

2013 Status Report on Public Defense in Washington State

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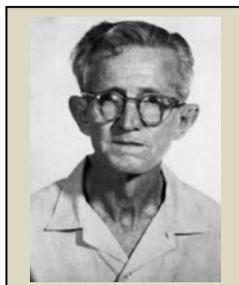
Table of Contents

INTRODUCTION.....	1
IMPLEMENTATION OF THE SUPREME COURT’S STANDARDS FOR INDIGENT DEFENSE.....	2
Attorney Certification to Caseload Limits.....	3
Additional Efforts to Prepare for Misdemeanor Caseload Certification.....	3
Misdemeanor Time Study.....	4
Model Misdemeanor Case Weighting Policy.....	5
WASHINGTON STATE OFFICE OF PUBLIC DEFENSE.....	6
Trial Level Public Defense Consulting Program.....	6
Continuing Legal Education Program.....	7
Capital Case Litigation Initiative.....	8
Resource Attorneys.....	8
Other Agency Activities.....	9
COUNTY REPORT.....	10
ADAMS COUNTY.....	12
ASOTIN COUNTY.....	13
BENTON COUNTY.....	14
CHELAN COUNTY.....	15
CLALLAM COUNTY.....	16
CLARK COUNTY.....	17
COLUMBIA COUNTY.....	18
COWLITZ COUNTY.....	19
DOUGLAS COUNTY.....	20
FERRY COUNTY.....	21
FRANKLIN COUNTY.....	22
GARFIELD COUNTY.....	23
GRANT COUNTY.....	24
GRAYS HARBOR COUNTY.....	25
ISLAND COUNTY.....	26
JEFFERSON COUNTY.....	27
KING COUNTY.....	28
KITSAP COUNTY.....	29
KITTITAS COUNTY.....	30
Klickitat County.....	31

LEWIS COUNTY.....	32
LINCOLN COUNTY	33
MASON COUNTY.....	34
OKANOGAN COUNTY	35
PACIFIC COUNTY	36
PEND OREILLE COUNTY.....	37
PIERCE COUNTY.....	38
SAN JUAN COUNTY	39
SKAGIT COUNTY	40
SKAMANIA COUNTY	41
SNOHOMISH COUNTY	42
SPOKANE COUNTY	43
STEVENS COUNTY	44
THURSTON COUNTY.....	45
WAHKIAKUM COUNTY	46
WALLA WALLA COUNTY.....	47
WHATCOM COUNTY	48
WHITMAN COUNTY	49
YAKIMA COUNTY.....	50
CITY REPORT.....	51
CITY OF BELLINGHAM	52
CITY OF BREMERTON	53
CITY OF CHENEY	54
CITY OF FEDERAL WAY	55
CITY OF OLYMPIA.....	56
CITY OF PORT ANGELES.....	57
CITY OF SHELTON	58
CITY OF SPOKANE.....	59
CITY OF TACOMA	60
CITY OF VANCOUVER	61
CITY OF YAKIMA	62
Appendix A: Methodology and Data Reporting for County/City Reports	63
Appendix B: Glossary for County/City Reports	65



INTRODUCTION



In 1961 Clarence Earl Gideon faced felony charges for stealing five dollars in change, fifty dollars from a jukebox, and a few bottles of beer and soda from a pool hall. Being too poor to afford counsel, Mr. Gideon told a Florida judge that the United States Constitution guaranteed him the right to an attorney. After being convicted, sentenced to five years and submitting a five page hand-written petition, in 1963 the U.S. Supreme Court unanimously agreed with him.

In its landmark decision of *Gideon v. Wainwright*¹, the Court declared that states have an obligation to provide counsel to indigent defendants. While approximately 2,000 convicted felons in Florida were freed as a result of the decision, Mr. Gideon was not. At his second jury trial a court-appointed attorney represented him. After only one hour of deliberations and more than two years of incarceration, the jury acquitted him.

Each county and city in Washington has developed individualized systems for providing public defense, and Gideon's 50th anniversary prompted reflection on whether public defense services adequately meet their constitutional guarantee. The State Office of Public Defense (OPD) is an independent judicial branch agency created by the Legislature in 1996 to help implement the constitutional and statutory rights to counsel and ensure effective and efficient delivery of indigent defense services funded by the state.² This eighth annual Status Report summarizes OPD's continued progress in activities targeted to improve local indigent defense services in trial courts, including a multi-jurisdictional time study to inform a model policy used in the calculation of attorney caseloads.

A conviction can mean loss of freedom, even loss of life. A conviction can mean a lifetime of consequences, affecting the ability to get a job, housing, a loan, to keep custody of children, to volunteer, even to vote. Public trust in our justice system depends on people knowing they have been treated fairly and their rights have been protected.

– Washington Supreme Court Chief Justice Barbara Madsen, *The Seattle Times*, April 28, 2013.

¹ 372 U.S. 335 (1963).

² Chapter 2.70 RCW.



IMPLEMENTATION OF THE SUPREME COURT'S STANDARDS FOR INDIGENT DEFENSE

In 2013 the Washington State Office of Public Defense (OPD) and local jurisdictions made great strides in implementing components of the Supreme Court's landmark [Standards for Indigent Defense](#) (Standards). The Standards, adopted in 2012, seek to ensure that public defense attorneys have sufficient time, experience, and resources to provide effective representation for each client.

Throughout 2013, public defense attorneys in all county and municipal courts filed quarterly certification forms affirming that:

- Contracts or employment agreements specify the types and maximum number of cases that they are expected to handle;
- Caseloads allow them to give each client the time and effort necessary for effective representation;
- Contracts include administrative costs associated with providing legal representation;
- Attorneys have access to offices for confidential meetings;
- Attorneys use investigation services when appropriate; and
- Attorneys meet the mandatory qualification requirements for specific case types.

Moreover, a key component to the Standards is setting caseload limits to ensure that public defense attorneys have sufficient time to fulfill their legal and ethical obligations for each client. Jurisdictions have the option of either counting each case individually, or developing a case weighting system.

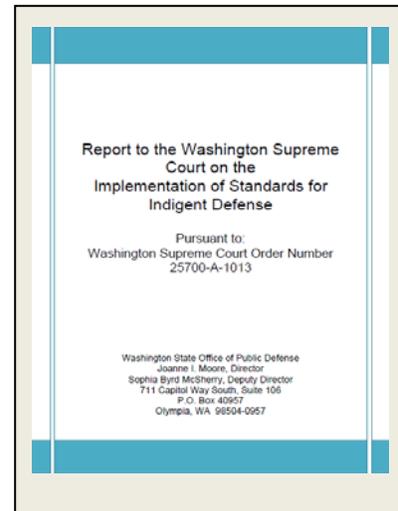
The Washington State Bar's Standards for Indigent Defense, incorporated by its Supreme Court in its criminal rules, considers the importance of workloads in evaluating the efficacy of defender services. Washington's move to implement workload controls is a welcome recognition of its obligation under Gideon.

Statement of Interest of the United States at 2 (*Wilbur v. City of Mount Vernon*, No. C11-1100RSL (W.D. Wash.)).

A case weighting system assigns higher and lower weighted credits to charges based on the amount of time that is typically required for effective representation. While each case is unique, data show that attorneys tend to spend, on average, more time on cases with complex charges, and less time on less complex charges.

Initial implementation of the Standards triggered local and statewide discussion, debate, and questions, especially in regard to caseload limits and case weighting. In late 2012 the Supreme Court ordered OPD to “prepare a report on implementation of Standards and Attorney Certification.” The purpose of this report was to inform the Court about implementation of the Standards, and to assist cities and counties in their planning for implementation of caseload standards. The report, published in March 2013, includes the following:

1. Information on case weighting approaches
2. An inventory of common diversion programs
3. Information on the potential impact of recent criminal law changes
4. An analysis of the effects of attorney experience on caseload capability.



The report is available online at www.opd.wa.gov.

Attorney Certification to Caseload Limits

Beginning on October 1, 2013, public defense attorneys certified their compliance with the Standards’ caseload limits for felonies and juvenile offender cases. Implementation of these caseload limits has brought little fanfare or controversy, and thus far appears to be smoothly progressing. While attorney certification to misdemeanor caseload standards was originally scheduled to go into effect at the same time as other case types, concerns regarding implementation of misdemeanor caseloads resulted in additional study and analysis.

Additional Efforts to Prepare for Misdemeanor Caseload Certification

Public defense misdemeanor caseloads in some jurisdictions have far exceeded the Supreme Court’s Standard of 400 cases annually. This fact came under particular scrutiny in *Wilbur, et. al., v. City of Mount Vernon, et al.*, No. C11-1100RSL (W.D. Wash.). This 2013 federal court decision found that the two attorneys providing public defense to the named cities each closed approximately 1000 public defense cases annually in addition to representing privately retained clients. The Court concluded that the cities are liable under 42 U.S.C. §1983 for the systemic flaws that deprive indigent criminal defendants of their Sixth Amendment right to the assistance of counsel. Among the corrective action ordered by the Federal District Court, the cities were ordered to hire a Public Defense Supervisor to oversee, document and report progress on required improvements.

A few jurisdictions adopted locally-developed case weighting policies as a means to calculate caseloads. However, the case weight values for most of them were not based on a formal data collection process that assesses and documents the workload involved, which is the process required by the Standards. Additional jurisdictions have expressed a desire to evaluate their caseloads using a case weighting system, but lack the time and resources to conduct a data-driven assessment.

In April 2013 the Supreme Court issued an Order which allowed for a more methodical approach to implementing misdemeanor caseload limits. First, the Court delayed implementation of the misdemeanor caseload limits to January 1, 2015. Second, the Court ordered OPD to conduct a statewide misdemeanor time study and, using the study's results, develop a model misdemeanor case weighting policy. The model policy and additional time provided public defense administrators more resources for effectively planning for and implementing misdemeanor caseload limits.

