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**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Anonymous: Comments for CrR3.1/CrRLJ3.1/JuCR9.2 STDS - Standards for Indigent Defense  
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**Sent:** Friday, November 1, 2024 12:22 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Anonymous: Comments for CrR3.1/CrRLJ3.1/JuCR9.2 STDS - Standards for Indigent Defense

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## Anonymous.

I have held a class A felony certification for 5 years and practiced public defense for nearly a decade.

I respectfully ask this Court to implement the caseload standards as proposed.

When I read the studies underlying the proposed standards, I morphed into a bobble head. I nodded in agreement again and again. I was taken aback! I felt panic, I broke into a sweat, and a single tear escaped my eye duct and gently ran down my cheek as I realized that I had been exposed!

The dark secret held in the bosom of every trial judge, prosecutor, and public defense attorney playing the game we all knew too well of "the show must go on" had been cast out into the light.

Maybe, just maybe, I can now walk into a courtroom and with steely [respectful] eyes, look directly at the judge as I hand forward, on behalf of my in-custody client, yet another continuance form (with my hard fought for bar number on it) and say, "you know how busy I am."

I could not be so brazen. Without new caseload standards, if my motion is denied, I know I don't have time to get the transcript, research the law, and draft a motion to undo the mistake. And even if I did, what I am supposed to say in it? "I am too busy"? I don't think I can say that, can I? So, I look at the judge with my respectfully weary/baggy eyes and sheepishly mutter instead, "further investigation and negotiation, your Honor" [insert prayer emoji]!

As it stands, each public defenders' caseload is its own unique living and breathing creature. There is no telling which current or newly assigned case may drag the public defender's attention away at

any given moment.

There I am [finally] plugging away at discovery on a case. “Boy, oh boy,” I say to myself. I start getting that “squishy” feeling! The one that says there are some goodie motion issues buried in these 8 hours of bodycam dumped in no discernable order or with any comprehensible file name into this online evidence software, I know the prosecutor hasn’t watched.

On a side note, I wish the prosecutor would screen all this evidence for dispositive motions in advance of filing a case or just ever! But I suppose they only need “probable cause” to file, so I guess I understand! No! No! I really don’t! But, whatever! No time to think about that. I will gripe about this to my office neighbor at some point today.

Anyway, I’ll bet once I do this work for the prosecutor and find that goodie evidence, they’ll see how smart I am. I hit play on video “afhdr38y4823,” and then, \*ping\* - my email pops up: “your client has allegedly violated a condition of release [that should not have been imposed in the first place] and a hearing is being scheduled in 2 days to deal with this travesty.” So, infuriating.

In the midst of experiencing my infuriation, “Oh, and [insert public defender name],” my assistant says, as she passes by my office on her way to the copier to print 3,000 pages of discovery on the case I was assigned yesterday, “your [other] [other] client’s mom called six times today while you were at court having appealable conditions of release imposed and said she wants you to call her back to talk at length about everything to do with the case for at least an hour and a half.” She then hands me a note and runs off to the copier. The note is a kite from the jail. It says, “VISIT ME!!!!” A brief thought washes over me, “I wonder if they fixed the jail video system issue from last week.” I’ll schedule a video visit today! Ah, no, maybe I should run by the jail after I leave the office. Pretty sure I can get through the back entrance if the front is closed. I hate the rain. Ugh.

\*Ping\* - Email: “you are scheduled to do the “you’re not allowed to sleep” on-call DUI/murder/ITA/random-question phone, starting tomorrow – please pick up the phone in the office building across town no later than EOD today.”

\*ping\* - Email: prosecutor says in one word reply: “NO.”

Wow! They must be busy if they only have time for one-word responses seven weeks after I sent my initial email that took thirty minutes to draft. Maybe they are reviewing bodycam? I think that means this case is going to trial! Exciting. Um, I think there are few more witnesses to interview and an expert needed. Better get on that. This prosecutor is probably going to start objecting to continuances [insert prayer emoji]. I think the standard range is 180 months to 380 months. I got this!!

Where was I on video “afhdr38y4823”?

My client did give me a high-five yesterday. That was nice.

My law degree did not teach me the language I needed to describe the lived in day-to-day world endured by public defenders. I found those words in therapy books: “gaslighting,” “trauma bond,” “toxicity,” “trauma,” “guilt,” and “shame.” There may even be a common diagnosis for current and former public defenders; “complex post-traumatic stress disorder.” Perhaps this goes too far. I am not, after all, a qualified mental health professional.

One thing is certainly clear!

The jig is up.

In my mind, there is no return to a world in which the caseloads and workloads of public defenders has not been analyzed and studied and a solution to a very serious problem presented.

I do love the public defender community. Indeed, my closest and dearest friends are current and former public defenders. These are people who dedicate themselves to advocacy with compassion and with doggedness against impossible odds.

I respectfully ask this Court to implement the caseload standards as proposed.

I apologize for this late submission [insert prayer emoji].

#defenddefenders.