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April 10, 2025

Honorable Mary I. Yu, Chair
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Re: Proposed Revisions to CrR3.1, CrRLJ3.1, and JuCR9.2

Dear Justice Yu,

The Superior Court Judges' Association (SCJA) Equality and Fairness Committee and Family and Juvenile Law Committee reviewed the proposed rule changes to CrR3.1, CrRLJ3.1, and JuCR9.2. These changes would modify the Standards for Indigent Defense and require:

- 1) Family defense funding agencies to provide one social worker for every one full-time attorney representing parents in family defense proceedings by July 3, 2028.
- 2) Proficiency determinations and experienced attorney consultation for attorneys lacking necessary skills.
- 3) Caseload maximum of no more than 35 clients and no more than 40 total and active cases, at any given time.

The SCJA strongly supports high-quality representation for indigent litigants and the general spirit of the proposed rule changes. We also support appropriate caseloads for all public attorneys, adequate attorney training, and increased mentorship of less-experienced attorneys. We have concerns, however, that by decreasing the caseload maximum of family defense attorneys to 40 active cases, the need for additional family defense attorneys will rise significantly. Given the current public attorney shortage in Washington, we fear that lowering the caseload maximums will exacerbate the shortage.

We recognize that requiring family defense funding agencies to provide a social worker for every family defense attorney may help reduce the need for defense attorney services. The SCJA is concerned, however, that the changes will require a significant commitment of state and local resources far greater than what is currently available. Without careful consideration of the funding and implementation challenges that are posed, the aspirations of this proposal may never be met, and could result in family and juvenile courts with less attorney representation. More families will be left without adequate representation, case processing delays will ensue, and time to disposition will increase, prolonging the uncertainty and stress suffered by families involved in dependency cases.

Honorable Mary I. Yu

April 10, 2025

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Without adequate funding, the state therefore risks failure in meeting the aspirations detailed in the proposed rule.

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kristin", written in a cursive style.

Judge Kristin Ferrera, President
Superior Court Judges' Association

CC: Allison Lee Muller
SCJA Board of Trustees

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: Court Rule Public Comment Letters
Date: Thursday, April 10, 2025 2:08:55 PM
Attachments: [CR 12 SCJA Public Comment.pdf](#)
[CR 68 SCJA Public Comment.pdf](#)
[Family Law Defense Standards SCJA Public Comment.pdf](#)
[CrR 3.2 SCJA Public Comment.pdf](#)
[CrR 4.1 CrRLJ4.1 CrRLJ 3.2.1 SCJA Public Comment.pdf](#)
[CrR 8.3 SCJA Public Comment.pdf](#)
[GR 24 SCJA Public Comment.pdf](#)
[GR 27 SCJA Public Comment.pdf](#)
[RPC 6.1 SCJA Public Comment.pdf](#)

From: Valdez, Andrea <Andrea.Valdez@courts.wa.gov>
Sent: Thursday, April 10, 2025 11:48 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Kristin Ferrera <Kristin.Ferrera@CO.CHELAN.WA.US>; Lee Muller, Allison <Allison.LeeMuller@courts.wa.gov>; Ireland, Shelley <Shelley.Ireland@courts.wa.gov>; Green, Heidi <Heidi.Green@courts.wa.gov>
Subject: Court Rule Public Comment Letters

Good morning,

Please see the attached comment letters on behalf of the Superior Court Judges' Association. The proposed rules we are commenting on at this time are:

- CR 12
- CR 68
- CrR 3.1/CrRLJ 3.1/JuCR 9.2 (family defense cases)
- CrR 3.2
- CrR 4.1/CrRLJ 4.1/CrRLJ 3.2
- CrR 8.3
- GR 24
- GR 27
- RPC 6.1

Thank you,
Andrea Valdez, MPA (she/her/hers)
Senior Policy Analyst
Superior Court Judges' Association
Administrative Office of the Courts
Andrea.valdez@courts.wa.gov