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**Subject:** FW: Comment on Proposed Caseload Standards  
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**From:** Campera, Molly <mcampera@kingcounty.gov>  
**Sent:** Wednesday, October 30, 2024 3:28 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment on Proposed Caseload Standards

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Good Afternoon,

There are very few professions in this country that are constitutionally mandated to exist—a public defender is one of those. Case law makes clear that the constitutional requirements extend beyond simply having a warm body push a guilty plea through the system. However, the current caseloads plaguing public defenders render representation in most cases to be nothing more than a lawyer standing next to someone giving the system the illusion of justice being done.

The constitutional requirements for effective assistance of counsel requires an attorney, at a minimum, to review all the discovery in a case, interview all witnesses, track down possible defense witnesses, request relevant records, research and write motions, meet with clients to review discovery and discuss their options, negotiate a case, and try a case if a client wants a trial. I can say with certainty that there is not a single case on my current caseload in which I have met all of these constitutional requirements. There is simply too much work and not enough hours in the day to accomplish even a fraction of what each case is constitutionally mandated to receive, let alone what each individual person deserves. At the end of the day, the people who are most harmed by the crushing caseloads public defenders face are public defense clients—by definition poor and because of systemic racism, largely people of color. Long delays in bringing cases to trial not only burdens the system, but has real impacts on people's lives. I have had clients languishing in jail who missed the opportunity to say goodbye to a dying family member, who missed the birth of a child, and juvenile clients who missed the start of the school year because I lacked the time to address their case in a timely manner. That is unacceptable to me on a personal level and should be unacceptable to the people of Washington.

I am not alone in these feelings and many of my colleagues are leaving the profession because they can no longer sustain the number of hours needed to try to manage a caseload. In the time since

the Court began taking public comments on the proposed caseload standards, coworkers have left my office in such a large number that I have lost track of how many people have left. Their work gets redistributed to others who are already overburdened, which perpetuates the burnout leading to people leaving the profession. This cycle coupled with the lack of constitutionally acceptable representation is a crisis and the crisis will only worsen if action is not taken now.

There has been a considerable amount of concern expressed about the three-year rollout, much of it focused on budgetary constraints. However, the crisis we are in will not get better by not taking action. Delaying the implementation will only further contribute to people leaving the field and not having enough experienced attorneys to handle the most serious cases in the system. As more individual attorneys hit their breaking point and leave, the system will break. Adopting the proposed caseload standards with the current timeline is the only way to try to mitigate the crisis we are in.

Thank you,

**Molly G. Campera**

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