



2016 Status Report on Public Defense in Washington State

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Washington State Office of Public Defense
2016 Status Report
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Introduction

The Washington State Office of Public Defense (OPD) is an independent agency of the judicial branch, charged by statute “to implement the constitutional and statutory guarantees of counsel and to ensure the effective and efficient delivery of indigent defense services funded by the state.”¹

Public defense services in criminal and juvenile offender cases are largely funded at the county and city level. However, since 2005 the Legislature has appropriated approximately \$6 million of state funds to OPD to conduct a Public Defense Improvement Program. The core functions of this Program are to allocate state funds to eligible counties and cities for public defense improvements, provide technical assistance to local governments on best practices for administration of public defense services, and deliver no-cost training to public defense attorneys statewide, and identify public defense progress and needs throughout the state.

In 2016 OPD focused much of its attention on juvenile offender cases. Public defense attorneys in Washington represent juveniles in more than 90% of offender cases.² These cases are complex, and their consequences have significant implications for youth and their families. Juvenile public defense attorneys must be well-resourced and qualified to meet the procedural, substantive, and practical challenges unique to representing young clients. However, analysis of juvenile public defense services statewide has shown a wide disparity in the quality of representation. Over the year OPD worked with stakeholders to assess current practices, identify strategies for improvement, and begin taking steps to address problem areas.

The Due Process Clause of the Fourteenth Amendment requires that in respect of proceedings to determine delinquency which may result in commitment to an institution in which the juvenile’s freedom is curtailed, the child and his parents must be notified of the child’s right to be represented by counsel...”

- In re Gault,
87 S.Ct. 1428, 1451 (1967)

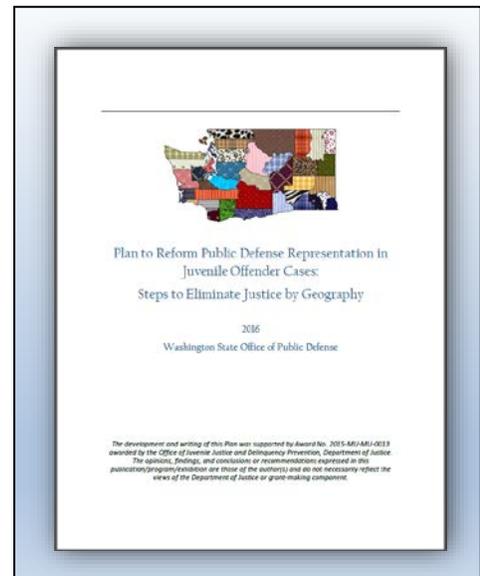
These, and other projects from 2016 are detailed in this eleventh annual Status Report. In addition, city- and county-specific data pertaining to public defense funding, caseloads, and local practices provide information on how public defense services are delivered at the local level.

¹ [RCW 2.70.005](#).

² Public defense data self-reported in counties’ 2016 [Chapter 10.101 RCW](#) Grant Applications submitted to the Washington State Office of Public Defense. Case filing data, for purposes of identifying percentage, is available from the Caseloads of the Courts of Washington, www.courts.wa.gov/caseload.

Reform Plan for Juvenile Public Defense

During 2016 OPD carried out multiple activities under a Youth Access to Justice State Reform Planning Grant awarded by the U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP). The primary goal of this initiative was to develop a plan identifying steps to ensure youth have fair and equal access to quality legal representation in juvenile offender cases. To meet this goal, OPD sought the input and collaboration of juvenile justice system stakeholders from all corners of the state, including populous metropolitan counties as well as rural communities. The findings and proposed solutions are contained within the report *Plan to Reform Public Defense Representation in Juvenile Offender Cases: Steps to Eliminate Justice by Geography*.



Throughout 2016 OPD engaged with stakeholders in a variety of ways to learn more about local practices in juvenile offender cases and seek workable solutions that will have lasting improvements. Stakeholder engagement included:

- **Site Visits:** OPD conducted site visits and discussion groups with juvenile justice partners in 11 counties - Clark, Snohomish, King, Pierce, Mason, Grays Harbor, Yakima, Benton, Franklin, Walla Walla, and Spokane. Participants included public defense attorneys, prosecutors, court judicial officers, court administrators, probation officers, and detention officers. OPD staff also met with youth incarcerated at Green Hill School, and with parents of youth who either were, or had been charged in juvenile offender cases. Both reported wanting access to representation earlier in the process, feeling inadequately prepared for the collateral consequences of juvenile adjudications, and feeling overlooked because they could not ask their public defense attorneys for post-disposition assistance.
- **Juvenile Defense Improvement Workgroup (JDIG):** OPD convened a workgroup of diverse stakeholders from the juvenile justice system for purposes of analyzing current public defense services and identifying sustainable strategies for reform. Members of the JDIG represented public defense attorneys, judicial officers, prosecutors, law enforcement, court administration, law schools, state agencies, and various stakeholder associations and organizations.
- **Attorney Survey:** To gather additional information on local public defense administration practice, OPD administered a survey to attorneys statewide that represent juveniles in offender cases. Thirty-nine attorneys responded to the survey, representing 18 counties.

Input and examples from these sources were documented in the resulting Reform Plan, including identified strategies for improvement. Recommended reform steps were:

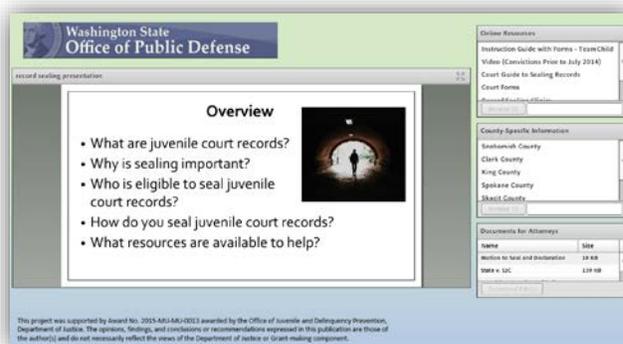
1. Establishment of and support for state and local-level workgroups to address juvenile public defense statutes, rules, policies and practices;
2. Independent, specialized oversight of county contract attorneys to ensure that youth receive effective representation;
3. Increased training opportunities for juvenile public defense attorneys, including the development of a Juvenile Defense Training Academy;
4. The availability of expert case consultation and legal resources to assist juvenile public defense attorneys; and
5. Additional expert and professional services to enhance representation of youth, including social services and civil legal aid.

Juvenile Collateral Consequences Online Videos

During OPD's evaluation of juvenile public defense services statewide, it became clear that youth in many regions of the state rarely receive meaningful assistance in other areas impacted by juvenile adjudications. For example, access to housing, education, employment, and health care can be limited due to previous juvenile adjudications, particularly for families living in poverty. Nevertheless, most public defense attorneys do not consider their legal advocacy role to include assistance with these collateral consequences, or the sealing of juvenile court records. In some counties where non-profit agencies provide assistance on civil matters to youth, public defense attorneys refer clients to their services. In other counties, youth and their families are left with no information or assistance for navigating the many barriers created by juvenile court records.

As part of OPD's activities under the OJJDP grant, a series of online videos were developed to educate youth, their families, and professionals about the collateral consequences of adjudications and resources that are available to mitigate the negative impacts. The six videos address the following topics:

Education, Employment, Healthcare, Housing, Record Sealing, and Reentry/Aftercare Needs. Each video was developed by teams of attorneys who are experienced in juvenile public defense and civil legal aid. Each 20-minute video contains links to helpful websites and downloadable resources. The six videos can be accessed from this page: <http://opd.wa.gov/index.php/program/trial-defense/12-pd/184-juvenile-offender-cases>



Regional Trainings on Adolescent Development and Trauma

Attorneys appointed to represent indigent clients are required to earn a minimum of seven credits of continuing legal education (CLE) annually on topics relating to public defense,³ and each year OPD delivers training opportunities in various locations around the state to help public defense attorneys comply with this requirement. With the assistance of OJJDP grant funds, in 2016 OPD delivered four trainings on adolescent development and juvenile trauma held in various locations:

- August 26, 2016 – Green Hill School – Chehalis
- September 9, 2016 – Columbia Basin College - Pasco
- September 23, 2016 – Green Hill School - Chehalis
- September 30, 2016 – Gonzaga School of Law – Spokane



Participants discussing a fact scenario at the training in Pasco.

The adolescent development instructors were Dr. Marty Beyer and Dr. Fran Lexcen, and Scott Hanauer and Dr. Jody McVittie covered trauma topics. Each presentation combined factual information and strategies for effectively working with youth, as well as activities to engage the participants in case scenarios. The two Chehalis presentations were held at Green Hill School, a maximum security juvenile facility that houses older, male youthful offenders. Attendees at the Green Hill School trainings also participated in campus tours.

One of OPD's goals with the 2016 training events was to attract a diversity of professionals who work with youth. As expressed by many public defense attorneys, juvenile court partners can better address youths' rehabilitative needs when they share common understandings of adolescent development and the psychological impact of childhood trauma. A total of 260 people attended the four training sessions, representing a wide variety of system partners including, but not limited to:

- Juvenile public defense attorneys and supervisors
- Private defense attorneys



Dr. Fran Lexcen presenting on adolescent development at Green Hill School.

³ [RCW 10.101.050](#) requires that "attorneys providing public defense services attend training approved by the Office of Public Defense at least once per calendar year." Standard Nine of the WSBA Standards for Indigent Defense Services requires that attorneys providing public defense services should participate in regular training programs on criminal defense law, including a minimum of seven hours of CLEs annually in areas relating to their public defense practice."

- Juvenile prosecutors
- Judicial officers
- Law enforcement
- Investigators
- Social workers
- Court administrators and staff
- Probation officers
- State and county correctional facility staff
- Juvenile parole officers
- Teachers and principals
- Tribal court representatives
- Guardians ad litem
- Therapists and mental health counselors
- Law students

Understanding underlying issues like trauma and developmental disabilities helped participants reevaluate whether a juvenile’s criminal behavior may be rooted in childhood experiences. In the training participants were asked to comment on how they will integrate the information that was presented into their work. They responded that they now had increased options for working with youth, and could better identify underlying histories that often give rise to seemingly difficult behavior. For example, one participant indicated a key take away was thinking about the most challenging client, and “how to communicate with her more effectively.” Another participant talking about “considering more ways to help stop repeat offenders by getting them help rather than just punishing them.” Others said they learned how to better modulate their own behavior when working with challenging youth; “I will have a better understanding of residents which will allow me to have more patience with them. It was a good reminder for me to self-regulate and remain calm during escalated situations.”



Group discussions at Spokane training.

Technical Assistance on Public Defense Administration

City and county governments administer all services associated with trial-level public defense in adult criminal and juvenile offender cases. Cities and counties vary in their public defense service models. In more densely populated locations, local governments commonly have public defense agencies which employ attorneys, support staff, and other professionals to represent indigent defendants. In most other locations, cities and counties enter into contracts with private law firms or solo practicing attorneys to represent indigent defendants. Local governments with any of the various structural approaches are eligible for OPD technical assistance.

In recent years many cities and counties have taken significant steps to improve public defense services, such as increasing compensation, reducing caseloads, and implementing client complaint procedures. In cities and counties where public defense services are offered by contract attorneys without specialized oversight by the local government, however, many city and county officials are concerned about verifying the quality representation. These jurisdictions lack the capacity to properly evaluate whether attorneys’ performance conforms to prevailing

industry standards. In result, the Board for Judicial Administration has endorsed a project for public defense monitoring: Quality Indigent Defense.

A stakeholder workgroup began convening in 2016 to identify strategies for providing quality-control monitoring of public defense attorneys in jurisdictions that lack the internal expertise. The group will continue its work into 2017 to develop a model evaluation protocol, provide public defense monitors, and distribute resources to local governments that choose to begin implementing evaluations by trained independent contractors by 2018.

In 2016, OPD worked with local governments, courts, and attorneys to address administrative questions and challenges in public defense service delivery. OPD support included:

- Compiling and analyzing local trial-level public defense data, including compensation and appointment rates.
- Reviewing and commenting on draft public defense contracts, local standards, case weighting policies, and other administrative components to ensure consistency with prevailing standards and guidelines.
- Advising attorneys, public defense agencies, and local governments on implementation of the [Supreme Court Standards for Indigent Defense](#), and the [WSBA Standards for Public Defense Services](#).
- Maintaining an online [FAQ](#) with detailed information on implementing standards, [web tutorials](#) on counting cases, and [online calculators](#) for measuring caseloads composed of mixed case types.
- Providing a [model case weighting policy](#) for misdemeanors.
- Responding to formal and informal requests for information about public defense in Washington.

Consistent with [RCW 10.101.050-080](#), in 2016 OPD continued to administer state grant funds for making and sustaining improvements to public defense services. Through this program, all counties that submit applications are eligible for a percentage of appropriated funds based on a formula in [RCW 10.101.070](#). Cities are invited to apply for competitive grant funds. Selections are made based on factors such as applicant cities' poverty level, compliance with statutory and court rule public defense requirements, and previous performance with grant funds. In 2016 OPD awarded grants to 24 cities.

During 2016 OPD managing attorneys visited four counties and nine cities that received state funds, observing courtroom proceedings and meeting directly with judges, court administrators, public defense agency directors and coordinators, public defense attorneys, city/county officials and their staff. OPD's personal visits and ongoing practical assistance directly and positively impact local efforts to improve public defense, as the Washington State Joint Legislative Audit and Review Committee (JLARC) found in its 2008 review of OPD.⁴

⁴ http://www.opd.wa.gov/documents/0015-2008_JLARC_Report.pdf

Resource Attorneys for Specialized Professional Assistance

Representing indigent clients in adult and juvenile criminal cases requires an advanced understanding of statutes, court rules, evolving case law, sentencing provisions, professional guidelines, potential consequences of convictions or adjudications, and mental health and addiction issues. To ensure that public defense attorneys in all locations have access to specialized assistance for case consultations, the state funds technical assistance attorney positions. The areas of emphasis are felony, misdemeanor, juvenile, death penalty, and immigration.

