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To: [Martinez, Jacquelynn](#)
Subject: FW: Public defense caseloads
Date: Friday, September 6, 2024 8:05:30 AM

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From: ROBERT WHALEY <rhwhaley@aol.com>
Sent: Thursday, September 5, 2024 6:30 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Public defense caseloads

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I worked for the United States Department of Justice and United States Attorneys office for 4 years, practiced criminal and civil law in Spokane for 20 years and served three years on the Superior Court and on the federal district court since 1995. My daughter is a public defender in Snohomish County and made me aware of your consideration of case load limitations.

When I was in law school at Emory University in Atlanta in the 60's, Gideon v. Wainwright was decided and I was assigned to represent felons in state court as the states struggled to respond to the dictates of Gideon. I have been exposed to public defense ever since.

People cannot be represented to the level required by the Constitution when their lawyers do not have enough time and resources to dedicate to their cases. The case levels for public defense in state court does not leave enough time for proper analysis and handling of individual criminal cases and they often, are dealt with as fungible goods between prosecutors and over worked public defense lawyers. The case load for federal defenders is well below the state level and the quality of representation reflects the case loads of the respective courts.

I strongly urge you to seriously study the case load currently being handled by public defenders and arrive at a limitation that assures a level of representation consistent with the Constitution.

Robert H. Whaley