



2015 Status Report on Public Defense in Washington State

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Table of Contents

Introduction	5
Implementation of Misdemeanor Caseload Limits.....	6
Technical Assistance on Public Defense Administration	6
Grant Awarded to OPD to Improve Juvenile Public Defense.....	7
Training for Indigency Screeners	8
OPD’s Regional Training Program	9
Criminal, Immigration, and Death Penalty Resource Attorneys.....	10
Report on County Public Defense Services.....	12
Adams County	14
Asotin County.....	15
Benton County	16
Chelan County.....	17
Clallam County	18
Clark County.....	19
Columbia County.....	20
Cowlitz County	21
Douglas County	22
Ferry County.....	23
Franklin County	24
Garfield County	25
Grant County.....	26
Grays Harbor County.....	27
Island County	28
Jefferson County	29
King County	30
Kitsap County	31
Kittitas County.....	32
Klickitat County	33
Lewis County	34
Lincoln County	35
Mason County	36
Okanogan County.....	37
Pacific County.....	38
Pend Oreille County	39
Pierce County	40
San Juan County.....	41
Skagit County	42
Skamania County	43
Snohomish County	44
Spokane County	45
Stevens County	46

Thurston County	47
Wahkiakum County.....	48
Walla Walla County.....	49
Whatcom County.....	50
Whitman County.....	51
Yakima County	52
Report on Municipal Public Defense Services	53
City of Airway Heights.....	54
City of Anacortes.....	55
City of Battle Ground	56
City of Bellingham	57
City of Bremerton.....	58
City of Cheney	59
City of Issaquah Multi-City Partnership	60
City of Kelso.....	61
City of Olympia.....	62
City of Port Angeles.....	63
City of Selah	64
City of Shelton.....	65
City of Spokane	66
City of Spokane Valley.....	67
City of Sunnyside.....	68
City of Tacoma	69
City of Tukwila.....	70
City of Union Gap.....	71
City of Vancouver.....	72
City of Westport.....	73
City of Yakima	74
Appendix A: Methodology and Data Reporting for County and City Reports	75
Appendix B: Glossary for County/City Reports	76

Introduction

“There can be no equal justice where the kind of trial a man gets depends on the amount of money he has”

Justice Hugo Black

In many instances Washington law delegates to counties and cities the duty to provide public defense representation to indigent individuals who are charged with crimes, or are facing incarceration, civil commitment, or other deprivation of constitutional rights. The Washington State Office of Public Defense (OPD) is an independent judicial branch agency created by the Legislature in 1996 to implement the constitutional and statutory rights to counsel on behalf of the state, and ensure effective and efficient delivery of indigent defense services funded by the state.

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 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. In addition to carrying out these functions, in 2015 the OPD Public Defense Improvement Program also embarked on special projects. OPD provided updated training to court-designated indigency screeners, received a federal grant to improve public defense services in juvenile offender cases, and collaborated with stakeholders to design and deliver training to public defense attorneys.

This tenth annual status report highlights OPD’s primary projects during 2015, and provides updated data on public defense expenses, case assignments, and changes made to city and county public defense services. Most notably, 2015 marked the first year for all public defense attorneys to limit their misdemeanor caseloads. The new requirement is the latest in a multi-year initiative by the Washington Supreme Court to implement qualification standards for public defense attorneys and ensure that caseloads are not excessive, thereby giving attorneys sufficient time to meet with clients and provide effective representation.

Implementation of Misdemeanor Caseload Limits

January 2015 marked a milestone in the implementation of misdemeanor public defense standards and caseload limits. In previous years public defense attorneys faced no official numeric limits on the number of misdemeanor cases assigned to them, and annual caseloads ranged from a few hundred to a few thousand. Consistent with national standards¹ the Washington Supreme Court established a maximum annual limit of 400 misdemeanor cases for full-time public defense attorneys. Alternatively, in jurisdictions that case weight, or count cases using weighted values based on the time involved, the annual limit is 300. Caseloads of part-time public defense attorneys are to be limited proportionately to the amount of time spent representing public defense clients.

The Supreme Court adopted Standards for Indigent Defense (Standards) in 2012. The Standards included caseload limits for felony, juvenile offender, and misdemeanor cases, with an initial implementation date in 2013. While felony and juvenile offender caseload limits took effect as planned, implementation of misdemeanor caseload limits was extended to January 1, 2015 to provide cities and counties with additional time to adjust their staffing and budget levels.

Many cities and counties whose attorneys had misdemeanor caseloads exceeding these limits have taken incremental steps in recent years to achieve staffing levels consistent with the Standards. Others made significant changes in 2015 to their public defense budgets and other criminal justice practices in order to ensure that attorneys' caseloads were within acceptable ranges. In 2015 OPD continued to work closely with attorneys, public defense agencies, and local governments to assist in implementation of the Standards, as described further in this report.

Technical Assistance on Public Defense Administration

Each county and city oversees, administers, and largely funds its public defense services in criminal and juvenile offender cases. While some jurisdictions operate public defense agencies or employ experienced managing attorneys to oversee public defense services, most jurisdictions manage public defense services along with myriad other local government functions. All Washington counties and cities are eligible for OPD technical assistance with any of the various local structural approaches used in providing public defense services. In 2015, OPD worked with numerous local governments, courts, and attorneys to address administrative questions and implementing Chapter 10.101 RCW, Court Rules and the Washington Supreme Court's Standards for Indigent Defense (Standards). OPD support included:

- Compiling and analyzing local trial-level public defense data, including county and city ordinances and contracts related to public defense services.

¹ The National Advisory Commission on Criminal Justice Standards and Goals (1973); the American Council of Chief Defenders of the National Legal Aid and Defender Association (2007).

- Advising attorneys, public defense agencies, and local governments on implementation of the Standards. In addition to providing individualized consultation, OPD maintained an online [FAQ](#) with detailed information on implementing the Standards, developed [web tutorials](#) on counting cases, and posted [online calculators](#) for measuring caseloads composed of mixed case types.
- Providing a [model case weighting policy](#) for misdemeanors, and providing jurisdiction-specific analysis of caseloads to determine the advantages and disadvantages of using case weighting for attorney caseload calculations.
- Responding to formal and informal requests for information about public defense in Washington.

During 2015 OPD managing attorneys visited six counties and nine cities that received state funds, observing courtroom proceedings as well as meeting directly with judges, court administrators, public defense agency directors and coordinators, public defense attorneys, city/county officials and their staff. These personal visits and ongoing practical assistance from the state agency 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.²

During 2016, OPD will continue to monitor compliance with the requirements of Chapter 10.101 RCW, ensuring that each jurisdiction receiving state funds has substantially complied with statutory requirements. In addition OPD will continue to support local efforts to implement the Standards and mandatory caseload limits.

Grant Awarded to OPD to Improve Juvenile Public Defense

In 2015 OPD applied for and received a Youth Access to Justice State Reform Planning Grant from the U.S. Office of Juvenile Justice and Delinquency Prevention. The goal of this federal initiative is to develop a strategic plan to ensure that every youth involved with the criminal justice system in Washington has fair and equal access to quality legal representation. To meet this goal OPD, with the input and collaboration of key stakeholders, is developing a blueprint for an effective, well-resourced model juvenile indigent defense delivery system with standards of practice and policies for the management of that system. A critical part of this model will provide training and tools to juvenile defense attorneys so they can better represent clients in their criminal cases and also connect them to critical civil legal services. The majority of activities under the grant are scheduled to occur in 2016 and will include:

1. Analysis of juvenile public defense practices statewide through site visits, meetings with juvenile public defense attorneys and juvenile court stakeholders in county and tribal systems, meetings with juveniles and parents with experience in the justice system, and surveys of juvenile public defense attorneys to identify the greatest strengths and areas in need of improvement.

² http://www.opd.wa.gov/documents/0015-2008_JLARC_Report.pdf

2. Convene a diverse workgroup of critical stakeholders to discuss, identify, and review proposed public defense improvements, ensuring that the strategies will enhance the juvenile justice system and lead to higher quality representation. Stakeholders include frontline juvenile defenders, defender supervisors, juvenile court judges, juvenile justice agency leaders (including juvenile probation, detention, and corrections), policymakers, community advocates, state-level decision-makers, schools, prosecutors, law enforcement, youth- and family-serving organizations, justice-involved youth and their families, and others concerned with the fair administration of justice.
3. Develop and finalize a comprehensive statewide juvenile indigent defense delivery reform plan. The state reform plan is to lead to a model juvenile indigent defense delivery system that is effective, well resourced, and has standards of practice and policies for the management of the system. The plan will include long-term training on performance guidelines, strengthening skills in relating to juvenile clients, and addressing implicit bias pertaining to racial and ethnic disproportionality.
4. Deliver educational programs to juvenile public defense attorneys and other juvenile court stakeholders on adolescent development, trauma-informed care, and other topics that would enhance the effective assistance of counsel.
5. Develop a series of recorded web tutorials describing the collateral consequences of juvenile adjudications and demonstrating steps that can minimize the negative impacts of adjudications in the areas of employment, education, housing, health care, criminal record expungement, and other aftercare needs.

Training for Indigency Screeners

Indigent persons facing certain court proceedings including criminal charges, civil commitment, and child welfare cases are constitutionally and statutorily entitled to representation by competent public defense counsel. Pursuant to state statute, county and municipal courts have developed local policies and practices for determining whether a person is indigent and eligible for public defense representation.

In 2014 OPD published an [updated report](#) on indigency screening. This report described legal standards, local screening practices, processes for verifying financial information, expenses and cost recoupment, recent developments in case law, and recommendations for improved and more consistent practices statewide. Consistent with the report's recommendations, OPD subsequently published the results of a statewide survey of "[costs to retain private counsel](#)" to assist local screeners in determining whether a person is financially able to afford the "usual and customary charges of an attorney in the community."³ Access to statewide average fee information is particularly helpful for courts/screeners who have not collected private fee information specific to their community. To follow up on the newly collected information in the

³ RCW 10.101.020 (2) provides in part that, "In making the determination of indigency, the court shall also consider the anticipated length and complexity of the proceedings and the usual and customary charges of an attorney in the community for rendering services ...".

report, in 2015 OPD conducted a summit for indigence screeners statewide. The summit provided a forum for indigency screeners to:

- receive training on the legal background for public defense representation screening, and recent legal developments;
- share and exchange indigency screening forms, instructions, signage and other documents;
- view demonstrations of technology used to screen defendants and calculate financial data; and
- discuss acceptable approaches to verify indigence, make provisional appointments, and other concepts to ensure that indigent persons are afforded counsel at key points of their legal proceedings.