In 2016 OPD continued to contract with the Washington Defender Association (WDA) for providing technical assistance in a variety of case types. The WDA felony and misdemeanor resource attorneys provide individualized case consultation to public defense attorneys statewide. In addition, they developed and distributed practice advisories and sample memos to assist attorneys with motions practice, trials, and other proceedings, monitored and contributed to public defense attorney email list serves, and conducted various trainings live and via webinar. In 2016 WDA's felony and misdemeanor resource attorneys responded to 1,306 technical assistance requests from attorneys practicing in 34 different counties.

The WDA Immigration Project provides training, practice advisories, and case-specific assistance to criminal defense attorneys statewide regarding potential immigration consequences for noncitizens accused of crimes. The purpose of the assistance is to avoid or mitigate immigration consequences, and ensure that criminal defense attorneys meet their obligations to provide effective assistance of counsel under *Padilla v. Kentucky* and *State v. Sandoval*. In 2016 the Immigration Project provided 3,260 technical assistance contacts with defense attorneys practicing in 31 counties.

In 2016 WDA further expanded its Death Penalty Assistance Project (DPAP) technical assistance functions. In previous years, this service was hosted by the nonprofit agency The Defender Association, and was entitled the Death Penalty Assistance Center. DPAP is a resource for attorneys, investigators, mitigation specialists, and support staff who represent defendants in cases where the State is actively seeking, or may seek capital punishment. Centralizing expertise and making it available for defense attorneys statewide helps ensure that defendants facing the possibility of a death sentence are represented by a well-resourced legal team.

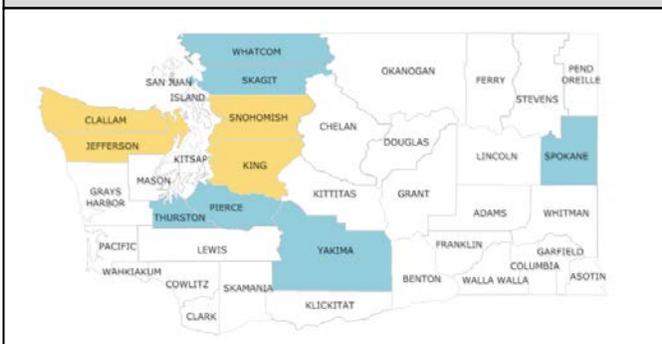
In previous years, state funds have not supported technical assistance for juvenile cases. The nonprofit organization TeamChild previously filled this role through private grant funding. However, when that funding source expired, juvenile defense attorneys were left with no technical assistance specialist to turn to. To address this void, OPD shifted staff responsibilities to provide a one part-time attorney for juvenile technical assistance. This attorney now handles individualized case consultations and provides juvenile defense attorneys statewide with up-to-date resources and information.

Report on County Public Defense Services

Each county is responsible for funding and administering public defense services in its Superior and District Courts. In addition, many counties contract with cities to provide public defense services for their municipal cases. In 2015 counties statewide reported spending approximately \$136 million on public defense services. They provided representation for approximately 36,000 felonies, 47,000 misdemeanors, and almost 10,000 juvenile offender cases.

County public defense administration structures tend to fall into one of four categories: (1) county-based public defense agencies as described in [Chapter 36.26 RCW](#); (2) county contracts with non-profit agencies dedicated exclusively to public defense services; (3) county contracts with attorneys and/or law firms, monitored by county employees or contractors specialized in public defense; and (4) county contracts with attorneys and/or law firms without specialized oversight. Substantial changes have been made statewide since 2005 with the development of additional county public defense agencies and public defense coordinators who provide oversight.

Public Defense Administration in 2005



- Public defender agencies** within county government structure
- Nonprofit agencies** organized exclusively for public defense services, contract with counties to represent indigent defendants
- Public defense coordinators** are county employees or contractors hired to provide varying degrees of oversight and accountability for public defense contracts with individual private attorneys or firms.
- Contract public defense systems**, also known as assigned counsel systems, are utilized in counties that enter into contracts with one or more private attorneys or firms to provide all indigent defense services

Public Defense Administration in 2016



Washington statutes require that all local governments comply with specific requirements in their administration of public defense services. For example, all local governments are required to adopt standards for the delivery of public defense which must include the following:⁵

- Compensation of counsel
- Duties and responsibilities of counsel
- Case load limits and types of cases
- Responsibility for expert witness fees and other costs associated with representation
- Administrative expenses
- Support services
- Reports of attorney activity and vouchers
- Training
- Supervision
- Monitoring and evaluation of attorneys
- Substitution of attorneys or assignment of contracts
- Limitations on private practice of contract attorneys
- Attorney qualifications
- Disposition of client complaints
- Cause for termination of contract or removal of attorney
- Nondiscrimination

The Washington State Bar Association has published guidance for local governments in designing and administering their public defense systems,⁶ and [RCW 10.101.030](#) states that local governments should use this document as a guideline in adopting local standards.

Many counties require that their contracted public defense attorneys submit monthly or quarterly reports detailing current caseloads. These reports assist in tracking whether attorneys are approaching or exceeding the caseload limits established by the Washington Supreme Court. Attorneys with full-time caseloads should have no more than 150 new felonies per year, 400 misdemeanors (or 300 in counties that have adopted a case weighting system), or 250 juvenile offender cases. In 2013 OPD developed a [model misdemeanor case weighting policy](#) to serve as a template for jurisdictions that choose to case weight misdemeanors. In addition to reporting public defense assignments, all counties receiving state funds under [RCW 10.101.050](#) must require their public defense attorneys to report nonpublic defense legal services, including the number and types of private cases. The purpose is to ensure the local government that contract attorneys are providing adequate time to the representation of indigent clients.

The following pages provide summaries of county public defense expenditures and appointments, general descriptions of their public defense services, and steps taken in compliance with the requirements set forth in [Chapter 10.101 RCW](#).⁷

⁵ [RCW 10.101.030](#).

⁶ [Washington State Bar Association Standards for Indigent Defense Services, September 22, 2011](#).

⁷ For an explanation of the methodology and data reporting procedures utilized for this report, see Appendix A. For a complete glossary of terms, see Appendix B.

Adams County

2015 Population	19,410
Percent below poverty level 2011-2015	21.4%
2011-2015 estimated median household income	\$46,564
RCW 10.101 distribution for use in 2016	\$28,675

Administration of Public Defense Services: Adams County delivers public defense representation through a contract system. The County contracts with one firm to handle indigent defense cases in Superior Court and District Court. The firm provides a minimum of four attorneys for primary indigent defense appointments. The court appoints conflict counsel from a list of private attorneys.

Adams County has adopted a public defense standards ordinance (Ordinance No. 0-02-09). The public defense contractors are required by local ordinance to attend at least seven hours of criminal defense training per year, and to report on their non-public defense attorney workload on a quarterly basis.

2015 Statistics

Amount spent on public defense	\$425,000
Amount spent per capita	\$21.90

Adult Felony

Adult Superior Court cases filed	154
Adult Superior Court cases per 1,000 population	7.9
Number of cases assigned to counsel	153

Adult Misdemeanor – County District Court

County misdemeanor cases filed	796
Number of cases assigned to counsel	674

Juvenile Offender

Juvenile offender cases filed	71
Juvenile offender cases per 1,000 population	3.7
Number of cases assigned to counsel	78

Use of State Funds: In 2016 Adams County spent its state funding to continue supporting public defense services with investigator, expert, and interpreter services, and providing public defense services at Superior Court adult felony preliminary appearance calendars. The county plans to use its funds in 2017 to continue these improvements.

Asotin County

2015 Population	22,010
Percent below poverty level 2011-2015	15.2%
2011-2015 estimated median household income	\$44,394
RCW 10.101 distribution for use in 2016	\$33,429

Administration of Public Defense Services: Asotin County delivers public defense representation through a contract system. The County contracts with four attorneys for the majority of all indigent cases in Superior and District Court. The court appoints counsel in conflict and overflow cases from a list of private attorneys.

Asotin County has adopted a public defense standards ordinance (Ordinance No. 09-04). The ordinance requires each contract attorney to attend criminal defense training once per year, and the contracts require attorneys to report hours billed for non-public defense attorney hours.

2015 Statistics

Amount spent on public defense	\$432,307
Amount spent per capita	\$19.64

Adult Felony

Adult Superior Court cases filed	206
Adult Superior Court cases per 1,000 population	9.4
Number of cases assigned to counsel	187

Adult Misdemeanor – County District Court

County misdemeanor cases filed	364
Number of cases assigned to counsel	171

Juvenile Offender

Juvenile offender cases filed	112
Juvenile offender cases per 1,000 population	5.1
Number of cases assigned to counsel	103

Use of State Funds: In 2016 Asotin County spent its state funding to maintain increased investigator, expert, and interpreter services for the public defense attorneys. In addition, state funds were used to increase public defense attorney compensation, and reduce public defense caseloads. The county plans to use its state funds in 2017 to continue these improvements.

Benton County

2015 Population	188,590
Percent below poverty level 2011-2015	14.2%
2011-2015 estimated median household income	\$60,251
RCW 10.101 distribution for use in 2016	\$190,592

Administration of Public Defense Services: Benton County provides public defense services through a hybrid model consisting of both county-employed staff attorneys and contract attorneys. The Public Defense Manager oversees all operations including contract compliance, management for contracted defenders, and supervision of staff defenders. Benton County delivers a data-driven indigent defense program which includes, among other components, a 2016 Strategic Plan, a Supervision and Quality Control Plan, and robust attorney training opportunities. The County also provides public defense services for the cities of Kennewick, Richland, West Richland, and Prosser.

Web Link to Program Information: <http://www.BentonCountyDefense.org>

Benton County has adopted local public defense standards under Resolution No. 09-435 and Ordinance No. 470. In addition, the County has adopted a case weighting policy. Staff and contract attorneys are required by ordinance to attend a minimum of seven hours of training annually on topics relating to public defense practice.

2015 Statistics

Amount spent on public defense	\$2,790,098
Amount spent per capita	\$14.79

Adult Felony

Adult Superior Court cases filed	1,454
Adult Superior Court cases per 1,000 population	7.7
Number of cases assigned to counsel	1,259

Adult Misdemeanor – County District Court

County misdemeanor cases filed	2,616
Total municipal misdemeanor cases filed	4,506
Number of cases assigned to counsel	4,358

Juvenile Offender

Juvenile offender cases filed	511
Juvenile offender cases per 1,000 population	2.7
Number of cases assigned to counsel	430

Use of State Funds: In 2016 Benton County used state funds to maintain the attorney coordinator position to oversee public defense services, and to continue providing public defense services at preliminary appearance calendars. The county plans to use its 2017 funds to continue these activities.

Chelan County

2015 Population	75,030
Percent below poverty level 2011-2015	14.3%
2011-2015 estimated median household income	\$51,837
RCW 10.101 distribution for use in 2016	\$100,906

Administration of Public Defense Services: Chelan County contracts with Counsel for Defense, a private nonprofit agency, for public defense services in Superior and District Courts. Counsel for Defense provides direct supervision of attorneys, in-house investigation services, and resolution of client complaints. The court appoints conflict counsel from a list of private attorneys.

Chelan County has adopted a public defense standards resolution (Resolution No. 2012-126) which incorporates by reference the Standards for Indigent Defense adopted by the Washington Supreme Court. The County also provides public defense services for the cities of Leavenworth, Cashmere, and Entiat.

2015 Statistics

Amount spent on public defense	\$2,004,793
Amount spent per capita	\$26.72

Adult Felony

Adult Superior Court cases filed	850
Adult Superior Court cases per 1,000 population	11.3
Number of cases assigned to counsel	779

Adult Misdemeanor – County District Court

County and city misdemeanor cases filed	1,365
Number of cases assigned to counsel	944

Juvenile Offender

Juvenile offender cases filed	244
Juvenile offender cases per 1,000 population	3.3
Number of cases assigned to counsel	265

Use of State Funds: In 2016 Chelan County used its state funding to maintain increased investigator and expert services. The county plans to use its state funds in 2017 to continue these prior improvements.

Clallam County

2015 Population	72,650
Percent below poverty level 2011-2015	15.0%
2011-2015 estimated median household income	\$47,253
RCW 10.101 distribution for use in 2016	\$73,469

Administration of Public Defense Services: Clallam County contracts with the Clallam Public Defender, a private nonprofit corporation, for public defense representation. The Clallam Public Defender provides direct supervision of attorneys, in-house investigation services, and resolution of client complaints. The Clallam County Courts appoint supplemental private investigators on a case-by-case basis. The Courts appoint conflict counsel from a list of private attorneys.

Clallam County has adopted a public defense standards ordinance (Clallam County Code, [Chapter 3.38](#)) which incorporates the Supreme Court Standards for Indigent Defense by reference. The ordinance includes a case weighting system for calculating felony and juvenile caseloads.

2015 Statistics

Amount spent on public defense	\$1,274,761
Amount spent per capita	\$17.55

Adult Felony

Adult Superior Court cases filed	476
Adult Superior Court cases per 1,000 population	6.6
Number of cases assigned to counsel	522

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,085
Number of cases assigned to counsel	746

Juvenile Offender

Juvenile offender cases filed	128
Juvenile offender cases per 1,000 population	1.8
Number of cases assigned to counsel	120

Use of State Funds: In 2016 Clallam County spent its state funding to maintain staffing compensation increases, attorney caseloads, and provide public defense services at preliminary appearance calendars. The county anticipates using its state funds in 2017 for the same purposes.

Clark County

2015 Population	451,820
Percent below poverty level 2011-2015	11.2%
2011-2015 estimated median household income	\$60,756
RCW 10.101 distribution for use in 2016	\$379,664

Administration of Public Defense Services: Clark County's Indigent Defense Office contracts with private counsel to provide indigent defense services. The county's Indigent Defense Coordinator oversees the contracting system, reviews motions for non-attorney services in all criminal cases, and provides training and assistance to the contractors to improve public defense representation. The county has worked with the Washington State Office of Public Defense to implement best practices in the state's largest county that contracts with private counsel to provide public defense services.

