



April 30, 2025

Washington Supreme Court
415 12th Ave SW
Olympia, WA 98504

Re: Proposed Standards for Indigent Defense (family defense cases)

Honorable Justices:

We are attorneys and staff at the King County Department of Public Defense. On behalf of our family defense colleagues, we urge you to adopt the proposed changes to CrR 3.1, CrRLJ 3.1, and JuCR 9.2.

Caseload relief is sorely needed for **all** public defenders, in every practice area. Unlike the current caseload standards, the RAND standards reflect the reality of the work public defenders do. Those who contend that the current caseload standards allow public defenders to provide the effective assistance of counsel are not confronting this situation honestly. The amount of time we should be spending to provide high-quality defense services to each client is vastly different than the reality of the time we are able to spend providing services to each client. The technological advances we have seen in the past 25 years have complicated even the cases that initially seem the “simplest” and “straight forward.” What were once cases that could be investigated by the attorney and an investigator are now complex investigations that require not only more time and resources, but expert witnesses. Public defenders must have significantly smaller caseloads in order to provide the same caliber of services.

Family defense cases are uniquely complex, and the consequences are among the gravest that can be imposed on an individual by the state. These cases concern the areas of clients’ lives where they are the most vulnerable: their families and their children. Unlike other cases, which are pinned to a specific event or moment in time, dependency cases are dynamic and evolve over the course of years. Those changes bring challenges as well as opportunities. A parent’s arrest can give rise to an opportunity to enter treatment. A therapeutic service applied to visits that are going poorly can begin to mend a parent-child relationship. Thoughtful collaboration and negotiation between parties can preserve an in-home placement and prevent a removal. But all of these interventions depend on defense attorneys having the bandwidth to engage deeply with each case and each client. With caseloads at their current levels, that is simply not possible.

Family defense practice requires a significant amount of work that is outside the realm of traditional lawyering but is absolutely essential to effective representation. Family defense attorneys

work directly with clients to help them reunify with their children. Virtually every issue that impacts families is part of this practice; in addition to the dependency case itself, attorneys help clients navigate challenges related to criminal and family law, mental health treatment, substance use recovery, incarceration, domestic violence, public benefit programs, housing, and cultural factors. A typical day could see a family defense attorney walking a client through the process to quash a warrant, working with a social worker to find a treatment bed, helping a client create a safety plan to leave an abusive partner, or researching options for boarding a client's dog so they can go to inpatient treatment. When attorneys are forced to carry an unreasonably high caseload, they are severely limited in their ability to help clients work towards their goals—or perhaps more likely, they find themselves trying to fit these tasks into evenings and weekends at the expense of their own families and personal lives.

It is no secret that burnout and attrition in public defense is high. Attorneys reach a point where they are forced to choose between their clients and their physical and mental health; between long work hours and their families; between breaking down and getting out. For many of our colleagues, the punishing caseloads and the quality of representation they were forced to provide as a result made them feel as if they had no choice but to leave. Attorney attrition leads to case transfer, which causes delays and client suffering.

This impact is magnified significantly in family defense cases, which are extraordinarily difficult to transfer. A typical family defense case (which often includes both a dependency and a subsequent termination or guardianship case) may have thousands of pages of discovery; it is not particularly uncommon for a lengthy case to have ten thousand pages or more. It is extremely difficult, verging on impossible, for an attorney to take over a caseload from a departing colleague and successfully get up to speed on their cases in a reasonable period of time. Even more importantly, effective family defense representation requires attorneys to build deep and trusting relationships with clients, which cannot be transferred to a new attorney. When a parent has been working with the same attorney for months or years, often since the 72-hour shelter care hearing, it can be extremely demotivating to abruptly be transferred to a new attorney. When this happens multiple times in the life of a case, the client impact is severe, and the whole family suffers as a result.

It is a privilege to stand next to our clients and tell their stories. When we represent our clients, we learned the obstacles they faced in everyday life, the trauma they carried, and the barriers they faced to housing, medical care, and employment. We are honored to have the opportunity to help them. But it is terrible to come to this work to help society's most marginalized persons and end up feeling like you are part of the problem because you have too many cases to represent your clients the way they deserve. We urge you to be part of the solution where the ultimate goal is high-quality defense service for indigent clients and equity for struggling families.

In regards,

Aaron Burt
Abigail Petuchowski
Aiden Park
Aimee Martin
Alene I Faber
Alexa M Huling

Alexander Bernstein
Alexandra Fernandez
Alicia Ochsner Utt
Alison Liu
Alix Willard
Amber Preyer
Amy King
Ana Schmidt
Ana Unpingco
Anastasia Hill
Andres Mendez
Andrew P. Melendez
Andrew Repanich
Angel Lee
Angela Breeton
Angela Liu
Annette Gronlund-Henshaw
April Tate
Ariel Tsui
Arnold Prado
Austin Field
B de Peyster #47506
Bopha Sanguinetti
Brandon Easley
Brianna Behar
Brienne Leslie
Brit Chung
Bryan Cohen
Caitlin Harrison
Catherine Melgar
Chakshu Hurria
Charity edwards
Christopher M Franklin
Claire Beckett
Claudia Yescas
Colin Bradshaw, WSBA 61233
Colin Byrne
Colin OBrien
Cory Bargemann
Courtney Davis
Courtney Harmon
Courtney Martin
D. Kim Croft
Darius Fullmer
David A. Totten
Deb Scott, investigator with TDAD

