

**Washington State Judicial Branch
2023-25 Biennial Budget
Service Capacity for the Incarcerated Parents Project
(Pass-through funding to the Washington Defender Association)**

Agency: Office of Public Defense

Decision Package Code/Title: AP – Incarcerated Parents Project

Agency Recommendation Summary Text:

OPD requests \$170,000 for the 2023-2025 biennium to expand capacity of the Incarcerated Parents Project (IPP) to help incarcerated parents maintain and strengthen family connections. The nonprofit Washington Defender Association (WDA) would receive pass-through funds to hire paralegal support for the IPP Resource Attorney who currently staffs the statewide project without assistance. (General Fund-State)

Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
Staffing						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
Operating Expenditures						
Fund 001-1	\$85,000	\$85,000	\$170,000	\$85,000	\$85,000	\$170,000
Object of Expenditure						
NB Pass Through to WDA	\$85,000	\$85,000	\$170,000	\$85,000	\$85,000	\$170,000
Total Expenditures						
	\$85,000	\$85,000	\$170,000	\$85,000	\$85,000	\$170,000

Package Description:

Since 2019 the Legislature has funded the Incarcerated Parents Project (IPP) at the nonprofit Washington Defender Association (WDA). The IPP is currently funded at \$300,000 per biennium. Funding is appropriated to the Washington State Office of Public Defense (OPD) and is passed through to WDA, which currently employs one IPP Resource Attorney to help parents maintain family relationships while they are incarcerated in Washington jails and prisons.

The IPP’s mission is to, “[e]nd family separation caused by parental incarceration in Washington State.” The IPP is the only dedicated resource in the state that supports incarcerated parents and their families and public defenders representing incarcerated parents with cases in the child welfare, juvenile, and criminal legal systems.

The IPP Resource Attorney currently provides more than 300 case consultations each year and responds to numerous inquiries from incarcerated parents and their attorneys for sample pleadings related to the intersectionality of parenting and courts. Limited staffing can lead to long response times and unnecessary delays in court proceedings for the impacted families. Paralegal support would add capacity to provide timely response to pro se inquiries, to edit and finalize sample pleadings and resources, and to contribute research assistance.

The IPP Resource Attorney also serves as the primary author of numerous amicus briefs, ranging from prison policies in response to COVID to issues directly impacting a parent’s constitutional right to a meaningful relationship with their child(ren). In addition, the IPP Resource Attorney develops and delivers statewide and national training for public defense attorneys and others in the justice system who can assist incarcerated parents. Paralegal support would allow the IPP Resource Attorney more time to focus on these areas of advocacy.

OPD requests funding to pass through to WDA for the purpose of hiring a full-time paralegal to assist the IPP Resource Attorney.

Fully describe and quantify expected impacts on state residents and specific populations served:

This Decision Package would ensure that the Incarcerated Parents Project (IPP) can provide timely response to approximately 300 requests each year from incarcerated parents and their public defense attorneys.

Explain what alternatives were explored by the agency and why they were rejected as solutions:

1. OPD inquired about WDA’s ability to further raise member dues, use reserve funds, and secure grants. This alternative was rejected because WDA has utilized these alternative fund sources to their maximum capacity.

2. OPD considered leaving WDA to take their request directly to the Legislature. OPD rejected this alternative because the request is well-aligned with OPD’s mission and vision. OPD historically has included WDA requests for pass-through funding in an agency Decision Package, including the 2019 request that initiated state funding for the Incarcerated Parents Project.

What are the consequences of not funding this request?

Not funding this request would leave the Incarcerated Parents Project with insufficient resources to ensure timely response to client requests. Not funding this request could delay critical legal resources for incarcerated parents and their public defense attorneys.

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

Yes. This would increase pass-through funding to the Washington Defender Association for the Incarcerated Parents Program, which first received state funding in 2019 and is currently funded at \$300,000 per biennium (\$150,000 per year).

Decision Package expenditure, FTE and revenue assumptions:

Grants or Pass-Through Funding

This Decision Package would provide \$170,000 for the 2023-2025 biennium (\$85,000 per fiscal year), which OPD would pass through to the Washington Defender Association.

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

- *Access to Necessary Representation:* WDA’s Incarcerated Parents Project helps public defense attorneys address the unique needs of incarcerated parents in child welfare, juvenile, and criminal legal proceedings.

Are there impacts to other governmental entities?

No.

Stakeholder response:

OPD anticipates that incarcerated parents and their families would support this Decision Package.

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

No.

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

No.

Are there impacts to state facilities?

Office of Public Defense
Policy Level – AP – Incarcerated Parents Project

No.

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

[Incarcerated Parents Project](#), WDA website

Are there information technology impacts?

No

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