Web link to program information: <https://www.clark.wa.gov/general-services/indigent-defense>

Clark County has adopted a public defense ordinance (Ordinance 2007-07-11) and a case counting and case weighting policy. In addition, the Clark County public defense contracts require approved annual attorney training and reporting of non-public defense attorney hours.

2015 Statistics

Amount spent on public defense	\$5,324,930
Amount spent per capita	\$11.79

Adult Felony

Adult Superior Court cases filed	2,588
Adult Superior Court cases per 1,000 population	5.7
Number of cases assigned to counsel	2,345

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,764
Number of cases assigned to counsel	2,288

Juvenile Offender

Juvenile offender cases filed	777
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	727

Use of State Funds: In 2016 Clark County used its state funding to sustain the indigent defense coordinator position and one office staff position, to maintain reductions to public defense caseloads, and to continue providing additional investigator services. The county plans to use its state funds in 2017 to continue these improvements.

Columbia County

2015 Population	4,090
Percent below poverty level 2011-2015	17.6%
2011-2015 estimated median household income	\$38,581
RCW 10.101 distribution for use in 2016	\$14,418

Administration of Public Defense Services: Columbia County contracts with two private attorneys for public defense services. Each contract specifies that the law firm or private attorney is responsible for approximately one-half of all case types assigned, paid on a monthly basis. The court appoints conflict counsel from a list of private attorneys.

Columbia County has a public defense standards ordinance (Ordinance 09-03). The attorney contracts require and reimburse the cost of tuition and materials for annual participation in seven hours of continued legal education relating to public defense. The County also provides public defense services for the City of Dayton.

2015 Statistics

Amount spent on public defense	\$212,398
Amount spent per capita	\$51.93

Adult Felony

Adult Superior Court cases filed	42
Adult Superior Court cases per 1,000 population	10.3
Number of cases assigned to counsel	33

Adult Misdemeanor – County District Court

County misdemeanor cases filed	77
Total county and municipal misdemeanor cases filed	132
Number of cases assigned to counsel	108

Juvenile Offender

Juvenile offender cases filed	12
Juvenile offender cases per 1,000 population	2.9
Number of cases assigned to counsel	8

Use of State Funds: In 2016 Columbia County spent its state funding to maintain increases to attorney compensation. The county intends to use its state funds in 2017 to continue this improvement.

Cowlitz County

2015 Population	104,280
Percent below poverty level 2011-2015	17.5%
2011-2015 estimated median household income	\$47,452
RCW 10.101 distribution for use in 2016	\$158,553

Administration of Public Defense Services: Cowlitz County operates a public defender agency that uses a mixed system of county-employed public defense attorneys and contract counsel. The Cowlitz County Office of Public Defense provides representation to indigent clients in felony, misdemeanor and juvenile matters.

Cowlitz County has adopted a public defense standards ordinance ([Cowlitz County Code Chapter 2.44](#)) which incorporates, by reference, the Standards for Indigent Defense adopted by the Washington Supreme Court. The Cowlitz County Office of Public Defense uses a case weighting policy for adult and juvenile offender cases filed in Superior Court.

2015 Statistics

Amount spent on public defense	\$2,210,239
Amount spent per capita	\$21.20

Adult Felony

Adult Superior Court cases filed	1,494
Adult Superior Court cases per 1,000 population	14.3
Number of cases assigned to counsel	1,171

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,544
Number of cases assigned to counsel	756

Juvenile Offender

Juvenile offender cases filed	304
Juvenile offender cases per 1,000 population	2.9
Number of cases assigned to counsel	180

Use of State Funds: In 2016 Cowlitz County used its state funding to maintain and expand the county Office of Public Defense, increase public defense attorney compensation, represent indigent defendants at preliminary appearance calendars, and provide expert, investigator and interpreter services. The county plans to use its state funds in 2017 to maintain these improvements.

Douglas County

2015 Population	39,990
Percent below poverty level 2011-2015	14.8%
2011-2015 estimated median household income	\$53,636
RCW 10.101 distribution for use in 2016	\$0

Douglas County has not participated in the Chapter 10.101 RCW funding since the application process began in 2006. Accordingly, financial data and information relating to the amount spent for public defense services or the number and percentage of new cases assigned to counsel was not available. The number of new cases filed is derived from the Washington State Administrative Office of the Courts (AOC) caseload report.

2015 Statistics

Amount spent on public defense	unknown
Amount spent per capita	unknown

Adult Felony

Adult Superior Court cases filed	231
Adult Superior Court cases per 1,000 population	5.8
Number of cases assigned to counsel	unknown

Adult Misdemeanor – County District Court

County misdemeanor cases filed	912
Number of cases assigned to counsel	unknown

Juvenile Offender

Juvenile offender cases filed	86
Juvenile offender cases per 1,000 population	2.2
Number of cases assigned to counsel	unknown

Ferry County

2015 Population	7,710
Percent below poverty level 2011-2015	22.0%
2011-2015 estimated median household income	\$38,125
RCW 10.101 distribution for use in 2016	\$17,895

Administration of Public Defense Services: Ferry County contracts with three attorneys to provide primary public defense representation. The court appoints conflict counsel from a list of private attorneys.

Ferry County has adopted a public defense standards ordinance (Ordinance No. 2008-07). The ordinance requires all contract public defense attorneys to participate in annual training relating to indigent defense.

2015 Statistics

Amount spent on public defense	\$132,131
Amount spent per capita	\$17.14

Adult Felony

Adult Superior Court cases filed	70
Adult Superior Court cases per 1,000 population	9.1
Number of cases assigned to counsel	58

Adult Misdemeanor – County District Court

County misdemeanor cases filed	133
Number of cases assigned to counsel	67

Juvenile Offender

Juvenile offender cases filed	16
Juvenile offender cases per 1,000 population	2.1
Number of cases assigned to counsel	15

Use of State Funds: In 2016 Ferry County spent its state funding to maintain increased attorney compensation and provide indigent defense representation at first appearance hearings. The county intends to use its state funds in 2017 to continue this improvement.

Franklin County

2015 Population	87,150
Percent below poverty level 2011-2015	18.3%
2011-2015 estimated median household income	\$56,980
RCW 10.101 distribution for use in 2016	\$87,882

Administration of Public Defense Services: In 2016 Franklin County established the Office of Public Defense (OPD), a county office to coordinate public defense services. OPD's Administrator oversees the attorney contracts, reviews motions for non-attorney services in all criminal cases, and provides training and assistance to the contractors to improve the level of public defense representation.

Web link to program information: <http://www.franklinopd.org/>

Franklin County has adopted a public defense standards ordinance ([Chapter 13.04](#)) and uses a case weighting policy for cases in Superior Court. The County requires contract public defense attorneys to annually participate in criminal defense training, and report on their non-public defense workload. The County provides public defense services for cases from the City of Connell.

2015 Statistics

Amount spent on public defense	\$864,876
Amount spent per capita	\$9.92

Adult Felony

Adult Superior Court cases filed	595
Adult Superior Court cases per 1,000 population	6.8
Number of cases assigned to counsel	450

Adult Misdemeanor – County District Court

County misdemeanor cases filed	908
Connell Municipal Court cases filed	90
Number of cases assigned to counsel	278

Juvenile Offender

Juvenile offender cases filed	206
Juvenile offender cases per 1,000 population	2.4
Number of cases assigned to counsel	188

Use of State Funds: In 2016 Franklin County used its state funding to support an indigent defense coordinator, sustain increases to investigator, expert and interpreter services, continue increases to attorney compensation, and provide public defense services at preliminary appearance calendars. The county plans to use its 2017 funds to continue these improvements.

Garfield County

2015 Population	2,260
Percent below poverty level 2011-2015	11.5%
2011-2015 estimated median household income	\$45,855
RCW 10.101 distribution for use in 2016	\$11,893

Administration of Public Defense Services: Garfield County contracts with one private attorney to provide primary public defense representation. The court appoints conflict counsel from a list of private attorneys.

Garfield County has adopted a public defense standards ordinance (Ordinance Number 13850). The Garfield County public defense contractor is required to attend approved annual attorney training and report non-public defense attorney hours.

2015 Statistics

Amount spent on public defense	\$40,092
Amount spent per capita	\$17.74

Adult Felony

Adult Superior Court cases filed	17
Adult Superior Court cases per 1,000 population	7.5
Number of cases assigned to counsel	8

Adult Misdemeanor – County District Court

County misdemeanor cases filed	143
Number of cases assigned to counsel	11

Juvenile Offender

Juvenile offender cases filed	10
Juvenile offender cases per 1,000 population	4.4
Number of cases assigned to counsel	9

Use of State Funds: In 2016 Garfield County spent its state funding to sustain increases in attorney compensation. In 2017 the county plans to maintain this improvement, and use state funds for investigator, expert, and interpreter services for indigent defense representation.

Grant County

2015 Population	93,930
Percent below poverty level 2011-2015	17.9%
2011-2015 estimated median household income	\$48,714
RCW 10.101 distribution for use in 2016	\$109,218

Administration of Public Defense Services: Grant County operates a public defender agency that uses a mixed system of county-employed public defense attorneys and contract counsel. Grant County Public Defense provides direct supervision of attorneys, in-house investigation services, and resolution of client complaints.

Grant County has adopted a public defense standards ordinance ([Chapter 2.30](#)) which incorporates the Supreme Court Standards for Indigent Defense by reference. All attorneys are required to attend annual training

2015 Statistics

Amount spent on public defense	\$3,155,177
Amount spent per capita	\$33.59

Adult Felony

Adult Superior Court cases filed	857
Adult Superior Court cases per 1,000 population	9.1
Number of cases assigned to counsel	794

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,544
Number of cases assigned to counsel	4,312

Juvenile Offender

Juvenile offender cases filed	281
Juvenile offender cases per 1,000 population	3.0
Number of cases assigned to counsel	455

Use of State Funds: In 2016 Grant County spent its state funding on maintaining additional attorneys to lower caseloads; sustaining increases to attorney compensation; representation at preliminary appearance calendars; and expert, investigative, and interpreter services. The county plans to use its state funds in 2017 to continue the improvements already implemented.

Grays Harbor County

2015 Population	73,110
Percent below poverty level 2011-2015	18.1%
2011-2015 estimated median household income	\$43,538
RCW 10.101 distribution for use in 2016	\$76,418

Administration of Public Defense Services: Grays Harbor County delivers public defense representation through a contract system. The county contracts with a variety of private attorneys who represent indigent clients in Superior Court and District Court.

Grays Harbor County adopted local public defense standards per Resolution #2008-160, which was amended by #2014-112 to also include a case weighting system for District Court. In addition, the Superior Court adopted a case weighting system for Juvenile Offender cases. The Grays Harbor contract public defense attorneys are required to attend approved annual attorney training.

2015 Statistics

Amount spent on public defense	\$1,054,187
Amount spent per capita	\$14.42

Adult Felony

Adult Superior Court cases filed	515
Adult Superior Court cases per 1,000 population	7.0
Number of cases assigned to counsel	515

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,683
Number of cases assigned to counsel	1,386

Juvenile Offender

Juvenile offender cases filed	137
Juvenile offender cases per 1,000 population	1.9
Number of cases assigned to counsel	39

Use of State Funds: In 2016 Grays Harbor County spent its state funding on maintaining increases to compensation for contract public defense attorneys, continuing recent increases to attorneys to reduce public defense caseloads, providing public defense services at preliminary appearance calendars, providing investigator and expert services, and providing interpreter services for attorney-client interviews and other necessary communications. The county plans to use its state funds in 2017 to maintain the improvements.

Island County

2015 Population	80,600
Percent below poverty level 2011-2015	9.6%
2011-2015 estimated median household income	\$58,815
RCW 10.101 distribution for use in 2016	\$61,691

Administration of Public Defense Services: Island County delivers public defense representation through a contract system. The County contracts with a single private law firm with 4.5 attorney FTEs and in-house investigative services to provide virtually all criminal defense services. For conflict cases, the court appoints counsel from a list of private attorneys.

Island County has adopted a public defense standards ordinance (Ordinance No. 100-09). The Island County Standards for Public Defense Services require approved annual attorney training and reporting of non-public defense attorney hours.

2015 Statistics

Amount spent on public defense	\$779,735
Amount spent per capita	\$9.67

Adult Felony

Adult Superior Court cases filed	263
Adult Superior Court cases per 1,000 population	3.3
Number of cases assigned to counsel	158

Adult Misdemeanor – County District Court

County misdemeanor cases filed	802
Number of cases assigned to counsel	298

Juvenile Offender

Juvenile offender cases filed	79
Juvenile offender cases per 1,000 population	1.0
Number of cases assigned to counsel	54

Use of State Funds: In 2016 Island County spent its state funding to continue providing defense counsel at preliminary appearance calendars and investigator services. The county plans to use its state funds in 2016 to sustain these improvements.

Jefferson County

2015 Population	30,880
Percent below poverty level 2011-2015	12.0%
2011-2015 estimated median household income	\$49,279
RCW 10.101 distribution for use in 2016	\$36,673

Administration of Public Defense Services: Jefferson County contracts with Jefferson Associated Counsel, a private nonprofit corporation, for primary public defense representation. The office director supervises the attorneys and is responsible for handling client complaints. Some investigative services are provided by support staff; the balance is provided by private investigators appointed by the court on a case-by-case basis. The court appoints conflict counsel from a list of private attorneys. The County also provides public defense services to the City of Port Townsend.

Web link to program information: <http://www.jacdefender.org/6414.html>

Jefferson County has adopted a public defense standards ordinance ([Chapter 2.20](#)). Attorneys are required to participate in annual training relating to public defense.

