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Subject: FW: Comment regarding family defense caseload standards
Date: Tuesday, April 8, 2025 1:53:38 PM

From: Backlund & Mistry <backlundmistry@gmail.com>
Sent: Tuesday, April 8, 2025 1:45 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment regarding family defense caseload standards

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We are writing to express strong support for the proposed amendments to caseload standards in family defense cases.

We have both worked in public defense since graduating from law school in 1993. We have broad trial court experience, representing public defense clients in all of the possible contexts. Our appellate work is likewise broad, encompassing all case types, including criminal, family defense, and involuntary commitment cases.

In our opinion, family defense attorneys bear the heaviest and most unreasonable burden under the current caseload standards.

Dependency cases involve a great deal of work outside the courtroom. Family defense attorneys help struggling parents reunify with their children. This requires navigating a child welfare system that is often indifferent (or even hostile) to the challenges faced by indigent mothers and fathers. Resources are scarce, stress is high, and bureaucratic forces create obstacles that can be insurmountable.

Faced with an overwhelming caseload, many family defense attorneys provide excellent representation by working unreasonable hours. Even so, they are forced to triage their cases, choosing which families will receive the most effective representation and which will not.

The result is that families and children suffer. Some children who could be safely returned home or placed with relatives are instead consigned to long stays in foster care. Other cases lead to irrevocable termination of the parent-child relationship, even where appropriate attention could have resulted in reunification.

The current caseload standard-- 80 open dependency cases-- makes it impossible for every client to receive the attention they deserve from their attorney.

When family defense is strengthened, outcomes are improved. We urge you to adopt the proposed reduction in caseload standards to ensure that Washington families receive the help they need when faced with the inevitable trauma that attends State intervention.

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