Misdemeanor Time Study

OPD conducted a misdemeanor time study to determine the weight value to assign various criminal charges, so that they may serve as a model for local jurisdictions that choose to case weight. Forty attorneys practicing in fourteen courts of limited jurisdiction statewide kept time records on all case and calendar activity for a 20 week period from July to November, 2013. OPD provided web-based tools for tracking data, training, and technical support. In return for their volunteer efforts, OPD provided the participants free webinar CLEs. (See below for further details.)

Because the Supreme Court has already established that a full-time public defense misdemeanor caseload should not exceed 400 cases or 300 case weights per year, OPD only recruited time study participants who have caseloads consistent with this standard. This study specifically addressed how to weight various misdemeanor case types within a 400 case caseload.

In addition to this newly collected data, OPD requested existing time records from attorneys, firms, and public defense agencies. OPD received and worked with data from attorneys practicing in three courts.

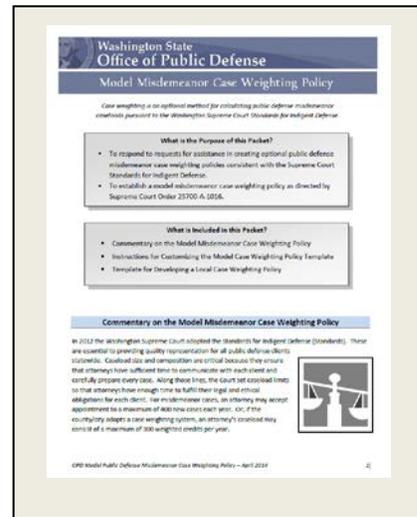
OPD contracted with a software development firm to assist in the collection of time records and an evaluation consultant to oversee the data collection of records for more than 3000 cases and to analyze the results. For ease of administration, the specific charges were grouped into broader charge categories. For each category, the consultant calculated the average amount of attorney time that attorneys spend defending those cases.

These averages were reviewed by a panel of attorneys with substantial misdemeanor experience. Members of the panel represented different geographic areas and public defense service models. They discussed the preliminary findings, and whether they were consistent with their experience in defending indigent defendants. The panel affirmed the time study findings in almost all the charge categories, and provided constructive input that was largely integrated into the final case weights by the evaluation consultant and OPD.

Model Misdemeanor Case Weighting Policy

Using the data derived from the Misdemeanor Time Study, OPD developed a model case weighting policy template which can be customized to reflect certain local resources and practices. In addition to providing evidence-based case weights, the Model Policy provides standardized definitions and instructions for case weighting misdemeanor offenses in compliance with the Standards.

The Supreme Court approved the Policy as a model example for jurisdictions that opt to use case weighting as a method for calculating caseloads consistent with the Supreme Court Standards for Indigent Defense. The Model Policy can be found online at www.opd.wa.gov.





WASHINGTON STATE OFFICE OF PUBLIC DEFENSE

OPD's statutory mandate is "to implement the constitutional and statutory guarantees of counsel and to ensure effective and efficient delivery of indigent defense services funded by the State of Washington."³ In addition to providing technical assistance for attorneys and local governments implementing the Supreme Court's newly adopted Standards for Indigent Defense, OPD supports a variety of statewide public defense activities in addition to administering the Chapter 10.101 RCW funding program and other state-funded defense representation.

Trial Level Public Defense Consulting Program

Since 2005, OPD has implemented a local public defense consulting and training program with state funds appropriated for this purpose. Counties and cities are eligible for OPD technical assistance with any of the various approaches they choose in providing trial-level criminal defense services. In 2013, OPD worked with numerous local governments and courts in addressing administrative questions and implementing the Court Rules and 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. Prior to 2006 no entity systematically collected such data on a statewide basis.
- Advising public defense attorneys and local agencies regarding implementation of the new Supreme Court Standards for Indigent Defense and Attorney Certification.
- Providing individualized technical assistance in the development of local case-weighting policies, as authorized by the Standards.
- Responding to formal and informal public requests for information about public defense in Washington.

Over the course of 2013 OPD staff visited counties and 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, county commissioners and their staff. These personal visits and ongoing practical assistance from the state agency directly and positively impact local efforts to

³ RCW 2.70.005.

improve public defense, as the Washington State Joint Legislative Audit and Review Committee (JLARC) found in its 2008 audit of OPD.⁴

During 2014, OPD will continue to monitor compliance with the Indigent Defense Services requirements of RCW 10.101 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 for Indigent Defense.

Continuing Legal Education Program

In 2013 OPD's educational events dovetailed with the Misdemeanor Time Study and creation of the Model Misdemeanor Case Weighting Policy. As previously mentioned, public defense attorneys volunteered to participate in the 20-week misdemeanor time study and track their time spent on case-related activities. In recognition of their contribution, OPD provided the time study attorneys four free CLE webinars on topics related to misdemeanor practice. The use of webinar technology ensured that the sessions were available to all time study attorneys, who could participate live or watch the recorded classes at their convenience. The topics addressed in the series were misdemeanor motions, ethics in communication with non-English speaking clients, and a two-part series in DUI defense.

Additionally, OPD delivered four webinars with different stakeholder groups – judges, public defense attorneys, and public defense administrators -- to discuss local factors that impact the time spent representing indigent defendants. These webinars provided an opportunity to learn about challenges as well as best practices that impact the time required for client representation.

In 2013 OPD delivered four free webinar CLEs to attorneys participating in the Misdemeanor Time Study:

- **Misdemeanor Motions**
-Bob Goldsmith, Practicing Criminal Defense Attorney, Adjunct Professor at Seattle University Law School
- **Ethical Obligations in the Client-Lawyer Relationship with a Non-English Speaking Client**
-Katrin Johnson, OPD Public Defense Services Manager
- **Improving DUI Defense Part One: Pre-Trial Practice Skills**
and
- **Improving DUI Defense Part Two: Trial Practice Skills**
-Lauren McLane, Attorney at the TDA Division of King Co. Dept. of Public Defense

⁴ <http://www.leg.wa.gov/JLARC/AuditAndStudyReports/2008/Documents/08-2.pdf>

Capital Case Litigation Initiative

In late 2012 OPD received a U.S. Department of Justice Capital Case Litigation Initiative grant. The grant is intended to fund two two-part training series on death penalty litigation: one series for defense attorneys and one for prosecuting attorneys. OPD contracted with the Washington State Death Penalty Assistance Center to design and deliver the defense series, and with the Washington Association of Prosecuting Attorneys to design and deliver the prosecution series.



Capital Case Litigation Initiative training, held at Gonzaga University School of Law in August, 2013.

Both groups held their first sessions in August 2013 in Spokane, WA. The second training series will be held in August 2014 in Vancouver, WA. Defense attorney participants were selected based on several criteria, the most prominent of which was preference given to geographic diversity. Washington Court Rules require that defense attorneys serving on death penalty cases be specifically approved by the Capital Counsel Panel. Approval by the counsel requires, among other criteria, training and education on death penalty defense. Currently a disproportionate number of the approved attorneys reside and practice in urban areas, creating a financial hardship to rural counties when faced with appointing counsel to death penalty cases. The primary goal of this training program is provide national-caliber instruction to local defense attorneys working towards the experience requirements for Capital Counsel approval.

Participants in each group took pre- and post-tests to measure the effectiveness of the training. Both groups demonstrated significant increase in knowledge of death penalty litigation, and also identified ways in which their general trial practice has improved because of the training.

Resource Attorneys

OPD continued to contract with the Washington Defender Association (WDA) for criminal law and immigration law resource attorney services during 2013. Attorneys at WDA are funded to provide technical assistance to individual public defense attorneys who contact them about specific case-related issues. The resource attorneys each provided hundreds of consultations with individual local attorneys during the year. In addition, they produced and distributed periodic case law updates and practice advisories to public defense attorneys throughout the state. The resource attorneys also presented information about emerging issues at training programs.

Other Agency Activities

In addition to administering the state agency's programs and assisting with statewide implementation of Standards and Attorney Certification, OPD staff continued in 2013 to exercise leadership roles with the WSBA's Council for Public Defense (CPD). The OPD director, deputy director and public defense services managers also were invited speakers at other organizations' meetings, the state Board for Judicial Administration, WSBA Board of Governors, the American Bar Association, the National Association of Legal Aid & Defender Association, and state legislative workshops and formal hearings.



COUNTY REPORT

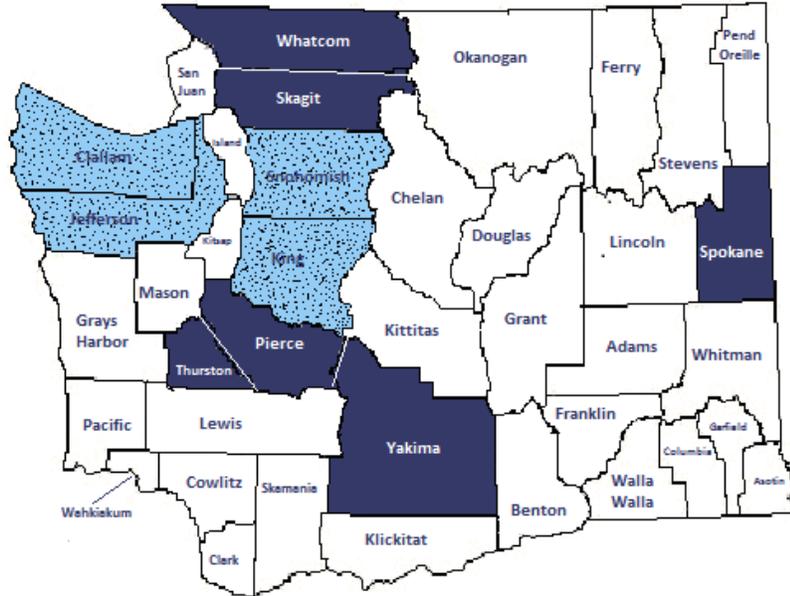
Across the state, county public defense systems vary widely. Except for the smallest, all counties have a primary public defense system and a method of appointing other attorneys for conflict cases. As of December 2013, thirteen counties operate public defender offices as agencies of county government, four counties contract with non-profit providers, two counties employ a professional public defense coordinator, three counties appoint attorneys from a list, and 20 counties contract with independent private attorneys or firms to provide public defense, or have a system combining both contracts and list appointments.⁵

- **Public defender agencies** are county government-based agencies.
- **Nonprofit systems** involve the county contracting with a nonprofit group or groups that are organized exclusively to provide public defense services.
- **Contract public defense systems** are systems in which the county enters into contracts with one or more private attorneys or firms to provide representation.
- **Public defense coordinators** are county employees or contractors hired to improve the overall quality of representation services and provide oversight and accountability for public defense contracts with individual private attorneys or firms.
- **List appointment systems** involve lists of private attorneys who have agreed to accept public defense cases and who are appointed by the court on a case-by-case basis.
- **Conflict appointments** of alternate attorneys are made by judges when the initially appointed public defense attorney is prohibited by ethics rules from representing an individual defendant, usually due to prior representation of another party in the case or when there are multiple defendants in the case.

