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MICHAEL P. JUDGE
PUBLIC DEFENDER

TO: ALL STAFF

FROM: MICHAEL P. JUDGE
PUBLIC DEFENDER
EXECUTIVE OFFICE

DATE: MAY 28, 2004

RE: MINUTES - EXPANDED STAFF MEETING

The Expanded Staff Meeting for the Law Offices Los Angeles County Public Defender was held on May 13, 2004. The following are members:

MICHAEL P. JUDGE	BERNICE HERNANDEZ	VICKY RUSSELL
ROBERT E. KALUNIAN	MARK LESSEM	ROBERT JOHNSON
LON SARNOFF	GREG FISHER	HAYDEH TAKASUGI
ELAINE PALAIOLOGOS	KAREN THOMPSON	CAROL WHYTE
ALLEN ADASHEK	LORRAINE WELCH	GARETH KIM
RONALD BROWN	DENNIS YAMAMOTO	WENDY EDMISTEN
RUDY ROUSSEAU	MARVIN ISSACSON	
BILL WEISS	MIKE CONCHA	
JOHN MARTINEZ	CHARLIE KLUM	
LAURA GREEN	STAN SHIMOTSU	
KELLY EMLING	WINSTON PETERS	
LITA JACOSTE	CHERYL JONES	
DIANE PARRIS	MARK WINDHAM	
STEVE HOBSON	PATRICIA AGUILAR	
MARILYN TURNER	TERRI TOWERY	
ALAN ABAJIAN	PAULA MONTEZ	
STU GLOVIN	LESLIE STEARNS	
JOHN VACCA	AL MENASTER	
CORRINE CORTINAS	VERAH BRADFORD	
JOAN CROKER	RAMON QUINTANA	
JANET YARBROUGH	CAROL CLEM	
BOB HALL	GRACIELA MARTINEZ	
RON YORIZANE	CHARLES CERVANTES	
BOBBY GIL	CAROL GRAY	
JOHN GONZALES	CLYDE JULOYA	

I. ANNOUNCEMENTS

A. HEARTS & FLOWERS FUND – MICHAEL P. JUDGE

This fund is devoted to providing succor at a time of need and grief, such as flowers and/or a card from the Office when a staff member's spouse or child or parent passes. This is entirely supported by voluntary contributions from staff members of the Public Defender. The last time we did solicitation like this was six years ago, so obviously the money went a long way because there have been many instances when we had to access the funds to send something out, including today. Again, not to ask people to do something that he wouldn't do, Mr. Judge indicated he has written a personal check which he has submitted. This is something again Mr. Judge hopes managers will support and talk up among staff. It applies to all employees, but frankly Mr. Judge feels the lawyers have a greater amount of disposable income than many of our other staff members. We are hoping that we will get enough back into the fund to keep it going for another six years.

B. LACO BAR CRIMINAL JUSTICE AWARDS – ROBERT E. KALUNIAN

Mr. Kalunian passed out registration cards for the Los Angeles County Bar Association Criminal Justice Awards dinner which will be held on May 20, 2004 at the Millennium Biltmore Hotel, 506 South Grand Avenue in Los Angeles. This year the defense lawyer of the year they are honoring is Janice Fukai the Public Defender of the Alternate Public Defender's Office. We were provided a number of the cards to pass out to staff.

II. BUDGET – ROBERT E. KALUNIAN

Mr. Kalunian discussed the March 2004 budget proposed by the CAO. Although some reductions in staff will occur in March 2004, they will be achieved through attrition and without layoffs.

III. HOMELESS COURT – JOHN J. VACCA

As all of you know, there is a Homeless Court program in Los Angeles in which Judge Michael Tynan meets once a month with one of our lawyers and representatives of the City Attorney's Office to handle low level or quality of life crimes committed by transients who have since migrated out of the transient status and stabilized in some sort of permanent living program for 180 days or more. Warrants generated by such low level offenses are dismissed by the City

Attorney. The cases that were issued through the District Attorney's Office are sent out to the branch courts so that deputy public defenders assigned there may work it with the DA. Nancy Chand indicates that the DA will accept the City Attorney's representation that this is a case that ought to be dismissed. So the District Attorney will move to have the case dismissed, preparing the necessary paperwork and Judge Tynan will sign it. What is required is simply have one of our lawyers take that paperwork to the Clerk's Office, get the warrant recalled and then send back copies of that docket sheet to our Paralegal Monica Lopez at the CSFCJC.

If there are any questions with this procedure, please call Nancy Chand. The memo is self explanatory. But it should help a great deal in terms of the DA's cases. But note that this does not include other types of prosecutions, e.g. Long Beach City prosecutor or other independent city prosecutors. We will still have to proceed by the same method as before on those cases.

