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**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Support for the Proposed Standards for Indigent Defense  
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**From:** Hannah Lefton <[hannah.lefton@gmail.com](mailto:hannah.lefton@gmail.com)>  
**Sent:** Saturday, September 28, 2024 4:35 PM  
**To:** OFFICE RECEPTIONIST, CLERK <[SUPREME@COURTS.WA.GOV](mailto:SUPREME@COURTS.WA.GOV)>  
**Subject:** Support for the Proposed Standards for Indigent Defense

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Dear Justices of the Washington State Supreme Court,

I am writing to strongly urge you to adopt the proposed court rule to codify WSBA's Criminal Caseload Standards for Public Defenders. These caseload standards are essential to protecting and improving the rights of the most marginalized and vulnerable.

As a public defender, I know first hand how hard individuals in this profession work to ensure that every person gets competent, committed legal counsel. Unfortunately, however, myself and many of my peers across the country are forced to do less than our best work for our clients because we simply have too many clients. Excessive caseloads reduce attorneys down to a symbolic check mark so that the Court can say someone was provided assistance of counsel. And while we attorneys are hurt by this - we are not able to practice our craft at the level we'd like to - other actors in the system are hurt more. Perhaps most obviously, our clients are not given the legal representation they are constitutionally entitled to when we do not have the time to provide full investigations and research into every case. Victims of crime and the community at large are harmed as well, with most cases settling by a plea that provides justice to neither the victim or the client, and that does not allow for the truth seeking function of the judicial system to play out.

The RAND study's empirical results provide evidence to support actions against public defenders' licenses if we don't adhere to an ethical caseload. Failure to pass these new standards puts public defenders in the impossible position of continuing to take cases in excess of what we can handle in spite of empirical evidence showing that taking such cases is unethical. The ABA has recommended attorneys decline cases to maintain a workload they can handle. I know that certain counties, politicians, prosecutors, and judges are concerned about the financial impact of these new standards. However, a fair and just criminal justice system requires that everyone accused of a crime receive due process. Just because we have undervalued public defense for decades and thrust the cost of the behavioral health crisis

onto the criminal justice system does not mean we should or need to continue undervaluing it.

In sum, I ask the Court to adopt the proposed caseload standards, which would enshrine Washington as a nation-wide leader in maintaining a fair and equitable legal system for everyone involved.

Thank you for considering,

Signature