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.

In 2005, public defense was provided by county public defender agencies in 6 counties, by contracts with non-profit offices in 4 counties, and through defense contracts or list appointment systems in 29 counties.

Provision of Public Defense in 2005



By 2013, changes made with state funding include new county public defender agencies in Benton, Cowlitz, Grant, King, Kitsap and Mason counties, a new nonprofit public defender office in Chelan County, new public defense coordinators in Clark and Lewis counties, and the continuation of defense contracts or list appointment systems in 20 counties.

Provision of Public Defense in 2013



Navy – County government-based public defender agency
 Blue Speckled – Contract with a nonprofit public defense office
 Turquoise Striped – Public defense coordinator
 White – Public defense contracts or list appointments

ADAMS COUNTY

2012 population	19,050
Percent below poverty level 2008-2012	23.1%
2008-2012 projected median household income	\$41,798
2013 Chapter 10.101 RCW distribution	\$21,945

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

2012 Statistics

Total adult criminal cases per 1,000 population	65.6
Amount spent for public defense	\$400,000.00
Amount spent per capita	\$21.00

Adult Felony

New adult superior court cases filed	97
New adult superior court cases per 1,000 population	5.1
Number of new cases assigned to counsel	94

Adult Misdemeanor

New county misdemeanor cases filed	686
Total new district and municipal court misdemeanor cases filed in county	1,152
Total new misdemeanor cases per 1,000 population	60.5
Number of new cases assigned to counsel by county	587

Juvenile Offender

New juvenile offender cases filed	50
New juvenile offender cases per 1,000 population	2.6
Number of new cases assigned to counsel	41

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

In 2013 Adams County spent its state funding to increase investigator, expert, and interpreter services for the public defense attorneys, and provide public defense services at preliminary appearance calendars. The county plans to use its funds in 2014 to continue these improvements.

ASOTIN COUNTY

2012 population	21,700
Percent below poverty level 2008-2012	13.7%
2008-2012 projected median household income	\$42,305
2013 Chapter 10.101 RCW distribution	\$31,207

Asotin County delivers public defense representation through a contract system. During 2012, virtually all of the contracted public defense services in Asotin County were handled by three attorneys for Superior Court and Juvenile Court cases and one attorney for District Court cases with the exception of conflict cases, for which the court appoints separate counsel from a list.

2012 Statistics

Total adult criminal cases per 1,000 population	62.5
Amount spent for public defense	\$287,337
Amount spent per capita	\$13.24

Adult Felony

New adult superior court cases filed	224
New adult superior court cases per 1,000 population	10.3
Number of new cases assigned to counsel	206

Adult Misdemeanor

New county misdemeanor cases filed	433
Total new district and municipal court misdemeanor cases filed in county	1,132
Total new misdemeanor cases per 1,000 population	52.2
Number of new cases assigned to counsel by county	255

Juvenile Offender

New juvenile offender cases filed	119
New juvenile offender cases per 1,000 population	5.5
Number of new cases assigned to counsel	93

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 2013 Asotin County spent its state funding to add investigator, expert, and interpreter services, and to increase public defense attorney compensation. The county plans to use its state funds in 2014 to continue these improvements.

BENTON COUNTY

2012 population	180,000
Percent below poverty level 2008-2012	12.9%
2008-2012 projected median household income	\$60,300
2013 Chapter 10.101 RCW distribution	\$171,186

The bi-county Office of Public Defense (Benton County and Franklin County) employs an attorney coordinator overseeing the public defense program in both counties. Benton County provides indigent defense services with a “hybrid” model consisting of both county-employed staff attorneys and contract attorneys.

2012 Statistics

Total adult criminal cases per 1,000 population	56.7
Amount spent for public defense	\$2,670,556
Amount spent per capita	\$14.84

Adult Felony

New adult superior court cases filed	1,465
New adult superior court cases per 1,000 population	8.1
Number of new cases assigned to counsel	1,277

Adult Misdemeanor

New county misdemeanor cases filed	3,109
Total new district and municipal court misdemeanor cases filed in county	8,733
Total new misdemeanor cases per 1,000 population	48.5
Number of new cases District Court cases assigned to counsel by county	1,798

Juvenile Offender

New juvenile offender cases filed	719
New juvenile offender cases per 1,000 population	4.0
Number of new cases assigned to counsel	631

Benton County has adopted a public defense standards ordinance. 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 2013 Benton County used its state funding to support 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 2014 funds to continue these activities.

CHELAN COUNTY

2012 population	73,200
Percent below poverty level in 2008-2012	12.8%
2008-2012 projected median household income	\$50,582
2013 Chapter 10.101 RCW distribution	\$72,986

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.

2012 Statistics

Total adult criminal cases per 1,000 population	50.6
Amount spent for public defense	\$1,617,409
Amount spent per capita	\$22.10

Adult Felony

New adult superior court cases filed	570
New adult superior court cases per 1,000 population	7.8
Number of new cases assigned to counsel	500

Adult Misdemeanor

New county misdemeanor cases filed	1,762
Total new district and municipal court misdemeanor cases filed in county	3,133
Total new misdemeanor cases per 1,000 population	42.8
Number of new cases assigned to counsel by county	851

Juvenile Offender

New juvenile offender cases filed	227
New juvenile offender cases per 1,000 population	3.1
Number of new cases assigned to counsel	Unable to determine

Chelan County has adopted a public defense standards resolution, and is working on adopting an ordinance. The Chelan County public defense primary contract requires approved annual attorney training.

In 2013 Chelan County used its state funding to add investigator and expert services. The county plans to use its state funds in 2014 to maintain prior improvements.

CLALLAM COUNTY

2012 population	72,000
Percent below poverty level in 2008-2012	13.5%
2008-2012 projected median household income	\$46,431
2013 Chapter 10.101 RCW distribution	\$62,833

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 private attorneys who have conflict contracts with the county.

2012 Statistics

Total adult criminal cases per 1,000 population	40.9
Amount spent for public defense	\$1,301,180
Amount spent per capita	\$18.07

Adult Felony

New adult superior court cases filed	460
New adult superior court cases per 1,000 population	6.4
Number of new cases assigned to counsel	Unable to determine

Adult Misdemeanor

New county misdemeanor cases filed	1,028
Total new district and municipal court misdemeanor cases filed in county	2,485
Total new misdemeanor cases per 1,000 population	34.5
Number of new cases assigned to counsel by county	679

Juvenile Offender

New juvenile offender cases filed	260
New juvenile offender cases per 1,000 population	3.6
Number of new cases assigned to counsel	246

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

In 2013 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 2014 for the same purposes.

CLARK COUNTY

2012 population	431,250
Percent below poverty level in 2008-2012	12.0%
2008-2012 projected median household income	\$58,764
2013 Chapter 10.101 RCW distribution	\$320,557

Clark County employs an attorney as a professional indigent defense coordinator who oversees the public defense contracting system, administers contracts with private attorneys, reviews Superior Court motions for non-attorney services, and provides 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.

2012 Statistics

Total adult criminal cases per 1,000 population	36.3
Amount spent for public defense	\$4,793,290
Amount spent per capita	\$11.11

Adult Felony

New adult superior court cases filed	2,317
New adult superior court cases per 1,000 population	5.4
Number of felony cases assigned to counsel	2,157

Adult Misdemeanor

New county misdemeanor cases filed	6,474
Total new district and municipal court misdemeanor cases filed in county	13,354
Total new misdemeanor cases per 1,000 population	31.0
Number of new cases assigned to counsel by county	3,239

Juvenile Offender

New juvenile offender cases filed	999
New juvenile offender cases per 1,000 population	2.3
Number of cases assigned to counsel	960

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

In 2013 Clark County used its state funding to continue the indigent defense coordinator position and one support staff position, to fund a full-time District Court attorney to lower attorney caseloads, and to add investigator services. The county plans to use its state funds in 2014 to continue these improvements.

COLUMBIA COUNTY

2012 population	4,100
Percent below poverty level in 2008-2012	13.2%
2008-2012 projected median household income	\$45,417
2013 Chapter 10.101 RCW distribution	\$12,516

Columbia County delivers public defense services through a contract system. During 2013, the county contracted with two private attorneys for public defense representation. Each contract specified that the 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.

2012 Statistics

Total adult criminal cases per 1,000 population	41.5
Amount spent on public defense	\$147,864
Amount spent per capita	\$36.06

Adult Felony

New adult superior court cases filed	38
New adult superior court cases per 1,000 population	9.3
Number of new cases assigned to counsel	37

Adult Misdemeanor

New county misdemeanor cases filed	101
Total new district and municipal court misdemeanor cases filed in county	132
Total new misdemeanor cases per 1,000 population	32.2
Number of new cases assigned to counsel by county	Unable to determine

Juvenile Offender

New juvenile offender cases filed	17
New juvenile offender cases per 1,000 population	4.1
Number of new cases assigned to counsel	15

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 2013 Columbia County spent its state funding to increase public defense attorney compensation. The county intends to use its state funds in 2014 to maintain this improvement.

COWLITZ COUNTY

2012 population	103,050
Percent below poverty level in 2008-2013	17.9%
2008-2012 projected median household income	\$46,568
2013 Chapter 10.101 RCW distribution	\$143,412

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.

