

WASHINGTON STATE
SUPREME COURT RULES COMMITTEE

Washington, State City & County)	
Of)	
Spokane)	Public Comment on Proposed
)	Changes to Public Defense Standards
V.)	
John-Michael Ray. Durham.)	
Appellant/ Father.)	

Case: John-Michael Ray Durham
Date July 18th, 2024

I. Introduction

Dear Supreme Court Rules Committee,

My name is John-Michael Ray Durham, and I am writing to express my support for the proposed changes to the Washington Supreme Court's standards for public defense. These changes are critical for ensuring effective representation for indigent defendants in our state. Additionally, I urge the incorporation of more federal oversight and inquiries into the

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Prepared & Presented by John-Michael Ray Durham

current public defense procedures to ensure compliance with constitutional and federal civil liberties.

II. Support for Proposed Changes

- i. **Lowering Maximum Caseloads:**
Excessive caseloads have led to high attrition rates among public defenders, resulting in diminished quality of representation. Reducing the maximum caseloads will allow attorneys to dedicate more time and resources to each case, ensuring better representation and upholding the defendants' constitutional rights to a fair trial and effective counsel.
- ii. **Revising Qualification Requirements:**
Updating the qualification requirements for public defense attorneys is essential for maintaining high standards of legal representation. This change will help address the current challenges in recruiting and retaining qualified public defenders, ensuring that those representing indigent clients are adequately trained and prepared.
- iii. **Minimum Support Staffing Requirements:**
Establishing minimum support staffing requirements is necessary to provide public defenders with the resources they need to manage their caseloads effectively. Adequate support staff will enhance the efficiency of public defense offices, allowing attorneys to focus more on legal advocacy and less on administrative tasks.

III. Call for Increased Federal Oversight /Duty of Verification:

Given the importance of upholding constitutional rights, I strongly advocate for increased federal oversight and inquiries into the current public defense procedures. This oversight is necessary to ensure that public defense systems comply with constitutional mandates and federal civil liberties, particularly in the following areas:

- i. **Compliance with the Sixth Amendment:** The Sixth Amendment guarantees the right to effective assistance of counsel. Federal oversight can ensure that public defense systems are meeting this constitutional requirement, particularly in providing competent representation and adequate resources for public defenders.
- ii. **Failure to Investigate:**
The dismissal letter suggests that the grievance is based on the adversarial nature of the legal system, where lawyers advocate for their clients' interests. Nonetheless, this advocacy must be grounded in verified facts. The duty to investigate and validate claims is paramount, especially when confronted with certified documents that contradict the client's statements. Failure to investigate such contradictions can lead to a miscarriage of justice and undermine the integrity of the legal system.

iii. Constitutional Duties:

Lawyers, as officers of the court, have an obligation to uphold the United States Constitution and the Washington State Constitution. Presenting false or misleading information not only violates professional conduct rules but also compromises constitutional guarantees of due process and fair trial. The ODC's dismissal overlooks the broader constitutional implications of the alleged misconduct.

- iv. Federal Civil Liberties: Ensuring compliance with federal civil liberties, such as the right to a fair trial and equal protection under the law, is essential. Increased federal oversight can help identify and address systemic issues that may be compromising these rights.
- v. Quality of Legal Representation: Federal inquiries can help assess the quality of legal representation provided to indigent defendants, ensuring that public defense systems are not only meeting minimum standards but are also striving for excellence in legal advocacy.

IV. Conclusion

I strongly support the proposed amendments to the public defense standards and believe that their adoption, coupled with increased federal oversight, will significantly improve the quality of public defense services in Washington State. I encourage the Supreme Court to consider these additional measures to ensure that public defense systems fully comply with constitutional and federal civil liberties. Thank you for your consideration.

July 18th 2024

Sincerely, John-Michael Ray Durham

P.O. Box 674 Greenacres Spokane WA zip 99016

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Changes to Public Defense Standards
Prepared & Presented by John-Michael Ray Durham

From: [OFFICE RECEPTIONIST, CLERK](#)
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Attachments: [Supreme Court rule committee Public Comment July 18 Public Defense.pdf](#)

From: JohnMichael Durham <johndurham747@hotmail.com>
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Subject: Public Comment Submission on Proposed Changes to Public Defense Standards

Dear Supreme Court Rules Committee,

Please find attached my public comment regarding the proposed changes to the Washington Supreme Court's standards for public defense.

As a concerned citizen, I believe these changes are critical for ensuring effective representation for indigent defendants in our state. Additionally, I strongly advocate for increased federal oversight and inquiries into the current public defense procedures to ensure compliance with constitutional and federal civil liberties.

Thank you for considering my input on this important matter.

Sincerely,

John-Michael Ray Durham
P.O. Box 674
Greenacres, Spokane, WA 99016
Email: johndurham747@hotmail.com

Attachment: Public Comment on Proposed Changes to Public Defense Standards

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