



Board of County Commissioners

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bocc@lewiscountywa.gov

October 22, 2024

Washington State Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

Honorable Justices of the Washington State Supreme Court:

As the elected Commissioners of Lewis County, we write to express our serious concerns about the proposed caseload standards for public defenders and the significant financial and operational impacts these changes will have on our community.

We share the goal of improving the quality of indigent defense, and we respectfully urge the Court to consider the adverse impacts these new standards will impose on rural counties like ours.

Lewis County has made substantial investments for our indigent defense, spending approximately \$1.85 million in 2022, \$2.01 million in 2021, and \$1.86 million in 2020. The new caseload standards scheduled to phase in over three years starting July 2, 2025, threaten to push these costs beyond our county's capacity. Reducing misdemeanor cases per attorney from 400 to 200 by 2027 and felony cases from 150 to 47 annually will require a sharp increase in public defenders – an expense that our current budget cannot accommodate without significant sacrifices to public safety and the justice system. Additionally, our public defenders with decades of experience – and the ability to tackle larger caseloads than newly minted attorneys – will be arbitrarily prevented from representing many clients.

One of the most pressing challenges Lewis County faces is the lack of available contract attorneys to absorb additional cases when public defenders have conflicts of interest or when caseloads exceed capacity. This strain is particularly acute given the presence of Green Hill School, a state-run juvenile detention facility in Lewis County, which generates additional cases requiring defense representation. Each time a public defender cannot take on these cases, the county must engage conflict attorneys – often at a premium cost – further stressing our limited budget.

Ryan Barrett
County Manager

Sean Swope
First District

Lindsey R. Pollock, DVM
Second District

Scott Brummer
Third District

Rieva Lester
Clerk of the Board

The lack of contract attorneys available to assist creates a significant bottleneck in the justice system, increasing delays and jeopardizing timely access to legal representation for residents. These stringent caseload standards will only worsen the situation by forcing the county to retain even more conflict attorneys, with no additional financial assistance from the state to offset these additional costs.

Like many rural jurisdictions across Washington, Lewis County already struggles to recruit and retain qualified contract public defenders due to limited funding and high workloads. If the new standards are implemented without corresponding state funding, the county will be forced to make difficult trade-offs detrimental to all residents in our community.

As we currently are facing a significant budget deficit, these new mandates will force additional reductions to critical programs, force staff cuts and / or limit essential services, which would negatively impact our residents. The new standards risk placing public defenders under excessive pressure, leading to longer wait times, and, ultimately, diminished access to justice for those who need it most.

The National Public Defense Workload Study and feedback from former public defenders emphasize the risks of imposing reduced caseload limits without appropriate financial support. If counties like ours are left to shoulder these increased costs alone, the intended improvements to the indigent defense system will be undermined by disrupted service delivery and budgetary strain on local governments.

We respectfully urge the Court to delay implementation until a comprehensive funding plan is developed to assist counties in meeting these new requirements. We also request that rural counties be granted greater flexibility to phase in these changes in a way that aligns with our unique fiscal and staffing realities.

Thank you for your time and thoughtful consideration. We remain committed to providing high-quality indigent defense and look forward to working collaboratively to achieve this goal in a sustainable and equitable manner.

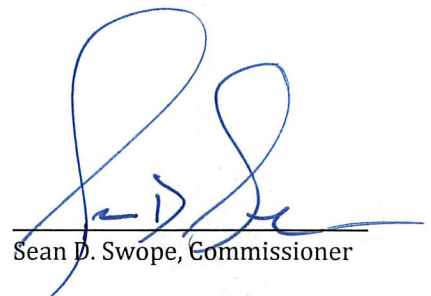
Sincerely,



Scott J. Brummer, Chair



Lindsey R. Pollock, DVM, Vice Chair



Sean D. Swope, Commissioner

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: Public comment re caseload standards
Date: Tuesday, October 22, 2024 1:18:32 PM
Attachments: [2024-10-22 Caseload standards - Lewis County BOCC.pdf](#)

From: Rieva Lester <Rieva.Lester@lewiscountywa.gov>
Sent: Tuesday, October 22, 2024 11:54 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: BOCC <BOCC@lewiscountywa.gov>
Subject: Public comment re caseload standards

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Greetings,

Please see the attached comments from the Lewis County Board of County Commissioners.

Thank you for your time.

Regards,

Rieva Lester, CMC
Clerk of the Board
Lewis County Board of County Commissioners
351 N.W. North St.
Chehalis, WA 98532
360-740-1419 I Rieva.Lester@lewiscountywa.gov