2012 Statistics

Total adult criminal cases per 1,000 population	66.1
Amount spent for public defense	\$2,051,138
Amount spent per capita	\$19.90

Adult Felony

New adult superior court cases filed	1,480
New adult superior court cases per 1,000 population	14.4
Number of new cases assigned to counsel	1,186

Adult Misdemeanor

New county misdemeanor cases filed	1,547
Total new district and municipal court misdemeanor cases filed in county	5,336
Total new misdemeanor cases per 1,000 population	51.8
Number of new cases assigned to counsel by county	838

Juvenile Offender

New juvenile offender cases filed	458
New juvenile offender cases per 1,000 population	4.4
Number of new cases assigned to counsel	368

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 2013 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, and provide interpreter services for attorney-client interviews and other necessary communications. The county plans to use its state funds in 2014 to maintain these improvements.

DOUGLAS COUNTY

2012 population	38,900
Percent below poverty level in 2008-2012	16.5%
2008-2012 projected median household income	\$52,285
2013 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.

2012 Statistics

Total adult criminal cases per 1,000 population	43.2
Amount spent for public defense	
Amount spent per capita	

Adult Felony

New adult superior court cases filed	190
New adult superior court cases per 1,000 population	4.9
Number of new cases assigned to counsel	

Adult Misdemeanor

New county misdemeanor cases filed	881
Total new district and municipal court misdemeanor cases filed in county	1,492
Total new misdemeanor cases per 1,000 population	38.4
Number of new cases assigned to counsel by county	

Juvenile Offender

New juvenile offender cases filed	134
New juvenile offender cases per 1,000 population	3.4
Number of new cases assigned to counsel	

FERRY COUNTY

2012 population	7,650
Percent below poverty level in 2008-2012	20.5%
2008-2012 projected median household income	\$35,742
2013 Chapter 10.101 RCW distribution	\$15,145

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

2012 Statistics

Total adult criminal cases per 1,000 population	32.7
Amount spent for public defense	\$102,677
Amount spent per capita	\$13.42

Adult Felony

New adult superior court cases filed	58
New adult superior court cases per 1,000 population	7.6
Number of new cases assigned to counsel	47

Adult Misdemeanor

New county misdemeanor cases filed	131
Total new district and municipal court misdemeanor cases filed in county	192
Total new misdemeanor cases per 1,000 population	25.1
Number of new cases assigned to counsel by county	112

Juvenile Offender

New juvenile offender cases filed	10
New juvenile offender cases per 1,000 population	1.3
Number of new cases assigned to counsel	7

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 2013 Ferry County spent its state funding for contracts to provide defense counsel at preliminary hearings and increase attorney compensation. The county intends to use its state funds in 2014 to maintain these improvements.

FRANKLIN COUNTY

2012 population	82,500
Percent below poverty level in 2008-2012	21.5%
2008-2012 projected median household income	\$51,770
2013 Chapter 10.101 RCW distribution	\$82,714

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.

2012 Statistics

Total adult criminal cases per 1,000 population	48.0
Amount spent for public defense	\$923,682
Amount spent per capita	\$11.20

Adult Felony

New adult superior court cases filed	666
New adult superior court cases per 1,000 population	8.1
Number of new cases assigned to counsel	424

Adult Misdemeanor

New county misdemeanor cases filed	964
Total new district and municipal court misdemeanor cases filed in county	3,292
Total new misdemeanor cases per 1,000 population	39.9
Number of new cases assigned to counsel by county	347

Juvenile Offender

New juvenile offender cases filed	315
New juvenile offender cases per 1,000 population	3.8
Number of new cases assigned to counsel	284

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

In 2013 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 2014 funds to continue these improvements.

GARFIELD COUNTY

2012 population	2,250
Percent below poverty level in 2008-2012	9.7%
2008-2012 projected median household income	\$51,325
2013 Chapter 10.101 RCW distribution	\$10,327

Garfield County provides public defense representation through a contract with one attorney who is responsible for 100 percent of the cases in all of the county courts except conflict cases. The court uses a list of attorneys for appointment in conflict cases at an hourly rate of \$75.

2012 Statistics

Total adult criminal cases per 1,000 population	72.0
Amount spent for public defense	\$29,586
Amount spent per capita	\$13.15

Adult Felony

New adult superior court cases filed	15
New adult superior court cases per 1,000 population	6.7
Number of new cases assigned to counsel	13

Adult Misdemeanor

New county misdemeanor cases filed	147
Total new district and municipal court misdemeanor cases filed in county	147
Total new misdemeanor cases per 1,000 population	65.3
Number of new cases assigned to counsel by county	8

Juvenile Offender

New juvenile offender cases filed	2
New juvenile offender cases per 1,000 population	0.9
Number of new cases assigned to counsel	2

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 2013 Garfield County spent its state funding to increase attorney compensation, provide public defense services at 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 2014 to maintain these improvements.

GRANT COUNTY

2012 population	91,000
Percent below poverty level in 2008-2012	20.1%
2008-2012 projected median household income	\$45,531
2013 Chapter 10.101 RCW distribution	\$88,495

Grant County has a county government-based agency with oversight responsibilities for felony indigent defense services. The felony program has staff public defense attorneys and contracts with private attorneys. Grant County contracts with private attorneys for District Court and Juvenile Court indigent defense services.

2012 Statistics

Total adult criminal cases per 1,000 population	57.5
Amount spent for public defense	\$3,255,175
Amount spent per capita	\$35.44

Adult Felony

New adult superior court cases filed	706
New adult superior court cases per 1,000 population	7.8
Number of new cases assigned to counsel	682

Adult Misdemeanor

New county misdemeanor cases filed	4,525
Total new district and municipal court misdemeanor cases filed in county	4,525
Total new misdemeanor cases per 1,000 population	49.7
Number of new cases assigned to counsel by county	3,639

Juvenile Offender

New juvenile offender cases filed	349
New juvenile offender cases per 1,000 population	3.8
Number of new cases assigned to counsel	Unable to determine

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 2013 Grant County spent its state funding to continue services provided by the Grant County Department of Public Defense, a county agency, to add attorneys to lower caseloads, and to increase attorney compensation. The county plans to use its state funds in 2014 to expand the Grant County Department of Public Defense, to provide public defense services at preliminary appearance calendars, and maintain the improvements already implemented.

GRAYS HARBOR COUNTY

2012 population	73,150
Percent below poverty level in 2008-2012	18.6%
2008-2012 projected median household income	\$42,440
2013 Chapter 10.101 RCW distribution	\$69,059

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

2012 Statistics

Total adult criminal cases per 1,000 population	80.1
Amount spent for public defense	\$760,533
Amount spent per capita	\$10.40

Adult Felony

New adult superior court cases filed	510
New adult superior court cases per 1,000 population	7.0
Number of new cases assigned to counsel	510

Adult Misdemeanor

New county misdemeanor cases filed	1,684
Total new district and municipal court misdemeanor cases filed in county	5,347
Total new misdemeanor cases per 1,000 population	73.1
Number of new cases assigned to counsel by county	1,610

Juvenile Offender

New juvenile offender cases filed	184
New juvenile offender cases per 1,000 population	2.5
Number of new cases assigned to counsel	184

Grays Harbor County has a public defense standards resolution. The Grays Harbor contract attorneys are required to attend approved annual attorney training and report non-public defense attorney hours.

In 2013 Grays Harbor County spent its state funding on increasing compensation for contract public defense attorneys, 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 2014 to add attorneys to reduce public defense caseloads and to increase compensation for public defense attorneys.

ISLAND COUNTY

2012 population	79,350
Percent below poverty level in 2008-2012	8.8%
2008-2012 projected median household income	\$59,500
2013 Chapter 10.101 RCW distribution	\$56,330

Island County delivers public defense representation through a mixed system, contracting with a single private law firm 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.

2012 Statistics

Total adult criminal cases per 1,000 population	24.2
Amount spent for public defense	\$767,741
Amount spent per capita	\$9.68

Adult Felony

New adult superior court cases filed	279
New adult superior court cases per 1,000 population	3.5
Number of new cases assigned to counsel	197

Adult Misdemeanor

New county misdemeanor cases filed	1,105
Total new district and municipal court misdemeanor cases filed in county	1,644
Total new misdemeanor cases per 1,000 population	20.7
Number of new cases assigned to counsel by county	478

Juvenile Offender

Juvenile offender cases filed	115
Juvenile offender cases per 1,000 population	1.4
Number of new cases assigned to counsel	Unable to determine

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 2013 Island County spent its state funding to provide defense counsel at preliminary appearance calendars and to provide investigator services. The county plans to use its state funds in 2014 to continue these improvements.

JEFFERSON COUNTY

2012 population	30,175
Percent below poverty level in 2008-2012	13.7%
2008-2012 projected median household income	\$46,870
2013 Chapter 10.101 RCW distribution	\$33,918

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.

2012 Statistics

Total adult criminal cases per 1,000 population	43.2
Amount spent for public defense	\$561,508
Amount spent per capita	\$18.61

Adult Felony

New adult superior court cases filed	217
New adult superior court cases per 1,000 population	7.2
Number of new cases assigned to counsel	166

Adult Misdemeanor

New county misdemeanor cases filed	844
Total new district and municipal court misdemeanor cases filed in county	1,088
Total new misdemeanor cases per 1,000 population	36.1
Number of new cases assigned to counsel by county	575

Juvenile Offender

New juvenile offender cases filed	85
New juvenile offender cases per 1,000 population	2.8
Number of new cases assigned to counsel	67

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

In 2013 Jefferson County spent its state funding to add an attorney to reduce caseloads and to add additional investigator services. The county plans to use its state funds in 2014 to continue these improvements.

KING COUNTY

2012 population	1,957,000
Percent below poverty level in 2008-2012	10.9%
2008-2012 projected median household income	\$71,175
2013 Chapter 10.101 RCW distribution	\$1,138,537

In 2013 King County transitioned from a contract system with four non-profit entities to a county public defense agency, King County Department of Public Defense, with four separate public defense units. Ten 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.