OPD's Regional Training Program

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.⁴ In 2015 OPD delivered free CLE trainings in various locations, allowing public defense attorneys to obtain credits for no charge with relevant, up-to-date live presentations. The CLEs also provide attorneys an opportunity to network with colleagues from neighboring jurisdictions. In 2015 OPD provided training sessions in Vancouver, Spokane, Olympia, Everett, and Yakima.

In recent years, greater attention has been given to the detrimental impact of court-imposed legal financial obligations (LFOs) on indigent communities. In March 2015, the Washington Supreme Court decided *State v. Blazina*, 182 Wash.2d 827 (2015), holding that before discretionary LFOs are imposed at sentencing, “the record must reflect that the trial court made an individualized inquiry into the defendant’s current and future ability to pay.” In addition, 2015 appellate decisions indicated that defense attorneys’ failure to raise their clients’ indigency status could be ineffective assistance of counsel.

Consequently, public defense attorneys requested OPD to provide training addressing their obligations in this area. OPD convened a workgroup of defense attorneys and other criminal justice stakeholders to seek guidance for the development of training materials addressing the *Blazina* decision. Over three meetings, the group discussed the issue of court-imposed LFOs. Workgroup members representing trial-level and appellate public defenders, as well as a law school professor and civil legal aid attorneys, provided invaluable suggestions for training content and resources to assist public defense attorneys in bringing clients’ indigency status to the courts’ attention.

⁴RCW 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.”

Criminal defense representation requires an advanced understanding of statutes, rules and procedures, and defense attorneys increasingly are expected to advise clients about the potential long-term impacts of criminal convictions and sentences – e.g. financial penalties, immigration consequences, and barriers to education, housing, and professional pursuits. Therefore, this year’s CLE series addressed these topics, with a focus on providing attorneys resources and tools to research and better advise their clients on unexpected consequences of criminal convictions. The topics covered in this year’s training were: (1) attorneys’ obligations under the *Blazina* decision; (2) immigration consequences of criminal convictions; and (3) researching and understanding other collateral consequences of criminal convictions.

Highly respected attorneys from around the state volunteered their time to serve as faculty for these sessions, including:

- Francis Adewale - City of Spokane Office of the Public Defender
- Nick Allen - Columbia Legal Services
- Breean Beggs - Paukert & Troppmann, PLLC
- Ann Benson - Washington Defender Association
- Andrea Burkhart - Burkhart & Burkhart PLLC
- Prachi Dave – American Civil Liberties Union
- Alex Frix - Thurston County Office of Assigned Counsel
- Jill Gannon-Nagle - Spokane County Public Defender Office
- Enoka Herat - Washington Defender Association
- Katrin Johnson - OPD
- Derek Reid - Spokane County Public Defender Office
- Travis Stearns - Washington Appellate Project
- George Yeannakis - OPD

OPD also supported the National Association of Criminal Defense Lawyers (NACDL) in their grant-funded training, “Clients, not Cases: Skills for Outstanding Representation.” This two-day event with national expert presenters was designed to elevate fundamental skills of public defense attorneys. NACDL sought OPD’s assistance in recruiting misdemeanor attorneys who contract for public defense services in cities statewide. Using the resources developed through OPD’s Chapter 10.101 RCW funding program, OPD contacted hundreds of attorneys statewide to recruit them to this unique training opportunity. The training was attended by approximately 100 attorneys from Eastern and Western Washington, most of whom work in private firms that contract for public defense services.



Criminal, Immigration, and Death Penalty Resource Attorneys

In 2015 OPD continued to contract with the Washington Defender Association (WDA) for criminal law and immigration law resource attorney services. The criminal resource attorneys

provide technical assistance and individual case consultation to public defense attorneys statewide who contact them about specific case-related issues. In addition, they develop and distribute practice advisories and sample memos to assist attorneys with motions practice, trials, and other proceedings, monitor and contribute to public defense attorney email list serves, and conduct various trainings live and via webinar. In 2015 WDA's criminal defense resource attorneys provided individualized consultation in response to 1,321 technical assistance requests.

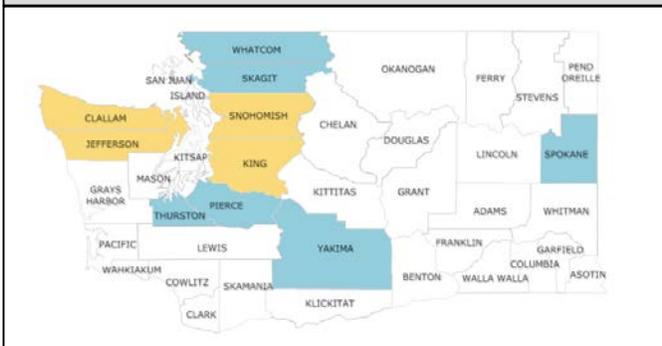
The WDA Immigration Project provides training, practice advisories, and case-by-case assistance to criminal defense attorneys statewide regarding potential immigration consequences for noncitizens accused of crimes. The purpose of the assistance is to avoid or mitigate immigration consequences, and ensure that criminal defense attorneys meet their obligations to provide effective assistance of counsel under *Padilla v. Kentucky* and *State v. Sandoval*. In 2015 the Immigration Project provided 3,313 technical assistance contacts.

In 2015 WDA contracted with OPD to staff the Death Penalty Assistance Center (DPAC). Through this effort, WDA's attorney staff provide training and resources for attorneys, investigators, mitigation specialists and support staff who represent defendants who are, or potentially are, facing capital crimes. Centralizing this expertise and making it available for defense attorneys statewide helps to ensure that defendants facing the possibility of a death sentence are represented by a well-resourced legal team.

Report on County Public Defense Services

Each county is responsible for funding and administering public defense services in its Superior and District Courts. Moreover, many counties contract with cities to provide public defense services for their Municipal Courts. The administration of public defense tends to fall into one of four categories: (1) county-based public defense agencies; (2) county contracts with public defense non-profit agencies; (3) county contracts with attorneys and firms with oversight by a county employee or contractor specialized in public defense; and (4) county contracts with attorneys and 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.

Public Defense Administration in 2005



 **Public defender agencies** are county government agencies.

 **Nonprofit systems** involve the county contracting with a nonprofit group that is organized exclusively to provide public defense services.

 **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** are utilized in counties that enter into contracts with one or more private attorneys or firms to provide representation.

Public Defense Administration in 2015



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 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.⁵

⁵ 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

2014 Population	19,400
Percent below poverty level 2010-2014	23.3%
2010-2014 estimated median household income	\$48,357
2015 Chapter 10.101 RCW distribution	\$21,546

Adams County delivers public defense representation through a contract system. The county contracts with one law firm and three private attorneys that handle most of the indigent cases in Superior and District courts.

2014 Statistics

Amount spent on public defense	\$415,000
Amount spent per capita	\$21.39

Adult Felony

Adult Superior Court cases filed	178
Adult Superior Court cases per 1,000 population	9.2
Number of cases assigned to counsel	161

Adult Misdemeanor – County District Court

County misdemeanor cases filed	776
Total county and municipal misdemeanor cases filed	1,176
Number of cases assigned to counsel	534

Juvenile Offender

Juvenile offender cases filed	72
Juvenile offender cases per 1,000 population	3.7
Number of cases assigned to counsel	68

Adams County has adopted a public defense standards ordinance. The public defense contractors are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 Adams County spent its state funding to maintain increased investigator, expert, and interpreter services for the public defense attorneys, and provide public defense services at Superior Court adult felony preliminary appearance calendars. The county plans to use its funds in 2016 to continue these improvements.

Asotin County

2014 Population	21,950
Percent below poverty level 2010-2014	15.3%
2010-2014 estimated median household income	\$42,869
2015 Chapter 10.101 RCW distribution	\$29,701

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. For overflow and conflict cases, the court appoints separate counsel from a list.

2014 Statistics

Amount spent on public defense	\$419,225
Amount spent per capita	\$19.10

Adult Felony

Adult Superior Court cases filed	184
Adult Superior Court cases per 1,000 population	8.4
Number of cases assigned to counsel	215

Adult Misdemeanor – County District Court

County misdemeanor cases filed	324
Total county and municipal misdemeanor cases filed	753
Number of cases assigned to counsel	165

Juvenile Offender

Juvenile offender cases filed	107
Juvenile offender cases per 1,000 population	4.9
Number of cases assigned to counsel	137

Asotin County has adopted a public defense standards ordinance. Asotin County public defense attorneys are required to attend training and report non-public defense attorney hours.

In 2015 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 2016 to continue these improvements.

Benton County

2014 Population	186,500
Percent below poverty level 2010-2014	13.7%
2010-2014 estimated median household income	\$60,589
2015 Chapter 10.101 RCW distribution	\$165,916

The bi-county Office of Public Defense (Benton County and Franklin County) provides indigent defense services with a “hybrid” model consisting of both county-employed staff attorneys and contract attorneys. The attorney coordinator oversees public defense services provided by three full time attorneys, more than forty contract attorneys, and investigative services.

2014 Statistics

Amount spent on public defense	\$2,604,329
Amount spent per capita	\$13.96

Adult Felony

Adult Superior Court cases filed	1,433
Adult Superior Court cases per 1,000 population	7.7
Number of cases assigned to counsel	1,177

Adult Misdemeanor – County District Court

County misdemeanor cases filed	2,687
Total county and municipal misdemeanor cases filed	8,061
Number of cases assigned to counsel	3,918

Juvenile Offender

Juvenile offender cases filed	524
Juvenile offender cases per 1,000 population	2.8
Number of cases assigned to counsel	417

Benton County has adopted a public defense standards ordinance and case weighting policy. In addition, the Benton County public defense contractors are required to attend approved annual attorney training and to report non-public defense attorney hours.

In 2015 Benton County used its state funding to maintain funding for the bi-county Office of Public Defense with an indigent defense coordinator and provide public defense services at preliminary appearance calendars. The county plans to use its 2016 funds to continue these activities.

