

## Public defenders office marks 40 years of service

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Public defender Gabriel Rothstein (left) and investigator Rhonda Massey take photos Sept. 10 at a scene for a case they are working on.



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Public defender Gabriel Rothstein checks a file before leaving his office Sept. 10 to investigate a scene for a case he is working on.



A welcome mat greets visitors to Rothstein's office in Everett.



June 14, 1995 file photo

Bill Jaquette



Jan. 26, 2012 file photo

Ronald Castleberry

By [Diana Hefley](#), Herald Writer

EVERETT -- There was one unseen wrinkle when a handful lawyers first opened the doors of the Snohomish County Public Defender Association in 1973.

"No one had really calculated how we were going to get paid," said Ronald Castleberry, one of the original five public defenders.

Sure, Castleberry and his colleagues expected there would be a learning curve when they took on their first cases. Most hadn't worked in Snohomish County and didn't have extensive criminal litigation experience. They weren't familiar with the prosecutors or the judges. They anticipated some challenges. They didn't figure getting paid would be one of them.

Castleberry recently recalled that he and the association's first director, Richard Pratt, took out private loans to pay themselves and the other attorneys for a few months until cases were resolved and the county compensated the lawyers for their work.

There were other bumps along the way, but Castleberry, who went on to become a Superior Court judge, mostly looks back at his time at the public defender's association with appreciation for what he learned and the friends he made.

"It really was the worst of times and the best of times," Castleberry said. "There was just a great camaraderie among all of us there."

This month the Snohomish County Public Defender Association marked its 40th anniversary of providing legal representation to the county's poor.

Today there continues to be a strong bond between the roughly four dozen lawyers who now have the responsibility of providing legal counsel to people who can't afford to hire private attorneys. Many will say the camaraderie helps them do what sometimes can be a thankless job.

"I see all of these people with great enthusiasm, energy and creativity," said Bill Jaquette, the association's longtime executive director. "There is simply a commitment to helping people."

"A great deal of them are in that line of work because they want to contribute to society," said Jim Sherman, who was among the first original public defenders.

The association is a nonprofit organization. The lawyers aren't county employees. The association contracts with the county's Office of Public Defense. By law, the county is required to provide lawyers to accused people who can't afford to pay for a private attorney.

Before the association was founded, the court appointed private lawyers to represent indigent clients. As the county's population increased, there was a need to have full-time public defenders.

Since it opened Sept. 13, 1973, the office has grown to include 43 lawyers, eight investigators, 17 administrative workers and one social worker.

Last year, the office's lawyers were assigned nearly 8,000 cases. More than 3,300 were for people accused of misdemeanors, such as drunken driving and domestic violence. Public defenders were assigned about 1,800 felony cases, including clients charged with murder, rape and robbery. They also handled more than a thousand other types of cases, including juveniles accused of crimes and petitions to involuntarily hospitalize people living with severe mental illnesses.

Last year the county's Office of Public Defense paid the association more than \$5.2 million for its legal services.

Castleberry said he thinks the county is getting a good deal. The public defenders association has been established as a professional organization, whose attorneys know the law and court system, he said. The county reaps the benefits of having efficient, experienced litigators.

Longtime Everett defense attorney Mark Mestel worked as a public defender for about three years, including a stint as the association's director. His time there was excellent training, Mestel said.

"You're trying cases left and right. You're getting feedback from colleagues, learning from your mistakes," Mestel said.

But the job can take its toll. There's a great deal of pressure and stress.

Public defenders get paid less than their counterparts in the county prosecutor's office. Case loads, although improving over years, can seem overwhelming. Their clients can be challenging. Not only are the defendants facing legal problems, many are battling drug addictions, poverty, homelessness and mental health issues.

And don't expect any kudos from clients, the attorneys said.

There's no doubt that public defenders get a bad rap, said Jim Sherman, one of the original five. There likely isn't a public defender who hasn't heard at least one client say they couldn't afford a "real attorney." Sherman said it was his experience that public defenders worked as hard, if not harder, than those in private practice.

Mestel often advises people who can't afford to hire him to go with a public defender.

"I always tell them to use a public defender over a cheap attorney," he said. "Everyone deserves a good lawyer. The quality of justice shouldn't depend on a bank account."

In the past, there has been a high turnover in the office. People have used the experience as a stepping stone, rather than a career path. These days, more lawyers are sticking around.

Neal Friedman has been a public defender in Snohomish County for 25 years.

"It's a great place to work," Friedman said "As a public defender, you're not necessarily affecting change, but you really can have an impact on people's lives."

It has to be more than a job, or paycheck, said Kathleen Kyle, a 15-year veteran.

"I see holding our government in check the greater good," she said. "We are a check. The court also is a check. Law enforcement and prosecutors also should be checks. Hopefully everyone is doing the best they can."

Friedman and Kyle both say one of the highlights is working directly with clients.

"That's the greatest joy of the job," Kyle said.

She sees clients pull themselves up by their bootstraps. She also sees some of the same people, caught in a cycle of crime, often for mundane reasons.

"The plot lines often don't change. You're dealing with the less fortunate. You see the incredible difficult situations they find themselves in," Friedman said.

Along with protecting a person's rights, part of the job is humanizing their clients, advocating for the best possible outcome, Jaquette said.

"There is a concern that the government is a little heartless in the way it works with everybody," he said. "When you apply the rules without consideration for the person, it can be hard."

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