

Faulk, Camilla

From: Eron Berg [eberg@ci.sedro-woolley.wa.us]
Sent: Thursday, October 27, 2011 2:43 PM
To: Faulk, Camilla
Cc: Mike Anderson; Brian L. Stiles
Subject: Indigent Defense Standards

Public Comments regarding proposed standards/Court Rule amendments

TO: Clerk of the Supreme Court
FROM: Eron Berg, City Supervisor/Attorney, City of Sedro-Woolley
DATE: October 27, 2011

I am writing regarding the proposed rules on indigent defense and its applicability to municipal courts. I represent the City of Sedro-Woolley, a city of 10,600 people with a full service municipal court. Our city is proud to have maintained an independent court, located within our city limits, with a local attorney as its judge, a local attorney as its public defender and another as its prosecutor. Due to rising costs, many of our neighbors have consolidated with the county district court, offering exposure to justice in a less personal, less community centered manner. Sedro-Woolley values its municipal court very much.

This proposal threatens to transform our court by either, 1. Mandating a significant increase in costs to provide additional public defense services; or 2. Forcing choices by law enforcement and the prosecution regarding the types of offenses and cases that will be cited and prosecuted. If the former is selected by our city leadership, then the resulting impact on the budget would be additional layoffs in other departments, compounding a 2012 budget that includes across the board 5% pay cuts, layoffs and other cuts. If the latter is selected, then we will be writing infractions for crimes and unintentionally denying the very same defendants this rule is intended to help access public defenders.

From published news reports and testimony given to the WSBA Board of Governors, it is clear that an issue may exist somewhere in Washington State. That issue does not exist everywhere and this one-size-fits-all approach being recommended by a majority of the BOG is detrimental to the administration of justice in smaller communities like Sedro-Woolley. I urge the Court to reject this rule, exempt misdemeanor cases from the standards, or return the issue again to the BOG for further consideration and review on the issue of the proposal's impact on municipal courts.

Thanks,

Eron Berg

cc: Mayor Anderson
Judge Stiles

Eron Berg | City Supervisor/Attorney
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