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**Subject:** FW: Support for Adopting Reduced Public Defense Caseload Standards  
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**From:** Colin McMahon <cmcmahon@snocopda.org>  
**Sent:** Monday, October 21, 2024 12:04 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Support for Adopting Reduced Public Defense Caseload Standards

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Justices:

I have been working in indigent defense for over nine years and the trope of the overworked and underpaid public defender long preceded my tenure. If you surveyed individuals who had never had any direct or indirect contact with the criminal system and asked them what they knew about it, that theme would be prevalent in the responses. We have an opportunity to change that here in Washington.

When I began practicing in Everett, I took on a caseload of ~100 active misdemeanor and gross misdemeanor cases. That caseload increased as high as 140 at a given time and it was the same for all eight attorneys in the office. The office was cognizant of the 400 cases per year limit, and we averaged approximately 385 cases per attorney per year. Were it not for the caseload standards being in place, I have no doubt each of us would have had many more cases, fewer attorneys would have been employed, and clients would be the ones to suffer. The system is unsustainable.

Throughout my career so far, I have seen numerous colleagues' mental and physical health negatively impacted due to the stress of such high caseloads. Folks will work 12+ hour days, weekends, and holidays to give each case the attention it deserves. There is a lot said about burnout in public defense and many aspects of the work that lead to it, but right now the Court has the opportunity to address one of the most prevalent factors. By reducing caseload standards in line with the recommendations of the BOG and NPDWS, we can reduce stress levels for Defenders, while increasing the quality of representation indigent defendants receive.

In Snohomish County, there has been significant pressure from the bench recently for cases to be resolved more quickly. This is another issue that can be addressed by reduced caseload standards. If Defenders have fewer cases to manage, they can dedicate more time to individual cases and prepare them for resolution, either trial or negotiation, more efficiently.

Some individuals opposing the new caseload standards have pointed to a wildly speculative conclusion that they will lead to some level of chaos and vigilante justice. These conclusions are not based in reality, but the proposed standards that the Court is deciding on are based in actual data that

has been compiled and studied over 17 years. We need to listen to the data and adopt standards that are in line with the requirements of our constitution.

Regards,

**Colin J. McMahon** | **Misdemeanor Unit Supervisor**

*he/him*

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