Chelan County

2014 Population	74,300
Percent below poverty level 2010-2014	14.8%
2010-2014 estimated median household income	\$50,876
2015 Chapter 10.101 RCW distribution	\$76,759

Chelan County contracts with Counsel for Defense in Chelan County, a private nonprofit agency, to provide public defense services for Superior and District Court cases. The county contracts with private attorneys to handle conflict cases.

2014 Statistics

Amount spent on public defense	\$1,875,478
Amount spent per capita	\$25.24

Adult Felony

Adult Superior Court cases filed	729
Adult Superior Court cases per 1,000 population	9.8
Number of cases assigned to counsel	897

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,436
Total county and municipal misdemeanor cases filed	2,654
Number of cases assigned to county counsel	1,060

Juvenile Offender

Juvenile offender cases filed	191
Juvenile offender cases per 1,000 population	2.6
Number of cases assigned to counsel	278

Chelan County has adopted a public defense standards resolution. The Chelan County public defense primary contract requires approved annual attorney training.

In 2015 Chelan County used its state funding to maintain increased investigator and expert services. The county plans to use its state funds in 2016 to continue these prior improvements.

Clallam County

2014 Population	72,500
Percent below poverty level 2010-2014	15.1%
2010-2014 estimated median household income	\$60,424
2015 Chapter 10.101 RCW distribution	\$65,130

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. Conflict counsel is appointed by the courts from among private attorneys who have conflict contracts with the county.

2014 Statistics

Amount spent on public defense	\$1,243,062
Amount spent per capita	\$17.15

Adult Felony

Adult Superior Court cases filed	501
Adult Superior Court cases per 1,000 population	6.9
Number of cases assigned to counsel	496

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,066
Total county and municipal misdemeanor cases filed	2,320
Number of cases assigned to county counsel	783

Juvenile Offender

Juvenile offender cases filed	163
Juvenile offender cases per 1,000 population	2.2
Number of cases assigned to counsel	150

Clallam County has adopted a public defense standards ordinance.

In 2015 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 2015 for the same purposes.

Clark County

2014 Population	442,800
Percent below poverty level 2010-2014	11.8%
2010-2014 estimated median household income	\$69,744
2015 Chapter 10.101 RCW distribution	\$325,408

Clark County employs an attorney as a professional indigent defense coordinator who oversees the public defense contracting system, administers contracts with private attorneys, 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 services. The coordinator has worked with the state OPD to implement best practices in the state's largest county that contracts with private counsel to provide public defense services.

2014 Statistics

Amount spent on public defense	\$5,101,238
Amount spent per capita	\$11.52

Adult Felony

Adult Superior Court cases filed	2,610
Adult Superior Court cases per 1,000 population	5.9
Number of cases assigned to counsel	2,365

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,867
Total county and municipal misdemeanor cases filed	10,101
Number of cases assigned to counsel	2,243

Juvenile Offender

Juvenile offender cases filed	751
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	698

Clark County has adopted a public defense ordinance and a standards policy. In addition, the Clark County public defense contracts require approved annual attorney training and reporting of non-public defense attorney hours.

In 2015 Clark County used its state funding to continue the indigent defense coordinator position and one office staff position, to maintain increased attorney contracts to lower public defense caseloads, and to maintain additional investigator services. The county plans to use its state funds in 2016 to continue these improvements.

Columbia County

2014 Population	4,080
Percent below poverty level 2010-2014	17.5%
2010-2014 estimated median household income	\$50,321
2015 Chapter 10.101 RCW distribution	\$12,298

Columbia County delivers public defense services through a contract system. During 2015, the county contracted with two private attorneys for public defense representation. Each contract specified that the law firm or private attorney is responsible for 50 percent of all case types assigned, paid on a monthly basis. The courts appoint attorneys from a list for conflict cases.

2014 Statistics

Total adult cases per 1,000 population	44.9
Amount spent per capita	\$39.06

Adult Felony

Adult Superior Court cases filed	48
Adult Superior Court cases per 1,000 population	11.8
Number of cases assigned to counsel	32

Adult Misdemeanor – County District Court

County misdemeanor cases filed	59
Total county and municipal misdemeanor cases filed	135
Number of cases assigned to counsel	100

Juvenile Offender

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

Columbia County has a public defense standards ordinance. The Columbia County public defense contracts require approved annual attorney training and reporting of non-public defense attorney hours.

In 2015 Columbia County spent its state funding to maintain increases to assigned counsel compensation. The county intends to use its state funds in 2016 to continue this improvement.

Cowlitz County

2014 Population	103,700
Percent below poverty level 2010-2014	18.4%
2010-2014 estimated median household income	\$46,571
2015 Chapter 10.101 RCW distribution	\$155,259

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

2014 Statistics

Amount spent on public defense	\$2,197,416
Amount spent per capita	\$21.19

Adult Felony

Adult Superior Court cases filed	1,531
Adult Superior Court cases per 1,000 population	14.8
Number of cases assigned to counsel	1,096

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,355
Total county and municipal misdemeanor cases filed	4,860
Number of cases assigned to counsel	770

Juvenile Offender

Juvenile offender cases filed	379
Juvenile offender cases per 1,000 population	3.7
Number of cases assigned to counsel	236

Cowlitz County has adopted a public defense standards ordinance. In addition, the Cowlitz County public defense contractors are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 Cowlitz County used its state funding to maintain and expand the county Office of Public Defense, add attorneys to reduce public defense caseloads, increase public defense attorney compensation, provide public defense services at preliminary appearance calendars, provide expert and investigator services, provide interpreter services for attorney-client interviews and other necessary communications. The county plans to use its state funds in 2016 to maintain these improvements.

Douglas County

2014 Population	39,700
Percent below poverty level 2010-2014	15.7%
2010-2014 estimated median household income	\$54,980
2015 Chapter 10.101 RCW distribution	\$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.

2014 Statistics

Amount spent on public defense	Information not available
Amount spent per capita	Information not available

Adult Felony

Adult Superior Court cases filed	217
Adult Superior Court cases per 1,000 population	5.5
Number of cases assigned to counsel	Information not available

Adult Misdemeanor – County District Court

County misdemeanor cases filed	716
Total county and municipal misdemeanor cases filed	1,249
Number of cases assigned to counsel	Information not available

Juvenile Offender

Juvenile offender cases filed	85
Juvenile offender cases per 1,000 population	2.1
Number of cases assigned to counsel	Information not available

Ferry County

2014 Population	7,660
Percent below poverty level 2010-2014	22.8%
2010-2014 estimated median household income	\$37,542
2015 Chapter 10.101 RCW distribution	\$15,063

Ferry County administers public defense representation through a contract system. Ferry County contracts with two private attorneys. The court appoints conflict counsel from a list and pays conflict counsel on an hourly basis.

2014 Statistics

Amount spent on public defense	\$133,305
Amount spent per capita	\$17.40

Adult Felony

Adult Superior Court cases filed	106
Adult Superior Court cases per 1,000 population	13.8
Number of cases assigned to counsel	102

Adult Misdemeanor – County District Court

County misdemeanor cases filed	127
Total county and municipal misdemeanor cases filed	153
Number of cases assigned to counsel	122

Juvenile Offender

Juvenile offender cases filed	17
Juvenile offender cases per 1,000 population	2.2
Number of cases assigned to counsel	13

Ferry County has adopted a public defense standards ordinance. The Ferry County public defense contractors are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2014 Ferry County spent its state funding to maintain increased attorney compensation. The county intends to use its state funds in 2015 to continue this improvement.

Franklin County

2014 Population	86,600
Percent below poverty level 2010-2014	19.6%
2010-2014 estimated median household income	\$60,113
2015 Chapter 10.101 RCW distribution	\$77,498

Franklin County provides public defense representation through a contract system coordinated and monitored by a bi-county (with Benton County) indigent defense coordinator. The program also oversees investigative services.

2014 Statistics

Amount spent on public defense	\$772,435
Amount spent per capita	\$8.92

Adult Felony

Adult Superior Court cases filed	697
Adult Superior Court cases per 1,000 population	8.0
Number of cases assigned to counsel	516

Adult Misdemeanor – County District Court

County misdemeanor cases filed	876
Total county and municipal misdemeanor cases filed	954
Number of cases assigned to counsel	262

Juvenile Offender

Juvenile offender cases filed	195
Juvenile offender cases per 1,000 population	2.3
Number of cases assigned to counsel	359

Franklin County has adopted a public defense standards ordinance and case weighting policy. In addition, the Franklin County public defense contractors are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 Franklin County used its state funding to support an indigent defense coordinator and to provide public defense services at preliminary appearance calendars. The county plans to use its 2016 funds to continue these improvements, though it has announced it will no longer participate in a bi-county public defense system with Benton County.

Garfield County

2014 Population	2,240
Percent below poverty level 2010-2014	12.4%
2010-2014 estimated median household income	\$58,750
2015 Chapter 10.101 RCW distribution	\$10,667

Garfield County provides public defense representation through a contract with one attorney who is responsible for all indigent cases in the county courts except conflict cases. The court uses a list of attorneys for appointment in conflict cases at an hourly rate of \$75.

2014 Statistics

Amount spent on public defense	\$49,923
Amount spent per capita	\$22.29

Adult Felony

Adult Superior Court cases filed	21
Adult Superior Court cases per 1,000 population	9.4
Number of cases assigned to counsel	14

Adult Misdemeanor – County District Court

County misdemeanor cases filed	145
Number of cases assigned to counsel	10

Juvenile Offender

Juvenile offender cases filed	5
Juvenile offender cases per 1,000 population	2.2
Number of cases assigned to counsel	4

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

In 2015 Garfield County spent its state funding to continue reductions to public defense caseloads, maintain increases to attorney compensation, provide public defense services at some preliminary appearance calendars, add expert services, add investigator services, and provide interpreter services for attorney-client interviews and other necessary communications. The county plans to use its state funds in 2016 to maintain these improvements.

Grant County

2014 Population	92,900
Percent below poverty level 2010-2014	19.4%
2010-2014 estimated median household income	\$53,059
2015 Chapter 10.101 RCW distribution	\$93,969

Grant County has a county government-based agency with oversight responsibilities for felony, misdemeanor, and juvenile related indigent defense services. Staff public defense attorneys handle a portion of all felony and misdemeanor cases, and all Becca cases. Contract attorneys handle the remaining felony and misdemeanor cases, and all juvenile offender cases.

