

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: Comment on public defender caseload standards
Date: Monday, September 23, 2024 4:04:30 PM

From: Diop, Marième <sdiop@kingcounty.gov>
Sent: Monday, September 23, 2024 3:34 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on public defender caseload standards

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Justices of the Washington State Supreme Court,

I am writing in strong support of the proposed court rule amendments to codify the WSBA's recently passed criminal caseload standards for public defenders.

The current unsustainable workloads are an egregious violation of our clients' constitutional right to a speedy trial. While public defenders certainly do their best to provide the best possible representation to our clients, there is only so much that one can do when overwhelmed with untenable caseloads.

I realize that you will hear that institutional actors claiming that these standards are impractical or too expensive. But while these concerns are real, they should not be weighed more heavily than our clients' constitutional rights under the Sixth Amendment. Without the relief of the caseload standards, the quality of representation provided to people who do not have the financial ability to hire a private lawyer will continue to get worse. Inevitably, public defenders will keep reaching the conclusion that we can no longer practice public defense while honoring our ethical obligation to our clients, and leave the field entirely.

It is crucial to center our clients in this conversation. As things are right now, indigent persons in Washington often do not receive the level of representation they are legally entitled to because their public defenders have too many cases. The outcome of a case should be determined by its merits and legal strength, not the capacity of an overworked defense attorney. It is essential to ensure that the most vulnerable members of our society have effective assistance of counsel.

Gideon v. Wainwright is the law, and it is the government's obligation to provide effective representation to people who cannot afford lawyers.

I strongly urge you to adopt the proposed rules that would codify the WSBA's caseload standards for

public defenders so the right enshrined in *Gideon* entitles my client to more than just a warm body with a bard card.

Best,

Marième Diop | [pronunciation](#) | she/her

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