

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: Purposed Misdemeanor Defense Standards - Not in Favor
Date: Friday, October 25, 2024 8:49:49 AM

From: Carol Landwehr <Carol.Landwehr@cityofbg.org>
Sent: Friday, October 25, 2024 8:48 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Purposed Misdemeanor Defense Standards - Not in Favor

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Good Morning -

I want to take a moment so that you can hear from a small municipal court, regarding the potential reduction of the public defenders caseload standards from 400 down to 120 case credits by July 2027.

This is very concerning to my court.

We currently have (4) public defenders for our current case load, and each average approximately 225 cases a year. Our court currently does case counting and not case weighting.

Our city for the past (2) years has advertised for a conflict public defender; and not one attorney has any interest.

So, if we reduce the amount of cases that our public defenders can be assigned to, what then?

Dismiss the cases at arraignment. Release individuals from our local jail. This seems to me that you are asking for a crime spree to begin, since our court will not be able to process the cases without additional (4 to 5) more public defenders on board.

One remark was made, you will need to reach over the county line, for public defenders.

How can I do that when Clark, Cowlitz and Skamania County will also have a shortage of attorneys for processing their misdemeanor case load. There just is not enough public defenders in the Clark County; and the surrounding counties, for the courts to be able to comply with the purposed standards.

The current proposal is a set up for disaster in our small rural courts; and putting the public

safety at risk.

In talking with our public defenders, they all agree that 400 cases per year is more than doable, with their practices, which includes PV's; and newly assigned cases at arraignment. We can agree, DWS III type of cases, are easy cases, and take very little time, especially once you pull up the person's abstract, and see if they were actually suspended at the time of the stop. However, we can also agree that the DUI's and DV cases do take more time, but with the easy cases assigned such as DWS 3rd; and DWS 2nd, this makes it doable for our public defenders to be assigned up to 300+ cases if needed, as there is a balance.

The other point I want to make, how are the District and Municipal Courts going to be able to make sure that each public defender is paid up to \$70,000 per year, per the purposed new standards? Our small municipal court currently has a budget for (4) public defenders and allocated up to \$200,000 total. With the new standards purposed, our city will need to budget \$630,000. What city can have such a drastic increase in their budget? Is the state going to off-set the costs? The compensation standards does not address the municipal courts that have a part-time prosecutor; and only have court once a week. Again, pointing out, that the proposed standards sounds like they are for the bigger courts and counties. It does not seem to me that anyone has taken in to account the rural municipal and District Courts with smaller populations.

I urge you ***not*** to change the misdemeanor standards!

I urge you to get out and speak to the small rural District and Municipal Courts.

I am confident you will find that they also are not in agreement for such drastic change, due to shortage of public defenders; and more cost to their budgets.

I urge you to not put the purposed standards in place, unless you have a better plan.

Thank you for your time.

Approved by: Judge Andrew W. Wheeler
Approved by: Kris Swanson, City Manager



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