

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Letter in Support of RAND Standards  
**Date:** Friday, October 18, 2024 4:54:37 PM

---

---

**From:** Stephen Ritchie <[SRitchie@theritchiefirm.com](mailto:SRitchie@theritchiefirm.com)>  
**Sent:** Friday, October 18, 2024 4:54 PM  
**To:** OFFICE RECEPTIONIST, CLERK <[SUPREME@COURTS.WA.GOV](mailto:SUPREME@COURTS.WA.GOV)>  
**Subject:** Letter in Support of RAND Standards

You don't often get email from [sritchie@theritchiefirm.com](mailto:sritchie@theritchiefirm.com). [Learn why this is important](#)  
**External Email Warning!** This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Supreme Court Rules Committee:

I submitted a stock letter in support of the RAND standards, but felt this issue was too important for a mere stock letter—so I wanted to submit a customized response as well.

My name is Stephen Ritchie and I started my career at the Legal Aid Society of New York City, Manhattan Criminal Defense Division. After one year there, I moved to indigent defense in federal court in the Southern and Eastern Districts of New York. After 3 years there, I moved back home to Washington and began my career in Washington at the Snohomish County Public Defender Association. In my five years at SCPDA, I handled rotations in District Court, Superior Court, Juvenile Court and statewide representing sexually violent predators in 71.09 actions. When it comes to public defense, it is fair to say I have done it all in many different jurisdictions.

After 5 years as a public defender in Washington, and about 9 years in public defense overall, I could not handle the crushing caseloads of public defense work and left for private practice. A couple of years later, I started my own firm. Because indigent defense is the reason I got into law in the first place, I still give back to this cause by serving as a conflict panel attorney for public defender agencies in both State and Federal Court. I have to be honest when I say, the far-too-high caseload standards are starting to make me rethink my position on these conflict panels, as I am beginning to experience much of the burnout and trauma that caused me to leave my role as a public defender. The conflict panel in our county has a woefully inadequate number of attorneys qualified to take aggravated murders and other serious felonies. I have started saying no to private clients so that I can help with the overflow of serious felonies for which the local public defender has a conflict. Almost daily, OPD reaches out asking me to take “just one more case” and the guilt I feel saying no is crushing—because I know that by me saying no, someone with a far worse caseload is likely to inherit yet another complicated felony case. But I have to say no because I already have OPD appointments for a double aggravated murder, another OPD appointment for murder 2, and another double aggravated murder that is in precharge status but could be filed any day now. Unlike my colleagues at public defender offices, I at least have the option to say no when I know if I take another case, my representation to my other clients may suffer. Despite this freedom, I still have overloaded myself with public defense cases to try to help the cause about which I am so passionate,

and to ensure that an attorney who is unqualified to take these serious cases doesn't end up in over their head. In other words, even though I left a public defender office to escape high caseloads, I seem to have ended up right back to where I started.

Working in public defense is an emotional roller coaster. You work your hardest every day, often including weekends, to represent society's most marginalized people. While the work is rewarding, it is simultaneously guilt-riddling. Although you often put in 80+ hour weeks regularly between court appearances, jail visits, calendar coverage, case investigations, motions practice and trial, and feel good about that work, you also feel guilty about all the work you simply don't have time to do, and all the corners you have to cut on each case just to do less than the bare minimum on every other case you have. You gain incredible comradery by fighting a broken system with your colleagues, only to be daily disheartened by the fact that you can't do more to combat a system that is constantly against you and your clients. You watch as your favorite colleagues drop one by one from your office, because they can no longer be a part of the problem. Their departures only make the problem worse until it reaches crisis levels, which is where we find ourselves now.

The fact is, a lot of this country's most talented attorneys choose a career as public defender. They are a passionate and hardworking group, and our respective counties are lucky to have this population serving them. A select few of these people tough it out for their entire career—but a vast majority of these talented attorneys eventually choose sanity over the cause, and take much easier legal jobs because they ultimately have to prioritize their own mental and physical health. Several of my colleagues who have stayed their entire career in public defense have had strokes and heart attacks by age 50. Many have had tragic divorces because often times this career requires you to choose trial over your loved ones. Others have fallen victim to substance abuse—having learned, like many of our clients, to use substances to mask the guilt of not being able to do more for their clients. This is truly a crisis.

We cannot ignore the fact that there is a public defense crisis in this State, and all over the country. The amount of time it takes to be a public defender in today's climate under current case load standards is impossible. The more impossible it becomes, the more people leave the world of public defense and their caseloads get shoved onto defenders who are already overworked. Those people then leave the profession, only to dump their caseloads onto an even smaller group of remaining defenders, and the cycle continues. Occasionally, the well gets replenished by eager recent graduates, who suddenly are moved into felony practice after a few months and find themselves completely unprepared and lacking the experience to handle a serious felony caseload. Because the experienced defenders are too busy under water with serious felony cases, they cannot spend time mentoring the new generation to ensure they are qualified before entering felony-level practice. This is an unsustainable system. Without intervention, the public defense crisis will continue to worsen and this State and local counties will be unable to fulfill Gideon's promise of competent and qualified counsel for all—even the poor.

I am not sitting here telling you that these caseload standards will solve this issue entirely. But caseload standards ARE one of the more imminent issues in front of the legal community today. By adopting more realistic standards that reflect the true nature of work that should be performed by all public defenders on their respective caseloads, we are signaling to the public defense community that we acknowledge the issue, and are committed to resolving it slowly but surely. A vote against adopting these new RAND standards is a vote against constitutional guarantees—which each and every one of us promised to uphold when we were sworn in as an attorney and/or judge.

Please take your duty to defend and uphold the constitution seriously and vote to adopt the RAND standards for caseloads in indigent defense. If you adopt these standards, you may be able to win back some people who left public defense and slowly rebuild public defender offices with a staff that can actually handle the cases in front of it.

Thank you for your time and consideration.

Stephen Ritchie, WSBA # 50400.

*Stephen Ritchie* | Stephen Ritchie  
Founding Attorney | *The Ritchie Law Firm PLLC*  
2722 Colby Avenue, Suite 603A  
Everett, WA 98201  
(206) 636-6599  
[SRitchie@TheRitchieFirm.com](mailto:SRitchie@TheRitchieFirm.com)

-  
**CONFIDENTIAL: ATTORNEY-CLIENT PRIVILEGED; ATTORNEY WORK PRODUCT:**

Emails and attachments received from us may be protected by the attorney-client privilege, as attorney work-product or based on other privileges or provisions of law. If you are not an intended recipient of this email, do not read, copy, use, forward or disclose the email or any of its attachments to others. Instead, immediately notify the sender by replying to this email and then delete it from your system. We strictly prohibit any unauthorized disclosure, copying, distribution or use of emails or attachments sent by us.