2015 Statistics

Amount spent on public defense	\$653,153
Amount spent per capita	\$21.15

Adult Felony

Adult Superior Court cases filed	200
Adult Superior Court cases per 1,000 population	6.5
Number of cases assigned to counsel	167

Adult Misdemeanor – County District Court

County misdemeanor cases filed	665
Port Townsend misdemeanor cases filed	167
Number of cases assigned to counsel	343

Juvenile Offender

Juvenile offender cases filed	28
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	44

Use of State Funds: In 2016 Jefferson County spent its state funding to maintain attorney levels that had been established to reduce caseloads, and to continue providing additions to investigator services. The county plans to use its state funds in 2017 to continue these improvements.

King County

2015 Population	2,052,800
Percent below poverty level 2011-2015	11.2%
2011-2015 estimated median household income	\$75,302
RCW 10.101 distribution for use in 2016	\$1,311,833

Administration of Public Defense Services: King County has a county government-based agency with four separate public defense units. Approximately ten percent of public defense services are provided through an assigned counsel panel composed of private attorneys accepting assignments and compensated on an hourly basis.

Web link to program information: <http://www.kingcounty.gov/courts/public-defense.aspx>

The King County Council has adopted a public defense standards ordinance ([Chapter 2.60](#)). Both contract and staff attorneys are required to attend annual training related to public defense services, and contract attorneys submit annual reports on the size and nature of their private workloads.

2015 Statistics

Amount spent on public defense	\$53,682,519
Amount spent per capita	\$26.15

Adult Felony

Adult Superior Court cases filed	6,406
Adult Superior Court cases per 1,000 population	3.1
Number of cases assigned to counsel	5,776

Adult Misdemeanor – County District Court

County misdemeanor cases filed	5,556
Number of cases assigned to counsel	4,698

Juvenile Offender

Juvenile offender cases filed	1,651
Juvenile offender cases per 1,000 population	0.8
Number of cases assigned to counsel	1,582

Use of State Funds: In 2016 King County used state funds to increase the hourly compensation rate of conflict counsel. Funds were also used to sustain a program manager position to improve quality control and provide training programs for attorneys. In 2017 the county plans to use its state funds to sustain these improvements, and fund local training opportunities for public defense employees and contractors.

Kitsap County

2015 Population	258,200
Percent below poverty level 2011-2015	10.6%
2011-2015 estimated median household income	\$62,941
RCW 10.101 distribution for use in 2016	\$225,110

Administration of Public Defense Services: Kitsap County operates a public defender agency that uses a mixed system of county-employed public defense attorneys and contract counsel. Staff attorneys employed by the county handle felony cases, and contracted counsel are assigned to represent clients on felony, misdemeanor, juvenile, and civil commitment cases.

Web link to program information: <http://www.kitsapgov.com/pubdef/>

Kitsap County has adopted a public defense standards ordinance ([Chapter 2.23](#)). The compensation section establishes parity in salary and benefits between staff public defense attorneys and county prosecuting attorneys. Kitsap County requires attorneys to attend approved annual training and report non-public defense attorney hours.

2015 Statistics

Amount spent on public defense	\$3,074,587
Amount spent per capita	\$11.91

Adult Felony

Adult Superior Court cases filed	1,535
Adult Superior Court cases per 1,000 population	5.9
Number of cases assigned to counsel	1,326

Adult Misdemeanor – County District Court

County misdemeanor cases filed	2,812
Number of cases assigned to counsel	1,727

Juvenile Offender

Juvenile offender cases filed	344
Juvenile offender cases per 1,000 population	1.3
Number of cases assigned to counsel	291

Use of State Funds: In 2016 Kitsap County continued use of its state funds to partially pay for the Kitsap County public defense supervisor, administrator, and one staff member hired after the creation of the public defense office, and to provide legal research tools. The county plans to use its state funds in 2017 to continue these enhancements.

Kittitas County

2015 Population	42,670
Percent below poverty level 2011-2015	22.2%
2011-2015 estimated median household income	\$46,458
RCW 10.101 distribution for use in 2016	\$52,795

Administration of Public Defense Services: Kittitas County Superior Court and Upper Kittitas District Court deliver public defense representation through list appointment. Contracts are utilized in extraordinary circumstances such as specific serious felonies. Appointed attorneys are paid at a published per-case rate unless otherwise authorized. For Lower Kittitas District Court, one firm contracts for all indigent defense cases, and conflicts or cases exceeding the firm's caseload limit are assigned to associated counsel. The County also provides public defense services for the cities of Ellensburg and Kittitas.

Kittitas County has adopted a public defense standards ordinance ([Chapter 2.09](#)) which requires training for attorneys.

2015 Statistics

Amount spent on public defense	\$636,652
Amount spent per capita	\$14.92

Adult Felony

Adult Superior Court cases filed	359
Adult Superior Court cases per 1,000 population	8.4
Number of cases assigned to counsel	209

Adult Misdemeanor – County District Court

Total county and municipal misdemeanor cases filed	1995
Number of cases assigned to counsel	271

Juvenile Offender

Juvenile offender cases filed	41
Juvenile offender cases per 1,000 population	1.0
Number of cases assigned to counsel	38

Use of State Funds: In 2016 Kittitas County spent its state funding on representation at preliminary appearance and arraignment calendars, sustaining increases to attorney compensation, and providing expert services and investigator services. The county plans to use its state funds in 2017 to maintain these improvements.

Klickitat County

2015 Population	21,000
Percent below poverty level 2011-2015	15.2%
2011-2015 estimated median household income	\$48,319
RCW 10.101 distribution for use in 2016	\$28,908

Administration of Public Defense Services: Klickitat County administers public defense representation under a contract signed by three private attorneys for all Superior Court matters. The contract requires the attorneys to provide indigent defense services in all adult felony, juvenile offender, and other juvenile cases. Conflict attorneys are appointed from a list. The county administers two District Court sites; defense services in each court are handled through list appointment by the Court.

Klickitat County has adopted a public defense standards ordinance ([Chapter 1.45](#)). The County requires all attorneys to attend annual training on criminal defense.

2015 Statistics

Amount spent on public defense	\$259,669
Amount spent per capita	\$12.37

Adult Felony

Adult Superior Court cases filed	148
Adult Superior Court cases per 1,000 population	7.0
Number of cases assigned to counsel	154

Adult Misdemeanor – County District Court

County misdemeanor cases filed	465
Number of cases assigned to counsel	276

Juvenile Offender

Juvenile offender cases filed	44
Juvenile offender cases per 1,000 population	2.1
Number of cases assigned to counsel	37

Use of State Funds: Klickitat County used its state funds in 2016 to sustain attorney compensation increases, and to continue providing investigators, experts, and interpreter services for assigned counsel representation. The county plans to use its state funds in 2017 to maintain these improvements.

Lewis County

2015 Population	76,660
Percent below poverty level 2011-2015	16.3%
2011-2015 estimated median household income	\$44,100
RCW 10.101 distribution for use in 2016	\$92,597

Administration of Public Defense Services: Lewis County administers public defense services through a contract system. The county contracts with numerous private attorneys, with some accepting handling more than one case type. The county also contracts with one attorney to represent clients at in-custody first appearances, screen defendants for indigence, and investigate complaints about public defense services.

Lewis County has adopted a public defense standards ordinance ([Chapter 2.40](#)). Lewis County public defense contracts require approved annual attorney training and reporting of non-public defense attorney hours.

2015 Statistics

Amount spent on public defense	\$1,250,532
Amount spent per capita	\$16.31

Adult Felony

Adult Superior Court cases filed	723
Adult Superior Court cases per 1,000 population	9.4
Number of cases assigned to counsel	703

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,208
Number of cases assigned to counsel	1,048

Juvenile Offender

Juvenile offender cases filed	169
Juvenile offender cases per 1,000 population	2.2
Number of cases assigned to counsel	292 units*

Use of State Funds: In 2016 Lewis County spent its state funding to continue contracting with an attorney to provide representation at preliminary appearances and investigate complaints about public defense counsel. The County plans to use its state funds in 2017 to continue these improvements.

**Juvenile offender case counts were reported in units – the metric used for compensation purposes. Attorneys receive extra units for time-intensive work such as additional days in fact finding hearings and pre-trial motions. Some case types, such as probation violations, review hearings, and advising on diversion matters, are assigned fractions of units.*

Lincoln County

2015 Population	10,720
Percent below poverty level 2011-2015	15.3%
2011-2015 estimated median household income	\$46,069
RCW 10.101 distribution for use in 2016	\$20,201

Administration of Public Defense Services: Lincoln County administers public defense representation using a system of contracts and list appointments. The County contracts with one attorney for representation on misdemeanor cases in District Court. For all Superior Court cases and District Court conflict cases, the court appoints counsel from a list of attorneys who are paid on an hourly basis. The County also provides public defense services for the cities of Davenport, Odessa, Reardan, Sprague, and Wilbur.

Lincoln County has adopted a public defense standards ordinance (Ordinance No. 07-02). All attorneys providing public defense services are required to participate in regular trainings on criminal defense law, including a minimum of seven hours annually.

2015 Statistics

Amount spent on public defense	\$152,537
Amount spent per capita	\$14.23

Adult Felony

Adult Superior Court cases filed	85
Adult Superior Court cases per 1,000 population	7.9
Number of cases assigned to counsel	84

Adult Misdemeanor – County District Court

Total county and municipal misdemeanor cases filed	571
Number of cases assigned to counsel	314

Juvenile Offender

Juvenile offender cases filed	7
Juvenile offender cases per 1,000 population	0.7
Number of cases assigned to counsel	9

Use of State Funds: In 2016 Lincoln County used state funds to sustain previous improvements for reducing attorneys' caseloads, which had included adding attorneys and increasing compensation. State funds also helped fund the use of public defense services at preliminary appearance calendars. The county plans to use its state funds in 2017 to continue these improvements.

Mason County

2015 Population	62,200
Percent below poverty level 2011-2015	17.2%
2011-2015 estimated median household income	\$50,406
RCW 10.101 distribution for use in 2016	\$77,493

Administration of Public Defense Services: Mason County operates a public defender agency that uses a mixed system of county-employed public defense attorneys and contract counsel. The Director provides supervision of staff attorneys, administers and monitors contracts, and addresses client complaints.

Web link to program information: https://www.co.mason.wa.us/public_defender/index.php

Mason County has adopted local public defense standards (Ordinance No. 139-08). Attorneys providing indigent defense services are required to participate in annual training on criminal defense law.

2015 Statistics

Amount spent on public defense	\$866,295
Amount spent per capita	\$13.93

Adult Felony

Adult Superior Court cases filed	594
Adult Superior Court cases per 1,000 population	9.5
Number of cases assigned to counsel	394

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,550
Number of cases assigned to counsel	915

Juvenile Offender

Juvenile offender cases filed	120
Juvenile offender cases per 1,000 population	1.9
Number of cases assigned to counsel	84

Use of State Funds: In 2016 Mason County spent its state funding to sustain increases to attorney compensation, and reductions to attorney caseloads. State funds were also used to help pay for contact attorney training to ensure compliance with state requirements. The county plans to use its state funds in 2017 to continue these improvements.

Okanogan County

2015 Population	41,860
Percent below poverty level 2011-2015	21.2%
2011-2015 estimated median household income	\$40,730
RCW 10.101 distribution for use in 2016	\$61,159

Administration of Public Defense Services: Okanogan County contracts with one law firm for all public defense services. The contracted firm provides representation on a portion of the cases, and subcontracts with and assigns remaining cases to local private attorneys. The County also provides public defense services for the cities of Brewster, Coulee Dam, Elmer City, Okanogan, Omak, Oroville, Pateros, Tonasket, Twisp, and Winthrop.

Okanogan County has adopted a public defense standards ordinance ([Chapter 2.78](#)). The attorney contract and subcontracts require counsel to attend annual training on criminal defense.

2015 Statistics

Amount spent on public defense	\$1,020,811
Amount spent per capita	\$24.39

Adult Felony

Adult Superior Court cases filed	482
Adult Superior Court cases per 1,000 population	11.5
Number of cases assigned to counsel	316

Adult Misdemeanor – County District Court

Total county and municipal misdemeanor cases filed	1,743
Number of cases assigned to counsel	1,654

Juvenile Offender

Juvenile offender cases filed	218
Juvenile offender cases per 1,000 population	5.2
Number of cases assigned to counsel	163

Use of State Funds: In 2016 Okanogan County spent its state funding to sustain previously imposed increases to investigative and expert services. State funds were also used for additional attorneys, increased compensation, and providing representation at preliminary appearance calendars. The county plans to use its state funds in 2017 to sustain these improvements.

Pacific County

2015 Population	21,210
Percent below poverty level 2011-2015	19.2%
2011-2015 estimated median household income	\$37,684
RCW 10.101 distribution for use in 2016	\$35,149

Administration of Public Defense Services: Pacific County provides indigent defense services through a contract system. Private attorneys contract for a maximum number of cases or types of cases at each court level.

Pacific County has adopted a public defense standards ordinance ([Ordinance No. 159](#)). Contracted attorneys are required to attend a minimum of seven hours per year on training related to public defense practice.

2015 Statistics

Amount spent on public defense	\$378,939
Amount spent per capita	\$17.87

Adult Felony

Adult Superior Court cases filed	235
Adult Superior Court cases per 1,000 population	11.1
Number of cases assigned to counsel	220

Adult Misdemeanor – County District Court

County misdemeanor cases filed	625
Number of cases assigned to counsel	340

Juvenile Offender

Juvenile offender cases filed	67
Juvenile offender cases per 1,000 population	3.2
Number of cases assigned to counsel	50

Use of State Funds: In 2016 Pacific County spent its state funding to sustain additions made to attorney levels to reduce public defense caseloads, and investigator and expert services. The county plans to use its state funds in 2017 to continue these improvements.

