

**Washington State Office of Public Defense**  
**Application for Public Defense City Grants**  
**Pursuant to Chapter 10.101 RCW**

**TO:** City Officials and Municipal Court Judges

**FROM:** Joanne Moore, Director

**DATE:** May 29, 2009

**RE:** Applications for state public defense grants for the 2010 calendar year

RCW 10.101.050 establishes a state-funded grant program to improve the quality of public defense services in incorporated cities. Pursuant to legislative appropriation in the 2009-2011 state budget, the Washington State Office of Public Defense (OPD) is offering grants to cities for the 2010 calendar year. Last year 22 cities participated in the competitive grant process and 13 cities received funding.

Applications for the current round of city grants are due to OPD by July 31, 2009. OPD will send preliminary notification of grant awards and denials by mid-September, and will disburse funds in December for use by the selected cities through the 2010 calendar year. An application form is attached; it also may be found at [www.opd.wa.gov](http://www.opd.wa.gov). Application materials may be submitted in hard copy or as an email attachment to Candace Martin at [candace.martin@opd.wa.gov](mailto:candace.martin@opd.wa.gov). (No faxes please.)

Chapter 10.101 RCW requires that grant funds be used to make appreciable, demonstrable improvements in the delivery of public defense services. Some cities have used grant funds to add attorneys to represent indigent defendants at first appearance/arraignment calendars, to provide additional attorneys to lower caseloads, or to increase attorney compensation. A sample list of approved uses is attached.

For information regarding the improvement of public defense services or the application process, contact OPD Public Defense Services Managers David DeLong, [david.delong@opd.wa.gov](mailto:david.delong@opd.wa.gov), 360-586-3164 ext. 110 or Kathy Kuriyama, [kathy.kuriyama@opd.wa.gov](mailto:kathy.kuriyama@opd.wa.gov), 360-586-3164 ext. 114.

We look forward to working with you to improve public defense services in Washington State.

## APPLICATION FOR RCW 10.101 CITY GRANTS

City _____	Contact name/title _____
Mailing address _____	
_____	
_____	
Phone _____	Email _____

**NOTE: Applications must be received at OPD by 5 p.m. July 31, 2009.  
Late applications will not be accepted.**

1. In 2008, the city paid indigent defense expenses as follows:

Total dollar amount spent on indigent defense:	
1A. Amount spent on attorney salaries and benefits, contract attorney amounts including conflict attorneys:	
1B. Amount spent on investigators, experts, and other indigent defense costs:	

2. In 2008, attorneys providing indigent defense representation had the following caseloads:

*Fill in section 2(a) if the city has a public defender agency or contracts with a public defender agency, such as a department of assigned counsel or one or more non-profit public defense firm(s) whose practice is limited to public defense. Fill in section 2(b) if the city uses list appointments or contracts with private attorneys.*

2(a) Cities using public defender agencies.	Number of cases assigned to public defender	Number of probation violations and other miscellaneous hearings assigned	Number of full-time equivalent public defenders	Number of cases assigned to conflict counsel	Average per attorney caseload, if available
Municipal Court misdemeanors and gross misdemeanors					

2(b) Cities using list appointments or contracts with private attorneys.	Number of cases assigned to public defense attorneys	Number of probation violations and other miscellaneous hearings assigned	Number of attorneys with public defense contracts or on court's appointment list	Average per-attorney caseload (if available)
Municipal Court misdemeanors and gross misdemeanors				

3. Did the city receive RCW 10.101 grant money for use during calendar year 2009? \_\_\_\_\_. If so, has the city submitted its 2009 mid-year report on the use of the funds? ( ) yes ( ) no. If no, please explain the situation.

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4. How much grant funding is the city requesting? \$\_\_\_\_\_. Indicate in the table below how the city intends to use public defense grant funding in 2010, and attach a narrative paragraph detailing how the city will use the grant funding to improve indigent defense services. (The table below reflects the most common uses of funds. See the attached policy for an expanded list of allowed uses.)

<b>Common Uses of Grant Funding:</b>	
Creating a city or regional public defense agency	
Providing quality monitoring by an attorney coordinator who monitors contract attorneys providing public defense	
Adding attorneys to lower public defense caseloads	
Adding investigator services	
Adding expert services	
Increasing public defense attorney compensation	
Providing public defense services at preliminary appearance calendars	
Providing interpreter services for attorney-client interviews and communications	
Other (please explain)	

5. If the city has public defense contracts, fill out the Table of Public Defense Contracts (Table I), and provide a copy of each current contract in alphabetical order by attorney name. (If possible, please provide scanned copies of contracts, by CD or email attachment. Hard copies are acceptable.)

6. If the court appoints public defense attorneys from a list, provide the name of each attorney and the compensation paid per case or per hour in the Table of List-Appointed Public Defense Attorneys (Table II).

7. In accordance with RCW 10.101.050 and RCW 10.101.060:

(a) Does the city require private attorneys who contract to provide public defense services to report all of their public defense contracts and “hours billed for nonpublic defense legal services ... including number and types of private cases?” Yes ( ) No ( ) If no, please explain the situation.

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(b) Does the city require attorneys who provide public defense services to attend seven hours of OPD-approved training at least once a calendar year? Yes ( ) No ( ) If no, please explain the situation.

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(c) Does the city provide for extra compensation in cases of extraordinary complexity? Yes ( ) No ( ) If no, please explain the situation.

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(d) Does the city identify funds specifically for the purpose of paying defense experts? Yes ( ) No ( ) If no, please explain the situation.

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(e) Does the city identify funds specifically for the purpose of paying defense investigators? Yes ( ) No ( ) If no, please explain the situation.

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(f) Does the city’s public defense contracts require the contract attorneys to compensate conflict counsel, investigators or experts from the proceeds of the contract? Yes ( ) No ( ) If yes, please explain the situation.

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8. Who does the city designate to receive and investigate complaints about public defense services? Please provide the name and contact information for the person/office.

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9. How are indigent clients notified of the complaint policy and procedure?

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10. Does the Municipal Court administer any specialty courts or programs, such as: mental health court, drug court, diversion programs, relicensing programs, etc.? Yes ( ) No ( ) If yes, please identify the specialty court(s) or program(s) ?

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11. Does the Municipal Court routinely provide a public defense attorney at:  
(a) In-custody preliminary appearance (defined in CrRLJ 3.2.1) calendars? Yes ( ) No ( )  
(b) Out-of custody preliminary appearance calendars? Yes ( ) No ( )  
(c) If a defendant requests counsel at the preliminary appearance calendar, is the case continued pending appointment? Yes ( ) No ( )

12. Please describe the city's indigency screening procedure and attach any related written city policies or screening document used.

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13. Does the city contract with the county or another city to provide municipal court services? Yes ( ) No ( ). If yes, please explain the situation.

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14. Does the city contract with a county public defender agency to provide for the city's public defense? Yes ( ) No ( ). If yes, please describe.

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**Certification**

*I declare under penalty of perjury under the laws of the State of Washington that the foregoing information is true and correct.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Place



