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Subject: FW: comment on public defense standards
Date: Thursday, October 31, 2024 3:29:40 PM

From: Gerry Coleman <gerrycolemanlaw@gmail.com>
Sent: Thursday, October 31, 2024 3:01 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: comment on public defense standards

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Re: 3.K caseload standard for "other case types," the standard for "Family Defense" should apply only to parents representation for the following reasons:

1. Only a parent has an established right to the effective assistance of counsel in dependency and termination cases. The first sentence of the proposal cites effective assistance of counsel.
2. The state agency that funds most (and soon all) of child representation has a caseload standard that is very different from the one proposed here.

Additional comments regarding the standard:

1. 80 open cases/attorney/year doesn't make sense as a standard when these cases generally last more than a year. 80 open at a time is the standard that is used by OPD.
2. Actually, the word "case" is not used. It just says 80 open dependency/termination of parental rights..." which is open to interpretation. The funding authority for parents representation, OPD, reportedly interprets that as 80 current parent clients, without regard to how many children they might have (each dependent child represents one cause number, one case) or how many termination of parental rights matters may be pending (again, a cause number for each child, separate from the dependency case). It leaves out guardianship cases entirely, and they are more and more common these days, as DCYF pushes for more dependency guardianships.

My overall point is that if the caseload standards for Family Defense work aren't going to be thoughtfully considered, they should be left up to the funding agencies.

Thank you for considering my input.

Geraldine R. Coleman, WSBA No. 24564