2014 Statistics

Amount spent on public defense	\$3,036,224
Amount spent per capita	\$32.68

Adult Felony

Adult Superior Court cases filed	839
Adult Superior Court cases per 1,000 population	9.0
Number of cases assigned to counsel (including extraordinary credits and probation violations)	1,044

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,143
Number of cases assigned to counsel (including probation violations)	3,513

Juvenile Offender

Juvenile offender cases filed	305
Juvenile offender cases per 1,000 population	3.3
Number of cases assigned to counsel	242

Grant County has adopted a public defense standards ordinance and the Grant County public defense contracts require approved annual attorney training and reporting of non-public defense attorney hours.

In 2015 Grant County spent its state funding on maintaining additional attorneys to lower caseloads, provide public defense services at preliminary appearance calendars, and to provide interpreter services for attorney-client interviews and other communications. The county plans to use its state funds in 2016 to continue the improvements already implemented.

Grays Harbor County

2014 Population	73,300
Percent below poverty level 2010-2014	18.8%
2010-2014 estimated median household income	\$54,407
2015 Chapter 10.101 RCW distribution	\$67,148

Grays Harbor County delivers public defense representation through a contract system with twelve private attorneys who handle adult felony cases, one attorney who handles juvenile offender cases, and six who handle District Court cases.

2014 Statistics

Amount spent on public defense	\$1,109,412
Amount spent per capita	\$15.14

Adult Felony

Adult Superior Court cases filed	518
Adult Superior Court cases per 1,000 population	7.1
Number of cases assigned to counsel	479

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,464
Total county and municipal misdemeanor cases filed	1,498
Number of cases assigned to counsel	894

Juvenile Offender

Juvenile offender cases filed	116
Juvenile offender cases per 1,000 population	1.6
Number of cases assigned to counsel	109

Grays Harbor County has a public defense standards resolution, including a case weighting system for public defense cases in District Court. The Grays Harbor contract attorneys are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 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 2016 to maintain the improvements.

Island County

2014 Population	80,000
Percent below poverty level 2010-2014	9.8%
2010-2014 estimated median household income	\$59,107
2015 Chapter 10.101 RCW distribution	\$54,349

Island County delivers public defense representation through a mixed system, contracting with a single private law firm with 4.5 attorney FTEs to provide virtually all criminal defense services and using list appointments for conflict and other specific case types. Conflicts and other appointments are compensated according to a published county fee schedule.

2014 Statistics

Amount spent on public defense	\$775,791
Amount spent per capita	\$9.70

Adult Felony

Adult Superior Court cases filed	262
Adult Superior Court cases per 1,000 population	3.3
Number of cases assigned to counsel	192

Adult Misdemeanor – County District Court

County misdemeanor cases filed	840
Total county and municipal misdemeanor cases filed	1,391
Number of cases assigned to counsel	487

Juvenile Offender

Juvenile offender cases filed	78
Juvenile offender cases per 1,000 population	1.0
Number of cases assigned to counsel	60

Island County has adopted a public defense standards ordinance, and the Island County Standards for Public Defense require approved annual attorney training and reporting of non-public defense attorney hours.

In 2015 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

2014 Population	30,700
Percent below poverty level 2010-2014	12.6%
2010-2014 estimated median household income	\$61,787
2015 Chapter 10.101 RCW distribution	\$35,929

Jefferson County contracts with Jefferson Associated Counsel, a private nonprofit corporation, for all public defense representation. The office director provides direct supervision of 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.

2014 Statistics

Amount spent on public defense	\$713,635
Amount spent per capita	\$23.25

Adult Felony

Adult Superior Court cases filed	269
Adult Superior Court cases per 1,000 population	8.8
Number of cases assigned to counsel	207

Adult Misdemeanor – County District Court

County misdemeanor cases filed	668
Total county and municipal misdemeanor cases filed	866
Number of cases assigned to counsel	447

Juvenile Offender

Juvenile offender cases filed	46
Juvenile offender cases per 1,000 population	1.5
Number of cases assigned to counsel	31

Jefferson County has adopted a public defense standards ordinance. The Jefferson County public defense contract requires approved annual attorney training.

In 2015 Jefferson County spent its state funding to continue 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 2016 to continue these improvements.

King County

2014 Population	2,017,250
Percent below poverty level 2010-2014	11.8%
2010-2014 estimated median household income	\$94,597
2015 Chapter 10.101 RCW distribution	\$1,133,923

King County has a county government-based agency with four separate public defense units. Approximately 10 percent of public defense services (for conflict cases) are provided through an assigned counsel panel composed of private attorneys accepting assignments and compensated on an hourly basis.

2014 Statistics

Amount spent on public defense	\$57,529,800
Amount spent per capita	\$28.52

Adult Felony

Adult Superior Court cases filed	6,371
Adult Superior Court cases per 1,000 population	3.2
Number of cases assigned to counsel	5,494

Adult Misdemeanor – County District Court

County misdemeanor cases filed	7,725
Total county and municipal misdemeanor cases filed	43,726
Number of cases assigned to counsel	5,924

Juvenile Offender

Juvenile offender cases filed	1,802
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	1,747

The King County Council has adopted an ordinance, which sets compensation and caseload standards for public defenders. King County public defense attorneys attend approved attorney training.

In 2015 King County used state funds to increase the hourly compensation rate of conflict counsel. Funds were also used to continue services of a program manager to improve quality control and to develop and provide training programs for attorneys. In 2016 the county plans to use its state funds in to sustain these improvements.

Kitsap County

2014 Population	255,900
Percent below poverty level 2010-2014	10.9%
2010-2014 estimated median household income	\$75,238
2015 Chapter 10.101 RCW distribution	\$188,956

Kitsap County has a county government-based public defense agency with a supervisor who oversees staff attorneys on felony cases, and private attorneys who contract for felony, misdemeanor, and juvenile offender cases.

2014 Statistics

Amount spent on public defense	\$3,043,532
Amount spent per capita	\$12.4

Adult Felony

Adult Superior Court cases filed	1,257
Adult Superior Court cases per 1,000 population	4.9
Number of cases assigned to counsel	1,461

Adult Misdemeanor – District Court

County misdemeanor cases filed	3,196
Number of cases assigned to counsel	1,618

Juvenile Offender

Juvenile offender cases filed	373
Juvenile offender cases per 1,000 population	1.5
Number of cases assigned to counsel	337

Kitsap County has adopted a public defense standards ordinance. The compensation section establishes parity of salary and benefits between public defense attorneys and county prosecuting attorneys. Kitsap County requires contract public defense attorneys to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 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 2016 to continue these enhancements.

Kittitas County

2014 Population	42,100
Percent below poverty level 2010-2014	22.1%
2010-2014 estimated median household income	\$65,103
2015 Chapter 10.101 RCW distribution	\$46,919

Kittitas County Superior Court and Upper Kittitas District Court deliver public defense representation solely through list appointment. Contracts are utilized in extraordinary circumstances such as specific serious felonies. Appointed attorneys are paid at a published rate per case 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.

2014 Statistics

Amount spent on public defense	\$527,903
Amount spent per capita	\$12.54

Adult Felony

Adult Superior Court cases filed	332
Adult Superior Court cases per 1,000 population	7.9
Number of cases assigned to counsel	208

Adult Misdemeanor – District Court

County misdemeanor cases filed	2,100
Number of cases assigned to counsel	1,162

Juvenile Offender

Juvenile offender cases filed	49
Juvenile offender cases per 1,000 population	1.2
Number of cases assigned to counsel	42

Kittitas County has adopted a public defense standards ordinance which requires public defense training for attorneys.

In 2015 Kittitas County spent its state funding to provide public defense representation at the Lower Kittitas County District Court preliminary appearance and arraignment calendars for both in-custody and out-of-custody defendants. Also state funding was used to sustain increases to attorney compensation, and provide expert services and investigator services. The county plans to use its state funds in 2016 to maintain these improvements.

Klickitat County

2014 Population	20,850
Percent below poverty level 2010-2014	15.6%
2010-2014 estimated median household income	\$46,386
2015 Chapter 10.101 RCW distribution	\$29,483

Klickitat County administers public defense representation under a contract signed by three private attorneys for all Superior Court matters. The contract requires the three attorneys to provide 100 percent of indigent defense services in 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.

2014 Statistics

Amount spent on public defense	\$249,989
Amount spent per capita	\$11.99

Adult Felony

Adult Superior Court cases filed	157
Adult Superior Court cases per 1,000 population	7.5
Number of cases assigned to counsel	163

Adult Misdemeanor – District Court

County misdemeanor cases filed	421
Total county and municipal misdemeanor cases filed	676
Number of cases assigned to counsel	251

Juvenile Offender

Juvenile offender cases filed	65
Juvenile offender cases per 1,000 population	3.1
Number of cases assigned to counsel	63

Klickitat County has adopted a public defense standards ordinance. The Klickitat County public defense contract requires approved annual attorney training.

Klickitat County used its state funds in 2015 to sustain previously added investigators, experts, and interpreter services for assigned counsel representation. The county plans to use its state funds in 2016 to maintain these improvements.

Lewis County

2014 Population	76,300
Percent below poverty level 2010-2014	16.8%
2010-2014 estimated median household income	\$53,533
2015 Chapter 10.101 RCW distribution	\$92,863

Lewis County administers public defense representation through a public defense contract system. The county contracts with numerous private attorneys for specific case types with some attorneys accepting more than one case type. The county also contracts with one attorney to represent clients at all in-custody first appearances, and Superior Court daily initial appearances as well as provide quality oversight for the other contracts.

2014 Statistics

Amount spent on public defense	\$1,341,373
Amount spent per capita	\$17.58

Adult Felony

Adult Superior Court cases filed	753
Adult Superior Court cases per 1,000 population	9.9
Number of cases assigned to counsel	726

Adult Misdemeanor

County misdemeanor cases filed	1,236
Total county and municipal misdemeanor cases filed	1,309
Number of cases assigned to counsel	1,238

Juvenile Offender

Juvenile offender cases filed	195
Juvenile offender cases per 1,000 population	2.6
Number of cases (case weight units) assigned to counsel	353

Lewis County has adopted a public defense standards ordinance. Lewis County public defense contracts require approved annual attorney training and reporting of non-public defense attorney hours.

In 2015 Lewis County spent its state funding to continue contracting with an attorney coordinator to provide counsel at daily initial appearances as well as exercise quality monitoring of other public defense contracts with private attorneys. The county plans to use its state funds in 2016 to continue these improvements.