Pend Oreille County

2015 Population	13,240
Percent below poverty level 2011-2015	21.5%
2011-2015 estimated median household income	\$40,599
RCW 10.101 distribution for use in 2016	\$23,507

Administration of Public Defense Services: Pend Oreille County provides public defense representation through contracts with four private attorneys. Conflict cases are assigned to list-appointed attorneys who are paid at an hourly rate. The County also provides public defense services for the cities of Newport, Lone, Metaline, Metaline Falls, and Cusick.

Pend Oreille County has adopted a public defense standards ordinance (Ordinance No. 2008-4). The county public defense attorneys are required to attend approved annual attorney training.

2015 Statistics

Amount spent on public defense	\$345,450
Amount spent per capita	\$26.09

Adult Felony

Adult Superior Court cases filed	117
Adult Superior Court cases per 1,000 population	8.8
Number of cases assigned to counsel	122

Adult Misdemeanor – County District Court

County misdemeanor cases filed	266
Total municipal misdemeanor cases filed	172
Number of cases assigned to counsel	465*

Juvenile Offender

Juvenile offender cases filed	24
Juvenile offender cases per 1,000 population	1.8
Number of cases assigned to counsel	20

Use of State Funds: In 2016 Pend Oreille County spent its state funding to sustain increases to public defense attorney compensation, and providing public defense representation at arraignment calendars. The county plans to use its state funds in 2017 to continue these improvements.

**This figure includes probation violation matters assigned to public defense counsel.*

Pierce County

2015 Population	830,120
Percent below poverty level 2011-2015	12.7%
2011-2015 estimated median household income	\$59,953
RCW 10.101 distribution for use in 2016	\$724,048

Administration of Public Defense Services: Pierce County provides public defense services through a county government-based agency, the Department of Assigned Counsel (DAC). DAC employees receive salary and benefits at parity with the Pierce County Prosecuting Attorney Office employees. DAC maintains felony, misdemeanor and juvenile divisions, each supervised by a senior attorney. These supervisors, along with DAC's director and chief deputy, oversee staff attorneys and are responsible for resolving client complaints. The agency contracts with outside attorneys for conflict cases and provides investigative services through a panel of pre-approved investigators. The County also provides public defense services for the cities of Tacoma, Gig Harbor, Ruston, and Fircrest.

Web link to program information: <http://www.co.pierce.wa.us/index.aspx?NID=92>

Pierce County has adopted a public defense standards by ordinance (Ordinance No. 95-148). In addition, Pierce County DAC requires approved annual attorney training, and public defense conflict contracts require approved training and reporting of non-public defense hours.

2015 Statistics

Amount spent on public defense	\$16,849,240
Amount spent per capita	\$20.30

Adult Felony

Adult Superior Court cases filed	5,245
Adult Superior Court cases per 1,000 population	6.3
Number of cases assigned to counsel	4,848

Adult Misdemeanor – County District Court

County misdemeanor cases filed	9,356
Number of cases assigned to counsel	3,307

Juvenile Offender

Juvenile offender cases filed	1,134
Juvenile offender cases per 1,000 population	1.4
Number of cases assigned to counsel	985

Use of State Funds: In 2016 Pierce County spent its state funding to sustain increases to public defense attorney compensation and maintain positions created in 2007 and 2008. The county plans to use its state funds in 2017 to continue these improvements.

San Juan County

2015 Population	16,180
Percent below poverty level 2011-2015	11.6%
2011-2015 estimated median household income	\$55,960
RCW 10.101 distribution for use in 2016	\$18,993

Administration of Public Defense Services: San Juan County delivers public defense through a contract system with two law firms. The contracts use a case-point system. Conflict attorneys are appointed from a list and paid according to a published fee schedule.

San Juan County has adopted a public defense standards ordinance ([Chapter 2.128](#)). The San Juan County public defense attorneys are required to attend approved annual attorney training and report non-public defense attorney hours.

2015 Statistics

Amount spent on public defense	\$225,605
Amount spent per capita	\$13.94

Adult Felony

Adult Superior Court cases filed	36
Adult Superior Court cases per 1,000 population	2.2
Number of cases assigned to counsel	49

Adult Misdemeanor – County District Court

County misdemeanor cases filed	183
Number of cases assigned to counsel	181

Juvenile Offender

Juvenile offender cases filed	10
Juvenile offender cases per 1,000 population	0.6
Number of cases assigned to counsel	5

Use of State Funds: In 2016 San Juan County spent its state funding to continue previous increases to compensation, expert and investigative services, attorney training, and representation at preliminary appearance calendars. The county plans to use its state funds in 2017 to continue funding these improvements.

Skagit County

2015 Population	120,620
Percent below poverty level 2011-2015	16.0%
2011-2015 estimated median household income	\$54,129
RCW 10.101 distribution for use in 2016	\$139,211

Administration of Public Defense Services: Skagit County delivers public defense services through the Skagit County Public Defender, a county-based agency. The office's director and chief deputy are responsible for supervision of staff attorneys and resolution of client complaints. Investigative services are provided in-house. Skagit County also contracts with private law firms for mental health, involuntary commitment, and conflict cases.

Web link to program information:

<http://www.skagitcounty.net/Departments/PublicDefender/main.htm>

Skagit County has adopted a public defense standards ordinance ([Chapter 2.36](#)). In addition, the Skagit County Public Defender agency requires approved annual attorney training.

2015 Statistics

Amount spent on public defense	\$4,178,835
Amount spent per capita	\$34.64

Adult Felony

Adult Superior Court cases filed	1,125
Adult Superior Court cases per 1,000 population	9.3
Number of cases assigned to counsel	1,319

Adult Misdemeanor – County District Court

County misdemeanor cases filed	2,981
Number of cases assigned to counsel	2,084

Juvenile Offender

Juvenile offender cases filed	207
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	376

Use of State Funds: In 2016 Skagit County spent its state funding to continue the employment of an additional attorney and support staff. The county plans to use its state funds in 2017 to continue these improvements.

Skamania County

2015 Population	11,430
Percent below poverty level 2011-2015	13.7%
2011-2015 estimated median household income	\$52,374
RCW 10.101 distribution for use in 2016	\$19,858

Administration of Public Defense Services: Skamania County delivers Superior Court public defense representation through contracts with local law firms. When a conflict is identified, counsel is appointed from a list. Most District Court cases are assigned to one private attorney, while a small number of conflicts and other cases are assigned to other local private attorneys. The County also provides public defense services for the cities of Stevenson and North Bonneville.

Skamania County has adopted a public defense standards ordinance ([Chapter 2.90](#)). The ordinance requires public defense attorneys to attend approved annual attorney training.

2015 Statistics

Amount spent on public defense	\$93,137
Amount spent per capita	\$8.15

Adult Felony

Adult Superior Court cases filed	76
Adult Superior Court cases per 1,000 population	6.6
Number of cases assigned to counsel	56

Adult Misdemeanor – County District Court

County misdemeanor cases filed	250
Total municipal misdemeanor cases filed	81
Number of cases assigned to counsel	165

Juvenile Offender

Juvenile offender cases filed	15
Juvenile offender cases per 1,000 population	1.3
Number of cases assigned to counsel	18

Use of State Funds: In 2016 Skamania County spent its state funding on investigator services, expert services, and interpreter services for attorney-client communications. The county plans to use its state funds in 2017 to continue these improvements.

Snohomish County

2015 Population	757,600
Percent below poverty level 2011-2015	10.2%
2011-2015 estimated median household income	\$70,722
RCW 10.101 distribution for use in 2016	\$522,041

Administration of Public Defense Services: Snohomish County provides public defense representation in most adult criminal and juvenile offender cases through a contract with the Snohomish County Public Defender Association (PDA), a private nonprofit corporation. PDA is managed by a director, an assistant director and a misdemeanor supervisor who are responsible for attorney supervision and resolution of client complaints. PDA provides investigative services in-house. Conflict and overflow cases are appointed to contract attorneys. The County also provides public defense services for the cities of Granite Falls, Gold Bar, Darrington, Mukilteo, and Stanwood.

Web link to program information: <http://snohomishcountywa.gov/199/Office-of-Public-Defense>

Snohomish County has adopted a public defense standards ordinance ([Chapter 2.09.080](#)) which incorporates, by reference, the Standards for Public Defense Services adopted in 1989 by the Washington Defender Association.

2015 Statistics

Amount spent on public defense	\$7,693,785
Amount spent per capita	\$10.16

Adult Felony

Adult Superior Court cases filed	2,813
Adult Superior Court cases per 1,000 population	3.7
Number of cases assigned to counsel	2,401

Adult Misdemeanor – County District Court

County misdemeanor cases filed	7,466
Total misdemeanor cases filed for Granite Falls, Gold Bar, Darrington, Mukilteo, and Stanwood	361
Number of cases assigned to counsel	3,054

Juvenile Offender

Juvenile offender cases filed	1,322
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	748

Use of State Funds: In 2016 Snohomish County used its state funding to support a variety of improvements. An attorney administrator was provided to monitor caseload standards and manage public defense contracts. The county also increased compensation to the conflict panel attorneys, and reached the final step in pay parity between the Prosecutor’s office and the Public Defender Association. The county will use 2017 state funds to continue supporting these and additional technological improvements.

Spokane County

2015 Population	488,310
Percent below poverty level 2011-2015	15.9%
2011-2015 estimated median household income	\$50,079
RCW 10.101 distribution for use in 2016	\$565,355

Administration of Public Defense Services: Spokane County provides public defense representation through two county-based agencies, the Spokane County Public Defender and Counsel for Defense. The Spokane County Public Defender handles most Superior and District court cases; Counsel for Defense handles the majority of felony conflict cases and juvenile offender cases. Employees are compensated at parity with the Spokane County Prosecuting Attorney's Office. Each agency director is responsible for attorney supervision and resolution of client complaints. The Spokane County Public Defender contracts with private attorneys to handle felony cases conflicted from both agencies. Most misdemeanor conflicts are handled through an inter-local agreement with the City of Spokane Public Defender.

Web link to program information: <http://wa-spokanecounty.civicplus.com/459/Public-Defender>

Spokane County has adopted a public defense standards ordinance ([Chapter 1.17A](#)). The Spokane County public defense agencies require approved annual attorney training.

2015 Statistics

Amount spent on public defense	\$9,436,624
Amount spent per capita	\$19.33

Adult Felony

Adult Superior Court cases filed	5,000
Adult Superior Court cases per 1,000 population	10.2
Number of cases assigned to counsel	4,162

Adult Misdemeanor – County District Court

County misdemeanor cases filed	6,817
Number of cases assigned to counsel	3,152

Juvenile Offender

Juvenile offender cases filed	843
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	776

Use of State Funds: In 2015 Spokane County used state funds to provide public defense services at first appearance calendars, which has helped to identify and divert a significant number of cases, thereby reducing attorney caseloads. In 2017 the county plans to sustain these improvements, and use state funds to ensure continued compliance with caseload standards.

Stevens County

2015 Population	44,030
Percent below poverty level 2011-2015	18.0%
2011-2015 estimated median household income	\$41,978
RCW 10.101 distribution for use in 2016	\$47,699

Administration of Public Defense Services: Stevens County provides public defense representation through numerous contracts with private attorneys to represent indigent clients in District, Superior and Juvenile Courts. Conflict cases at all court levels are handled through list appointments.

Stevens County has adopted a public defense standards ordinance (Ordinance No. 2008-02). The Stevens County public defense contractors are required to attend approved annual attorney training.

2015 Statistics

Amount spent on public defense	\$558,399
Amount spent per capita	\$12.68

Adult Felony

Adult Superior Court cases filed	279
Adult Superior Court cases per 1,000 population	6.3
Number of cases assigned to counsel	245

Adult Misdemeanor – County District Court

County misdemeanor cases filed	968
Number of cases assigned to counsel	432

Juvenile Offender

Juvenile offender cases filed	68
Juvenile offender cases per 1,000 population	1.5
Number of cases assigned to counsel	68

Use of State Funds: In 2016 Stevens County spent its state funding to increase public defense attorney compensation. The county intends to use its state funds in 2017 to continue this improvement.

Thurston County

2015 Population	267,410
Percent below poverty level 2011-2015	12.4%
2011-2015 estimated median household income	\$61,677
RCW 10.101 distribution for use in 2016	\$253,887

Administration of Public Defense Services: Thurston County provides public defense representation through a county government-based agency – Thurston County Public Defense (TCPD). TCPD staff are compensated at parity with the county prosecutor’s office. Overflow and conflict cases are assigned to contract attorneys. TCPD employs a director and three senior defense attorneys to assist in the supervision of staff and resolution of client complaints. Thurston County also provides public defense services for the City of Tumwater.

Web link to program information: <http://www.co.thurston.wa.us/pd/>

Thurston County has adopted a public defense standards ordinance ([Chapter 10.100](#)), and requires all public defense attorneys to comply with required annual training.

2015 Statistics

Amount spent on public defense	\$4,366,580
Amount spent per capita	\$16.33

Adult Felony

Adult Superior Court cases filed	1,888
Adult Superior Court cases per 1,000 population	7.1
Number of cases assigned to counsel	1,903

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,821
Number of cases assigned to counsel	2,629

Juvenile Offender

Juvenile offender cases filed	613
Juvenile offender cases per 1,000 population	2.3
Number of cases assigned to counsel	603

Use of State Funds: In 2016 Thurston County spent its state funding to maintain caseload reductions and to increase the availability of investigative and other expert services to public defenders. The county intends to use its state funds in 2017 to continue these improvements.

Wahkiakum County

2015 Population	3,980
Percent below poverty level 2011-2015	17.1%
2011-2015 estimated median household income	\$44,485
RCW 10.101 distribution for use in 2016	\$14,160

Administration of Public Defense Services: Wahkiakum County delivers public defense representation for all felony, misdemeanor, and juvenile offender cases through list appointment. Private attorneys on the court’s list are not under contract although they have agreed to accept appointments and are compensated at an established hourly rate.

Wahkiakum County has adopted a public defense ordinance ([Chapter 2.144](#)). All public defense attorneys are required to attend annual training relating to criminal defense.

