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Subject: FW: Support of the Court to adopt the proposed caseload standards.
Date: Monday, September 30, 2024 8:17:18 AM

From: Heather Clark <heathereclark1@yahoo.com>
Sent: Monday, September 30, 2024 4:53 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Support of the Court to adopt the proposed caseload standards.

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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.

My daughter works as a public defender. She works in this profession because it is her dream to help people. Often, she instead feels like only a cog on the wheel, only a necessary part of an incarceration system cutting against the very reason she entered into this profession. Excessive caseloads reduce attorneys down to a symbolic check mark so that the Court can say someone was provided assistance of counsel.

Each of those cases are a client that is hurt by the current caseloads. Excessive caseloads are proscribed by ethics rules because they inevitably cause harm. Overloaded attorneys cannot give the attention needed to each client, cannot investigate in a timely manner, and cannot file the motions they should. Instead, they must triage cases making a choice on which to focus on. A justice system burdened by triage risks unreliability, deny all people who rely on it – victims, witnesses, defendants, and their families and communities – efficient, equal and accurate justice.

The RAND study's empirical results provide evidence to support actions against

public defenders' licenses if they 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 they 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.

I ask the Court to adopt the proposed caseload standards.

Thank you for your consideration,
Heather Clark
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