



**WASHINGTON STATE
OFFICE OF PUBLIC DEFENSE**

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SPAR Program Update - March 2024

WA State OPD's SPAR Program has three components: funding to cover the cost of public defense on qualifying cases; training; and social service worker support (in development).

Funding

- Reimbursement grants
 - Statewide notification about reimbursement grant funding went out in October 2023.
 - 24 jurisdictions applied (9 counties; 15 cities); 3 jurisdictions withdrew
 - 21 recipients were funded (7 counties; 14 cities), with reimbursement grant contracts beginning January 1, 2024.
 - Reimbursement grant contracts cover eligible costs incurred for qualifying cases. Qualifying cases are those that include, but need not be limited to, a drug possession charge.
 - Eligible costs are:
 - Attorney and support staff compensation (including RALJ appeals)
 - Investigator costs
 - Expert costs related to the drug charge
 - Onboarding sessions were held with recipients in January 2024
 - Cities of: Bonney Lake, Bothell, Collee Place, Des Moines, Federal Way, Kelso, Lacey, Longview, Marysville, Mountlake Terrace, Oak Harbor, Olympia, Pasco, Tukwila
 - Counties of: Benton, Franklin, Grays Harbor, Kittitas, Okanogan, Stevens, Thurston
- Client Services Contracts
 - For the purposes of this program, State OPD has divided the state up into 7 regions.
 - SPAR Team identified its Region 6 (Lewis, Pacific, Wahkiakum, Cowlitz, Clark Skamania, Klickitat, and cities within) and Region 7 (Yakima, Benton, Franklin, Walla Walla, and cities within) as the regions to **pilot** the client services contract piece of the program. [Note: Clark County exceeds the population limit set by the legislature for participation, but jurisdictions within Clark are eligible].
 - Contract structure
 - After meeting with other OPD programs and weighing pros and cons of various contract models, SPAR intends to offer *primary attorneys a*

capacity contract with caseload cap and trial incentive. SPAR intends to offer *conflict attorneys* a **rate per case contract, and trial incentive.**

- Contract Rates
 - Rate for primary attorneys: Compensation for 1.0 FTE capacity contract is anticipated to be \$125,000.
 - Rate per case for conflict attorneys: Anticipated at \$400/case
 - Trial incentive for both at \$350 per trial day.
 - These rates were arrived at by:
 - Looking at what other OPD programs pay contracted attorneys
 - Looking at what these regions pay contract defenders
 - State OPD intends to use this formula as we expand into other areas, although it depends somewhat on how easy or hard it is to attract contractors under this rate. State OPD anticipates it will identify two additional regions in which to expand the client services contract component into in January 2025.

- Appointment process
 - OPD will provide each participating jurisdiction with the names and contact info of our SPAR contractors. Courts can appoint those contractors to eligible cases.
 - Contractor will be responsible for notifying State OPD of case assignment at the time of appointment.

- Contingency Plan
 - OPD will offer each jurisdiction wishing to designate us to contract a conditional grant to cover the cost of representation in qualifying cases in the event WA State OPD does not have a contractor available.

Training

- Attorney trainer on staff to assist with jurisdiction training needs
- Attorney trainer will also help with contract monitoring

Social Work

- SPAR has future plans to make contract social workers available to assist defenders
- Currently hiring a manager to build out this piece of the program. Stay tuned!