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I am in support of the new Standards for Indigent Defense. I have been a Public Defender in Whatcom County for three years, but frankly, I am unsure how much longer I can try to sustain the unsustainable caseload. One of my colleagues likened it to drinking from a firehose: there are new cases coming in constantly, we are consistently begging management for support and less cases, or to ask the prosecutors to divert less serious cases, and I am regularly ineffective in my representation to my clients. I never have enough time to give my clients the comprehensive information and support they need. I am drowning. Knowing I am doing my clients a disservice on a daily basis is devastating. Knowing it is out of my control is infuriating.

We often neglect to consider in case weighting that clients who are new to the United States or don't speak English as a first language require a lot more counseling to familiarize themselves with the legal process and their options, since they often have little to no frame of reference. I don't think this is as prevalent in private representation. We also neglect to consider in discussing case weighting the arbitrary deadlines set by our courts, which add additional pressure to an already overwhelmed system. In Whatcom County District Court, for instance, clients must appear in person if their case is older than six months from the filing date, and cases older than nine months are regularly confirmed for trial over defense's objection. This creates added pressure to resolve cases for clients who cannot miss work for repeated pre-trial conferences, simply because their respective attorneys don't have time to resolve their cases.

Often most troubling is that I must prioritize the issues I raise in motions, and only write motions on the most serious of cases. My clients' rights are violated all the time, but if they were pulled over pretextually for DWLS 3, it's simply not something I can triage over a DUI with the same issue. These individuals deserve a comprehensive defense regardless of their charge. If they had private counsel to handle their DWLS 3, eventually an appellate record would operate to curb these abuses. This serves to encourage bad policing to our detriment and it curbs the influx of appellate impact

litigation our state deserves. Effective counsel at the trial level is an issue that ultimately impacts the entire state population. A rising tide raises all ships. Fundamental unfairness to an indigent defendant, breeds more systemic inequity.

Revamping standards for indigent defense will improve the quality of life for public defenders and their clients. The current state of public defense is completely untenable and on the system is on the brink of collapsing entirely.

Thank you for your consideration,

Eleanor White, WSBA 57028

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