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Subject: FW: Comments on Public Defense Standard
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From: Shaunita Felder <sfelder@mountain.law>
Sent: Thursday, July 25, 2024 8:46 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comments on Public Defense Standard

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Good morning,

I think there should be some requirements that the Prosecutor's Offices should have to follow regarding public defense standards. One of the reasons why cases get stalled and public defenders get blamed is due in part to totalitarian, extremist Prosecutor's Offices who only care about racking up statistics and rankings for themselves instead of serving the public good.

One such example of an office like this is up in Whatcom County, where cases stall and get deadlocked for months in the Superior and Juvenile courts for no good reason. I think there should be regulations for the Prosecutors as well related to how public defense cases are handled to ensure that Prosecutors are responding quickly and within certain timelines for public defense cases, they are providing discovery in all forms that actually work to public defenders and that that they are sending over offers and/or are willing to negotiate cases and not abuse their power by ignoring emails, delaying and withholding discovery, refusing to negotiate when they have lack of evidence, etc. I have experienced this in Whatcom County when I was a conflict attorney there. Cases were still being processed even though attorneys could not be found for many of the defendants there and conflict attorney searches were reaching all over the state with no limited success.

I think if there were more Prosecutor's Offices that actually cared about justice and the community in an overall way and not just their own power and statistical accolades, the Public Defense caseloads and issues that have been

presented recently could be greatly resolved.

I think also that there should be more opportunities for newer lawyers to handle more complex cases without having to wait for the 3 to 5 years of experience that the current standards require. If a newer lawyer is working in a firm or in a solo practice with an older more experienced attorney, they should be allowed to handle felonies and other cases without waiting for a set number of years. . Some of the attorneys that have 3 to 5 years of so called experience who are allowed to handle more complex cases are no more prepared, no more intelligent or no more experienced than some of the newer attorneys who are trying to get their foot in the door. It creates an unnecessary hierarchy and deprives the public of attorneys that could be available to assist and get cases resolved and moved through the system. I think that should also go for the 1-year rule as well. I think it depends on the quality of a person's experiences within the time they have been an attorney, not a set number of years. There is no guarantee that that number of years a person has in the field makes someone a better attorney than anyone else. Some people are only in certain jobs in the legal field because they have relatives such as parents who were judges or attorneys or spouses of people in the field and the years they have been doing something is only from their connections, not from their merit. This hierarchy of required minimum years deprives the public of all available attorneys who could be assisting on these cases that are clogging the system and deprives newer lawyers from challenging themselves and being of complete service to the public and the Bar.

Thank you,

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