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April 29, 2025

Washington Supreme Court  
415 12<sup>th</sup> Ave SW  
Olympia, WA 98501

RE: Standards for Indigent Defense Appellate Case Loads

Dear Clerk of the Supreme Court:

The amendments should be adopted. A caseload of 36 appeals has become unmanageable and harmful. Not only for the overworked attorneys struggling to keep up, but the individual clients whose lives depend on effective representation. Triage and limiting case activities because of insufficient time is a real danger.

On a personal note, I have suffered health issues due to the mounting pressure. I have known several attorneys who left indigent defense appellate work altogether for similar reasons.

The current indigent defense standards fail to account for the growing complexity and workload demands on our attorneys. Over the past decade, assigned cases have consistently increased in volume, severity, and required effort. Current standards assume 350 pages per case, but our data shows an average of 400 pages, with more cases exceeding 1,000 pages. Personally, I have completed many appeals this last year that were well over 1,000 pages.

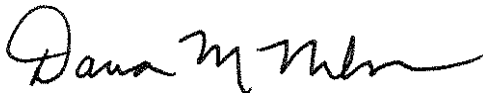
Complicating matters, assignments on murder cases have nearly doubled since 2015/2016 and more than tripled from 2020 to 2023, outpacing even local homicide trends.

We also handle many parental rights cases, often requiring urgent prioritization pursuant to the Rules of Appellate Procedure and involving voluminous exhibits not reflected in caseload transcript standards.

Finally, our assignment on personal restraint petitions has more than doubled since 2015, with a significant increase after 2020, requiring extensive time and investigation beyond typical appeals.

These trends highlight the urgent need to update indigent defense standards to reflect the actual workload and case complexity.

Sincerely,

A handwritten signature in black ink, appearing to read "Dana M. Nelson". The signature is fluid and cursive, with a large initial "D" and a stylized "M" and "N".

Dana M. Nelson  
Attorney

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Farino, Amber](#)  
**Cc:** [Ward, David](#)  
**Subject:** FW: Comment to Proposed Amendment to Caseload Standards  
**Date:** Tuesday, April 29, 2025 11:35:54 AM  
**Attachments:** [Proposed Amendment letter.docx](#)

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**From:** Dana Nelson <NelsonD@nwattorney.net>  
**Sent:** Tuesday, April 29, 2025 11:34 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment to Proposed Amendment to Caseload Standards

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Attached please find my comment to the proposed amendment to change caseload standards for indigent appellant defense. Thank you for your consideration.