
MINUTES

Capital Counsel Review and Recommendation Committee of the Idaho State Public Defense Commission Meeting

Attendance via Zoom meeting was encouraged

Masks and social distancing were encouraged at meeting site

Idaho Public Defense Commission Office Conference Room

816 W. Bannock St., Ste 201

Boise, Idaho 83702

November 30, 2022 at 3:00 pm

Committee Members Present (via Zoom):

Commissioner Linda Trout, Brady Ward King, Bruce Livingston, James Siebe

Committee Members Absent: Eric D. Fredericksen, Vice Chair, Andrew Parnes

PDC Staff Members Present (via Zoom):

Kathleen Elliott and Jennifer Cichocki (at meeting site), Tammy Zokan

Members of the Public Present (via Zoom): None

Welcome and Call to Order:

The meeting was called to order at 3:00 pm

Commissioner Trout reported that Vice Chair Fredericksen disclosed he has professional relationships with the attorneys whose qualifications are being reviewed by the Committee today that may create an actual or perceived conflict of interest, and for this reason he will not be participating in today's meeting and requested that she chair the meeting in his absence.

Approval of October 6, 2022 Meeting Minutes:

Committee member Livingston moved to approve the October 6, 2022 minutes. Committee member Ward King seconded.

The motion carried.

Executive Session:

Committee member Livingston moved that pursuant to Idaho Code 74-206, the Committee convene in executive session under Idaho Code 74-206(1)(d) to discuss records exempt from disclosure under Idaho Code 74-105(18)(a). Committee member Ward King seconded.

And the roll call vote to do so was as follows:

Brady Ward King, Member	Yes
Bruce Livingston, Member	Yes
Andrew Parnes, Member	Absent
Linda Trout, Member	Yes
James Siebe, Member	Yes
Eric Fredericksen, Vice Chair	Absent

The motion carried.

The Committee went into executive session at 3:05 pm.

Executive session ended at 3:18 pm.

Commissioner Trout called the meeting back to order at 3:19 pm.

Final Action or Decision on Items Considered During Executive Session:

Committee member Ward King moved to recommend the Commission approve applicant 35 as lead counsel for capital appeals/post-convictions under the alternate requirements.

Committee member Livingston seconded.

And the roll call vote to do so was as follows:

Brady Ward King, Member	Yes
Bruce Livingston, Member	Yes
Andrew Parnes, Member	Absent
Linda Trout, Member	Yes
James Siebe, Member	Yes
Eric Fredericksen, Vice Chair	Absent

The motion carried.

Committee member Livingston moved to recommend the Commission approve applicant 36 as lead counsel for capital appeals/post-convictions conditioned on their pro hac vice status or admission to the Idaho State Bar.

Committee member Ward King seconded.

And the roll call vote to do so was as follows:

Brady Ward King, Member	Yes
Bruce Livingston, Member	Yes
Andrew Parnes, Member	Absent
Linda Trout, Member	Yes
James Siebe, Member	Yes
Eric Fredericksen, Vice Chair	Absent

The motion carried.

Future meetings:

Ms. Zokan reported she anticipates application materials for three applicants will be available for the Committee's review by the end of December and will contact the Committee members about a meeting date/times in early January.

Adjournment:

Commissioner Trout adjourned the meeting at 3:24 pm.

Minutes approved by the Committee on January 5, 2023.



Kathleen J. Elliott, Executive Director