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Subject: FW: Comment in Support of WSBA's Proposed Standards for Indigent Defense
Date: Wednesday, September 25, 2024 11:24:45 AM

From: Helen Redman <hredman@gmail.com>
Sent: Wednesday, September 25, 2024 9:40 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment in Support of WSBA's 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 Caseload Standards for Public Defenders. These caseload standards are essential to protecting and improving the rights of not just the most marginalized and vulnerable but everyone in Washington.

I have been working as an attorney in public defense for the past 16 years. I currently supervise dependency attorneys.

I have witnessed first hand the toll the current caseloads take on our clients, my coworkers, myself, and all of our families and communities.

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, denying 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 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.

In addition, I believe that with the proposed caseload standards in place cases will proceed more quickly to trial or disposition of cases. At present, continuances, many due to needing additional time to prepare due to overwork or to get up to speed on a transferred case after a colleague has chosen to leave the profession due to overwhelm, are the norm and waiting for justice harms us all.

In sum, I ask the Court to adopt the proposed caseload standards. I ask for this on behalf of our clients, I ask for this on behalf of my colleagues quitting in droves, and I ask for the court to consider this for me – an attorney, 16 years into my career, hoping that I will be able to sustain for another 20+ years.

Thank you for considering,

Helen Redman