2015 Statistics

Amount spent on public defense	\$62,155
Amount spent per capita	\$15.62

Adult Felony

Adult Superior Court cases filed	39
Adult Superior Court cases per 1,000 population	9.8
Number of cases assigned to counsel	43

Adult Misdemeanor – County District Court

County misdemeanor cases filed	124
Number of cases assigned to counsel	101

Juvenile Offender

Juvenile offender cases filed	20
Juvenile offender cases per 1,000 population	5.0
Number of cases assigned to counsel	13

Use of State Funds: In 2016 Wahkiakum County used state funds to maintain reductions to attorney caseloads, provide representation at some preliminary appearance calendars and pay for interpreter services for attorney-client communications. The county plans to use its state funds in 2017 for the same purposes.

Walla Walla County

2015 Population	60,650
Percent below poverty level 2011-2015	17.6%
2011-2015 estimated median household income	\$47,946
RCW 10.101 distribution for use in 2016	\$63,626

Administration of Public Defense Services: Walla Walla County delivers public defense representation through a contract system. Eight private law offices contract to provide public defense services at all court levels.

Walla Walla County has adopted a public defense standards resolution (Resolution No. 04335). All public defense attorneys are required to attend annual training relating to criminal defense.

2015 Statistics

Amount spent on public defense	\$831,443
Amount spent per capita	\$13.71

Adult Felony

Adult Superior Court cases filed	407
Adult Superior Court cases per 1,000 population	6.7
Number of cases assigned to counsel	353

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,381
Number of cases assigned to counsel	318

Juvenile Offender

Juvenile offender cases filed	181
Juvenile offender cases per 1,000 population	3.0
Number of cases assigned to counsel	161

Use of State Funds: In 2016 Walla Walla County spent its state funding to sustain increases to public defense attorney compensation, provide public defense services at most preliminary appearance calendars, utilize investigator and expert services, and procure interpreter services for attorney-client interviews and other necessary communications. The county plans to use its state funds in 2017 to continue these improvements.

Whatcom County

2015 Population	209,790
Percent below poverty level 2011-2015	16.0%
2011-2015 estimated median household income	\$53,145
RCW 10.101 distribution for use in 2016	\$207,565

Administration of Public Defense Services: Whatcom County provides public defense representation through the Whatcom County Public Defender, a county government-based agency. Public Defender employees are compensated at parity with the Whatcom County Prosecuting Attorney Office employees. The agency director is responsible for supervision and the resolution of client complaints. The agency employs in-house investigative staff. The County also contracts with private attorneys for dependency, termination, and BECCA cases. Conflict attorneys are appointed from a list.

Web link to program information: <http://www.co.whatcom.wa.us/311/Public-Defender>

Whatcom County has adopted a public defense standards ordinance ([Chapter 2.09](#)). The county public defense agency requires approved annual attorney training. All attorneys are required to adhere to standards of conduct established by the Washington State Bar Association and American Bar Association.

2015 Statistics

Amount spent on public defense	\$3,774,512
Amount spent per capita	\$17.99

Adult Felony

Adult Superior Court cases filed	1,570
Adult Superior Court cases per 1,000 population	7.5
Number of cases assigned to counsel	1,425

Adult Misdemeanor – County District Court

County misdemeanor cases filed	2,807
Number of cases assigned to counsel	1,382

Juvenile Offender

Juvenile offender cases filed	329
Juvenile offender cases per 1,000 population	1.6
Number of cases assigned to counsel	315

Use of State Funds: Since inception of the state funding program, Whatcom County has spent its allocation on two deputy public defense attorney positions, and plans to continue doing so in 2017.

Whitman County

2015 Population	47,250
Percent below poverty level 2011-2015	31.2%
2011-2015 estimated median household income	\$36,631
RCW 10.101 distribution for use in 2016	\$45,635

Administration of Public Defense Services: Whitman County delivers public defense representation through a contract system with four private law firms.

Whitman County has adopted a public defense standards ordinance ([Chapter 2.07](#)).

2015 Statistics

Amount spent on public defense	\$315,000
Amount spent per capita	\$6.67

Adult Felony

Adult Superior Court cases filed	231
Adult Superior Court cases per 1,000 population	4.9
Number of cases assigned to counsel	183

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,131
Number of cases assigned to counsel	307

Juvenile Offender

Juvenile offender cases filed	41
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	32

Use of State Funds: In 2016 Whitman County spent its state funding to sustain increases to public defense attorney compensation. The county plans to use its state funds in 2017 to maintain this improvement.

Yakima County

2015 Population	249,970
Percent below poverty level 2011-2015	21.3%
2011-2015 estimated median household income	\$44,749
RCW 10.101 distribution for use in 2016	\$246,250

Administration of Public Defense Services: Yakima County delivers public defense representation through the Yakima County Department of Assigned Counsel (DAC), a county government-based agency. The agency's director and senior staff attorneys are responsible for attorney supervision and resolution of client complaints. DAC also administers attorney contracts and panels of private attorneys who provide both overflow and conflict coverage. DAC handles investigative services through two in-house and contract investigators, who are also available to contract counsel. Interpreter services are available through an approved list of providers managed by DAC.

Web link to program information: <http://www.yakimacounty.us/1662/Assigned-Counsel>

Yakima County has adopted a public defense standards ordinance ([Ordinance 10-2007](#)). The Yakima County DAC requires approved annual attorney training.

2015 Statistics

Amount spent on public defense	\$4,489,784
Amount spent per capita	\$17.96

Adult Felony

Adult Superior Court cases filed	1,882
Adult Superior Court cases per 1,000 population	7.5
Number of cases assigned to counsel	1,650

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,579
Number of cases assigned to counsel	2,169

Juvenile Offender

Juvenile offender cases filed	728
Juvenile offender cases per 1,000 population	2.9
Number of cases assigned to counsel	636

Use of State Funds: In 2016 like previous years, Yakima County used state funds to maintain reductions to caseloads. This has included adding an attorney, increasing contract compensation, and appearing at preliminary appearances in Juvenile Court. The county plans to use its state funds in 2017 to continue these improvements.

Report on Municipal Public Defense Services

Municipalities are responsible for administering and funding trial level criminal public defense for cases prosecuted by their city attorneys. Across the state, cities vary in their public defense service models. In most cities, attorneys and law firms bid for public defense contracts, and the resulting contracts are overseen by city administrators or their designees.

In recent years cities have taken steps to improve oversight of public defense services to ensure that indigent defendants receive quality representation. Some cities require that their contracted public defense attorneys submit monthly or quarterly reports detailing current caseloads. These reports assist in tracking whether attorneys are approaching or exceeding the caseload limits established by the Washington Supreme Court. Fully-supported attorneys with full-time misdemeanor caseloads should have no more than 400 new case assignments per year. Alternatively, in cities that have adopted a case weighting system, the annual limit is 300 case weights. In 2013 OPD developed a [model misdemeanor case weighting policy](#) to serve as a template for jurisdictions that choose to case weight. In addition to reporting public defense assignments, all cities receiving state funds under [Chapter 10.101 RCW](#) must require their public defense attorneys to report nonpublic defense legal services, including the number and types of private cases.⁸

In response to the 2013 decision issued in [Wilbur, et. al., v. City of Mounty Vernon, et. al, No. C11-1100RSL \(W.D. Wash.\)](#), an increasing number of cities are also requiring contract public defense attorneys to submit monthly or quarterly reports reflecting various case-related activities and case outcomes. Case-related activities include but are not limited to motion practice, trials, use of experts and investigators, case outcomes, and amount of time spent on various tasks. These reports help to identify whether attorneys are taking active steps to investigate and challenge cases, and develop representational relationships with their clients.

OPD manages a competitive grant program pursuant to [RCW 10.101.080](#) whereby cities may receive state funding for implementing improvements. State funds can be used for improvements to public defense services such as, but not limited to:

- Additional expert services such as investigators, social workers, interpreters, or expert witnesses;
- Creating a public defense office;
- Quality-control monitoring;
- Computers or access to electronic research systems;
- Increased attorney compensation;
- Provision of public defense representation at first appearance calendars;
- Increased attorneys to lower caseloads;
- Evaluation of defendants for sentencing options; and/or
- Training.

⁸ [RCW 10.101.050](#)

State funds may not be used for supplanting pre-existing public defense expenses, indigency screening, or local government expenses incurred by persons other than public defense service providers.

In 2016 OPD provided public defense improvement grants amounting to \$679,250 to 25 cities. The following pages provide summaries of public defense statistics in those cities such as expenditures and appointments, general descriptions of their public defense services, and steps taken in compliance with the requirements set forth in [Chapter 10.101 RCW](#).⁹

⁹ For an explanation of the methodology and data reporting procedures utilized for this report, see Appendix A. For a complete glossary of terms, see Appendix B.

City of Airway Heights

2014 Population	6,356
Percent below poverty level 2011-2015	24.7%
2011-2015 estimated median household income	\$36,351
Competitive Grant awarded for use in 2016	\$9,500

2014 Statistics

Amount spent on public defense	\$52,907
Amount spent per capita	\$8.32
City misdemeanor cases filed	526
Total city misdemeanors per 1,000 population	82.7
Number of cases assigned to counsel	300

Administration of Public Defense Services: The City of Airway Heights delivers public defense services through a contract system. The city contracts with one primary attorney and one conflict attorney. The city also has an interlocal agreement with the Spokane County Public Defender's Office to provide services for defendants who appear in-custody in the County District Court on non-city court days.

The City has adopted an ordinance pertaining to administration of public defense services ([Chapter 2.33](#)). The city adopted OPD's Model Public Defense Case Weighting Policy for purposes of weighting public defense caseloads.

Use of State Funds: The city used its state grant funds in 2016 for sustaining additions to attorney levels to reduce caseloads, increases to attorney compensation, and providing representation at first appearance and arraignment hearings.

City of Battle Ground

2014 Population	18,168
Percent below poverty level 2011-2015	13.4%
2011-2015 estimated median household income	\$58,525
Competitive Grant awarded for use in 2016	\$9,000

2014 Statistics

Amount spent on public defense	\$78,788
Amount spent per capita	\$4.34
City misdemeanor cases filed	767
Total city misdemeanors per 1,000 population	42.2
Number of cases assigned to counsel	428

Administration of Public Defense Services: Public defense representation in the City of Battle Ground is provided through contracts with six attorneys. The City has adopted public defense standards by resolution (Resolution No. 12-06) which incorporates by reference the Washington State Bar Association's Standards for Indigent Defense Services. The city has an inter-local agreement with Clark County to handle in-custody preliminary appearances, and provide counsel at those hearings.

Use of State Funds: In 2016 the City of Battle Ground used state funds to sustain increases to contract attorney compensation. This increase has helped the City compete for quality attorneys in light of caseload limits and higher compensation rates payed by nearby jurisdictions.

City of Bellingham

2014 Population	82,080
Percent below poverty level 2011-2015	23.0%
2011-2015 estimated median household income	\$43,536
Competitive Grant awarded for use in 2016	\$66,200

2014 Statistics

Amount spent on public defense	\$773,919
Amount spent per capita	\$9.43
City misdemeanor cases filed	3,131
Total city misdemeanors per 1,000 population	38.1
Number of cases assigned to counsel	1,842

Administration of Public Defense Services: The City of Bellingham delivers public defense representation through a contract system. The city contracts with one primary law firm, Bellingham Assigned Counsel (BAC), to handle the cases in Bellingham Municipal Court. BAC and the Whatcom County Public Defender have a contract to exchange representation for conflict cases.

The City of Bellingham has adopted a public defense standards ordinance ([Chapter 2.16.090](#)) which incorporates by reference the Washington State Bar Association's Standards for Public Defense Services.

Use of State Funds: The city used its grant funding to provide attorneys at the in-custody preliminary appearance calendar and the out-of-custody arraignment calendar, and provide interpreter services to attorney-client interviews and communications.

City of Bremerton

2014 Population	38,664
Percent below poverty level 2011-2015	21.5%
2011-2015 estimated median household income	\$45,658
Competitive Grant awarded for use in 2016	\$12,200

2014 Statistics

Amount spent on public defense	\$297,832
Amount spent per capita	\$7.70
City misdemeanor cases filed	1,589
Total city misdemeanors per 1,000 population	41.1
Number of cases assigned to counsel	941

Administration of Public Defense Services: The City of Bremerton delivers public defense representation through a contract system. The city contracts with one primary law firm to handle the eligible cases in Bremerton Municipal Court. Conflict attorneys are appointed from a list and are paid a flat fee for each case.

The City has adopted public defense standards by resolution (Resolution No. 3221). Attorneys are required to participate in annual training relating to public defense and report non-public defense attorney hours.

Use of State Funds: Bremerton continues to provide attorneys at all arraignments and has reduced the caseload for each attorney. The City of Bremerton also provides office space within the court facility. Using office space in the court facility has improved attorney communication with the defendants. State funds have been used to increase attorney compensation, interpretation at attorney-client meetings, investigation services, and providing attorneys at preliminary hearings.

City of Cheney

2014 Population	11,014
Percent below poverty level 2011-2015	40.1%
2011-2015 estimated median household income	\$27,600
Competitive Grant awarded for use in 2016	\$14,800

2014 Statistics

Amount spent on public defense	\$47,150
Amount spent per capita	\$4.28
City misdemeanor cases filed	295
Total city misdemeanors per 1,000 population	26.8
Number of cases assigned to counsel	199

Administration of Public Defense Services: The City of Cheney delivers public defense representation through a contract system. The city contracts with one primary attorney. Conflict attorneys are appointed from a list and are paid a flat fee for each case.

The City has adopted an ordinance pertaining to administration of public defense services ([Chapter 2.33](#)). The city has also adopted OPD's Model Public Defense Case Weighting Policy for purposes of weighting public defense caseloads.

Use of State Funds: In 2016 the city used State funds to enhance indigent defense services by continuing to provide a public defender at arraignments. The public defender also visits in-custody defendants at the jail prior to their court date, and arrives early for hearings to meet with defendants to prepare paperwork and speak to the prosecutor before court begins.

