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Subject: FW: Support for 2023 National Public Defender Workload Standards
Date: Friday, October 18, 2024 11:39:50 AM

From: Robert O'Neal <roneal@snocopda.org>
Sent: Friday, October 18, 2024 11:37 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Support for 2023 National Public Defender Workload Standards

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Honorable Justices of the Washington State Supreme Court

Temple of Justice

Email: supreme@courts.wa.gov.

Subject: Support for the 2023 National Public Defender Workload Standards

Dear Justices of the Washington State Supreme Court,

I believe it is imperative that Washington adopt the proposed 2023 National Public Defender Workload Standards.

I have been an attorney at the Snohomish County Public Defender Association since August 2002 (more than 22 years at present). I also practice regularly in Skagit County (due to a contract our office maintains with that county), and I have friends and colleagues who are public defenders in jurisdictions across the state (and, in fact, across the country).

The proposed standards have the potential to rectify many infirmities and inadequacies in the system as it currently exists.

We need improved standards for non-attorney staff at public defender offices and agencies: administrative staff, investigators, social workers, technical support, and HR are all vital components in a public defense system. These non-attorney positions are indispensable parts of the process, not luxuries: the best trained lawyer is ill equipped to perform the roles of these professionals; furthermore it is cost efficient to robustly fund them. By short-staffing these roles, the jurisdictions that pay for public defense services risk paying attorneys (the

highest-paid employees at a defender office) to set up computers, make phone routine phone calls, do clerical tasks, etc, which while necessary to be done do not require a lawyer to do them (not to mention that lawyers are not trained and are not skilled at filling these roles), or it risks simply having these tasks go undone, thereby impeding our work that way.

Realistic and sensitive caseload standards for attorneys are also vital for a myriad of reasons: most importantly, the quality of the service we give to our clients (and thereby to the community in general) hinges on the amount of time, attention, and energy we can give to a case; there are limited hours in our days, weeks, and years, and it is simple math to show that higher caseloads mean lower quality work for any given case or client.

Finally, as I grow older in this job, I also feel increasingly justified in protecting and defending the wellness of my colleagues: we can only do so much before we are overwhelmed and sickened by too much work and/or the moral injury that comes from too much compromise, triage, and scrambling. Caseloads and conditions for public defenders have improved during my two decades of work in this field, and for that I am glad, but that is not to say that things are manageable in a healthy and sustainable way. Continued change and improvement is needed, and these new proposed standards show promise in the right direction.

Please consider this input and adopt the new proposed standards

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Thank you for your consideration.

Sincerely,

Robert D O'Neal – WSBA #32902

Attorney (Felony Unit – Snohomish and Skagit County)

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