



Mayor Lisa Brown

October 23, 2024

Washington State Supreme Court
12 Ave SW W
Olympia, WA 98504

Honorable Justices:

We are writing to express our serious concern related to the proposed standards for indigent defense. As you are aware, the proposal is a culmination of a 15-year national study of Indigent Defense undertaken by the RAND Corporation in conjunction with the American Bar Association, the National Center for State Courts, and legal and public defense experts from across the nation. These standards have now been referred to the Washington State Supreme Court for possible adoption, which would require all Indigent Defense agencies to accept and follow the Standards. We appreciate the study's underlying philosophy that excessive caseloads inhibit a defense attorney's advocacy and produce unreliability and lack of credibility for victims, witnesses, defendants and the broader community. However, **the proposed standards will require the City of Spokane to dramatically increase public defense staffing and funding from \$3.5 million to \$10 million, and does not account for additional ancillary impacts. Without state support - this would be financially devastating considering the City's \$10 million budget deficit, constrained workforce, and limited court-related facilities.**

The City of Spokane currently employs 19, full-time public defense attorneys. Based upon available data, the City Public Defender's Office estimates that the proposed case weighting standards would require the office to increase staffing to a minimum of 27 full-time attorneys by 2025, a minimum of 33 full-time attorneys by 2025 and an astounding 62 full-time attorneys by July 2027. This is essentially a tripling of current full-time attorney staffing, plus the support and supply costs, including but not limited to: computers, monitors, and licenses to access legal databases for research.

Attorney costs are not the only budgetary impacts from the proposed standards. Additionally, by July 3, 2028, under the proposal each public defense agency *shall* have a minimum of one full-time mitigation specialist or social worker for every three full-time attorneys. The City's Public Defender's Office does not currently employ any social workers, which means that by July 2028, the office would need to employ or contract with approximately 20. The same ratio will be required for investigators. The office currently contracts with three investigators.

A Better Way Starts Here

808 W. Spokane Falls Blvd. • Spokane, Washington 99201-3335
Phone: 509.625.6250 FAX: 509.625.6563

That number would jump up to approximately 20. The mandatory ratio for paralegals/legal assistants by July 2028 is one for every four full-time attorneys. The office does not currently employ paralegals/legal assistants, and would need to hire, or contract with approximately 15. **In sum, by 2028 the overall full-time employee count in the Public Defender's office would increase by 95 positions** (+ 43 attorneys + 20 social workers + 17 investigators + 15 paralegals). The office would need to expand to a new facility to accommodate the surging staff.

There is also a likely "domino effect" that would impact other City departments, such as the Prosecutor's Office and Municipal Court. For instance, a reduced caseload for public defenders will lead to additional time to thoroughly investigate cases, which could increase the number of motions filed and cases taken to trial. This in turn would require additional prosecutor and court capacity.

The City of Spokane applauds all efforts to ensure a fair, equitable, and just legal system. Without adequate state support, however, the proposed new Standards for Indigent Defense will have significant and substantial impacts to the City's budget and our ability to address the upstream contributing factors to indigency and criminal activity. **Indeed, if adopted, the City of Spokane would be forced to increase the Public Defender's Office budget from \$3.5 million to over \$10 million, secure additional office space, and struggle to complete for a limited pool of qualified employees.**

Please do not hesitate to reach out for additional information.

Sincerely,



Lisa Brown

City of Spokane, Mayor



Betsy Wilkerson

City of Spokane, Council President

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: City of Spokane re. proposed public defense caseload standards
Date: Monday, October 28, 2024 8:16:35 AM
Attachments: [image001.png](#)
[CityofSpokane comment caseloadstds.10.23.24.pdf](#)

From: Yates, Maggie <myates@spokanecity.org>
Sent: Sunday, October 27, 2024 2:20 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Mayor <mayor@spokanecity.org>; Wilkerson, Betsy <bwilkerson@spokanecity.org>; Cannon, Sarah <scannon@spokanecity.org>
Subject: City of Spokane re. proposed public defense caseload standards

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Honorable Justices,

Please see the attached letter from Mayor Lisa Brown and Council President Betsy Wilkerson regarding the proposed revisions to public defense caseload standards. Thank you for the opportunity to comment.



Maggie Yates
Deputy City Administrator
Office of Spokane Mayor Lisa Brown
808 W. Spokane Falls Boulevard
7th Floor
Spokane, WA 99201
(509) 564-5031 (cell)
myates@spokanecity.org

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