2012 Statistics

Total adult criminal cases per 1,000 population	29.9
Amount spent for public defense	\$39,505,893
Amount spent per capita	\$20.19

Adult Felony

New adult superior court cases filed	6,123
New adult superior court cases per 1,000 population	3.1
Number of new cases assigned to counsel	5,535

Adult Misdemeanor

New county misdemeanor cases filed	10,304
Total new district and municipal court misdemeanor cases filed in county	52,481
Total new misdemeanor cases per 1,000 population	26.8
Number of new cases assigned to counsel by county	5,179

Juvenile Offender

New juvenile offender cases filed	2,253
New juvenile offender cases per 1,000 population	1.2
Number of new cases assigned to counsel	2,195

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 2013 King County spent its state funding for a program manager to oversee contracts with attorneys providing public defense, to increase conflict attorney compensation, and to provide public defense training programs. In 2014 the county plans to use its state funds to continue the increase in conflict attorney compensation and public defense training programs.

KITSAP COUNTY

2012 population	254,500
Percent below poverty level in 2008-2012	10.4%
2008-2012 projected median household income	\$61,776
2013 Chapter 10.101 RCW distribution	\$192,444

Kitsap County has a county government-based public defense agency with in-house public defense attorneys and a supervisor who also oversees contracts with private attorneys for conflict, felony, misdemeanor, and juvenile offender cases.

2012 Statistics

Total adult criminal cases per 1,000 population	36.2
Amount spent for public defense	\$1,899,151
Amount spent per capita	\$7.46

Adult Felony

New adult superior court cases filed	1,364
New adult superior court cases per 1,000 population	5.4
Number of new cases assigned to counsel	821

Adult Misdemeanor

New county misdemeanor cases filed	4032
Total new district and municipal court misdemeanor cases filed in county	7,841
Total new misdemeanor cases per 1,000 population	30.08
Number of new cases assigned to counsel by county	1,804

Juvenile Offender

Juvenile offender cases filed	651
Juvenile offender cases per 1,000 population	2.6
Number of new cases assigned to counsel	494

Kitsap County has adopted a public defense standards resolution and a pay-parity resolution for attorneys and staff employed by the county public defense agency. Kitsap County is in the process of adopting a public defense standards ordinance. Kitsap County requires contract public defense attorneys to attend approved annual attorney training and report non-public defense attorney hours.

In 2013 Kitsap County spent its state funding 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 2014 to continue these enhancements.

KITTITAS COUNTY

2012 population	41,500
Percent below poverty level in 2008-2012	21.8%
2008-2012 projected median household income	\$41,739
2013 Chapter 10.101 RCW distribution	\$46,096

Kittitas County delivers public defense representation solely through list appointment for Kittitas County Superior Court and Upper Kittitas District Court. 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 attorney contracts for all indigent defense cases, and conflicts or cases exceeding the attorney's caseload limit are assigned to other attorneys.

2012 Statistics

Total adult criminal cases per 1,000 population	72.2
Amount spent for public defense	\$561,609
Amount spent per capita	\$13.53

Adult Felony

New adult superior court cases filed	339
New adult superior court cases per 1,000 population	8.2
Number of new cases assigned to counsel	195

Adult Misdemeanor

New county misdemeanor cases filed	2,464
Total new district and municipal court misdemeanor cases filed in county	2,657
Total new misdemeanor cases per 1,000 population	64.0
Number of new cases assigned to counsel by county	1,381

Juvenile Offender

New juvenile offender cases filed	87
New juvenile offender cases per 1,000 population	2.1
Number of new cases assigned to counsel	73

Kittitas County has adopted a public defense standards ordinance. The Lower Kittitas County District Court public defense contract requires approved training for attorneys and reporting of non-public defense hours. Other public defense appointments are made on a case-by-case basis from a list of private attorneys.

In 2013 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 provide expert services and investigator services. The county plans to use its state funds in 2014 to maintain these improvements.

KLICKITAT COUNTY

2012 population	20,600
Percent below poverty level in 2008-2012	19.1%
2008-2012 projected median household income	\$40,171
2013 Chapter 10.101 RCW distribution	\$27,800

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.

2012 Statistics

Total adult criminal cases per 1,000 population	51.5
Amount spent for public defense	\$251,713
Amount spent per capita	\$12.22

Adult Felony

New adult superior court cases filed	178
New adult superior court cases per 1,000 population	8.5
Number of new cases assigned to counsel	Unable to determine

Adult Misdemeanor

New county misdemeanor cases filed	573
Total new district and municipal court misdemeanor cases filed in county	883
Total new misdemeanor cases per 1,000 population	42.9
Number of new cases assigned to counsel by county	295

Juvenile Offender

New juvenile offender cases filed	44
New juvenile offender cases per 1,000 population	2.1
Number of new cases assigned to counsel	Unable to determine

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

Klickitat County used its state funds in 2013 to add expert, interpreter, and investigator services. The county plans to use its state funds in 2014 to maintain these improvements.

LEWIS COUNTY

2012 population	76,300
Percent below poverty level in 2008-2012	13.9%
2008-2012 projected median household income	\$43,490
2013 Chapter 10.101 RCW distribution	\$92,252

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 daily initial appearances as well as provide quality oversight for the other contracts.

2012 Statistics

Total adult criminal cases per 1,000 population	61.8
Amount spent for public defense	\$1,434,850
Amount spent per capita	\$18.81

Adult Felony

New adult superior court cases filed:	848
New adult superior court cases per 1,000 population	11.1
Number of new cases assigned to counsel	Unable to determine

Adult Misdemeanor

New county misdemeanor cases filed	1,722
Total new district and municipal court misdemeanor cases filed in county	3,867
Total new misdemeanor cases per 1,000 population	50.7
Number of new cases assigned to counsel by county	1,482

Juvenile Offender

New juvenile offender cases filed	183
New juvenile offender cases per 1,000 population	2.4
Number of new cases assigned to counsel	182

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 2013 Lewis County spent its state funding to contract 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 2014 to continue these improvements.

LINCOLN COUNTY

2012 population	10,675
Percent below poverty level in 2008-2012	14.4%
2008-2012 projected median household income	\$45,563
2013 Chapter 10.101 RCW distribution	\$17,057

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.

2012 Statistics

Total adult criminal cases per 1,000 population	58.1
Amount spent for public defense	\$91,085
Amount spent per capita	\$8.53

Adult Felony

New adult superior court cases filed	70
New adult superior court cases per 1,000 population	6.6
Number of new cases assigned to counsel	59

Adult Misdemeanor

New county misdemeanor cases filed	550
Total new district and municipal court misdemeanor cases filed in county	550
Total new misdemeanor cases per 1,000 population	51.5
Number of new cases assigned to counsel by county	314

Juvenile Offender

New juvenile offender cases filed	14
New juvenile offender cases per 1,000 population	1.3
Number of new cases assigned to counsel	14

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 2013 Lincoln County spent its state funding to add attorneys to reduce public defense caseloads, increase public defense attorney compensation, provide public defense services at preliminary appearance calendars, and provide interpreter services for attorney-client interviews and communications. The county plans to use its state funds in 2014 to continue these improvements.

MASON COUNTY

2012 population	61,450
Percent below poverty level in 2008-2012	17.4%
2008-2012 projected median household income	\$48,878
2013 Chapter 10.101 RCW distribution	\$66,707

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.

2012 Statistics

Total adult criminal cases per 1,000 population	50.7
Amount spent for public defense	\$646,041
Amount spent per capita	\$10.51

Adult Felony

New adult superior court cases filed	541
New adult superior court cases per 1,000 population	8.8
Number of new cases assigned to counsel	285

Adult Misdemeanor

New county misdemeanor cases file	1,739
Total new district and municipal court misdemeanor cases filed in county	2,575
Total new misdemeanor cases per 1,000 population	41.9
Number of new cases assigned to counsel by county	702

Juvenile Offender

New juvenile offender cases filed	152
New juvenile offender cases per 1,000 population	2.5
Number of new cases assigned to counsel	131

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 2013 Mason County spent its state funding to increase public defense attorney compensation, add attorneys to lower public defense caseloads, and add additional investigator and expert services. The county plans to use its state funds in 2014 to the increase in compensation and maintain the lower caseloads.

OKANOGAN COUNTY

2012 population	41,425
Percent below poverty level in 2008-2012	20.6%
2008-2012 projected median household income	\$40,924
2013 Chapter 10.101 RCW distribution	\$48,868

Okanogan County delivers public defense representation through a contract system with one primary law firm for coverage of indigent defense cases in the county. The contract includes five subcontractors that accept conflict cases.

2012 Statistics

Total adult criminal cases per 1,000 population	61.4
Amount spent for public defense	\$892,444
Amount spent per capita	\$21.54

Adult Felony

New adult superior court cases filed	382
New adult superior court cases per 1,000 population	9.2
Number of new cases assigned to counsel	330

Adult Misdemeanor

New county misdemeanor cases filed	2,161
Total new district or municipal court misdemeanor cases filed in county	2,161
Total new misdemeanor cases per 1,000 population	52.2
Number of new cases assigned to counsel by county	1,413

Juvenile Offender

New juvenile offender cases filed	216
New juvenile offender cases per 1,000 population	5.2
Number of new cases assigned to counsel	216

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

In 2013 Okanogan County spent its state funding to add additional investigator services and expert services. The county plans to use its state funds in 2014 for investigator services, expert services, interpreter services and conflict counsel.

PACIFIC COUNTY

2012 population	20,970
Percent below poverty level in 2008-2012	18.1%
2008-2012 projected median household income	\$40,873
2013 Chapter 10.101 RCW distribution	\$30,478

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

2012 Statistics

Total adult criminal cases per 1,000 population	73.5
Amount spent for public defense	\$230,963
Amount spent per capita	\$11.01

Adult Felony

New adult superior court cases filed	217
New adult superior court cases per 1,000 population	10.3
Number of new cases assigned to counsel	217

Adult Misdemeanor

New county misdemeanor cases filed	885
Total new district and municipal court misdemeanor cases filed in county	1,324
Total new misdemeanor cases per 1,000 population	63.1
Number of new cases assigned to counsel by county	400

Juvenile Offender

New juvenile offender cases filed	50
New juvenile offender cases per 1,000 population	2.4
Number of new cases assigned to counsel	50

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

In 2013 Pacific County spent its state funding to add attorneys to reduce public defense caseloads, and for expert and investigative services. The county plans to use its state funds in 2014 to continue these improvements.

