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Subject: FW: Support for Reduced Caseload Standards
Date: Thursday, September 26, 2024 9:31:08 AM

From: Lisa Herbold <lisalouh@hotmail.com>
Sent: Thursday, September 26, 2024 9:25 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Support for Reduced Caseload Standards

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Dear Washington Supreme Court,

I am writing today to ask you to please support reduced caseload standards. I know you are very busy, but if you haven't yet seen this interview, please take three minutes to watch this interview from King 5 news: [Proposal aims to cut Washington public defender caseloads, critics say it's too costly \(msn.com\)](#).

I know as well that you share my belief that Washington State residents must receive their 6th Amendment rights, specifically, the right of a criminal defendant to have representation by an attorney in assistance of their defense, regardless of their ability to pay. In King County. Public defenders and their support staff love their jobs doing their very best work for their clients. I'm proud to work alongside these public servants every day. However, public defense workers desperately need more support. Attorneys burn out and leave, the volume of work increases even more, and our clients suffer.

This is not a theoretical problem; peoples' liberty and lives are on the line.

Maybe you know the story of how when Clarence Earl Gideon was denied a court appointed attorney in 1963. While serving his sentence, Gideon began studying law and handwrote a petition asking the US Supreme Court of the United States to hear his case, with the result that they unanimously ruled in Gideon's favor, with Justice Black saying:

"The right of one charged with crime to counsel may not be deemed

fundamental and essential to fair trials in some countries, but it is in ours. From the very beginning, our state and national constitutions and laws have laid great emphasis on procedural and substantive safeguards designed to assure fair trials before impartial tribunals in which every defendant stands equal before the law. This noble ideal cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him."

The poor representation that many of our clients receive is a hidden cost that the public never sees, and decision-makers have historically felt little impetus to fix. The current standards have not changed significantly since they were adopted in the 1970s. They don't distinguish between different types of felonies nor different types of misdemeanors, resulting in felony crimes only getting 11 hours of staff time and 4.5 hours per misdemeanor. There is a public safety consequence of inaction. Survey after survey shows that not as many new attorneys are entering the public defense field because the workload is too high, compensation is too low, and adequate support is not available. For the same reasons, attorneys, many with decades of experience, are leaving at increasingly high rates. With attorneys leaving the profession, criminal cases without a public defender can't move forward, resulting in fewer crimes being prosecuted and cases dismissed.

Thank you for your consideration and attention to this looming crisis of justice.

Sincerely,

Lisa Herbold