Lincoln County

2014 Population	10,700
Percent below poverty level 2010-2014	13.4%
2010-2014 estimated median household income	\$62,000
2015 Chapter 10.101 RCW distribution	\$17,255

Lincoln County administers public defense representation using a mixed system. Public defense representation for adult misdemeanors is handled through a contract with one attorney. Counsel is provided through list appointment for District Court conflict cases, adult felony, juvenile offender, and all other Superior Court case types.

2014 Statistics

Amount spent on public defense	\$117,552
Amount spent per capita	\$10.99

Adult Felony

Adult Superior Court cases filed	71
Adult Superior Court cases per 1,000 population	6.6
Number of cases assigned to counsel	54

Adult Misdemeanor – District Court

County misdemeanor cases filed	457
Total county and municipal misdemeanor cases filed	459
Number of cases assigned to counsel	209

Juvenile Offender

Juvenile offender cases filed	6
Juvenile offender cases per 1,000 population	0.6
Number of cases assigned to counsel	7

Lincoln County has adopted a public defense standards ordinance. The Lincoln County public defense contract requires approved annual attorney training and reporting of non-public defense attorney hours.

In 2015 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 2016 to continue these improvements.

Mason County

2014 Population	62,000
Percent below poverty level 2010-2014	17.1%
2010-2014 estimated median household income	\$58,367
2015 Chapter 10.101 RCW distribution	\$66,714

Mason County provides public defense representation through a hybrid system with county employed defense attorneys and contracts that are coordinated and monitored by the director of the agency. Conflict counsel is appointed from a list of qualified attorneys.

2014 Statistics

Amount spent on public defense	\$829,603
Amount spent per capita	\$13.38

Adult Felony

Adult Superior Court cases filed	560
Adult Superior Court cases per 1,000 population	9.0
Number of cases assigned to counsel	482

Adult Misdemeanor – District Court

County misdemeanor cases filed	1,395
Number of cases assigned to counsel	889

Juvenile Offender

Juvenile offender cases filed	100
Juvenile offender cases per 1,000 population	1.6
Number of cases assigned to counsel	95

Mason County has adopted a public defense standards ordinance. The Mason County public defense contracts require approved annual training and require attorneys to report non-public defense attorney hours.

In 2015 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 contract attorney training to ensure compliance with state requirements. The county plans to use its state funds in 2016 to continue these improvements.

Okanogan County

2014 Population	41700
Percent below poverty level 2010-2014	21.7%
2010-2014 estimated median household income	\$47,533
2015 Chapter 10.101 RCW distribution	\$51,440

Okanogan County delivers public defense representation through a contract system with a two-attorney law firm for coverage of all indigent defense cases. The firm sub-contracts with six additional attorneys for cases not handled by the firm.

2014 Statistics

Amount spent on public defense	\$916,697
Amount spent per capita	\$21.98

Adult Felony

Adult Superior Court cases filed	456
Adult Superior Court cases per 1,000 population	10.9
Number of cases assigned to counsel	421

Adult Misdemeanor – District Court

County misdemeanor cases filed	1,599
Number of cases assigned to counsel	2,410

Juvenile Offender

Juvenile offender cases filed	186
Juvenile offender cases per 1,000 population	4.5
Number of cases assigned to counsel	230

Okanogan County has adopted a public defense standards ordinance. The Okanogan County public defense contract and subcontracts require attorneys to attend approved annual attorney training.

In 2015 Okanogan County spent its state funding to sustain previously imposed increases to investigative and expert services. State funds were also used in 2015 for additional attorneys, increased compensation, and providing representation at preliminary appearance calendars. The county plans to use its state funds in 2016 to sustain these improvements.

Pacific County

2014 Population	21,100
Percent below poverty level 2010-2014	17.1%
2010-2014 estimated median household income	\$51,103
2015 Chapter 10.101 RCW distribution	\$30,982

Pacific County provides indigent defense representation through a contract system. Private attorneys contract for a maximum number of cases or types of cases at each court level. The county also provides representation by list appointment.

2014 Statistics

Amount spent on public defense	\$344,564
Amount spent per capita	\$16.33

Adult Felony

Adult Superior Court cases filed	245
Adult Superior Court cases per 1,000 population	11.61
Number of cases assigned to counsel	217

Adult Misdemeanor – District Court

County misdemeanor cases filed	655
Total county and municipal misdemeanor cases filed	848
Number of cases assigned to counsel	335

Juvenile Offender

Juvenile offender cases filed	65
Juvenile offender cases per 1,000 population	3.1
Number of cases assigned to counsel	59

Pacific County has adopted a public defense standards ordinance. Pacific County public defense attorneys are required to attend approved annual attorney training.

In 2015 Pacific County spent its state funding to sustain additions made to attorney levels to reduce public defense caseloads, and additional investigator and expert services. The county plans to use its state funds in 2016 to continue these improvements.

Pend Oreille County

2014 Population	13,210
Percent below poverty level 2010-2014	21.9%
2010-2014 estimated median household income	\$40,070
2015 Chapter 10.101 RCW distribution	\$21,389

Pend Oreille County provides public defense representation through contracts with four private attorneys. A small number of conflict cases are assigned to list-appointed attorneys who are paid at an hourly rate.

2014 Statistics

Amount spent on public defense	\$148,830
Amount spent per capita	\$11.27

Adult Felony

Adult Superior Court cases filed	122
Adult Superior Court cases per 1,000 population	9.2
Number of cases assigned to counsel	103

Adult Misdemeanor – District Court

County misdemeanor cases filed	401
Total county and municipal misdemeanor cases filed	577
Number of cases assigned to counsel	590

Juvenile Offender

Juvenile offender cases filed	17
Juvenile offender cases per 1,000 population	1.3
Number of cases assigned to counsel	12

Pend Oreille County has adopted a public defense standards ordinance. The county public defense attorneys are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 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 2016 to continue these improvements.

Pierce County

2014 Population	821,300
Percent below poverty level 2010-2014	12.6%
2010-2014 estimated median household income	\$70,892
2015 Chapter 10.101 RCW distribution	\$626,063

Pierce County provides public defense representation through a county government-based agency, the Department of Assigned Counsel (DAC). DAC employees receive salary and benefits in 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 counsel and provides investigative services through a panel of pre-approved investigators.

2014 Statistics

Amount spent on public defense	\$16,401,100
Amount spent per capita	\$19.97

Adult Felony

Adult Superior Court cases filed	5,267
Adult Superior Court cases per 1,000 population	6.4
Number of cases assigned to counsel	4,649

Adult Misdemeanor – District Court

County misdemeanor cases filed	9,959
Total county and municipal misdemeanor cases filed	10,135
Number of cases assigned to counsel	3,222

Juvenile Offender

Juvenile offender cases filed	1,233
Juvenile offender cases per 1,000 population	1.5
Number of cases assigned to counsel	1,065

Pierce County has adopted a public defense standards ordinance. 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.

In 2015 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 2016 to continue these improvements.

San Juan County

2014 Population	16,100
Percent below poverty level 2010-2014	11.4%
2010-2014 estimated median household income	\$65,548
2015 Chapter 10.101 RCW distribution	\$17,144

San Juan County delivers public defense through a contract system with two primary attorneys. The contracts use a case-point system. Conflict attorneys are appointed from a list and paid according to a published fee schedule.

2014 Statistics

Amount spent on public defense	\$197,000
Amount spent per capita	\$12.24

Adult Felony

Adult Superior Court cases filed	28
Adult Superior Court cases per 1,000 population	1.7
Number of cases assigned to counsel	36

Adult Misdemeanor – District Court

County misdemeanor cases filed	166
Number of cases assigned to counsel	151

Juvenile Offender

Juvenile offender cases filed	11
Juvenile offender cases per 1,000 population	0.7
Number of cases assigned to counsel	12

San Juan County has adopted a public defense standards ordinance. The San Juan County public defense attorneys are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 San Juan County spent its state funding to continue previous increases to public defense attorney compensation, and for expert, investigative, and interpreter services. The county plans to use its state funds in 2016 to continue funding these improvements.

Skagit County

2014 Population	119,500
Percent below poverty level 2010-2014	14.9%
2010-2014 estimated median household income	\$65,063
2015 Chapter 10.101 RCW distribution	\$132,721

Skagit County delivers public defense representation through the Skagit County Public Defender, a county government-based agency. The agency's director and chief deputy are responsible for the 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.

2014 Statistics

Amount spent on public defense	\$3,494,271
Amount spent per capita	\$29.24

Adult Felony

Adult Superior Court cases filed	969
Adult Superior Court cases per 1,000 population	8.1
Number of cases assigned to counsel	876

Adult Misdemeanor – District Court

County misdemeanor cases filed	3,158
Number of cases assigned to counsel	1443

Juvenile Offender

Juvenile offender cases filed	172
Juvenile offender cases per 1,000 population	1.4
Number of cases assigned to counsel	145

Skagit County has adopted a public defense standards ordinance. In addition, the Skagit County Public Defender agency requires approved annual attorney training.

In 2015 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 2016 to continue these improvements.

Skamania County

2014 Population	11,370
Percent below poverty level 2010-2014	13.6%
2010-2014 estimated median household income	\$66,104
2015 Chapter 10.101 RCW distribution	\$19,253

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.

2014 Statistics

Amount spent on public defense	\$119,786
Amount spent per capita	\$10.54

Adult Felony

Adult Superior Court cases filed	95
Adult Superior Court cases per 1,000 population	8.4
Number of cases assigned to counsel	93

Adult Misdemeanor – District Court

County misdemeanor cases filed	322
Number of cases assigned to counsel	233

Juvenile Offender

Juvenile offender cases filed	20
Juvenile offender cases per 1,000 population	1.8
Number of cases assigned to counsel	22

Skamania County has adopted a public defense standards ordinance. The ordinance requires public defense attorneys to attend approved annual attorney training, and the contract requires reporting of non-public defense legal services hours.

In 2015 Skamania County spent its state funding to continue contracting with additional attorneys to reduce public defense caseloads, and to increase resources for defense investigation and expert services. The county plans to use its state funds in 2016 to continue these improvements.

