

Washington State Judicial Branch 2025-27 Biennial Budget Law Student Recruitment Initiative

Agency: Office of Civil Legal Aid

Decision Package Code/Title: 1C – Law Student Recruitment Initiative

Agency Recommendation Summary Text:

Washington State has a well-documented dearth of public defense counsel, particularly in rural areas. The Office of Civil Legal Aid requests funding to develop and support a pipeline program providing law students with the academic and practical experience necessary to represent children involved in the child welfare system. The pipeline program will support the agency’s ability to recruit a sufficient number of qualified attorneys to represent children and youth as the children’s representation program grows under RCW 13.34.212(3).

Fiscal Summary:

	FY 2026	FY 2027	Biennial	FY 2028	FY 2029	Biennial
Staffing						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
Operating Expenditures						
Fund 001-1	\$750,000	\$750,000	\$1,500,000	\$750,000	\$750,000	\$1,500,000
Total Expenditures						
	\$750,000	\$750,000	\$1,500,000	\$750,000	\$750,000	\$1,500,000

Package Description:

In 2021, the Legislature expanded a child’s right to counsel in dependency proceedings. Codified at RCW 13.34.212(3), this new legislation ensures, subject to the availability of funds, the appointment of counsel for all children from birth to age seven upon the filing of a termination petition and the appointment of counsel for all children 8-17 years old at or before the commencement of the shelter care hearing and for any pending or open dependency case where counsel has not already been appointed or privately secured. The new law also shifted the responsibility of recruiting, training, overseeing, and compensating attorneys appointed to represent youth participating in the Extended Foster Care program from the counties to OCLA, subject to the implementation of RCW 13.34.212(3). OCLA, through the Children’s Representation Program (CRP), is implementing this new legislation in accordance with the schedule approved by the Legislature, over a seven-year period with full implementation by January 1, 2028.

Under this expansion, the CRP is projecting the need for up to 100 additional contracted attorneys to meet the program needs. However, the CRP is already struggling to recruit and retain a sufficient number of contracted attorneys to meet the current program size.

The well-documented dearth of public defense counsel in Washington State, particularly in rural areas, will make it challenging for OCLA to contract with sufficient attorneys to meet the Legislatively mandated timeline for program growth. One of the most promising solutions to the attorney shortage is for OCLA to contract with recent law school graduates. However, recent law school graduates are often not aware of this practice field and/or are lacking the necessary minimum clinical experience to work directly with this program. In particular, OCLA is statutorily required to ensure contracted attorneys with this program meet the [Representation of Children and Youth in Dependency Cases Practice, Caseload, and](#)

[Training Standards \(Rev. Sept. 2022\)](#) (the Standards), which require attorneys to obtain a specified level of training and experience before they are able to assume full-time representation.

In order to provide recent law school graduates with knowledge of the field and appropriate clinical experience to meet the Standards, this decision package is requesting funding for OCLA to partner with law schools within Washington to develop and support a pipeline program providing law students with the academic and practical experience necessary to represent children and youth involved in the child welfare system.¹

To accomplish this goal, this decision package requests \$750,000 in both FY26 and FY27. This funding will allow OCLA to support development of academic programs that provide:

1. Focused, child welfare-specific academic programs
2. Practical experiential clinical programs
3. Targeted internship opportunities

The combination of coursework and practical experience will ensure that graduates possess the basic skills necessary to meet the Standards and provide contracted services with OCLA and other child welfare related programs in Washington, such as the Office of the Attorney General (AGO) and the Office of Public Defense (OPD).

Fully describe and quantify expected impacts on state residents.

Funding pathways to practice for law students, including the basic academic and practical experience necessary to represent children involved in the child welfare system, helps ensure that all children and youth in dependency proceedings eligible under RCW 13.34.212 will receive legal representation that comports with legislatively mandated practice, caseload, and training standards.

Explain what alternatives were explored by the agency and why this was the best option chosen.

OCLA has historically advertised open contracts for attorneys at local, state, and national levels. Efforts have included placing job postings on relevant websites, targeted email campaigns through entities with local and national reach, and direct appeals at career fairs and law schools. Despite these efforts, as noted above, the CRP is unable to recruit and retain sufficient contracted attorneys to meet the current program needs. The problem will only be exacerbated as the program grows as required by statute.

The growing demand on public defense capacity requires that agencies including OCLA, OPD, and the AGO work together with Washington law schools to ensure an adequate pipeline of qualified candidates to meet each agency's needs for contracted attorneys.

What are the consequences of not funding this request?

OCLA's CRP faces a real and growing threat of unfilled contractor vacancies that in turn would jeopardize implementation of RCW 13.34.212(3).

Is this an expansion or alteration of a current program or service?

No.

¹ The CRP understands the Office of Public Defense Parent's Representation Program (PRP) is facing similar recruitment problems. This decision packet is consistent with the PRP's separate request for funding in this area and the CRP intends to work in partnership with the PRP to achieve this common goal.