PEND OREILLE COUNTY

2012 population	13,100
Percent below poverty level in 2008-2012	22.2%
2008-2012 projected median household income	\$37,582
2013 Chapter 10.101 RCW Total distribution	\$19,787

Pend Oreille County provides public defense representation through a contract with three private attorneys handling 100 percent of the caseload in all courts except conflicts. Conflict attorneys are appointed from a list.

2012 Statistics

Total adult criminal cases per 1,000 population	54.4
Amount spent for public defense	\$234,008
Amount spent per capita	\$17.86

Adult Felonies

New adult superior court cases filed	98
New adult superior court cases per 1,000 population	7.5
Number of new cases assigned to counsel	72

Adult Misdemeanors

New county misdemeanor cases filed	444
Total new district and municipal court misdemeanor cases filed in county	614
Total new misdemeanor cases per 1,000 population	46.9
Number of new cases assigned to counsel by county	Unable to determine

Juvenile Offender

New juvenile offender cases filed	29
New juvenile offender cases per 1,000 population	2.2
Number of new cases assigned to counsel	25

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 2013 Pend Oreille County spent its state funding to increase public defense attorney compensation. The county plans to use its state funds in 2014 to continue these improvements.

PIERCE COUNTY

2012 population	808,200
Percent below poverty level in 2008-2012	11.9%
2008-2012 projected median household income	\$59,105
2013 Chapter 10.101 RCW distribution	\$631,076

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.

2012 Statistics

Total adult criminal cases per 1,000 population	45.9
Amount spent for public defense	\$15,239,965
Amount spent per capita	\$18.86

Adult Felony

New adult superior court cases filed	4,922
New adult superior court cases per 1,000 population	6.1
Number of new cases assigned to counsel	4,141

Adult Misdemeanor

New county misdemeanor cases filed	11,570
Total new district and municipal court misdemeanor cases filed in county	32,214
Total new misdemeanor cases per 1,000 population	39.6
Number of new cases assigned to counsel by county	4,583

Juvenile Offender

New juvenile offender cases filed	1,397
New juvenile offender cases per 1,000 population	1.7
Number of new cases assigned to counsel	1,239

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 2013 Pierce County spent its state funding to increase public defense attorney compensation and maintain positions created in 2007 and 2008. The county plans to use its state funds in 2014 to maintain these positions and compensation increases.

SAN JUAN COUNTY

2012 population	15,925
Percent below poverty level in 2008-2012	11.2%
2008-2012 projected median household income	\$52,712
2013 Chapter 10.101 RCW distribution	\$16,478

San Juan County delivers public defense through a contract with two law firms for adult representation in Superior and District courts and one of the law firms also has a contract for juvenile representation. Conflict attorneys are appointed from a list and paid according to a published fee schedule.

2012 Statistics

Total adult criminal cases per 1,000 population	17.8
Amount spent for public defense	\$185,954
Amount spent per capita	\$11.68

Adult Felony

New adult superior court cases filed	31
New adult superior court cases per 1,000 population	1.9
Number of new cases assigned to counsel	29

Adult Misdemeanor

New county misdemeanor cases filed	252
Total new district and municipal court misdemeanor cases filed in county	252
Total new misdemeanor cases per 1,000 population	15.8
Number of new cases assigned to counsel by county	135

Juvenile Offender

New juvenile offender cases filed	18
New juvenile offender cases per 1,000 population	1.1
Number of new cases assigned to counsel	16

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 2013 San Juan County spent its state funding to increase public defense attorney compensation, provide public defense services at preliminary appearance calendars, for expert services, and for investigator services. The county plans to use its state funds in 2014 to continue improvements implemented in 2013.

SKAGIT COUNTY

2012 population	117,950
Percent below poverty level in 2008-2012	12.6%
2008-2012 projected median household income	\$56,457
2013 Chapter 10.101 RCW distribution	\$127,745

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 District Court additional public defense representation.

2012 Statistics

Total adult criminal cases per 1,000 population	65.6
Amount spent on public defense	\$1,998,511
Amount spent per capita	\$16.94

Adult Felony

New adult superior court cases filed	1,154
New adult superior court cases per 1,000 population	9.8
Number of new cases assigned to counsel	Unable to determine

Adult Misdemeanor

New county misdemeanor cases filed	3,530
Total new district and municipal court misdemeanor cases filed in county	6,583
Total new misdemeanor cases per 1,000 population	55.8
Number of new cases assigned to counsel by county	1,872

Juvenile Offender

New juvenile offender cases filed	373
New juvenile offender cases per 1,000 population	3.2
Number of new cases assigned to counsel	Unable to determine

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

In 2013 Skagit County spent its state funding to hire additional attorneys to reduce public defense caseloads. The county plans to use its state funds in 2014 to continue these improvements.

SKAMANIA COUNTY

2012 population	11,275
Percent below poverty level in 2008-2012	12.4%
2008-2012 projected median household income	\$55,319
2013 Chapter 10.101 RCW distribution	\$19,431

Skamania County delivers Superior Court public defense representation through one contract with three private attorneys. A separate contract with one private attorney provides for representation in District Court. When a conflict is identified, counsel is appointed from a list.

2012 Statistics

Total adult criminal cases per 1,000 population	64.7
Amount spent for public defense	\$134,057
Amount spent per capita	\$11.89

Adult Felony

New adult superior court cases filed	103
New adult superior court cases per 1,000 population	9.1
Number of new cases assigned to counsel	82

Adult Misdemeanor

New county misdemeanor cases filed	529
Total new district and municipal court misdemeanor cases filed in county	626
Total new misdemeanor cases per 1,000 population	55.5
Number of new cases assigned to counsel by county	285

Juvenile Offender

New juvenile offender cases filed	44
New juvenile offender cases per 1,000 population	3.9
Number of new cases assigned to counsel	36

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

In 2013 Skamania County spent its state funding to add attorneys to reduce public defense caseloads, and to increase resources for defense investigation, interpreter and expert services. The county plans to use its state funds in 2014 to continue these improvements.

SNOHOMISH COUNTY

2012 population	722,900
Percent below poverty level in 2008-2012	9.8%
2008-2012 projected median household income	\$68,338
2013 Chapter 10.101 RCW distribution	\$448,027

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.

2012 Statistics

Total adult criminal cases per 1,000 population	39.8
Amount spent for public defense	\$6,235,118
Amount spent per capita	\$8.63

Adult Felony

New adult superior court cases filed	2,601
New adult superior court cases per 1,000 population	3.6
Number of new cases assigned to counsel	2,197

Adult Misdemeanor

New county misdemeanor cases filed	8,848
Total new district and municipal court misdemeanor cases filed in county	26,169
Total new misdemeanor cases per 1,000 population	36.2
Number of new cases assigned to counsel by county	4,551

Juvenile Offender

New juvenile offender cases filed	1,333
New juvenile offender cases per 1,000 population	1.8
Number of new cases assigned to counsel	1,100

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

In 2013 Snohomish County used its state funding to provide an attorney coordinator who oversees contracts with attorneys providing public defense, add attorneys to reduce public defense caseloads, increase attorney compensation, add investigator services, and provide public defense services at first appearance calendars. The county plans to use its state funds in 2014 to continue these improvements.

SPOKANE COUNTY

2012 population	475,600
Percent below poverty level in 2008-2012	14.8%
2008-2012 projected median household income	\$49,615
2013 Chapter 10.101 RCW distribution	\$491,368

Spokane County provides public defense representation through two separate 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 Superior Court conflict 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. Both agencies provide investigative services in-house. The Spokane County Public Defender contracts with private attorneys to handle Superior Court cases that present a conflict of interest for both agencies. District Court conflicts are handled through an inter-local agreement with the City of Spokane Public Defender.

2012 Statistics

Total adult criminal cases per 1,000 population	51.2
Amount spent for public defense	\$8,273,237
Amount spent per capita	\$17.40

Adult Felony

New adult superior court cases filed	4,685
New adult superior court cases per 1,000 population	9.9
Number of new cases assigned to counsel	3,328

Adult Misdemeanor

New county misdemeanor cases filed	6,259
Total new district and municipal court misdemeanor cases filed in county	19,670
Total new misdemeanor cases per 1,000 population	41.4
Number of new cases assigned counsel by county	Unable to determine

Juvenile Offender

New juvenile offender cases filed	1,012
New juvenile offender cases per 1,000 population	2.1
Number of new cases assigned to counsel	592

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

In 2013 Spokane County spent its state funding to provide public defense services at first appearance calendars, add attorneys to lower caseloads, and increase attorney compensation. The county plans to use its state funds in 2014 to continue attorney staffing and provide defense services at first appearance calendars.

STEVENS COUNTY

2012 population	43,700
Percent below poverty level in 2008-2012	16.6%
2008-2012 projected median household income	\$42,746
2013 Chapter 10.101 RCW distribution	\$39,036

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.

2012 Statistics

Total adult criminal cases per 1,000 population	35.1
Amount spent for public defense	\$658,158
Amount spent per capita	\$15.06

Adult Felony

New adult superior court cases filed	218
New adult superior court cases per 1,000 population	5.0
Number of new cases assigned to counsel	170

Adult Misdemeanor

New county misdemeanor cases filed	828
Total new district and municipal court misdemeanor cases filed in county	1,316
Total new misdemeanor cases per 1,000 population	30.1
Number of new cases assigned to counsel by county	432

Juvenile Offender

New juvenile offender cases filed	95
New juvenile offender cases per 1,000 population	2.2
Number of new cases assigned to counsel	79

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 2013 Stevens County spent its state funding to increase public defense attorney compensation. The county intends to use its state funds in 2014 to continue this improvement.

