

October 30, 2024

Washington State Supreme Court  
PO Box 40929  
Olympia, Washington  
Sent via email: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov)

RE: Comments from the City of Lynnwood in Response to the Suggested Amendments to the Standards for Indigent Defense and Caseload Limits.

Honorable Court Justices:

The City of Lynnwood urges the Washington State Supreme Court to maintain the Court's existing *Standards for Indigent Defense* and to reject the Washington State Bar Associations (WSBA) Recommended Revised Standards for Indigent Defense (Recommended Standards).

We oppose the Recommended Standards because they will have detrimental impacts to the delivery of public defense in the City of Lynnwood, Snohomish County and throughout the State, ultimately impacting the entirety of the criminal justice system.

Attorney Shortage, Availability of Public Defenders and Support Staff:

The current shortage of public defenders will only be drastically exacerbated with the rapid implementation of the Recommended Standards reduced caseload. Implementing standards like those proposed by the WSBA with such an extreme cut in caseloads over a short period of time, without adequate funding or time to train and develop a higher volume of law school graduates and support staff is taking a serious problem and making it much worse. There is no plan for increasing the number of attorneys currently available, or a plan to encourage more students to enter law school, then be encouraged to work as public service attorneys. This drastic reduction to caseloads is unachievable and we suggest doing a more gradual reduction in caseload standards spread out over several years to better alleviate the attorney shortage crisis.

Negative Impacts to the Community:

Public Safety is incredibly important to our community members and these proposed standards could have grave repercussions to the delivery of public defense services in our community. The City of Lynnwood and many jurisdictions like us, will need to double, if not triple the number of attorneys and support staff needed to adequately handle the amount of cases seen in our municipal court each year. A shortage of attorneys will leave most accused defendants to be released back into the community without having guilt or innocence determined. This will lead to those doing harm in our community facing no consequences, and victims of crime having no access to justice.

Unfunded Mandate:

The drastic increase in attorney and support staff would be an exorbitant unfunded mandate for the City of Lynnwood. Lynnwood is already set to allocate \$80.2 million towards public safety in the next two years to cover the costs of police, municipal court, prosecution, and public defense. This is 52% of our



City's \$155.8 million General Fund going towards public safety and criminal justice. Without state support to cover these drastic cost increases, the burden would be placed on our city's taxpayers and would jeopardize other essential city services.

While we do not disagree that changes need to be made to the criminal justice system in the State of Washington and public defenders should not be overburdened with huge caseloads, we respectfully request that the Recommended Standards not be implemented. These Recommended Standards are not based upon information or research from Washington State courts or attorneys. We implore the Court to decline these Recommended Standards and instead conduct a thorough evaluation of Washington-specific aspects of the criminal justice system including public defense and prosecution before moving forward with new standards.

We appreciate the Supreme Court's careful consideration for a fair and sustainable public defense system.

Sincerely,

A handwritten signature in black ink that reads 'Christine Frizzell' in a cursive script.

Christine Frizzell  
City of Lynnwood Mayor