Snohomish County

2014 Population	741,000
Percent below poverty level 2010-2014	10.3%
2010-2014 estimated median household income	\$81,956
2015 Chapter 10.101 RCW distribution	\$449,990

Snohomish County provides public defense representation in adult criminal cases in both Superior and District courts 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. The county contracts with PDA and one private law firm to handle juvenile offender cases. Conflict attorneys are appointed from a list.

2014 Statistics

Amount spent on public defense	\$7,114,426
Amount spent per capita	\$9.60

Adult Felony

Adult Superior Court cases filed	2,554
Adult Superior Court cases per 1,000 population	3.4
Number of cases assigned to counsel	2,240

Adult Misdemeanor – District Court

County misdemeanor cases filed	7,566
Total county and municipal cases filed	10,288
Number of cases assigned to counsel	3,060

Juvenile Offender

Juvenile offender cases filed	1,226
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	823

Snohomish County has adopted a public defense standards ordinance. The Snohomish County public defense contract requires approved annual attorney training.

In 2015 Snohomish County used its state funding to provide an attorney coordinator who monitors caseloads and manages public defense contracts. State funds helped to support continued representation at preliminary appearances, and increases to attorney compensation. In addition to sustaining these improvements, the county plans on using 2016 funds to establish pay parity for PDA salaries compared to county prosecutors' salaries.

Spokane County

2014 Population	484,500
Percent below poverty level 2010-2014	15.6%
2010-2014 estimated median household income	\$63,873
2015 Chapter 10.101 RCW distribution	\$481,119

Spokane County provides public defense representation through two county government-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 in parity with Spokane County Prosecuting Attorney Office employees. Each agency director is responsible for attorney supervision and resolution of client complaints, and provides in-house investigative services. 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.

2014 Statistics

Amount spent on public defense	\$8,796,280
Amount spent per capita	\$18.16

Adult Felony

Adult Superior Court cases filed	4,790
Adult Superior Court cases per 1,000 population	9.9
Number of cases assigned to counsel	3,523

Adult Misdemeanor – District Court

County misdemeanor cases filed	6,532
Total county and municipal misdemeanor cases filed	9,155
Number of cases assigned to counsel	6,687

Juvenile Offender

Juvenile offender cases filed	712
Juvenile offender cases per 1,000 population	1.5
Number of cases assigned to counsel	306

Spokane County has adopted a public defense standards ordinance. The Spokane County public defense agencies require approved annual attorney training.

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 2016 the county plans to sustain these improvements, and use state funds to ensure continued compliance with caseload standards.

Stevens County

2014 Population	43,900
Percent below poverty level 2010-2014	17.6%
2010-2014 estimated median household income	\$42,111
2015 Chapter 10.101 RCW distribution	\$41,187

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.

2014 Statistics

Amount spent on public defense	\$573,775
Amount spent per capita	\$13.07

Adult Felony

Adult Superior Court cases filed	230
Adult Superior Court cases per 1,000 population	5.2
Number of cases assigned to counsel	264

Adult Misdemeanor – District Court

County misdemeanor cases filed	849
Total county and municipal misdemeanor cases filed	1,235
Number of cases assigned to counsel	432

Juvenile Offender

Juvenile offender cases filed	73
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	72

Stevens County has adopted a public defense standards ordinance. The Stevens County public defense contractors are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 Stevens County spent its state funding to increase public defense attorney compensation. The county intends to use its state funds in 2016 to continue this improvement.

Thurston County

2014 Population	264,000
Percent below poverty level 2010-2014	11.9%
2010-2014 estimated median household income	\$75,361
2015 Chapter 10.101 RCW distribution	\$226,418

Thurston County provides public defense representation through the Thurston County Office of Assigned Counsel (OAC), a county government-based agency. OAC employees are compensated at parity with Thurston County Prosecuting Attorney Office employees. The county contracts with several private attorneys to assist one in-house attorney with juvenile offender cases. Overflow and conflict cases are appointed from a list and paid an hourly rate. OAC employs a director and three senior defense attorneys to assist in the supervision of staff and resolution of client complaints.

2014 Statistics

Amount spent on public defense	\$4,078,156
Amount spent per capita	\$15.45

Adult Felony

Adult Superior Court cases filed	2,000
Adult Superior Court cases per 1,000 population	7.6
Number of cases assigned to counsel	1,677

Adult Misdemeanor – District Court

County misdemeanor cases filed	2,626
Total county and municipal misdemeanor cases filed	5,065
Number of cases assigned to county public defense	1,887

Juvenile Offender

Juvenile offender cases filed	783
Juvenile offender cases per 1,000 population	3.0
Number of cases assigned to counsel	632

Thurston County has adopted a public defense standards ordinance, and requires all public defense attorneys to comply with required annual training.

In 2015 Thurston County spent its state funding to maintain numeric caseload standards. The county plans to use its state funds in 2016 to continue these improvements.

Wahkiakum County

2014 Population	4,010
Percent below poverty level 2010-2014	21.9%
2010-2014 estimated median household income	\$44,500
2015 Chapter 10.101 RCW distribution	\$12,331

Wahkiakum County delivers public defense representation for all felony, misdemeanor, juvenile offender, and probation violations solely 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 hourly rate.

2014 Statistics

Amount spent on public defense	\$47,369
Amount spent per capita	\$11.81

Adult Felony

Adult Superior Court cases filed	21
Adult Superior Court cases per 1,000 population	5.2
Number of cases assigned to counsel	17

Adult Misdemeanor – District Court

County misdemeanor cases filed	110
Total county and municipal misdemeanor cases filed	110
Number of cases assigned to counsel	54

Juvenile Offender

Juvenile offender cases filed	15
Juvenile offender cases per 1,000 population	3.7
Number of cases assigned to counsel	15

Wahkiakum County has adopted a public defense ordinance. Public defense attorneys are required to attend approved annual training.

In 2015 Wahkiakum County spent its state funding to maintain increases to public defense attorney compensation, to provide public defense services at some preliminary appearance calendars and pay for interpreter services for attorney-client interviews and communications. The county plans to use its state funds in 2016 for the same purposes.

Walla Walla County

2014 Population	60,150
Percent below poverty level 2010-2014	16.7%
2010-2014 estimated median household income	\$61,013
2015 Chapter 10.101 RCW distribution	\$59,112

Walla Walla County delivers public defense representation through a contract system. Nine private firms contract to provide public defense services at all court levels.

2014 Statistics

Amount spent on public defense	\$765,560
Amount spent per capita	\$12.73

Adult Felony

Adult Superior Court cases filed	451
Adult Superior Court cases per 1,000 population	7.5
Number of cases assigned to counsel	392

Adult Misdemeanor – District Court

County misdemeanor cases filed	1,395
Total county and municipal misdemeanor cases filed	1,615
Number of cases assigned to counsel	310

Juvenile Offender

Juvenile offender cases filed	197
Juvenile offender cases per 1,000 population	3.3
Number of cases assigned to counsel	285

Walla Walla County has adopted a public defense standards resolution. The Walla Walla County public defense contracts require attorneys to agree to comply with the provisions of Chapter 10.101 RCW.

In 2015 Walla Walla County spent its state funding to increase 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 2016 to continue these improvements.

Whatcom County

2014 Population	207,600
Percent below poverty level 2010-2014	16.2%
2010-2014 estimated median household income	\$53,025
2015 Chapter 10.101 RCW distribution	\$177,929

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 eight private attorneys for dependency and termination cases and BECCA cases. Conflict attorneys are appointed from a list.

2014 Statistics

Amount spent on public defense	\$3,816,047
Amount spent per capita	\$18.38

Adult Felony

Adult Superior Court cases filed	1,534
Adult Superior Court cases per 1,000 population	7.4
Number of cases assigned to counsel	1,362

Adult Misdemeanor – District Court

County misdemeanor cases filed	2,886
Number of cases assigned to counsel	1,459

Juvenile Offender

Juvenile offender cases filed	350
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	343

Whatcom County has adopted a public defense standards ordinance. The county public defense agency requires approved annual attorney training. Conflict attorneys are required to perform the contracted services pursuant to the Washington Defender Association Standards for Public Defense.

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 2016.

Whitman County

2014 Population	46,500
Percent below poverty level 2010-2014	32.7%
2010-2014 estimated median household income	\$35,578
2015 Chapter 10.101 RCW distribution	\$41,560

Whitman County delivers public defense representation through a contract system with four private attorneys.

2014 Statistics

Amount spent on public defense	\$315,000
Amount spent per capita	\$6.77

Adult Felony

Adult Superior Court cases filed	218
Adult Superior Court cases per 1,000 population	4.7
Number of cases assigned to counsel	150

Adult Misdemeanor – District Court

County misdemeanor cases filed	1,253
Total county and municipal misdemeanor cases filed	1,322
Number of cases assigned to counsel	367

Juvenile Offender

Juvenile offender cases filed	51
Juvenile offender cases per 1,000 population	1.1
Number of cases assigned to counsel	41

Whitman County is in the process of finalizing a public defense standards ordinance. The public defense contractors are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2015 Whitman County spent its state funding to sustain increases to public defense attorney compensation. The county plans to use its state funds in 2016 to maintain this improvement.

Yakima County

2014 Population	248,800
Percent below poverty level 2010-2014	22.5%
2010-2014 estimated median household income	\$43,956
2015 Chapter 10.101 RCW distribution	\$217,624

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.

2014 Statistics

Amount spent on public defense	\$4,257,339
Amount spent per capita	\$17.11

Adult Felony

Adult Superior Court cases filed	1,849
Adult Superior Court cases per 1,000 population	7.4
Number of cases assigned to counsel	1,541

Adult Misdemeanor – District Court

County misdemeanor cases filed	4,728
Total county and municipal misdemeanor cases filed	6,024
Number of cases assigned to county counsel	2,174

Juvenile Offender

Juvenile offender cases filed	831
Juvenile offender cases per 1,000 population	3.3
Number of cases assigned to counsel	718

Yakima County has adopted a public defense standards ordinance. The Yakima County DAC requires approved annual attorney training, and requires contract attorneys to report hours billed for non-public defense legal services.

In 2015 like previous years, Yakima County used state funds to improve 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 2016 to continue these improvements.

Report on Municipal Public Defense Services

Cities are responsible for administering and funding trial level criminal public defense services in Municipal Courts. Across the state, cities vary in their public defense service models. In most cities, however, attorneys and firms bid for public defense contracts through an RFP process, and the resulting contracts are overseen by city administrators or their designees. In recent years many cities have taken steps to improve oversight of public defense services.

