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To: [Martinez, Jacquelynn](#)
Subject: FW: Please adopt the new caseload standards for indigent defense
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From: Eyre, Pandora <Pandora.Eyre@kingcounty.gov>
Sent: Friday, September 20, 2024 8:37 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Please adopt the new caseload standards for indigent defense

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Honorable Supreme Court Justices:

I am writing to add my voice to the long list of my amazing and incredible hard-working colleagues who have made careers in Public Defense. I have been an investigator for over 30 years now, the past 20 plus at the SCRAP Division of the King County Department of Public Defense. I have seen changes of various kinds over the years, from being a non-profit independent agency that contracted with King County, to going "in house" and becoming a King County Agency. One thing that stands out over the more recent years of my work life have been the increase in cases and discovery that I have to review and process in order to effectively assist my attorneys and clients on their cases.

Most of my career I have worked on Felonies, and it has become more and more difficult because of the volumes of discovery that we now have to review, including BWC video, ICV, and other types of electronic DX that didn't exist when I first started. I remember that back in the 2000s, if I had a caseload of 25 cases I was "swamped" (and this was before BWC etc.) and now, I usually juggle between 60 and 70 cases, many of them serious felonies such as Murder or Assault. Investigators actually do a lot of the pre-trial legwork on these cases and it is important to make sure that we are reviewing and checking what the police and other State actors have done, and to ferret out information and evidence which might support our defense theory, and interview witnesses, etc. Many times I have to figure out which cases require my attention when really, they all do. The attorneys are so busy in court and at the jail, I do not always have the time I would like to discuss what I'm finding with them. It just is not good for the client when we can't focus and give every case the attention it deserves.

Another big issue is that attorneys (and other staff) have been leaving public defense at an alarming rate. When I first started at SCRAP in 2002, there were several senior and experienced felony attorneys who had been there for many years (it was their career!), and newer attorneys would usually stay 3 to 5 years if they were going to use public defense work as a "stepping stone" to a private

law firm career. In the past 5 to 10 years, there have been so many attorneys who have come and gone after just a year or two! I've always been a little surprised by this, but then again, I understand. They are required to work 60 to 80 hours weeks and can never really get out from under their burdens. Many of the most senior felony attorneys that I have worked with for years (and greatly respect) have been retiring (or leaving), as they get into their late 50s and 60s, and that has left a hole in the upper levels of our office of having experienced attorneys who are actually qualified to work on Class A Felonies.

Many of the opposing voices raising concerns about the new caseload standards are calling for the Court to hold the course, convene panels, conduct studies, and attempt to discern the potentially unforeseen impacts of these rule changes. These rule changes, they argue, will ultimately lead to disarray because of a public defender shortage. However, these voices ignore the obvious problem with their argument: the public defense system is already in disarray because are already far too few public defenders in Washington. There are not enough attorneys to handle the number of criminal cases being filed, plain and simple. If nothing changes, the disarray will remain. The voices being raised against lowering the caseload standards are asking the Court to put its head in the sand and ignore the crisis staring it in the face. The Bar Association has already taken action on this crisis. The Court must also take action to begin to remedy this crisis. If the Court does not act to significantly reduce caseloads, more public defenders will quit, and the crisis will become more and more acute.

Please adopt the new case load standards so that we can effectively hold up the constitutional rights of our most vulnerable citizens.

Thank you for your consideration,

Pandora Eyre

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