IV. ATTORNEY ROOM ACCESS – JOHN J. VACCA

Mr. Vacca distributed a letter that Mr. Judge received from the Undersheriff. A while back we had some problems with law clerks not being admitted to the attorney room because the Sheriff's policy as written did not provide for the admission of law clerks even if they were accompanied by an attorney or paralegal. That policy has now been changed and if a law clerk is with a Paralegal or attorney and has identification from the Department they will be allowed admission to the attorney room.

There is another issue that we noticed when we were checking the written policy in the Sheriff's Department. That is the Sheriff's Department has a policy regarding the admission of media personnel to interview clients. It provides that the inmate has to agree to the interview and that at some point the attorney will be notified, but it does not require that the Attorney of Record be notified prior to the interview. This opens the possibility that someone could gain access to one of our clients over our objection or before we even know about the situation. Mr. Vacca spoke to Capt. Leyva of the Sheriff's Department who indicated that it is his personal policy not to allow the media in unless an attorney has been contacted and has signed a written waiver allowing that. However, when Leyva leaves we don't know what's going to happen with the next Captain, so Leyva has agreed to change that policy and put it in writing. When we get a copy of that change of policy, Mr. Vacca will send it out for distribution in the branches and to Central.

V. NEW POLICIES & PROCEDURES – ROBERT E. KALUNIAN

Mr. Kalunian distributed two new Policies and Procedures that have been promulgated: Both of which memorialize longstanding practices that have been occurring within our Office. The first one is a 170.6 or 170.3 Disqualification of Judges Policy and Procedure which is pretty much what we have done over the last several years. It has been memorialized and reduced to writing. There have been a few changes.

The second one is the training policy (formerly called Educational Leave). They are both pretty self-explanatory. We would ask that you distribute copies of the new policies to your staff that need to have access to them. The Educational Training Policy applies to all staff, but probably attorney staff will be the only staff that needs the Disqualification of Judges Policy and Procedure. Procedures were discussed extensively at Executive Staff meetings and Mr. Kalunian believes comments were solicited from managers and also comment was solicited from the Public Defender Associations and affinity groups.

Both new policies are posted on the PDWEB and a PDQ article will be in the May 14, 2004 edition. If anyone has any questions, they can speak with John Vacca, Acting Assistant Public Defender about the Disqualification of Judge Policy and Lon Sarnoff regarding the training policy.

VI. EXIT/SEPARATION PROCEDURES – MARILYN TURNER

The Department's Employee Exit Property Clearance is just as important as the orientation and discipline procedures for employees. Head Deputies are instructing employees that they must personally sign out, that doesn't seem to be a problem, but such employees too often are not doing it in a timely fashion. The previous protocol required the employee to sign out on or before the last working day and that is not sufficient. Ms. Turner indicated she has been directed to now require employees to do it three business days prior to their leaving.

Procedurally what will happen is that Kimberly Dandini of Human Resources will prepare the packet and she will personally telephone the Head Deputy and then send it out to the Head Deputy. It is the Head Deputy's responsibility to ensure that the departing employee completes the process. It starts at the employee's work location, with the immediate supervisor because there are items that have been distributed on site. Then the departing employees are to come down to the Public Defender Human Resources and Fiscal and Management Services so that both staff are available to sign off as well. We have endeavored to expedite it and make it run as smoothly as

possible. Nevertheless, we require information and must secure compliance. A recent incident exemplifies the problem: two employees showed up on their very last day and said that they had lost their County ID badges. As you may well know, back in 2002 the Board of Supervisors amended the County Ordinance that requires that if County ID badges that are lost by employees, they must file a police report and are required to submit either an affidavit or a Declaration under Penalty of Perjury that they have lost their badge or it was stolen. When an employee comes in on the last day and says they have lost it, it creates an unnecessary problem. Human Resources suggests that at employment review time Head Deputies ensure that employees have a current County ID badge. That is in tandem with the exit process. Personnel would welcome any questions or suggestions.

MISCELLANEOUS MATTERS

Ms. Emling, Head Deputy of the Long Beach office passed out directions and indicated she is still accepting volunteers for the Rancho Los Amigos records storage project on May 22, 2004. Michael P. Judge cited that project as an example of why we have to be involved in an imaging project that is currently being developed by the Sheriff, DA and Probation. He's taken steps so that we will be included so that we will be at least equal to them.

Elaine Palaiologos of Data Systems indicated anyone who is interested in taking computer classes (there are 15 to 20 vouchers available which expire in August) should call 562-804-8081 to sign up for a class.

The next Expanded Staff meeting will be held on June 10, 2004 on the 19th floor of the Clara Shortridge Foltz Criminal Justice Center.