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Subject: FW: Proposed Standards for Indigent Defense CrR 3.1, CrRLJ 3.1, and JuCR 9.2 (appellate caseload standards)
Date: Wednesday, April 30, 2025 2:22:14 PM

From: Devon Knowles <devon@washapp.org>
Sent: Wednesday, April 30, 2025 12:47 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed Standards for Indigent Defense CrR 3.1, CrRLJ 3.1, and JuCR 9.2 (appellate caseload standards)

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To the Clerk of the Supreme Court,

I ask this Court to adopt the indigent defense standards proposed in CrR 3.1, CrRLJ 3.1, and JuCR 9.2.

I have been an appellate public defender at the Washington Appellate Project since 2018. The vast majority of clients I currently represent are people of color who have been sentenced to death in prison (LWOP), de facto life sentences, or indeterminate life sentences. This includes Black youth who have been sentenced to 30-50 years in prison, robbing them of the ability to live a meaningful life in their communities. Most of my clients have already been represented by overworked and under-resourced public defenders at trial. Many have grown up without adequate housing or educational opportunities, or in foster care after watching their parents be represented by overworked public defenders in dependency cases. Failure to amend the caseload standards will fall squarely on the backs of people whose daily, educational, and legal needs have already been disregarded in the name of budgetary shortfalls.

The records in these cases are frequently thousands of pages. The case I am currently briefing consists of over 6,000 pages of verbatim reports of proceedings, over 300 court filings, and over 600 exhibits, some of which are hundreds of pages long. Providing effective representation in this case will come at a grueling personal cost to both me and my client. He waited months before I was even able to be assigned his case because I was already at caseload limits. I work long hours to make sure I can do my best by him while trying to also parent two young children and care for aging parents. It is simply unsustainable.

The pressure to rush these cases is intense, appalling, and heartbreaking. Yet with the current caseloads, there is no other choice. Amending the caseload standards is not simply a matter of

retaining public defenders, it is a matter of racial equity. This Court has recognized and committed to combating the institutional racism inherent in the criminal and child welfare legal systems. Providing effective public defenders honors this commitment.

Thank you for your consideration,

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