THURSTON COUNTY

2012 population	256,800
Percent below poverty level in 2008-2012	11.1%
2002-2012 projected median household income	\$63,224
2013 Chapter 10.101 RCW distribution	\$222,744

Thurston County provides public defense representation through the Thurston County Office of Assigned Counsel (OAC), a county government-based agency. OAC employees are compensated in 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 two senior defense attorneys to assist in the supervision of staff and resolution of client complaints.

2012 Statistics

Total adult criminal cases per 1,000 population	42.2
Amount spent for public defense	\$2,215,219
Amount spent per capita	\$8.63

Adult Felony

New adult superior court cases filed	1,816
New adult superior court cases per 1,000 population	7.1
Number of new cases assigned to counsel	1,541

Adult Misdemeanor

New county misdemeanor cases filed	3,088
Total new district and municipal court misdemeanor cases filed in county	9,015
Total new misdemeanor cases per 1,000 population	35.1
Number of new cases assigned counsel by county	2,276

Juvenile Offender

New juvenile offender cases filed	856
New juvenile offender cases per 1,000 population	3.2
Number of new cases assigned to counsel	856

Thurston County has adopted a public defense standards ordinance. The Thurston County OAC requires approved annual training, and requires private attorneys who contract to provide public defense services to report all of their public defense contracts as well as hours billed for non-public defense legal services.

In 2013 Thurston County spent its state funding to maintain numeric caseload standards that were adopted in 2008. The county plans to use its state funds in 2014 to maintain caseload standards.

WAHIAKUM COUNTY

2012 population	4,025
Percent below poverty level in 2008-2012	16.0%
2008-2012 projected median household income	\$45,335
2013 Chapter 10.101 RCW distribution	\$12,293

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.

2012 Statistics

Total adult criminal cases per 1,000 population	56.9
Amount spent for public defense	\$78,162
Amount spent per capita	\$19.42

Adult Felony

New adult superior court cases filed	35
New adult superior court cases per 1,000 population	8.7
Number of new cases assigned to counsel	28

Adult Misdemeanor

New county misdemeanor cases filed	194
Total new district and municipal court misdemeanor cases filed in county	194
Total new misdemeanor cases per 1,000 population	48.2
Number of new cases assigned to counsel by county	96

Juvenile Offender

New juvenile offender cases filed	13
New juvenile offender cases per 1,000 population	3.2
Number of new cases assigned to counsel	13

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

In 2013 Wahkiakum County spent its state funding to increase public defense attorney compensation, to provide public defense services at preliminary appearance calendars and interpreter services for attorney-client interviews and communications. The county plans to use its state funds in 2014 for the same purposes.

WALLA WALLA COUNTY

2012 population	59,100
Percent below poverty level in 2008-2012	17.8%
2008-2012 projected median household income	\$47,166
2013 Chapter 10.101 RCW distribution	\$59,771

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

2012 Statistics

Total adult criminal cases per 1,000 population	42.8
Amount spent for public defense	\$706,556
Amount spent per capita	\$11.96

Adult Felony

New adult superior court cases filed	448
New adult superior court cases per 1,000 population	7.6
Number of new cases assigned to counsel	376

Adult Misdemeanor

New county misdemeanor cases filed	1,788
Total new district and municipal court misdemeanor cases filed in county	2,081
Total new misdemeanor cases per 1,000 population	35.2
Number of new cases assigned to counsel by county	338

Juvenile Offender

New juvenile offender cases filed	241
New juvenile offender cases per 1,000 population	4.1
Number of new cases assigned to counsel	220

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 2013 Walla Walla County spent its state funding to increase public defense attorney compensation, provide public defense services at 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 2014 to continue these improvements.

WHATCOM COUNTY

2012 population	203,500
Percent below poverty level in 2008-2012	15.8%
2008-2012 projected median household income	\$51,639
2013 Chapter 10.101 RCW distribution	\$178,143

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 attorney supervision and the resolution of client complaints. The agency employs in-house investigative staff. Conflict attorneys are appointed from a list.

2012 Statistics

Total adult criminal cases per 1,000 population	50.4
Amount spent for public defense	\$3,814,308
Amount spent per capita	\$18.74

Adult Felony

New adult superior court cases filed	1,437
New adult superior court cases per 1,000 population	7.1
Number of new cases assigned to counsel	1,291

Adult Misdemeanor

New county misdemeanor cases filed	3,551
Total new district and municipal court misdemeanor cases filed in county	8,819
Total new misdemeanor cases per 1,000 population	43.3
Number of new cases assigned to counsel by county	1,674

Juvenile Offender

New juvenile offender cases filed	475
New juvenile offender cases per 1,000 population	2.3
Number of new cases assigned to counsel	Unable to determine

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.

In 2013 Whatcom County spent its state funding on additional defense attorneys to reduce caseloads and increase defense attorney compensation. The county plans to use its state funds in 2014 to maintain these improvements.

WHITMAN COUNTY

2012 population	45,950
Percent below poverty level in 2008-2012	32.3%
2008-2012 projected median household income	\$34,169
2012 Chapter 10.101 RCW distribution	\$41,115

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

2012 Statistics

Total adult criminal cases per 1,000 population	44.0
Amount spent for public defense	\$309,000
Amount spent per capita	\$6.72

Adult Felony

New adult superior court cases filed	237
New adult superior court cases per 1,000 population	5.2
Number of new cases assigned to counsel	159

Adult Misdemeanor

New county misdemeanor cases filed	1,716
Total new district and municipal court misdemeanor cases filed in county	1,783
Total new misdemeanor cases per 1,000 population	38.8
Number of new cases assigned to counsel by county	374

Juvenile Offender

New juvenile offender cases filed	43
New juvenile offender cases per 1,000 population	0.9
Number of new cases assigned to counsel	32

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 2013 Whitman County spent its state funding to increase public defense attorney compensation. The county plans to use its state funds in 2014 to maintain this improvement.

YAKIMA COUNTY

2012 population	246,000
Percent below poverty level in 2008-2012	22.3%
2008-2012 projected median household income	\$44,256
2013 Chapter 10.101 RCW distribution	\$229,130

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 in-house investigators, who are also available to contract counsel, and through a panel of contract investigators. Interpreter services are available through an approved list of providers managed by DAC.

2012 Statistics

Total adult criminal cases per 1,000 population	72.0
Amount spent for public defense	\$4,251,393
Amount spent per capita	\$17.28

Adult Felony

New adult superior court cases filed	1,976
New adult superior court cases per 1,000 population	8.0
Number of new cases assigned to counsel	1,655

Adult Misdemeanor

New county misdemeanor cases filed	4,452
Total new district and municipal court misdemeanor cases filed in county	15,949
Total new misdemeanor cases per 1,000 population	64.8
Number of new cases assigned to counsel by county	2,261

Juvenile Offender

New juvenile offender cases filed	819
New juvenile offender cases per 1,000 population	3.3
Number of new cases assigned to counsel	735

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 2013 Yakima County spent its state funding to increase compensation for contract attorneys, provide defense attorneys at arraignments in Juvenile Court and Superior Court and to meet professional standards. The county plans to use its state funds in 2014 to continue these improvements.



CITY REPORT

Across the state, cities' public defense systems for their municipal courts vary widely. Of the cities that received state funding through a competitive grant process under Chapter 10.101 RCW, the vast majority—9 of 11—contract with independent private attorneys or firms to provide public defense services. For conflict cases the cities administer additional contracts or combine both contracts and list appointments. Only one city receiving state grant funding—Spokane—provides public defense services through a city government agency. One other city—Tacoma—contracts with the county government-based public defender agency.

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.

- **Public defender agencies** are city government-based agencies.
- **Non-profit systems** involve the city contracting with a non-profit group or groups that are organized to provide public defense services.
- **Contracting with another government-based public defender agency** allows a city to take advantage of the high-quality legal services and administrative oversight provided by a professional full-time public defender agency.
- **Contract public defense systems** are systems in which the city enters into contracts with one or more private attorneys or firms to provide representation.
- **List appointment systems** involve lists of attorneys who have agreed to accept public defense cases and are appointed by the municipal court on a case-by-case basis.
- **Conflict appointments** of alternate attorneys are made by judges when the initially appointed public defense attorney is prohibited by ethics rules from representing an individual defendant, usually due to prior representation of another party in the case or when there are multiple defendants in the case.

CITY OF BELLINGHAM

2011 population	81,070
Persons below poverty level, percent, 2008-2012	22.6%
Median household income, 2008-2012	\$40,844
2012 competitive grant award	\$90,250

The City of Bellingham delivers public defense representation through a contract system. The city contracts with one primary law firm, Bellingham Assigned Counsel (BAC), to handle the cases in Bellingham Municipal Court. BAC and the Whatcom County Public Defender have a contract to exchange representation for conflict cases at no additional cost to either jurisdiction.

2011 Statistics

Amount spent for public defense	\$720,846
Amount spent per capita	\$8.89

Adult Misdemeanors

New city misdemeanor cases filed	3,576
Total new misdemeanor cases per 1,000 population	44.1
Number of new cases assigned to counsel by city	2,015

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 continues to use its grant funding to ensure attorney attendance at all criminal hearings by its primary service provider, Bellingham Assigned Counsel and caseloads within the Supreme Court Standards.

CITY OF BREMERTON

2011 population	38,790
Persons below poverty level, percent, 2008-2012	21.1%
Median household income, 2008-2012	\$40,644
2012 competitive grant award	\$17,400

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.

2011 Statistics

Amount spent for public defense	\$205,071
Amount spent per capita	\$5.29

Adult Misdemeanors

New city misdemeanor cases filed	2,615
Total new misdemeanor cases per 1,000 population	67.4
Number of new cases assigned to counsel by city	954

The City of Bremerton 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.

CITY OF CHENEY

2011 population	10,790
Persons below poverty level, percent, 2008-2012	38.8%
Median household income, 2008-2012	\$28,478
2012 competitive grant award	\$25,000

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.