City of East Wenatchee

2014 Population	13,403
Percent below poverty level 2011-2015	16.9%
2011-2015 estimated median household income	\$53,206
Competitive Grant awarded for use in 2016	\$10,000

2014 Statistics

Amount spent on public defense	\$103,189
Amount spent per capita	\$7.70
City misdemeanor cases filed	533
Total city misdemeanors per 1,000 population	39.8
Number of cases assigned to counsel	414

Administration of Public Defense Services: The City of East Wenatchee delivers public defense representation through a contract system. The city contracts with two primary law firms, and assigns conflict cases to two additional firms that are paid on an hourly basis.

The city has adopted a resolution establishing standards for public defense services ([Resolution No. 2012-22](#)) which incorporates by reference the Washington State Bar Association's Standards for Indigent Defense Services.

Use of State Funds: In 2016 the city used state funds to increase public defense attorney compensation, add investigator and expert services, and provide interpreter services for attorney-client interviews and communications.

City of Granger

2014 Population	3,330
Percent below poverty level 2011-2015	33.0%
2011-2015 estimated median household income	\$38,816
Competitive Grant awarded for use in 2016	\$10,000

2014 Statistics

Amount spent on public defense	\$10,200
Amount spent per capita	\$3.06
City misdemeanor cases filed	133
Total city misdemeanors per 1,000 population	39.9
Number of cases assigned to counsel	79

Administration of Public Defense Services: The City of Granger delivers public defense representation through a contract system. The city contracts with one primary attorney, and assigns conflict cases to additional attorneys that are paid on a flat fee basis.

The city has adopted an ordinance establishing standards for public defense services (Ordinance No. 1228). The contract attorney is required to attend annual training on public defense, and to report hours billed for non-public defense attorney hours.

Use of State Funds: In 2016 the city used state funds to increase compensation for their primary public defense contract and conflict counsel. This increase has helped the City compete for quality attorneys in light of caseload limits and higher compensation rates payed by nearby jurisdictions.

City of Kelso

2014 Population	11,837
Percent below poverty level 2011-2015	30.6%
2011-2015 estimated median household income	\$33,843
Competitive Grant awarded for use in 2016	\$47,550

2014 Statistics

Amount spent on public defense	\$87,979
Amount spent per capita	\$7.43
City misdemeanor cases filed	590
Total city misdemeanors per 1,000 population	49.8
Number of cases assigned to counsel	572

Administration of Public Defense Services: The City of Kelso delivers public defense representation through a contract system. The city contracts with one primary law firm to represent indigent defendants. Conflict cases are assigned to attorneys who are paid on an hourly basis.

The city has adopted a resolution establishing standards for public defense services (Resolution No. 14-1123) which incorporates by reference the Washington State Bar Association's Standards for Indigent Defense Services. The contract with the primary public defense firm requires attorneys to attend at least seven hours of public defense training annually, and attorneys must report hours billed annually for nonpublic defense legal services. The attorneys are also required to maintain records detailing their caseloads, dispositions, motion practices, and use of investigation services.

Use of State Funds: State funds were used in 2016 to sustain increases to the number of attorneys representing indigent defendants to ensure compliance with the Washington Supreme Court's Standards for Indigent Defense.

City of Kent

2014 Population	122,620
Percent below poverty level 2011-2015	15.5%
2011-2015 estimated median household income	\$60,191
Competitive Grant awarded for use in 2016	\$10,000

2014 Statistics

Amount spent on public defense	\$636,241
Amount spent per capita	\$5.19
City misdemeanor cases filed	4,342
Total city misdemeanors per 1,000 population	35.4
Number of cases assigned to counsel	3,497

Administration of Public Defense Services: The City of Kent delivers public defense representation through a contract system. The city contracts with one primary law firm to represent indigent defendants, and with additional law firms to handle conflict cases.

The city has adopted a resolution establishing standards for public defense services ([Resolution No. 1843](#)). The resolution incorporates by reference Standard 3 of the Washington Supreme Court Standards for Indigent Defense (Rule 3.1 of the Criminal Rules for Courts of Limited Jurisdiction), which establishes caseload limits for all public defense attorneys. Additionally, the resolution requires public defense attorneys to attend at least seven hours of criminal defense training each year.

Use of State Funds: The City of Kent used state funds in 2016 to enhance public defense by adding investigator services, providing interpreter services for attorney-client communications, and funding evaluations of defendants for sentencing options.

City of Lakewood

2014 Population	58,890
Percent below poverty level 2011-2015	20.7%
2011-2015 estimated median household income	\$44,902
Competitive Grant awarded for use in 2016	\$10,000

2014 Statistics

Amount spent on public defense	\$377,802
Amount spent per capita	\$6.42
City misdemeanor cases filed	3,222
Total city misdemeanors per 1,000 population	54.7
Number of cases assigned to counsel	1,730

Administration of Public Defense Services: The City of Lakewood delivers public defense representation through a contract system. The city contracts with one primary law firm to represent indigent defendants, and with additional law firms to handle conflict cases.

The city has adopted a resolution establishing standards for public defense services ([Resolution No. 2014-20](#)) which incorporates by reference the Washington Supreme Court's Standards for Indigent Defense per Rule 3.1 of the Criminal Rules for Courts of Limited Jurisdiction.

Use of State Funds: The City of Lakewood used state funds in 2016 to enhance public defense by increasing investigation services.

City of Longview

2014 Population	36,589
Percent below poverty level 2011-2015	22.7%
2011-2015 estimated median household income	\$38,498
Competitive Grant awarded for use in 2016	\$45,000

2014 Statistics

Amount spent on public defense	\$321,640
Amount spent per capita	\$8.79
City misdemeanor cases filed	2,414
Total city misdemeanors per 1,000 population	66.0
Number of cases assigned to counsel	2,031

Administration of Public Defense Services: The City of Longview contracts with a private, five-attorney law firm to provide most public defense representation. Conflict cases are assigned to a panel of additional attorneys who are compensated on an hourly basis.

The city has adopted an ordinance establishing standards for public defense services ([Chapter 2.19](#)). All attorneys providing public defense services are required to attend at least seven hours of public defense training annually.

Use of State Funds: The City of Longview used state funds for several purposes to enhance public defense services. The city purchased equipment for defense attorneys to participate in electronic discovery, and have police reports readily available for initial contacts with clients. Funds were also used for additional investigative and expert services, transcription of witness interviews, and costs associated with procuring public defense clients' medical and other records.

City of Montesano

2014 Population	3,915
Percent below poverty level 2011-2015	4.2%
2011-2015 estimated median household income	\$60,563
Competitive Grant awarded for use in 2016	\$1,500

2014 Statistics

Amount spent on public defense	\$19,426
Amount spent per capita	\$4.96
City misdemeanor cases filed	129
Total city misdemeanors per 1,000 population	33.0
Number of cases assigned to counsel	56

Administration of Public Defense Services: The City of Montesano contracts with one attorney to provide primary public defense services. Conflict of interest cases are assigned to an additional attorney who is compensated on a per case basis.

The city has adopted a resolution establishing standards for public defense services (Resolution 903) which adopts by reference the Washington State Bar Association's Standards for Indigent Defense Services and the Washington Supreme Court's Standards for Indigent Defense per Rule 3.1 of the Criminal Rules for Courts of Limited Jurisdiction.

Use of State Funds: The City of Montesano used state funds to increase public defense services at preliminary appearance calendars, and to provide interpreter services for attorney-client interviews and communications.

City of Olympia

2014 Population	49,670
Percent below poverty level 2011-2015	17.7%
2011-2015 estimated median household income	\$53,617
Competitive Grant awarded for use in 2016	\$16,800

2014 Statistics

Amount spent on public defense	\$144,000
Amount spent per capita	\$3.01
City misdemeanor cases filed	2,083
Total misdemeanors per 1,000 population	43.5
Number of cases assigned to counsel	1,451

Administration of Public Defense Services: The City of Olympia employs a part-time Public Defense Coordinator to oversee the quality of public defense services. The coordinator recruits and contracts with private defense attorneys to represent indigent defendants, monitors attorneys' compliance with state standards and performance guidelines, reviews motions for non-attorney services in criminal cases, and responds to client complaints.

The City of Olympia has adopted a resolution to establish standards for public defense ([Resolution No. M-1809](#)). Contracted attorneys are required to annually attend training related to public defense practice. In addition, they must provide the city with detailed reports on matters such as case dispositions, time spent on cases, and private practice caseloads.

Use of State Funds: The city used its state grant funds in 2016 to support the public defense coordinator position, increase attorney compensation, and provide defense counsel at preliminary appearance calendars.

City of Port Angeles

2014 Population	19,125
Percent below poverty level 2011-2015	20.5%
2011-2015 estimated median household income	\$40,523
Competitive Grant awarded for use in 2016	\$12,400

2014 Statistics

Amount spent on public defense	\$93,475
Amount spent per capita	\$4.89
City misdemeanor cases filed	726
Total city misdemeanors per 1,000 population	38.0
Number of cases assigned to counsel	602

Administration of Public Defense Services: In 2016 the City of Port Angeles delivered public defense representation through a contract with Clallam County. Clallam County, in turn, contracts with the Clallam Public Defender, a private non-profit organization and a private law firm dedicated exclusively to public defense representation. When the firm is assigned a case that presents a conflict of interest, the court appoints an attorney from a list, who is compensated at an hourly rate.

The City of Port Angeles has adopted a public defense ordinance (Ordinance No. 3532). The contract attorneys are required to participate in regular training programs on public defense and report the number and types of cases handled and type of other public defense contracts and non-public defense cases (if contractor has a private practice).

Use of State Funds: The City of Port Angeles used state grant funds in 2016 to sustain previous increases to attorney compensation and continue providing public defense services at arraignment hearings.

City of Port Orchard

2014 Population	12,715
Percent below poverty level 2011-2015	13.8%
2011-2015 estimated median household income	\$62,587
Competitive Grant awarded for use in 2016	\$15,000

2014 Statistics

Amount spent on public defense	\$96,615
Amount spent per capita	\$7.60
City misdemeanor cases filed	979
Total city misdemeanors per 1,000 population	77.0
Number of cases assigned to counsel	517

Administration of Public Defense Services: The City of Port Orchard contracts with one multi-attorney firm to provide primary public defense services. Conflict of interest cases are assigned to an additional attorney who is compensated on an hourly basis. The City of Port Orchard has adopted a public defense standards ordinance ([Chapter 9.09](#)).

Use of State Funds: In 2016 the City of Port Orchard used state grant funds to improve public defense services by adding attorneys to reduce caseloads, and increasing attorney compensation. The firm that provides primary public defense representation increased attorneys designated for Port Orchard Municipal Court from one to two, including additional coverage at preliminary hearings. In addition, attorneys who handle conflict cases are now paid at a higher hourly rate. This rate increase has helped the city recruit and retain quality attorneys.

City of Shelton

2014 Population	9,798
Percent below poverty level 2011-2015	28.6%
2011-2015 estimated median household income	\$37,072
Competitive Grant awarded for use in 2016	\$36,000

2014 Statistics

Amount spent on public defense	\$85,108
Amount spent per capita	\$8.69
City misdemeanor cases filed	564
Total city misdemeanors per 1,000 population	57.6
Number of cases assigned to counsel	436

Administration of Public Defense Services: The City of Shelton delivers public defense representation by contracting with two private law firms. When a case presents a conflict for both law firms, the court assigns it to one of several attorneys who are compensated at an hourly rate.

The City of Shelton has adopted a Public Defense Standards Ordinance ([Chapter 2.96](#)). The city's public defense attorneys are required to attend approved annual training.

Use of State Funds: Prior to receipt of state grant funds, the city contracted with one primary attorney. In 2016 the city continued to use state funds to sustain the second public defense attorney contract, and both attorneys' caseloads are within the limits set by the Supreme Court.

City of Spokane

2014 Population	210,142
Percent below poverty level 2011-2015	19.9%
2011-2015 estimated median household income	\$42,386
Competitive Grant awarded for use in 2016	\$60,000

2014 Statistics

Amount spent on public defense	\$2,602,724
Amount spent per capita	\$12.39
City misdemeanor cases filed	7,303
Total city misdemeanors per 1,000 population	34.8
Number of cases assigned to counsel	6,694

Administration of Public Defense Services: The City of Spokane delivers public defense representation through a city public defender agency. The City of Spokane Public Defender Office has a director, 19 attorneys, and an investigator. The City and the Spokane County Public Defender's Office have an inter-local agreement to provide representation for each other's conflict cases.

The City of Spokane has adopted a public defense ordinance ([Chapter 03.11.010](#)). The City of Spokane Public Defender Office pays for and requires attorneys to attend at least seven hours of public defense training annually.

Use of State Funds: The city has continued to use state grant funds to provide a public defender at daily inmate first appearance hearings and weekly arraignment and bench warrant recall dockets.

City of Spokane Valley

2014 Population	90,829
Percent below poverty level 2011-2015	15.2%
2011-2015 estimated median household income	\$47,430
Competitive Grant awarded for use in 2016	\$18,400

2014 Statistics

Amount spent on public defense	\$649,831
Amount spent per capita	\$7.15
City misdemeanor cases filed	2,252
Total city misdemeanors per 1,000 population	24.8
Number of cases assigned to counsel	2,270

Administration of Public Defense Services: The City of Spokane Valley contracts for public defense services exclusively with the Spokane County Public Defender's Office, which employs full-time staff attorneys, investigators, and support staff. Employees are compensated at parity with Spokane County Prosecuting Attorney Office employees.

The City has public defense standards by resolution (Resolution No. 15-006), and requires that all attorneys assigned to represent defendants in municipal cases to attend at least seven hours of public defense training annually.

Use of State Funds: In 2016 state grant funds were used to help offset the increased costs to the city for two additional misdemeanor attorneys, which were hired to help comply with mandatory caseload limits.

