their participation and reminded everyone that the LRCC will reconvene on December 12th. He encouraged participants to reach out if there any questions and to check with Renee Lorda regarding questions about funding and travel.

The meeting was adjourned at 5:00 p.m. PST.