Many 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. Attorneys with full-time misdemeanor caseloads should have no more than 400 new case appointments 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 RCW 10.101.040 must require their public defense attorneys to report nonpublic defense legal services, including the number and types of private cases.

In response to the late 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 the frequency of filing motions, number of trials, amount of time spent on various tasks such as client communication, and the use of investigators and experts. These reports help to identify whether attorneys are taking active steps to investigate and challenge cases and develop representational relationships with their clients.

The following pages provide public defense summaries of the cities that received Chapter 10.101 RCW funds during 2015. The summaries identify 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.⁶

⁶ 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

2013 Population	6,426
Percent below poverty level 2010-2014	31.2%
2010-2014 estimated median household income	\$37,517
Competitive Grant awarded for use in 2015	\$10,000

2013 Statistics

Amount spent on public defense	\$50,062
Amount spent per capita	\$7.79
City misdemeanor cases filed	532
Total misdemeanors per 1,000 population	82.8
Number of cases assigned to counsel	293

The City of Airway Heights delivers public defense services through a contract system. The city contracts with one attorney to handle all DWLS 3rd Degree and conflict cases, and one attorney to represent all other non-conflict indigent defendants. 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 of Airways Heights is working jointly with the its contracted public defense attorneys on a city public defense ordinance and case weighting system in compliance with the Supreme Court's Standards for Indigent Defense. The contract for public defense services requires attorneys to attend seven hours of public defense training annually.

The city used its state grant funds in 2015 for adding an attorney to reduce caseloads and for increasing attorney compensation. In addition, funds ensured that defendants were represented by counsel at preliminary appearances.

City of Anacortes

2013 Population	16,048
Percent below poverty level 2010-2014	9.1%
2010-2014 estimated median household income	\$59,116
Competitive Grant awarded for use in 2015	\$16,900

2013 Statistics

Amount spent on public defense	\$60,000
Amount spent per capita	\$3.74
City misdemeanor cases filed	643
Total misdemeanors per 1,000 population	40.1
Number of cases assigned to counsel	371

In previous years the City of Anacortes provided public defense services through a contract system. However, in 2015 the city formally opened the Anacortes Public Defender's Office, staffed with a full-time attorney, a full-time legal assistant and with an operating budget that provided funds for expert services, investigative services, office supplies, etc. Thus, the city significantly increased its public defense budget and services.

The public defender regularly attends the morning in-custody calendars that are held in Skagit County District Court to process defendants who have been arrested the previous night. Additionally, the public defender is on call on a 24/7 basis in order to provide advice and consultation for any Anacortes arrestee who is either undergoing police interrogation or under arrest for DUI or other driving offenses.

In February 2015, the City of Anacortes amended its public defense ordinance to codify the standards for the delivery of indigent services adopted by the Washington Supreme Court, including caseload standards.

In 2015, the City of Anacortes used funds awarded by the State to help supplement the cost of providing public defense services.

City of Battle Ground

2013 Population	18,130
Percent below poverty level 2010-2014	12.5%
2010-2014 estimated median household income	\$55,807
Competitive Grant awarded for use in 2015	\$9,500

2013 Statistics

Amount spent on public defense	\$65,717
Amount spent per capita	\$3.62
City misdemeanor cases filed	683
Total misdemeanors per 1,000 population	37.7
Number of cases assigned to counsel	452

Public defense representation in the City of Battle Ground is provided through contracts with four attorneys. The city has adopted a public defense standards ordinance. Contract attorneys are required to report hours billed for non-public defense legal services including the number and type of private cases. Contract attorneys are also required to attend seven hours of public defense training annually.

In 2015 the City of Battle Ground used State funds to increase the number of contracted public defense attorneys for purposes of managing caseloads, and contracted attorneys received a per-case increase in compensation. State funds were also used to fund investigation services.

City of Bellingham

2013 Population	81,567
Percent below poverty level 2010-2014	24.1%
2010-2014 estimated median household income	\$40,648
Competitive Grant awarded for use in 2015	\$72,200

2013 Statistics

Amount spent on public defense	\$755,880
Amount spent per capita	\$9.27
City misdemeanor cases filed	3,606
Total misdemeanors per 1,000 population	44.2
Number of cases assigned to counsel	2,014

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 cases in Bellingham Municipal Court. BAC and the Whatcom County Public Defender have a contract to exchange representation for conflict cases at no additional cost to either jurisdiction.

The City of Bellingham has adopted a public defense standards ordinance. The primary city public defense contract requires annual training for attorneys and reporting of non-public defense attorney hours.

The city used its grant funding to provide attorneys at the in-custody preliminary appearance calendar and the out-of-custody arraignment calendar, and sustain previous increases to the compensation for public defense attorneys.

City of Bremerton

2013 Population	38,614
Percent below poverty level 2010-2014	20.4%
2010-2014 estimated median household income	\$43,183
Competitive Grant awarded for use in 2015	\$13,500

2013 Statistics

Amount spent on public defense	\$298,386
Amount spent per capita	\$7.73
City misdemeanor cases filed	1,777
Total misdemeanors per 1,000 population	46.0
Number of cases assigned to counsel	971

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 a public defense standards ordinance. The primary city public defense contract requires annual training of attorneys and reporting of non-public defense attorney hours.

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

2013 Population	10,828
Percent below poverty level 2010-2014	39.7%
2010-2014 estimated median household income	\$24,767
Competitive Grant awarded for use in 2015	\$16,200

2013 Statistics

Amount spent on public defense	\$54,900
Amount spent per capita	\$5.07
City misdemeanor cases filed	302
Total misdemeanors per 1,000 population	27.9
Number of cases assigned to counsel	246

The City of Cheney delivers public defense representation through a contract system. The city contracts with one primary attorney to handle the cases in Cheney Municipal Court. Conflict attorneys are appointed from a list and are paid a flat fee for each case.

In 2014 the City of Cheney amended its Municipal Code to clarify public defense duties and responsibilities, and adopted a case weighting policy. The primary city public defense contract requires annual training for attorneys and reporting of non-public defense attorney hours.

The city has 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 Issaquah Multi-City Partnership

The cities of Issaquah, Sammamish, Snoqualmie and North Bend formed an innovative regional partnership to hire a public defense monitor to evaluate public defense services in all four cities for purposes of making appreciable and demonstrable improvements to the cities' public defense representation.

2013 Combined population	96,411
Average percent below poverty level 2010-2014	5.7%
Average estimated median household income 2010-2014	\$107,382
Competitive grant awarded for use in 2015	\$15,000

2013 Statistics

Combined amount spent on public defense	\$269,884
Combined amount spent per capita	\$2.80
Combined city misdemeanor cases filed	1,299
Total misdemeanors per 1,000 of combined population	13.5
Combined number of cases assigned to counsel	1,183

The Cities of Issaquah, Sammamish, Snoqualmie and North Bend provide public defense services through contracts with law firms and private attorneys. However, because the cities lack internal expertise to properly evaluate the quality of representation provided to indigent defendants, they partnered together and pooled resources for purposes of contracting with an attorney to monitor public defense services. The City of Issaquah served as the fiscal agent for 2015 State grant funds.

The group of cities created and executed an interlocal agreement, issued a request for qualifications, and selected an attorney with judicial experience. The monitor's work began in 2015, and will continue into 2016. The monitor's scope of work includes: four quarterly meetings with each city to update them on public defense services, four days of unannounced in-court supervision, quarterly review of public defense attorneys' statistical reports, and ongoing debriefing with city representatives.

City of Kelso

2013 Population	11,878
Percent below poverty level 2010-2014	28.0%
2010-2014 estimated median household income	\$35,381
Competitive Grant awarded for use in 2015	\$48,050

2013 Statistics

Amount spent on public defense	\$90,055
Amount spent per capita	\$7.58
City misdemeanor cases filed	615
Total misdemeanors per 1,000 population	51.8
Number of cases assigned to counsel	615

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.

State funds were used in 2015 to increase the number of attorneys representing indigent defendants to ensure compliance with the Washington Supreme Court's caseload standards.

The City of Kelso has a public defense ordinance. 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.

City of Olympia

2013 Population	48,480
Percent below poverty level 2010-2014	15.8%
2010-2014 estimated median household income	\$51,902
Competitive Grant awarded for use in 2015	\$18,225

2013 Statistics

Amount spent on public defense	\$144,000
Amount spent per capita	\$2.97
City misdemeanor cases filed	1,799
Total misdemeanors per 1,000 population	37.1
Number of cases assigned to counsel	1,223

The City of Olympia implemented significant changes to public defense in 2015, including more than doubling its budget for public defense services. At the close of 2014 the city began employing a part time Public Defense Coordinator to oversee the work of contract public defense attorneys, and created a structure to monitor attorneys' compliance with state standards and performance guidelines. In 2015 the number of contract attorneys increased from five to seven in an effort to ensure compliance with caseload standards. One contract attorney exclusively provides representation at the first appearance and arraignment calendars.

The City of Olympia has adopted a public defense ordinance. The city's public defense contracts require attorneys to attend approved annual training and report their non-public defense attorney hours.

The city used its state grant funding to contribute towards costs associated with reduced public defense caseloads, monitoring of attorney performance, and representation at preliminary appearance calendars.

City of Port Angeles

2013 Population	19,099
Percent below poverty level 2010-2014	18.0%
2010-2014 estimated median household income	\$39,577
Competitive Grant awarded for use in 2015	\$13,500

2013 Statistics

Amount spent on public defense	\$103,915
Amount spent per capita	\$5.44
City misdemeanor cases filed	855
Total misdemeanors per 1,000 population	44.8
Number of cases assigned to counsel	309

In 2015 the City of Port Angeles delivered public defense representation through a contract system with the Clallam Public Defender, a private non-profit organization and a private law firm. When the contractors have a conflict, the court appoints a conflict attorney from a list, who are compensated at an hourly rate.

The City of Port Angeles has adopted a public defense ordinance. 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).

The city used state grant funds to sustain previous increases to attorney compensation and continue providing public defense services at arraignment hearings.