City of Sunnyside

2014 Population	16,038
Percent below poverty level 2011-2015	25.0%
2011-2015 estimated median household income	\$35,699
Competitive Grant awarded for use in 2016	\$50,000

2014 Statistics

Amount spent on public defense	\$186,065
Amount spent per capita	\$11.60
City misdemeanor cases filed	1,480
Total city misdemeanors per 1,000 population	92.3
Number of cases assigned to counsel	921

Administration of Public Defense Services: The City of Sunnyside previously contracted with two primary attorneys to provide public defense representation, and with the assistance of grant funds, now contracts with four law firms. The addition of more public defense attorneys has helped to ensure compliance with state caseload standards. All attorneys are paid on a per case basis, and are assigned no more than 300 cases per year.

Sunnyside has adopted a public defense standards ordinance ([Chapter 2.42](#)), which requires attorneys to meet training, supervision, monitoring and evaluation standards set by the Washington State Bar Association and the Washington State Defender Association.

Use of State Funds: The City of Sunnyside used state funds to sustain the increase to the number of attorneys representing public defense clients, in order to ensure compliance with mandatory caseload limits. The city has also taken steps to ensure that attorneys have a private conference room at the courthouse to have confidential meetings with clients, along with access to internet and the court's case management system.

City of Tacoma

2014 Population	201,794
Percent below poverty level 2011-2015	18.0%
2011-2015 estimated median household income	\$52,042
Competitive Grant awarded for use in 2016	\$40,000

2014 Statistics

Amount spent on public defense	\$1,639,580
Amount spent per capita	\$8.13
City misdemeanor cases filed	4,482
Total city misdemeanors per 1,000 population	22.2
Number of cases assigned to counsel	3,173

Administration of Public Defense Services: The City of Tacoma delivers public defense representation through an interlocal agreement with the Pierce County Department of Assigned Counsel (DAC), the county government-based public defender agency. DAC employees receive salary and benefits in parity with the Pierce County Prosecuting Attorney Office employees. The agency contracts with outside attorneys for conflict counsel and provides investigative services through a panel of pre-approved investigators.

Pierce County has adopted public defense standards by resolution ([Resolution No. 39076](#)) that is followed in DAC's public defense representation in Tacoma Municipal Court. The public defense attorneys are required to attend seven hours of OPD-approved training annually.

Use of State Funds: During 2016 the city used its state grant funds to maintain reductions to attorney caseloads by continuing to fund an additional attorney position that was created in 2012 with OPD grant funds.

City of Tukwila

2014 Population	19,573
Percent below poverty level 2011-2015	23.7%
2011-2015 estimated median household income	\$45,923
Competitive Grant awarded for use in 2016	\$22,900

2014 Statistics

Amount spent on public defense	\$228,871
Amount spent per capita	\$11.69
City misdemeanor cases filed	1,905
Total city misdemeanors per 1,000 population	97.3
Number of cases assigned to counsel	1,380

Administration of Public Defense Services: The City of Tukwila delivers public defense representation through a contract system with one primary law firm with four attorneys. Conflict cases are assigned by the court to three additional attorneys who are paid on a per-case basis.

The City of Tukwila has adopted public defense standards by ordinance ([Chapter 2.70.050](#)). The public defense attorneys are required to attend approved training annually, and report hours billed for non-public defense legal services.

Use of State Funds: In 2016 the city used its state grant funds for increased attorney compensation, investigation services, and interpreter services for client meetings outside of court.

City of Union Gap

2014 Population	6,061
Percent below poverty level 2011-2015	25.6%
2011-2015 estimated median household income	\$35,777
Competitive Grant awarded for use in 2016	\$15,000

2014 Statistics

Amount spent on public defense	\$82,422
Amount spent per capita	\$13.60
City misdemeanor cases filed	856
Total city misdemeanors per 1,000 population	141.2
Number of cases assigned to counsel	539

Administration of Public Defense Services: The City of Union Gap delivered primary public defense representation services in 2016 through one full-time contract attorney and four part-time contract attorneys.

The City of Union Gap has adopted public defense standards by resolution (Resolution No. 14-37) which incorporates by reference the Washington State Bar Association's Standards for Indigent Defense Services, and the decision of *Wilbur v. Mt. Vernon*.

Use of State Funds: Union Gap used state funds in 2016 to sustain increases to the number of contract public defense attorneys and to increase attorney compensation, both of which have contributed to lowering attorneys' caseloads.

City of Vancouver

2014 Population	165,554
Percent below poverty level 2011-2015	14.8%
2011-2015 estimated median household income	\$50,626
Competitive Grant awarded for use in 2016	\$53,000

2014 Statistics

Amount spent on public defense	\$714,345
Amount spent per capita	\$4.31
City misdemeanor cases filed	4,420
Total city misdemeanors per 1,000 population	26.7
Number of cases assigned to counsel	4,907

Administration of Public Defense Services: Public defense representation is provided through a contract system. The city has one primary defense contract with a twelve-attorney law firm, as well as three contracts with additional firms to provide representation in conflict cases. The City also contracts with Clark County for representation in a limited number of Mental Health Court cases.

The City of Vancouver has adopted a public defense standards ordinance (M-3927). The city requires attorneys to attend approved annual training and report their non-public defense attorney hours.

Use of State Funds: The City of Vancouver increased its public defense budget in 2015 by 79.4% to ensure that public defense attorney caseloads are within the limits set by the Supreme Court's Standards for Indigent Defense, and that public defense attorneys are compensated at levels closer to the prosecuting attorneys. The city used its state grant funds to contribute to the increases made to its public defense budget.

City of Westport

2014 Population	2,110
Percent below poverty level 2011-2015	22.1%
2011-2015 estimated median household income	\$32,917
Competitive Grant awarded for use in 2016	\$4,000

2014 Statistics

Amount spent on public defense	\$14,507
Amount spent per capita	\$7.76
City misdemeanor cases filed	173
Total city misdemeanors per 1,000 population	92.6
Number of cases assigned to counsel	90

Administration of Public Defense Services: The City of Westport delivers public defense services through a contract system. One attorney is on contract to represent all non-conflict indigent defendants.

The city has a public defense services resolution which incorporates, by reference, the Washington State Bar Association's Standards for Indigent Defense Services, and the decision in *Wilbur, et al v. Mt. Vernon* (Resolution No. 850).

Use of State Funds: State grant funds were used in 2016 to increase attorney compensation, provide additional investigative and expert services, and fund interpreter services for attorney-client meetings.

City of Yakima

2014 Population	92,806
Percent below poverty level 2011-2015	23.0%
2011-2015 estimated median household income	\$40,726
Competitive Grant awarded for use in 2016	\$90,000

2014 Statistics

Amount spent on public defense	\$692,837
Amount spent per capita	\$7.47
City misdemeanor cases filed	3,118
Total city misdemeanors per 1,000 population	33.6
Number of cases assigned to counsel	2,885

Administration of Public Defense Services: The City of Yakima delivers public defense representation through a contract system. The city contracts with two law firms to provide public defense services, and the two firms employ a combined total of 9.5 FTE attorneys. Additional law firms provide representation at an hourly rate for conflict cases.

The City of Yakima has adopted a public defense standards ordinance ([Chapter 1.64](#)). Contracted attorneys are required to attend approved annual training and report their non-public defense attorney hours.

Use of State Funds: In 2016 the city maintained previous increases to public defense staffing, to ensure that attorneys' caseloads comply with the limits established by the Supreme Court's Standards for Indigent Defense. State grant funds contributed to costs associated with increased public defense attorneys, representation at arraignment, interpreter and investigative services.

Appendix A: Methodology and Data Reporting for County and City Reports

In preparing the county and city data reports, OPD used information submitted as part of each jurisdiction's application for grant funding as well as data from the Administrative Office of the Courts (AOC) caseload reports. OPD's public defense service managers contacted the counties and cities to clarify and augment data where necessary. County and city staff were gracious and generous with their time during this process, and the reports would not have been possible without their help.

Because of the individualized nature of Washington's local public defense systems, making comparisons is challenging. However, county and city defense contracts along with other data included in the funding applications submitted pursuant to Chapter 10.101 RCW yield important information about actual public defense practice in Washington.

The County Reports present data on funding and caseload levels in each of the thirty-eight counties that applied for and received state funding for use during calendar year 2016. Each applying county provided 2015 data regarding public defense assignments and expenses.

The City Reports present data on funding and caseload levels in the cities that received competitive grants for 2016 expenditures. Because the application cycle for this group of cities occurred in mid-2015, the most current annual information available was from 2014.

The processes used for calculating public defense caseloads vary from jurisdiction to jurisdiction. There is no standard method; systems differ, sometimes even within individual jurisdictions. Some are based on "points" or "credits" based on compensation rates rather than cases, while others assign differing values to certain case types based on case weighting policies.

In comparing case filings with public defense appointments, it is important to keep in mind that these figures are reported from different sources, and may have limitations for purposes of identifying public defense appointment rates. For example, court filings reflect cases filed in courts in the stated year. However, public defense attorneys may receive appointments on cases that were filed in previous years. Public defense appointments may also apply to situations that do not necessarily reflect new case filings, such as representation of a witness. In addition, court filings in District and Municipal Courts may be overrepresentations of the number of cases stemming from the same factual basis. For example, if a defendant is charged with both a non-traffic and a traffic offense stemming from the same incident, the court will count that as two separate case filings based on the classification system used by the courts' case management system.

The manner in which jurisdictions deal with post-conviction hearings such as probation violations (PVs) also impacts caseload calculations.¹⁰ Generally, PVs are less time-consuming than new cases. Some counties and cities count PVs as a case; some do not count them separately and instead incorporate them in representation of the underlying case; and others count them as a fraction of a case (often one-third).

Similarly, the tracking of dollars spent on public defense is varied, and includes different elements in different jurisdictions. Some jurisdictions identify amounts spent on specific case categories, while others make no distinction. These variations make a comparative analysis challenging and some conclusions tentative. Nevertheless, the data gathered during the [Chapter 10.101 RCW](#) application process presents a valuable picture of public defense statewide.

¹⁰ Probation Violations (PVs) are proceedings in which convicted persons on probation are accused of non-compliance with their conditions of probation. Because these individuals are subject to further sanctions, including incarceration, they are eligible for court-appointed counsel.

Appendix B: Glossary for County/City Reports

COUNTY PROFILE

2015 population: Total county population as reported in the Washington State Office of Financial Management April 1, 2015--Population of Cities, Towns, and Counties publication.

Percent below poverty level: Percent of county population below the federal poverty level as reported by the U.S. Census Bureau – American FactFinder.

Median household income: Median household income as reported by the U.S. Census Bureau – American FactFinder.

2015 Chapter 10.101 RCW distribution: The county's allocation of the Chapter 10.101 RCW funds appropriation as determined by the statutory distribution formula.

I. 2015 Statistics

1. Amount spent for public defense: The county-reported total dollar amount spent for public defense representation during 2015.
2. Amount spent per capita: The county-reported total dollar amount spent for public defense representation divided by the total county population. **Caution:** The amount spent per capita is not directly comparable county to county. This per capita amount is influenced by a number of variables, including geography, the number of cases filed, the number of major cases filed, and the number of attorneys practicing in the county, local attorney availability, the county's poverty rate, and case filing rates.

II. Adult Felony

1. Adult Superior Court cases filed: The number of new (non-probation violation) adult Superior Court cases filed during 2015 as reported by AOC.
2. Adult Superior Court cases per 1,000 population: The number of new adult Superior Court cases filed divided by the county population as expressed in thousands.
3. Number of new cases assigned to counsel: The county-reported number of new adult Superior Court cases assigned to public defense counsel during 2015 as reported by counties in their Chapter 10.101 RCW grant applications.

III. Adult Misdemeanor

1. County misdemeanor cases filed: The number of new (non-probation violation) District Court cases filed during 2015 as reported by AOC.
2. Number of cases assigned to counsel by county: The county-reported number of new adult District Court cases assigned to public defense counsel during 2015 as reported by counties in their Chapter 10.101 RCW grant applications.¹¹

IV. Juvenile Offender

1. Juvenile offender cases filed: The number of new (non-probation violation) juvenile offender cases filed during 2015 as reported by AOC.
2. Juvenile offender cases per 1,000 population: The total number of new juvenile offender cases filed during 2015 divided by the county population as expressed in thousands.
3. Number of cases assigned to counsel: The county-reported number of new juvenile offender cases assigned to public defense counsel during 2015.

CITY PROFILE

2014 population: Total city population as reported in the Washington State Office of Financial Management April 1, 2014-Population of Cities, Towns, and Counties publication.

Percent below poverty level: Percent of city population below the federal poverty level as reported by the U.S. Census Bureau – American FactFinder.

Median household income: Median household income as reported by the U.S. Census Bureau – American FactFinder.

2015 Competitive Grant Award: The city's grant funding from the state as determined through a competitive application process pursuant to [RCW 10.101.080](#). The distributions occurred in December 2014, and were used during calendar year 2015.

I. 2014 Statistics

1. Amount spent for public defense: The city-reported total dollar amount spent for public defense representation during 2014, including any Chapter 10.101 RCW grant funds.
2. Amount spent per capita: The city-reported total dollar amount spent for public defense representation divided by the total city population. **Caution**: The amount spent per capita is not directly comparable city to city. This per capita amount is influenced by a

¹¹ Some counties included contract municipal cases in the reported number.

number of variables, including geography, the number of cases filed, the number of major cases filed, local attorney availability, the number of attorneys practicing in the city, the city's poverty rate and case filing rates.

3. City misdemeanor cases filed: The number of new (non-probation violation) Municipal Court cases filed during 2014 as reported by AOC.
4. Total city misdemeanor cases per 1,000 population: The total number of new misdemeanor cases filed during 2014 divided by the city population as expressed in thousands.
5. Number of cases assigned to counsel by city: The city-reported number of new Municipal Court cases assigned to public defense counsel during 2014.