



April 30, 2025

RE: Proposed Standards for Indigent Defense CrR 3.1, CrRLJ 3.1, and JuCR 9.2 (Family Defense)

Every day, attorneys representing parents in dependency and termination cases must choose between providing a client with adequate advocacy and full preparation while ignoring most other clients, or the attorney must dilute their effort, giving all clients equal, but ineffective representation.

Essentially, no case goes to trial with a fully prepared defense. The vast majority of cases are tried without a single deposition conducted of any witness, even experts or other critical witnesses. It is rare or non-existent for witnesses to be formally interviewed prior to trial. Use of subpoenas duces tecum for evidence gathering for a defense is equally rare.

If courts believe these critical and highly consequential cases are litigated after comprehensive evidence gathering and preparation, these courts are mistaken. It is simply not possible for these matters to be adequately prepared when 50, 60, or 80 clients all require the same time and effort. There is not time and human capacity for this to actually occur.

We are attorneys who represented parents in dependency and termination cases for approximately 16 years, combined. Our full caseload was 80 cases at a time. We have represented parents before dependency petitions have been filed, throughout entire dependency cases, and in termination matters through trial in Snohomish, King, Clark, Whatcom, Skagit, Island, and Grays Harbor counties.

Parents' attorneys commit the greatest effort and preparation we can muster, including performing significant amounts of social work on our own. We have assisted clients in finding housing, filling out documents for services, resources, or benefits. We have arranged in-patient substance use disorder treatment, made daily calls to detox facilities for weeks at a time seeking open beds for clients to secure, and arranged for other services for clients. None of this was related to the performance of defense expert services, litigation, or trial preparation. This was not just legal representation; this is necessary multi-disciplinary casework which cannot be done for 80 people at a time.

If a surgeon were to perform a major surgery in an hour, there would be grave concerns about their ability to perform adequately. A contractor could not be asked to renovate a bathroom in a single day without inevitably failing their client. An accountant improvising someone's taxes without reviewing and scrutinizing relevant records would necessarily make consequential mistakes. And yet, this is exactly what parents' attorneys are being asked to do every single day.

Even if parents' representation attorneys engaged exclusively in legal work and left all other multi-disciplinary work to the wayside, it would still be impossible to provide adequate representation for all clients. These are

cases with ever-changing facts and evidence. There are often emergency hearings, review hearings, special set hearings, and potentially two trials within a span of 18 months. On top of that, attorneys should be present for family team decision making meetings, shared planning meetings, and often monthly meetings with the ongoing case worker. No attorney is able to manage all of that with a case load of 80, and the clients suffer because of it.

Industry observations suggest that private family law attorneys typically manage between 20 to 40 active cases. Dependency cases involve the most fundamental rights a parent can possess, the right to raise and maintain custody of their child. These cases are legally and emotionally complex, while the stakes are extraordinarily high. It is mind boggling, that a case load two to four times that which a family law attorney would be expected to carry was ever established. Certainly, the harm that has occurred due to these impossible standards is immeasurable.

Recognizing the unsustainability of the caseload and the impossibility of ever meeting the standard of performance necessary to provide adequate representation for these families, we have left the practice of representing parents. We remain committed to public defense and now represent clients in Not Guilty by Reason of Insanity forensic civil commitment cases where a more rational caseload permits adequate representation of our clients.

We highly recommend that the Court adopt the proposed standards that will allow parents' counsel to work a caseload that can be reasonably sustained.

Respectfully,



Flint Stebbins
Attorney at Law



Amanda Ullrich
Attorney at Law

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Farino, Amber](#)
Cc: [Ward, David](#)
Subject: FW: Comment on Proposed Standards for Indigent Defense CrR 3.1, CrRLJ 3.1, and JuCR 9.2 (Family Defense)
Date: Thursday, May 1, 2025 8:09:58 AM
Attachments: [Letter re DPY caseload standards 04.30.2025.pdf](#)
[image002.png](#)

From: Flint Stebbins <flint@stebbinsullrich.com>
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Subject: Comment on Proposed Standards for Indigent Defense CrR 3.1, CrRLJ 3.1, and JuCR 9.2 (Family Defense)

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Attached is our comment on the above proposed rule.

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