Decision Package expenditure, FTE and revenue assumptions:

Requested funds assume a combination of programs designed to establish and support the development of pipelines flowing from the three accredited law schools in Washington State. It is anticipated that a pipeline program will include a combination of clinical programs with dedicated faculty and staff attorneys, specialized classes with targeted curricula, and agency-facilitated internships with experienced practitioners. As contracts are negotiated, projected costs will likely include goods and services, travel, etc.

Use Standard Costs?

No

If No, Explain Additional Costs	Round to Nearest \$1,000				Description/Assumptions
	FY 26	FY 27	FY 28	FY 29	
Contracts	\$750,000	\$750,000	\$750,000	\$750,000	

How does the package relate to the Judicial Branch principal policy objectives?

Fair and Effective Administration of Justice

Dependent children who receive state-funded attorney representation are entitled to counsel that practice according to statutorily prescribed training, caseload, and practice standards and the Rules of Professional Conduct. OCLA cannot ensure sufficient capacity to ensure all children eligible for appointed counsel under RCW 13.34.212 and RCW 13.34.267 receive counsel if there is not have a sufficient pool of qualified candidates from which to recruit.

Accessibility

Dependent children and youth suffer from multiple and compounding traumas as well as physical and emotional disabilities above those of their peers in the general population, and this puts additional demands on an attorney’s representation. CRP contracted attorneys must be able to meet the unique needs of these vulnerable children, and attorneys cannot render effective assistance of counsel if they lack the basic academic and practical experience necessary to represent this population of children. This funding will help ensure appropriate training to best meet the needs of the children represented.

Access to Necessary Representation

The Legislature has recognized “...that appointing attorneys to provide standards-based legal representation for children and youth in dependency proceedings has been shown to result in more timely permanency for children and youth, increased school and placement stability, and increased contact with parents and siblings.” (Sec. 1, Ch. 210, Laws of 2021). Dependent children are entitled to standards-based legal representation by OCLA CRP-contracted counsel pursuant to RCW 13.34.212. OCLA must be able to ensure that there are enough attorneys available to receive appointment to dependent children and youth who must be appointed counsel under the law.

Commitment to Effective Court Management

N/A

Sufficient Staffing and Support

N/A

How does the package impact equity in the state?

Children and youth of color, LGBTQIA+ youth, indigenous children and youth, and children and youth from low-income families are all disproportionately impacted by the child welfare system. Children and youth who receive the benefit of standards-based legal representation have been shown to exit systems of care quicker and maintain familial bonds at a greater rate than children who do not receive standards-based legal representation, which in turn is associated with positive outcomes in other life domains. As this entire program is centered on providing standards-based legal representation to dependent children and youth, we can expect that BIPOC, LGBTQIA+, and low-income children and youth will benefit most from this proposal.

Describe the how the agency conducted community outreach and engagement.

The CRP and the Parent Representation Program (PRP) under the Office of Public Defense (OPD) have met extensively with Washington’s three accredited law schools to discuss opportunities for collaboration and supporting the development of academic programs that provide:

1. Focused, child welfare specific educational programs
2. Practical, invaluable experiential clinical programs
3. Targeted internship opportunities

During these efforts, the CRP and PRP discussed the program with the Attorney General’s Office and explored opportunities to partner with the AGO in educating students on the roles of child welfare participants. The CRP and PRP have also met with existing attorney contractors and law students to foster interest in the program.

Consider which target populations or communities would be disproportionately impacted by this proposal. Explain why and how these equity impacts will be mitigated.

No community in Washington should be harmed by this proposal.

Are there impacts to other governmental entities?

This program will create a pipeline of attorneys which will alleviate stress of the public defense sector and have a likely positive impact on the recruitment efforts of similarly situated agencies, such as the Parent Representation Program (PRP) at the Office of Public Defense and the Attorney General’s Office.

Stakeholder response:

Stakeholder response is positive. The three Washington law schools are receptive to the proposed programs, provided that state funding is allocated toward supporting this effort. CRP attorneys feel the program is a good opportunity to attract law students into this practice field, and law students have expressed an interest in participating in the program to learn more about legal practice in child welfare.

Are there legal or administrative mandates that require this package to be funded?

Not directly. However, RCW 13.34.212(1)&(3) and RCW 13.34.267(6) mandate that OCLA recruit, train, oversee, and compensate a panel of attorneys available to accept appointment of counsel for eligible children and youth under those statutes. This request allows OCLA to continue to fulfill these statutory directives.

Does current law need to be changed to successfully implement this package?

No.

Are there impacts to state facilities?

No.

Are there other supporting materials that strengthen the case for this request?

The [Representation of Children and Youth in Dependency Cases Practice, Caseload, and Training Standards \(Rev. 2022\)](#) require attorneys to be qualified through training or experience to effectively fulfill the duties of representing children in dependency court, and the [Washington State Supreme Court Standards on Indigent Defense](#), the proposed updated [Washington State Supreme Court Standards for Indigent Defense](#) and [Washington State Bar Association Standards for Indigent Defense Services](#) all require attorneys handling termination hearings to have at least six month’s dependency experience or have significant experience in handling complex litigation. Given CRP attorneys typically get assignments from courts for both dependencies and terminations, new law school graduates would be unlikely to comply with this standard absent some additional upfront training and experience.

Are there information technology impacts?

No.

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