Dennis Martin
Diana Alvarado Chavez
Diana De La Torre
Dillon Johnson
Edgar A. Beltran
Efthimia Barbagiannis
Eliane Helitzer
Elias Passas
Elizabeth Glenski
Elizabeth L. Angous
Elizabeth Parisky
Elizabeth Rueda Herrera
Emily Willard
Emma Benjamin
Emma Carlin
Emma Rekart
Enrique Frias - DPD Public Defense Investigator
Erick Spencer
Eva Derzic
Felicia A. Wartnik
Gabrielle Nava
Gabrielle Sievers
Gina Cecchini
Grace Kang
Grace Porter
Graham Nicastro
Grainne Griffiths
Hana Yamahiro
Hannah Roman
Hayley Malcolm
Henry Pollitt
Hong Thi Tran
Isabel Skilton
J. Hanna McCrum
Jackie Jones
James Carr
James Coatsworth
Janna L. Richards
Jared Rothenberg
Jason A.S. Drake
Jean Russell
Jeanette Sternberg Lamb
Jeff Spencer
Jeff Wicks
Jeffrey Oakley
Jenna Cowan - DPD

Jennifer Slemp - ACAD
Jessamine Anderson
Jesse McKnight
Jill Carlsen—PD Paralegal, ACA Division
John C. Bateman Jr.
John Randolph Jr
Joseph Louis Alvarado
Joshua Poisel
Josie Bowlouden
Julie van Arcken
Juniper Rodriguez
Katherine Melnick
Kathleen Leifer
Kathryn Morris
Katie Bourassa
Katie Stanley
Keli Maguire
Kell Brauer
Kevin Robinson
Kevin Toth
Keyonti Hilliard
Kimberly La Fronz
Krystal White
Laura Robinett
Leah Swope
Leah Wright
lillian adacutt
Lin-Marie Nacht
Liz Gudgel
Lori Levinson
Madeleine O'Neill
Madeline Morrison
Madelyn Hughes
Mahalia Kahsay
Mairead Reynolds
Makayla Lydon
Marième Diop
Mark Bradley
Matt Bjork
Matthew James Zenner
Max Mills
Max Mills
Meagan Murray
Meghan Verbarendse
Melissa Miller

Melissa Thomas
Meloni Dizon, WSBA #33530
Michael Greene
Mikk Olaf Lukk - WSBA 46408
Molly G. Campera, WSBA No. 52183
Molly Gilbert
Molly Hennessey
Monica Sass
Monique Vazquez-Davis
Morgan Rozman
Morgan True
Naomi Rothenberg
Naresh Rajan
Nastassia Y. McKee
Nathan Rouse
Nicholis Schroeder
Nicole Johnson
Nicole Teague
Nicole Tingelstad
Noah Lerner
Oliana Mariel
Pandora Eyre
Peter Bennett
Rachel Bronkema
Rachel Leadon (King County Dept. of Public Defense, ACAD)
Rebecca Bradlow
Rebecca Schumacher
Reid Burkland
Rob LaRose
Rob Stokes
Roopali Dhingra
Rose Batts
Rose Boughton
Rowan Laidlaw
Ruby Harlin
Ryan Doerfler
Sam Renfro
Samantha Davis
Samuel Luebbers
Sandy Jones
Sanea Lamas
Sara Mendes
Sarah Henning
Sarah J. Tietz
Sarah Lubiner
Sarah Marble

Sean Sky
Selena Alonzo
Shannon Harvey
Shannon Kelley
Siena Richardson
Sofia Enciso
Sofia Maestas
Sophia Posnock
Stephen Grant
Sung-Hao Ni
Susan Weisberg
Taylor Dontje
Tessa Wood
Tom Pandolfo
Tracy Kolpa
Travis Mann
VAISHNAVI SHARMA
Venus Phengphachanh
Victoria D'Cotledge | 4/30/2025
Viviana L Gallardo
William Schrader
Yujin Maeng
Zachary Brusseau - WSBA 53995
Zachary Lee Vincent Martinson
Zulen A Pantoja-Ortega

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Farino, Amber](#)
Cc: [Ward, David](#)
Subject: FW: Comments for Proposed Court Rules regarding Family Defense
Date: Thursday, May 1, 2025 8:09:58 AM
Attachments: [DPD-SEIU 925- WSAC Comments re FDU Standards.pdf](#)

From: mollywgilbert@gmail.com <mollywgilbert@gmail.com> **On Behalf Of** Molly Gilbert SEIU 925
Sent: Wednesday, April 30, 2025 7:23 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Maddiemorrison@gmail.com; gengle <gengle@seiu925.org>
Subject: Comments for Proposed Court Rules regarding Family Defense

You don't often get email from mollygilbertseiu@gmail.com. [Learn why this is important](#)
External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Please find comments attached regarding the proposed amendments to CrR3.1/CrRLJ3.1/JuCR9.2 STDS - Standards for Indigent Family Defense as recommended by the Washington State Bar Association Board of Governors.

Thank you for your consideration and time,

-Molly Gilbert
DPD/SEIU 925 Union President
360-821-9578