City of Selah

2013 Population	7,243
Percent below poverty level 2010-2014	21.7%
2010-2014 estimated median household income	\$48,600

Competitive Grant awarded for use in 2015	\$4,750
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2013 Statistics

Amount spent on public defense	\$39,429
Amount spent per capita	\$5.44
City misdemeanor cases filed	468
Total misdemeanors per 1,000 population	64.6
Number of cases assigned to counsel	232

The City of Selah contracts with a firm to provide representation to indigent defendants. The city has adopted a resolution to comply with applicable state standards for public defense, as well as the decision from *Wilbur, et al v. Mt. Vernon*. State funds were used to increase attorney compensation.

City of Shelton

2013 Population	9,830
Percent below poverty level 2010-2014	28.9%
2010-2014 estimated median household income	\$38,729
Competitive Grant awarded for use in 2015	\$36,000

2013 Statistics

Amount spent on public defense	\$84,000
Amount spent per capita	\$8.55
City misdemeanor cases filed	721
Total misdemeanors per 1,000 population	73.3
Number of cases assigned to counsel	522

The City of Shelton delivers public defense representation through a contract with two private law firms. When a case presents a conflict for both law firms, the court appoints conflict counsel from a list with compensation based on an hourly rate.

The City of Shelton has adopted a Public Defense Standards Ordinance. The city's public defense attorneys are required to attend approved annual training and report their non-public defense attorney hours.

Prior to receipt of state grant funds, the city contracted with one primary attorney. In 2015 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

2013 Population	209,478
Percent below poverty level 2010-2014	19.2%
2010-2014 estimated median household income	\$42,092
Competitive Grant awarded for use in 2015	\$64,400

2013 Statistics

Amount spent on public defense	\$2,695,710
Amount spent per capita	\$12.87
City misdemeanor cases filed	8,385
Total misdemeanors per 1,000 population	40.0
Number of cases assigned to counsel	6,146

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. The City of Spokane Public Defender Office pays for and requires attorneys to attend at least seven hours of public defense training annually.

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

2013 Population	90,385
Percent below poverty level 2010-2014	14.5%
2010-2014 estimated median household income	\$47,897

Competitive Grant awarded for use in 2015	\$20,000
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2013 Statistics

Amount spent on public defense	\$649,831
Amount spent per capita	\$7.19
City misdemeanor cases filed	2,503
Total misdemeanors per 1,000 population	27.7
Number of cases assigned to counsel	2,795

The City of Spokane Valley contracts for public defense services exclusively with the Spokane County Public Defender's Office. The city has a public defense standards ordinance, and requires that all attorneys assigned to represent defendants in municipal cases to attend at least seven hours of public defense training annually. In 2015 state grant funds were used to help offset the increased costs to the city for two additional misdemeanor attorneys, which were hired to help meet attorney caseload limits.

City of Sunnyside

2013 Population	15,940
Percent below poverty level 2010-2014	26.1%
2010-2014 estimated median household income	\$34,698
Competitive Grant awarded for use in 2015	\$6,950

2013 Statistics

Amount spent on public defense	\$178,845
Amount spent per capita	\$11.22
City misdemeanor cases filed	1,958
Total misdemeanors per 1,000 population	122.8
Number of cases assigned to counsel	1,210

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 primary attorneys. 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, requires all contract public defense attorneys to attend at least seven hours annually on indigent defense training, and requires contract attorneys to report all of their public defense contracts and hours billed for private cases.

City of Tacoma

2013 Population	200,890
Percent below poverty level 2010-2014	18.0%
2010-2014 estimated median household income	\$50,503
Competitive Grant awarded for use in 2015	\$42,600

2013 Statistics

Amount spent on public defense	\$1,581,480
Amount spent per capita	\$7.87
City misdemeanor cases filed	5,212
Total misdemeanors per 1,000 population	25.9
Number of cases assigned to counsel	3,198

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.

Pierce County has adopted a public defense ordinance that is followed in DAC's public defense representation in Tacoma Municipal Court, and the City of Tacoma has adopted a resolution directing the city to follow the same standards as the Pierce County ordinance. The public defense attorneys are required to attend seven hours of OPD-approved training annually.

The city used its state grant funds to reduce attorney caseloads by continuing to fund an additional attorney position that was created in 2012 with OPD grant funds.

City of Tukwila

2013 Population	19,366
Percent below poverty level 2010-2014	25.4%
2010-2014 estimated median household income	\$43,331
Competitive Grant awarded for use in 2015	\$23,400

2013 Statistics

Amount spent on public defense	\$212,725
Amount spent per capita	\$10.98
City misdemeanor cases filed	1,967
Total misdemeanors per 1,000 population	101.6
Number of cases assigned to counsel	1,436

The City of Tukwila delivers public defense representation through a contract system with one law firm, and with two additional attorneys to handle conflict cases.

The City of Tukwila has recently updated its public defense standards ordinance to reflect the Supreme Court's Standards for Indigent Defense and the Washington State Bar Association's Standards for Indigent Defense Services. The public defense attorneys are required to attend approved training annually, and report hours billed for non-public defense legal services.

The city used its state grant funds for increased attorney compensation, investigation services, interpreter services for client meetings outside of court, and social services to assist indigent defendants and facilitate their access to services such as chemical dependency and mental health treatment.

City of Union Gap

2013 Population	6,020
Percent below poverty level 2010-2014	29.1%
2010-2014 estimated median household income	\$36,444

Competitive Grant awarded for use in 2015 \$15,000

2013 Statistics

Amount spent on public defense	\$78,490
Amount spent per capita	\$13.04
City misdemeanor cases filed	1,017
Total misdemeanors per 1,000 population	168.9
Number of cases assigned to counsel	624

The City of Union Gap delivers primary public defense representation services through one full-time and four part-time contracts with five local attorneys. The city compensates all attorneys on a per-case basis except for DUI and domestic violence cases which are compensated on an hourly basis at \$100/hour.

The City of Union Gap has a public defense standards ordinance which incorporates, by reference, the Washington State Bar Association's Standards for Indigent Defense Services, and the decision of *Wilbur v. Mt. Vernon*.

Union Gap used state funds in 2015 to increase the number of attorneys and increase compensation, which has resulted in a reduction of their caseloads.

City of Vancouver

2013 Population	167,405
Percent below poverty level 2010-2014	16.5%
2010-2014 estimated median household income	\$48,979
Competitive Grant awarded for use in 2015	\$56,340

2013 Statistics

Amount spent on public defense	\$665,972
Amount spent per capita	\$3.98
City misdemeanor cases filed	4,691
Total misdemeanors per 1,000 population	28.0
Number of cases assigned to counsel	4,134

Public defense representation for the City of Vancouver is provided through a contract system. The city has one primary defense contract with an 11 attorney FTE law firm to handle cases in Vancouver Municipal Court, as well as three contracts with additional attorneys 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. The city requires attorneys to attend approved annual training and report their non-public defense attorney hours.

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 similar to prosecuting attorneys. The city used its state grant funds to contribute to the increases made to its public defense budget.

City of Westport

2013 Population	1,701
Percent below poverty level 2010-2014	20.2%
2010-2014 estimated median household income	\$31,627

Competitive Grant awarded for use in 2015	\$4,750
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2013 Statistics

Amount spent on public defense	\$9,395
Amount spent per capita	\$5.52
City misdemeanor cases filed	120
Total misdemeanors per 1,000 population	70.5
Number of cases assigned to counsel	76

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 ordinance 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*.

State grant funds were used in 2015 to increase attorney compensation, provide additional investigative and expert services, and fund interpreter services for attorney-client meetings.

City of Yakima

2013 Population	92,082
Percent below poverty level 2010-2014	24.4%
Estimated median household income 2010-2014	\$39,462
Competitive Grant awarded for use in 2015	\$91,500

2013 Statistics

Amount spent on public defense	\$622,537
Amount spent per capita	\$6.76
City misdemeanor cases filed	4,274
Total misdemeanors per 1,000 population	46.4
Number of cases assigned to counsel	4,274

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 total of 9.5 attorney FTEs. An additional firm provides representation at an hourly rate when the two primary law firms have a conflict.

The City of Yakima has adopted a public defense standards ordinance. The primary city public defense contract requires attorneys to attend approved annual training and report their non-public defense attorney hours.

In 2015 the City of Yakima significantly increased its public defense funding to increase the number of attorneys assigned to represent indigent defendants, to ensure that attorneys' caseloads comply with the limits established by the Supreme Court's Standards for Indigent Defense. The city also implemented a pre-filing diversion program which has resulted in fewer misdemeanor cases being filed in court, and reduced public defense caseloads. 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

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 Report presents 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 2015. Each applying county provided 2014 data regarding public defense assignments and expenses.

The City Report presents data on funding and caseload levels in the cities that received competitive grants for 2015 expenditures. Because the application cycle for this group of cities occurred in mid-2014, the most current annual information available was from 2013.

Reported data from counties and cities alike often varied due to differing case-counting and reporting practices. 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.

The manner in which jurisdictions deal with post-conviction hearings such as probation violations (PVs) also impacts caseload calculations.⁷ 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 specific 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.

In preparing the county and city data reports, OPD used information submitted as part of each jurisdiction's application for 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. Completed data reports were returned for review. Each county and city had an opportunity to make additional comments and input to the final product. 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.

⁷ 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

2014 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. 2014 Statistics

1. Amount spent for public defense: The county-reported total dollar amount spent for public defense representation during 2014.
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 2014 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 2014.

III. Adult Misdemeanor

1. County misdemeanor cases filed: The number of new (non-probation violation) District Court cases filed during 2014 as reported by AOC.

2. Total county and municipal misdemeanor cases filed: The total number of new misdemeanor cases filed in all courts in the county, including municipal courts, during 2014 as reported by AOC.
3. Number of cases assigned to counsel by county: The county-reported number of new adult District Court cases assigned to public defense counsel during 2014.⁸

IV. Juvenile Offender

1. Juvenile offender cases filed: The number of new (non-probation violation) juvenile offender cases filed during 2014 as reported by AOC.
2. Juvenile offender cases per 1,000 population: The total number of new juvenile offender cases filed during 2014 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 2014.

CITY PROFILE

2013 population: Total city 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 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. 2013 Statistics

1. Amount spent for public defense: The city-reported total dollar amount spent for public defense representation during 2013, 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 number of variables, including geography, the number of cases filed, the number of

⁸ Some counties included contract municipal cases in the reported number.

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 2013 as reported by AOC.
4. Total misdemeanor cases per 1,000 population: The total number of new misdemeanor cases filed during 2013 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 2013.