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From: Mangone, Robert <rmangone@kingcounty.gov>
Sent: Wednesday, October 30, 2024 5:01 PM
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Subject: Support for CrR3.1/CrRLJ3.1/JuCR9.2 STDS Amendment

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Good Evening,

I am a public defender in King County, Washington, and I am writing in support of the proposed case load standards for indigent defense. I went to law school with the sole intention of being a public defender, I have been a public defender since 2021, and I want to remain a public defender throughout my legal career. I feel privileged to advocate and fight on behalf of my clients each and every day. And I cannot imagine doing anything else.

Without changes to our current caseloads, however, I worry that a career in public defense will be unsustainable. Already, I find myself missing family functions, staying up late into the evening, and working during my time-off simply so that I can stay afloat. My clients deserve a lawyer who has time to research critical legal issues, fully and carefully review the discovery in their case, and build trust and rapport with them. I do everything in my power to be that lawyer for my clients, and I see every day how my colleagues do the same. But with the current caseloads, we are often fighting a losing battle, forced to triage cases and issues and unable to give each of our clients the time, attention, and care that they deserve.

Since joining my office, I have seen numerous colleagues forced out of indigent defense due to debilitating caseloads. When attorneys are forced to leave, there is a direct impact on the quality of representation that our clients receive. Their cases cycle through multiple attorneys, each of whom must learn the case, build rapport with their client, and prepare a zealous defense. During this time, our clients are often forced to wait in custody for months or years before they can resolve their case or proceed to trial. Members of the community impacted by our clients' cases—such as their families, loved ones, and victims of crime—are also forced to wait as this process drags on.

Implementing the case load standards could break this cycle. I feel certain that many of my

amazing colleagues who have been forced out of indigent defense over the past few years would still be working at DPD if we had meaningful case load limits. Likewise, I feel certain that our clients would receive higher-quality representation if these standards are adopted.

Opponents of the new case load standards argue that it would be logistically challenging and financially burdensome to implement the new standards. This argument is not new. During the litigation leading to the United States Supreme Court's decision in *Gideon v. Wainwright*, the State of Alabama, joined by the State of North Carolina, filed an amicus brief that contained arguments similar to those now raised by opponents to the case load standards. There, the State wrote:

Many of the less affluent counties of a state may find that in non-capital prosecutions it is an unbearably onerous financial burden to pay the fees of attorneys, especially where in good conscience the lawyers can only recommend that their clients enter guilty pleas. Conceivably, this might act as a deterrent to effective law enforcement. Furthermore, it is not an uncommon situation in thinly populated rural counties for there to be more persons charged with crime than there are lawyers versed in criminal practice; and some judges may encounter real difficulty in appointing enough qualified lawyers to serve at their criminal terms of court.

Amicus Curiae Brief for the State of Alabama, 13, *Gideon v. Wainwright*, 62-155 (U.S. 1962). Thankfully, the United States Supreme Court was not persuaded by these arguments. See *Gideon v. Wainwright*, 372 U.S. 335 (1963).

I respectfully request that this Court carry on the *Gideon* Court's legacy and enact meaningful case load standards that will help ensure that all persons in Washington have access to effective counsel, regardless of their ability to pay.

Thank you,

Rob

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