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**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Proposed Amendments CrR 3.1 - Comment  
**Date:** Wednesday, October 9, 2024 10:52:04 AM

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**From:** Aitken, Kaitlyn <Kaitlyn.Aitken@kingcounty.gov>  
**Sent:** Wednesday, October 9, 2024 10:51 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Proposed Amendments CrR 3.1 - Comment

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I am writing to voice my strong support for the proposed amendments to CrR 3.1. The amendments would, over time, reduce caseload standards for public defense so they are in line with realistic and effective representation.

I have been a public defender for over 10 years, and it's the only legal job I've ever had. I became a public defender due to my personal background. I have stayed largely because I enjoy working with our clients and my colleagues. It is an honor to represent people as they try to navigate the legal system, when they are going through difficult situations and need someone in their corner. Nobody thinks they will need a public defender until they do. Often in political discourse today there are folks that talk about "criminals" and "the homeless" as though the people who are facing criminal charges are separate members of our community. But that is not true. Each client I have had is somebody's child, or sibling, or neighbor. And as we all know our jails and prisons are filled with people suffering from mental health issues, people suffering from substance abuse issues, and, disproportionately, people of color. Not to mention, there are people charged with crimes who are innocent and facing prosecution for acts they did not commit. As our laws and constitutions say, each person facing the loss of liberty deserves the right to a legal advocate. And these are not just "other" people – they are members of our own communities.

Lowering the caseloads of public defenders will ensure safety, security, and proper legal care for our community members. When a loved one or good friend gets suddenly involved with the criminal system, they need effective help and assistance – which now more than ever takes the time and resources of a well-staffed public defender's office. I have had clients experiencing their first psychotic break while incarcerated, and their mothers beg for my assistance and time. I have had clients suffering from serious substance abuse issues, and their family members called the police for help but ended up in a courtroom on the other side of their loved ones. I've seen police officers lie about arrests. All of this is par for the course of a public defender, and paying each of these clients

the attention they deserve is the only right thing to do. But right now, that is not possible. In the last few years, I've been a supervisor in my office. Whereas before, as a staff attorney, I took the cases I got and did my best at them, I now have a different point of view. Each day, week, and month I do the best I can to assign out all the cases that come to our unit. I try to balance each attorney's needs, thinking about if they are in trial or going on vacation or having a particularly bad week. And each day and week and month, it is a massive failure. Because there is no magic formula that can make the current caseload numbers work in any way that is sustainable. There is no way that current standards can serve our community members, our clients, and our staff in the ways they deserve.

Change is difficult and will take a lot of resources and work. But this change is what our community members deserve. As I said, nobody thinks they will need a public defender until they do. Public defenders are essential in our community to ensure the adversarial process we have will work in a way that is fair. Public defenders who can give the requisite amount of attention to their cases and clients can ensure that their clients are making informed decisions about how to handle their cases. Judges and prosecutors have expressed concern that lowering caseload numbers will result in some sort of surge of crime or unrepresented criminals. But it is just as likely that having thorough representation would allow individuals a better understanding of the legal system and how to ensure they do not find themselves in the same situations again. At present, public defenders must limit their time with each client and are often forced to use band-aid solutions while juggling their large caseloads. Sometimes this leads to people pleading guilty to crimes they may have not committed, sometimes this leads to clients being released from jail without any support, and often this leads to clients making decisions without as much understanding of the law as they could have. Faced with such impossible situations, attorneys who go into public defense leave due to burn out, because of serious stress and anxiety issues, and because they cannot achieve a work/life balance.

Public defense has made me a better person. It is one of the true passions of my life, and I am proud to have been a small part of the public defense community in King County. The stress of public defense has also had a lasting impact on my physical and emotional health (particularly when I was on a felony caseload), as it does for most who choose this path. Ultimately, changes must be made in Washington so that public defenders are better able to serve their clients – which in turn will help us all.

Thank you,  
Kate Aitken

**Kaitlyn Aitken**

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