

**WHATCOM COUNTY  
EXECUTIVE'S OFFICE**

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**Satpal Singh Sidhu**  
County Executive

MEMO TO: WHATCOM COUNTY COUNCIL MEMBERS  
FROM: COUNTY EXECUTIVE SATPAL SINGH SIDHU  
DATE: APRIL 26, 2023  
SUBJECT: APPOINTMENTS TO THE WHATCOM COUNTY PUBLIC DEFENSE ADVISORY COMMITTEE

As you know the Supreme Court passed General Rule 42 that prohibits judges from administrating public defense last year. Consequently, the below section was amended by the council to replace the Superior Court Judge and District Court Judge with one current or former director of a public defender office and one County Department Head to serve on the Public Defense Advisory Committee. Here is the code section as it now reads:

**2.09.090 Advisory committee.**

There is established a public defense advisory committee which shall be composed of:

- A. One current or former director of a county public defender agency, appointed by the county executive;
- B. One current Whatcom County department head, other than the public defender, sheriff or prosecuting attorney, appointed by the county executive;
- C. One appointee by the Whatcom County Bar Association from its membership, not connected with the office of the prosecuting attorney, the office of the public defender, or with any conflict of interest cases from the assigned counsel office of Whatcom County;
- D. One nonlawyer appointed by the county executive;
- E. One member of the county council appointed by the council.

All positions on the advisory committee will be appointed by January 31st on an annual basis with the exception of positions C and D above, the terms of office of which shall be two years, commencing February 1, 1984. Positions C and D shall be limited to not more than two consecutive full terms.

The advisory committee shall advise the county executive and county council on matters regarding the defense of the indigent. It shall meet at least twice a year and submit its observations of the public defender system to the executive and council not less than annually. It shall serve as the selection committee to fulfill the functions of Section [2.09.100](#).

The committee plans to convene soon and thus I would like Council to confirm the following appointees to fill the needed positions:

Wes Richards, Director, Skagit County Public Defender, will serve in the capacity of current or former director of a county public defender agency

Erika Lautenbach, Director, Whatcom County Public Health and Community Services will serve in the capacity of current Whatcom County department head, other than the public defender, sheriff or prosecuting attorney

Peter Frazier, local resident and business owner, will serve as the nonlawyer appointee

The Committee is made up of five members. The other two members are:

Emily Beschen, attorney, Bar Association representative

Ben Elenbaas, County Councilmember

Thank you for your consideration.