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Subject: FW: Comment on Proposed WSBA Standards
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From: Saybin Shankman <SShankma@co.whatcom.wa.us>
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Subject: Comment on Proposed WSBA Standards

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I am writing in support of the proposed WSBA standards. The current caseload standards have resulted in widespread violations of defendant's rights to speedy trial and effective counsel. The current caseloads have created a system where defendants are constantly having to choose between the right to effective counsel and their right to speedy trial. The system puts them at a disadvantage either way. Either they go to trial with under prepared counsel or they continue. If the defendant is in custody, continuing often means that they are remaining in custody, sometimes beyond the amount of time they would be sentenced. Even if the defendant is not in-custody there are still consequences due to the stress of having a pending cases and the interruptions to their daily lives due to court appearances or pretrial conditions. This also means that victims and other witnesses lives are also interrupted and left in limbo.

Due to the current caseloads defense attorneys are forced to triage cases and run at full speed from case to case in a way that inevitably means things are missed. Often things are not resolving or going to trial because the cases are truly fully prepared, but only because either the court is not giving the parties any more time or the defendant gives up their defense in return for finality and the ability to move forward. In neither case is justice being served.

The current caseloads also mean that great attorneys who are willing to work in public service are being run ragged in a way that leads to deep burnout. This then translates into these attorneys leaving the field. Much of the push back against these changes is in the daunting prospect of finding enough people to fill these positions. If this work was more sustainable then more attorneys would seek this work out and many more would stay.

Thank you,



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