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Subject: FW: Comment on Public Defender Caseload Standards
Date: Tuesday, October 29, 2024 8:10:12 AM

From: Elaine Whaley <elainewhaley10791@gmail.com>
Sent: Monday, October 28, 2024 8:23 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on Public Defender Caseload Standards

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Dear Justices,

My name is Elaine Whaley, and I am proud to be a public defender in Snohomish County. I come from a long line of lawyers who have been devoted to public service, whether as a prosecutor with the Attorney General's office, private or public defense attorney, or judge. I became an attorney because my parents, who were both lawyers (Lucinda Whaley WSBA #7911 and Robert H Whaley WSBA #4323), instilled in me a devotion to serving my community and advocating for those who do not have a voice. I am writing to express my strong support for the proposed reduction in caseload standards for public defenders.

It is hard to put into words what adopting these caseload standards would mean for me and my colleagues. The first thing that comes to mind is that I would finally be able to devote adequate time to ALL of my clients, instead of having to constantly "triage" cases. I would be able to maybe stop working on Sundays, working while on vacation, and working when I get home from work, and maybe have a semblance of a work life balance. It would mean that I could continue doing this important work long term, instead of having a little voice in the back of my head saying "I could work somewhere else, make more money, and have significantly less stress, guilt, and fear that my heavy workload is directly hurting someone's life."

Public Defenders play a critical role in the justice system, serving as the last line of defense for our clients who oftentimes have never had anyone fight for them. By establishing reasonable caseload standards, we can ensure that public defenders have the time and resources needed to dedicate to each case, which would enhance the quality of representation of our clients.

The ethical obligations of public defenders necessitate that we provide competent representation. Without adequate time to prepare, investigate, and advocate for our clients, we cannot uphold our

professional responsibilities. Our clients deserve more from their attorneys than "triaging." They deserve the same time and attention that a private attorney is able to give their client who can afford to pay them for their representation.

Finally, high turnover rates due to overwhelming workloads not only disrupt the continuity of care for clients but also drain valuable experience from our public defense system. By fostering a more sustainable working environment, we can retain skilled attorneys who are passionate about serving our communities and advocating for justice that all citizens in our community are afforded.

I urge you to consider the profound impact that reduced caseloads will have on the quality of public defense, the well-being of public defenders, and ultimately, the integrity of our justice system as a whole. The sustainability of our practice depends on it.

Thank you,

Elaine L. Whaley
Snohomish County Public Defender Association WSBA# 53788