
April 28, 2025

ABC Law Group, LLP
6303 Wetmore Avenue
Everett, Washington, 98203

Washington State Supreme Court
PO Box 40929
Olympia, WA. 98504-0929

RE: Support for Proposed Changes to CrR 3.1/CrRLJ 3.1/JuCR 9.2 – Standards for Indigent Defense (Family Defense Cases)

Dear Honorable Justices of the Washington State Supreme Court,

On behalf of ABC Law Group, a public defense firm dedicated to representing parents in dependency proceedings, we write in strong support of the proposed changes to CrR 3.1, CrRLJ 3.1, and JuCR 9.2. These proposed caseload limits and professional standards for family defense attorneys are long overdue, and we urge the Court to adopt them in full.

We know these standards are needed because we have lived without them. In the years following COVID, our office experienced the highest rate of attorney turnover since our inception. Many of our colleagues left not for lack of commitment, but because of the demands of the work—excessive caseloads, secondary trauma, and the sheer emotional weight of defending families in crisis - had begun to take a toll on their health and wellbeing. Several developed significant medical and mental health issues related to chronic stress. These are not isolated incidents. They are symptoms of a system that expects attorneys to absorb more than is humanly sustainable. The attorneys who stayed have often done so at significant personal sacrifice. But that sacrifice should not be a prerequisite to doing this work. No profession should be sustained through exhaustion and martyrdom. These standards are the first step toward building a system that supports sustainability, not burnout. We say this not to dramatize the situation, but to underscore the urgency of action. The current caseloads in many jurisdictions are simply incompatible with quality representation. And without standards, nothing compels the system to change.

Family defense is a complex, high-stakes, specialized practice. Unlike criminal cases, which are often rooted to a single moment in time, dependency cases are dynamic and evolving. Allegations change. Facts change. Case goals change. Attorneys must navigate years of discovery, a range of intersecting issues—including substance use, mental health, domestic violence, poverty, and cultural disconnection.

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A termination of parental rights trial, often referred to as the “civil death penalty,” is one of the most serious legal proceedings imaginable. And yet unlike criminal capital cases, which are subject to caseload caps and specialized qualifications, family defense attorneys in many counties are expected to prepare for these hearings with extremely high caseloads, minimal support, and barely any training. These cases are not just legally complex, they are emotionally and psychologically demanding. And the consequences of inadequate representation are profound: wrongful family separation, prolonged foster care, and multigenerational trauma.

In our experience it takes more than two years for most attorneys to become proficient in this area of law. Even experienced litigators entering family defense struggle to master its specific statutes, evidentiary burdens, trauma-informed client interaction, and the nuances of dependency court practice. Without adequate supervision, mentorship, and training—which the proposed standards explicitly require—attorneys burn out or, worse, inadvertently harm the very people they were appointed to protect.

The cost of this is not only institutional: families pay the price when new attorneys are unsupported and overwhelmed. Turnover delays cases, erodes trust, and diminishes the quality of advocacy at the moments when it matters most.

This is difficult, necessary, and deeply human work. Our attorneys stand beside parents during their most vulnerable moments, helping them navigate systems that can be dehumanizing, punitive, and unclear. We provide not only legal advocacy, but also stability, dignity, and hope. But no amount of dedication can overcome a system that asks defenders to do the impossible. Without reasonable caseloads, even the most talented attorneys cannot do what is required. And the toll—mental, physical, and emotional—has already cost our profession too much.

The status quo is not working, and these standards are a path forward. We understand the concern that these standards may be difficult to implement in a time of fiscal constraint. But the alternative—continuing without enforceable expectations—guarantees continued inconsistency, burnout, and systemic harm.

These standards will provide the clarity needed for meaningful funding discussions, quality assurance, and ethical representation. These standards make the gaps measurable. They give advocates, funders, and the legislature a common language to describe what is needed—and what is missing. And they will protect attorneys from being asked to violate their ethical obligations simply to maintain compliance with a system that currently demands the impossible.

The proposed amendments represent more than numbers. They are a promise: that every parent will have an attorney who has the time, training, and bandwidth to stand up for them. That every defender will have a workload that allows them to thrive in this work. And that every family will receive justice—not only in principle, but in practice.

Taila AyAy, *Partner*
Adam Ballout, *Partner*
Melinda Drawing, Esq.



Dana Halbert, Esq.
Connor O'Neil, Esq.
Atharshna Singarajah, Esq.
Max Butterbrodt, Esq.

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We urge the Court to adopt these standards as a critical first step in building a family defense system worthy of the families it serves.

Respectfully,

A handwritten signature in black ink, appearing to read 'Adam Ballout', written over a horizontal line.

Adam Ballout
Attorney at Law

A handwritten signature in black ink, appearing to read 'Melinda Drawing', written over a horizontal line.

Melinda Drawing
Attorney at Law

A handwritten signature in blue ink, appearing to read 'Connor O'Neil', written over a horizontal line.

Connor O'Neil
Attorney at Law

A handwritten signature in black ink, appearing to read 'Max Butterbrodt', written over a horizontal line.

Max Butterbrodt
Attorney at Law

A handwritten signature in blue ink, appearing to read 'Taila AyAy', written over a horizontal line.

Taila AyAy
Attorney at Law

A handwritten signature in black ink, appearing to read 'Dana Halbert', written over a horizontal line.

Dana Halbert
Attorney at Law

A handwritten signature in blue ink, appearing to read 'Atharshna Singarajah', written over a horizontal line.

Atharshna Singarajah
Attorney at Law

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Farino, Amber](#)
Subject: FW: Comments re: Support for Proposed Changes to Standards for Indigent Family Defense
Date: Monday, April 28, 2025 1:06:35 PM
Attachments: [Comments to Supreme Court for Parent Rep Standards - 4.23.25.pdf](#)

From: Taila AyAy <ayay@abclawgroup.net>
Sent: Monday, April 28, 2025 1:03 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Adam Ballout <adamballout@abclawgroup.net>
Subject: Comments re: Support for Proposed Changes to Standards for Indigent Family Defense

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Good afternoon,

Please find attached our comments in support of the proposed changes to CrR 3.1/CrRLJ 3.1/JuCR 9.2 – Standards for Indigent Defense (Family Defense Cases).

Please feel free to reach out if you have any questions or need anything additional from me.

Thank you,
Taila

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