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TO: Supreme Court Budget Committee

FROM: Joanne Moore, Director, OPD

RE: Placeholder for Parents Representation Program Caseload Increase

Due to the uncertainties of 2015-2017 dependency and termination caseloads for the Parents Representation Program, OPD wishes to inform the Supreme Court Budget Committee that there are potential upcoming caseload increases. OPD will monitor the case filing situation over the next few months. However, it appears likely that additional funding will be necessary in order to accommodate increased caseloads and maintain the program.

In FY 2014 and FY 2015, both the Attorney General's Office (AGO) and OPD received supplemental budget appropriations to pay for a spike in termination cases. The backlog was due to the AGO's inability to file termination cases timely due to excessive attorney position vacancies. The AGO predicted that some 400 additional termination cases would be filed during the second half of FY 2014 and during FY 2015. OPD Parents Representation Program (PRP) attorneys will represent indigent parents in these cases.

The anticipated filings have materialized more slowly than expected, however, and it appears that a significant percentage of the existing backlog of termination cases will be filed later in FY 2015, which will mean that some of the additional PRP termination cases will continue on during FY 2016. If so, OPD will need continuing funding to pay for the ongoing additional termination cases in FY 2016.

In addition, during the past year and one-half, dependency and termination case filings have both increased significantly, as reported in the Caseloads in the Courts. While in 2011 the total case filings were about 6,431, in 2013 they were reported as 6,923 and so far in 2014, they have been filed at a rate of 3,148 for a five-month period, which will equal 7,869 for the year if the filing rate continues. Handling these case volumes will require increased funding for additional attorneys. The hallmark of the PRP is the 80 open case attorney caseload, which has been adopted by the Supreme Court in the Standards for Indigent Defense.