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Subject: FW: Comment on proposed amendments to CrR 3.1/CrRLJ 3.1/JuCR 9.2 - Standards for Indigent Defense (appellate caseloads)
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From: Guthrie, Stephanie <Stephanie.Guthrie@kingcounty.gov>
Sent: Tuesday, April 29, 2025 12:11 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on proposed amendments to CrR 3.1/CrRLJ 3.1/JuCR 9.2 - Standards for Indigent Defense (appellate caseloads)

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I am writing to express concern about the proposed one-third reduction in caseload standards for publicly funded appellate attorneys. There is no doubt that ensuring appropriate caseload standards is an important goal. However, as highlighted by the comment by Judge Lawrence-Berry, a one-third reduction in the current caseload standards would cause significant additional delays in the amount of time that indigent defendants must wait to have an appellate attorney assigned to their case. While the data provided in that comment about the number of defendants expected to obtain relief on appeal may be skewed by the number of cases remanded in the past several years solely to strike a Victim Penalty Assessment or DNA fee, it remains true that when a defendant is entitled to a new trial on appeal, it is in everyone's best interest—defendants, victims, and society at large—that the case proceed to retrial as expeditiously as possible. The longer appeals take to resolve, more likely it is that witnesses will become unavailable or memories will fade, or that victims will grow disheartened and stop participating in the process.

Publicly funded appellate criminal defense attorneys play a critical role in our court system, and it is undeniable that many of them work very long hours to keep on top of their workloads, as do many appellate prosecutors. However, I urge this Court to ensure that no alternative solution exists before taking steps that will result in even longer delays in indigent defendants having an attorney assigned to work on their appeal, and to ensure that any reductions in caseload limits is carefully tailored to be no larger than necessary.

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