



**Human Rights Commission
Meeting Minutes
Legal Representation Committee Meeting
September 2, 2021
Virtual/Electronic Meeting
1:30 pm**

Public link to meeting rebroadcasts on Boxcast: <https://boxcast.tv/channel/vabajtzeuyv3iclqx1a>

Public link to HRC documents on Box: <https://app.box.com/s/xy3wnn2s1tj8h7trkknvd79bipyxezy>

1. WELCOME

- a. CALL TO ORDER
 - i. No official chair. Meeting is called to order at 1:28 pm
- b. ROLL CALL
 - i. Kathryn Laughon
 - ii. Mary Bauer
- c. MISSION (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*
 - i. Mission statement skipped.

2. MATTERS BY THE PUBLIC

- a. None.

3. MINUTES

- a. None

4. BUSINESS MATTERS

- a. None

5. WORK SESSION

- a. Review of UVA Title 9 complaint process
 - i. Making an ask of the City for a specific amount—how to decide on amount?
 1. Commissioner suggests talking to state delegates
 - a. State likes to test different amounts in localities
 2. Compare legal representation for complainants
 3. Commissioner says City could create a fund without legal authority
 - ii. **Kathryn suggests talking to Kristin Clarens**
 1. OHR staff says he and Kristin are already in contact, and have already successfully gotten people pro-bono legal representation for mediation
 - iii. Commissioner asks OHR staff is it is possible to look at number of cases in jurisdiction of Commission that have had representation and see how many hours each has taken
 1. Commissioner asks if certain categories of cases are harder to place than others
 - a. Employment and housing are common areas of

expertise; public accommodations is less common, though there has already been a public accommodations case with representation

- iv. Commissioner asks OHR staff if he looks for attorneys only when clients ask for them, or if he looks automatically
 - 1. Search for legal counsel begins when a client begins asking for legal advice
 - 2. Oftentimes, the respondent will have representation already
- v. Commissioner asks how high of a level the fund will come from, like for a private attorney, or if there is an income cap on who can be given representation
 - 1. Another Commissioner responds that UVA more or less does this for civil cases; the complainant is referred out and given some funding
 - 2. There is a vetted list
 - 3. OHR staff wonders if the City requires attorneys to register as vendors—is it more employees or contracted consultants?
- vi. Commissioner wonders if Commission should involve the City Attorney's Office to ask for their analysis—should HRC push for a particular interpretation or push for a change in state law?
- vii. Commissioner asks about status on right to counsel
 - 1. Mary says LAJC was in negotiations for the \$300,000, which is less than both the HRC and LAJC estimated to be necessary
 - 2. Issue over whether the City would commit to the three years (City said it would commit if the county commits)
 - 3. Mary wrote a letter to Council for them to codify the right to counsel fund into the ordinance, and the response was that it could not do so under state law
 - 4. Committee expresses general support for moving this forward and getting in contact with the county
- viii. **Todd will find numbers for how long cases have taken**
- ix. Questions about how to approve a lawyer, what other things the committee needs to understand before making a recommendation, etc.
 - 1. Look into legal review
- x. Commissioner expresses support for drafting an ordinance rather than simply having a fund
 - 1. Another Commissioner suggests keeping this as an eventual goal
- xi. Kathryn asks Mary if it is necessary to do anything locally, such as asking UVA about what they are doing
 - 1. **Mary will ask LAJC when she asks about the right to counsel**
 - 2. Kathryn says a letter to UVA may be helpful
 - a. **Could draft one to present at the next meeting**
- b. Review of draft Resolution HR21-1
 - i. **OHR staff asks Kathryn to look at draft Resolution as a starting point for edits**

6. MATTERS BY THE PUBLIC

- a. No members of the public in attendance.

7. COMMISSIONER UPDATES

- a. None
- 8. NEXT STEPS**
 - a. **General next steps**
 - i. Potentially draft letter to UVA for approval at next HRC meeting
 - b. **Mary**
 - i. Will ask about local action for pushing forward funding when following up with LAJC
 - c. **Kathryn**
 - i. Will look over the starting point draft Resolution HR21-1 to make edits
 - d. **Todd**
 - i. Will find the amount of hours taken to find representation during relevant cases in jurisdiction of the Commission
 - ii. Potentially ask Kristin Clarens for input on an amount recommendation
- 9. ADJOURN**
 - a. Meeting adjourned at 1:50 pm