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Subject: FW: Comment in favor of proposed changes to CrR 3.1
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From: Spencer, Erick (DPD) <Erick.Spencer@kingcounty.gov>
Sent: Thursday, October 31, 2024 1:59 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment in favor of proposed changes to CrR 3.1

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I am writing to voice support for the WSBA's proposed changes CrR 3.1. I have been employed in public defense for more than thirty years and currently handle a felony caseload. Over the past several years I've seen many of my coworkers leave, *often for lower paying jobs*, because they just can't take it anymore. The people who are leaving are highly experienced attorneys who handle the most serious cases. Whenever someone leaves, their serious cases are distributed amongst the shrinking pool of us who remain. We are losing experienced attorneys much faster than they can be replaced. It takes *years* for new hires to acquire the training and experience needed to handle class A felonies. My office can't recruit experienced attorneys (lateral hires) because word has gotten out about our working conditions.

How did it get to be this way? The current standards simply cap the annual number of assigned cases at 150 and leave case weighting to the counties. The counties view case weighting as optional. My employer, for example, unilaterally modified case weighting standards in recent years to allow it to assign us more cases. This was done in response to a post-COVID surge in felony filings.

In all fairness, the local bench ordered the county to assign all cases without regard to the local case weighting standards. Instead of hiring new staff, however, the county simply changed the case weighting standards. We protested but the county's response was that case weighting was a matter of grace, not of right, and that the existing court rule permitted the county to give us 150 files of any type including homicides and serious sex offenses. The result was a substantial increase in workload. The exodus of experienced attorneys started soon after.

This increase in workload adversely affected me and my family. It became the norm to miss dinner with my family every night. It became the norm to not see my son for days because I left too early in the morning and came home too late at night. I lost track of how my son was doing in school and who he was hanging out with. There was no longer any semblance of a work-life balance. My physical and mental health deteriorated. At one point I had to take leave to deal with anxiety-

related ailments. The thought of retiring earlier than planned occurs daily.

The proposed rules are needed *now* to stem the exodus of experienced attorneys.

Erick Spencer
Attorney

Note: I am voicing my own opinion, and I am not speaking for my employer.