2011 Statistics

Amount spent for public defense	\$53,460
Amount spent per capita	\$4.95

Adult Misdemeanors

New city misdemeanor cases filed	379
Total new misdemeanor cases per 1,000 population	35.1
Number of new cases assigned to counsel by city	283

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

The city used its state grant funds to enhance indigent defense services by providing 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 FEDERAL WAY

2011 population	89,370
Persons below poverty level, percent, 2008-2012	14.9%
Median household income, 2008-2012	\$57,583
2012 competitive grant award	\$23,000

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

2011 Statistics

Amount spent for public defense	\$433,830
Amount spent per capita	\$4.85

Adult Misdemeanors

New city misdemeanor cases filed	3,908
Total new misdemeanor cases per 1,000 population	43.7
Number of new cases assigned to counsel by city	2,114

Federal Way has adopted a public defense ordinance. The city's public defense contracts require attorneys to attend approved annual training.

The city used its state grant funding to pursue the purchase of a case management system to help track defense attorney case information and caseloads.

CITY OF OLYMPIA

2011 population	46,780
Persons below poverty level, percent, 2008-2012	15.6%
Median household income, 2008-2012	\$53,147
2012 competitive grant award	\$20,250

The City of Olympia delivers public defense representation through a contract system. The city contracts with three private attorneys to handle the cases in Olympia Municipal Court and one additional private attorney to alternate at the first appearance and arraignment calendars. When a case presents a conflict for all three contracted attorneys, the court appoints additional conflict counsel.

2011 Statistics

Amount spent for public defense	\$144,000
Amount spent per capita	\$3.08

Adult Misdemeanors

New city misdemeanor cases filed	3,077
Total new misdemeanor cases per 1,000 population	65.8
Number of new cases assigned to counsel by city	954

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 secure a public defense attorney at all arraignment calendars. This allowed defendants to be represented by counsel at every critical hearing stage, resulting in fewer continuances and more timely resolution of cases. With early resolution of simple cases, public defense caseloads were reduced, allowing attorneys to focus on higher priority or more complex cases. Those whose cases were not appropriate for resolution at arraignment understood the process better and were able to more readily participate in the defense of their case.

CITY OF PORT ANGELES

2011 population	19,080
Persons below poverty level, percent, 2008-2012	17.6%
Median Household Income, 2008-2012	\$41,157
2012 competitive grant award	\$22,000

The City of Port Angeles delivers public defense representation through a contract with the Clallam Public Defender, a private non-profit organization. Additional representation is provided through a contract with a private law firm when the Clallam Public Defender has met the monthly case cap. When the Clallam Public Defender has a conflict, the court appoints a conflict attorney from a list.

2011 Statistics

Amount spent for public defense	\$108,995
Amount spent per capita	\$5.71

Adult Misdemeanors

New city misdemeanor cases filed	971
Total new misdemeanor cases per 1,000 population	50.9
Number of new cases assigned to counsel by city	632

The City of Port Angeles was waiting for the Supreme Court to adopt public defense standards before adopting its local ordinance. The city is now working towards adopting standards for the city. The primary contractor is required to participate in regular training programs on public defense.

The city used state grant funds to increase attorney compensation, provide a public defense attorney at arraignment, and require the Clallam Public Defender to use its best efforts to review the county jail roster on a daily basis so attorneys can consult with incarcerated clients as soon as possible to represent their interests.

CITY OF SHELTON

2011 population	9,855
Persons below poverty level, percent, 2008-2012	30.8%
Median household income, 2008-2012	\$35,641
2012 competitive grant award	\$30,000

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.

2011 Statistics

Amount spent for public defense	\$64,606
Amount spent per capita	\$6.56

Adult Misdemeanors

New city misdemeanor cases filed	778
Total new misdemeanor cases per 1,000 population	78.9
Number of new cases assigned to counsel by city	Unable to determine

The City of Shelton has drafted a Public Defense Standards Ordinance. The city is in the process of determining whether to adopt a weighted caseload policy. The city's public defense attorneys are required to attend approved annual training and report their non-public defense attorney hours.

The city used state grant funds to add an additional attorney to reduce caseloads, increase attorney compensation, and provide a public defense attorney at arraignment.

CITY OF SPOKANE

2011 population	209,100
Persons below poverty level, percent, 2008-2012	18.7%
Median household income, 2008-2012	\$42,274
2012 competitive grant award	\$84,000

The City of Spokane delivers public defense representation through a city public defender agency. The City of Spokane Public Defender Office has a director, 17 attorneys, and an investigator. The City of Spokane agency and the Spokane County Public Defender's Office have an inter-local agreement to provide representation for each other's conflict cases.

2011 Statistics

Amount spent for public defense	\$2,593,938
Amount spent per capita	\$12.41

Adult Misdemeanors

New city misdemeanor cases filed	9,495
Total new misdemeanor cases per 1,000 population	45.4
Number of new cases assigned to counsel by city	6,743

The City of Spokane has adopted a public defense resolution. The City of Spokane Public Defender Office pays for approved attorney training.

The city used state grant funds to provide a public defender at daily arraignments and bench warrant recall case dockets in the City of Spokane Municipal Court. The city also started providing an attorney at first appearances for in-custody defendants. This resulted in appreciable improvement in the handling and processing of cases.

CITY OF TACOMA

2011 population	198,900
Persons below poverty level, percent, 2008-2012	17.6%
Median household income, 2008-2012	\$50,439
2012 competitive grant award	\$53,250

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.

2011 Statistics

Amount spent for public defense	\$1,377,469
Amount spent per capita	\$6.93

Adult Misdemeanors

New city misdemeanor cases filed	7,902
Total new misdemeanor cases per 1,000 population	39.7
Number of new cases assigned to counsel by city	7,281

Pierce County has adopted a public defense ordinance that is followed in DAC's public defense representation in Tacoma Municipal Court. The public defense attorneys are required to attend seven hours of OPD-approved training annually.

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 VANCOUVER

2011 population	162,300
Persons below poverty level, percent, 2008-2012	16.0%
Median household income, 2008-2012	\$49,271
2012 competitive grant award	\$78,250

The City of Vancouver delivers public defense representation through a contract system. The city has one primary defense contract with a law firm to handle cases in Vancouver Municipal Court, as well as three contracts with additional attorneys to provide representation in conflict cases.

2011 Statistics

Amount spent for public defense	\$625,092
Amount spent per capita	\$3.85

Adult Misdemeanors

New city misdemeanor cases filed	5,378
Total new misdemeanor cases per 1,000 population	33.1
Number of new cases assigned to counsel by city	4,841

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 used its state grant funds to continue to fund an additional full-time attorney to reduce caseloads.

CITY OF YAKIMA

2011 population	91,630
Persons below poverty level, percent, 2008-2012	22.9%
Median household income, 2008-2012	\$40,569
2012 competitive grant award	\$145,250

The City of Yakima delivers public defense representation through a contract system. The city has one primary defense contract with a law firm to handle cases in Yakima Municipal Court. A second contract provides attorneys to handle conflict cases and some of the primary defense contractor cases to help reduce the caseload of the primary contractor attorneys. Additional attorneys are appointed from a list and are utilized on an as-needed basis when the conflict attorney has a conflict, or appellate services are needed.

2011 Statistics

Amount spent for public defense	\$540,635
Amount spent per capita	\$5.90

Adult Misdemeanors

New city misdemeanor cases filed	5,142
Total new misdemeanor cases per 1,000 population	56.1
Number of new cases assigned to counsel by city	4,813

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.

The city used its state grant funds for additional attorneys and a conflict attorney to help reduce caseloads and to provide public defender services at arraignment.



Appendix A: Methodology and Data Reporting for County/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.

County Report: The County Report presents data on funding and caseload levels in each county that applied for and received state funding for use during calendar year 2013. Thirty-eight counties submitted funding applications under RCW 10.101.050. Each applying county provided 2012 data regarding public defense assignments and costs of public defense.

City Report: The City Report presents data on funding and caseload levels in the 11 cities that received competitive grants. Because the application cycle for cities occurred in mid-2011, the most current annual information available was from 2011.

OPD reviewed the data provided by the counties and cities, consulted with particular jurisdictions where questions arose, and used the information to prepare the reports.

Initial data from counties and cities alike varied widely 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" rather than cases, while others assign differing values to certain case types.

The manner in which jurisdictions deal with post-conviction hearings such as probation violations (PVs) also impacts caseload calculations.⁶ Generally, PVs are less time-consuming than new cases. Some counties count PVs as a case; some do not count or report them at all; and others count them as a fraction of a case (often one-third).

Methods of accounting for and tracking cases assigned to these public defense providers are as varied as the systems. For example, many counties and cities rely on the attorneys to cover all cases assigned and do not have any system for tracking the

⁶ 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.

number of assigned cases; some counties lump together juvenile offender and Becca cases assigned to public defenders and some counties do not. Similarly, the tracking of dollars spent on public defense is varied, and includes different elements in different jurisdictions. 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 was gracious and generous with their time during this process, and the reports would not have been possible without their help.



Appendix B: Glossary for County/City Reports

COUNTY PROFILE

2012 population: Total county population as reported in the Washington State Office of Financial Management April 1, 2013--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. Bureau of the Census Quick Facts.

Median household income: Median household income as reported by the U.S. Bureau of the Census Quick Facts.

2012 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. 2012 Statistics

1. Total adult criminal cases per 1,000 population: The total number of new trial level adult felony and misdemeanor criminal cases (including misdemeanors filed in some municipal courts) as reported by AOC divided by the county population as expressed in thousands.
2. Amount spent for public defense: The county-reported total dollar amount spent for public defense representation during 2012.
3. 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. New adult felony cases filed: The number of new (non-probation violation) adult Superior Court cases filed during 2012 as reported by AOC.

2. New adult felony 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 2012.

III. Adult Misdemeanor

1. New county misdemeanor cases filed: The number of new (non-probation violation) District Court cases filed during 2012 as reported by AOC.
2. Total new misdemeanor cases filed in county: The total number of new misdemeanor cases filed in all courts in the county, including municipal courts, during 2012 as reported by AOC.
3. Total new misdemeanor cases per 1,000 population: The total number of new misdemeanor cases filed during 2012 divided by the county population as expressed in thousands.
4. Number of new cases assigned to counsel by county: The county-reported number of new adult District Court cases assigned to public defense counsel during 2012.⁷

IV. Juvenile Offender

1. New juvenile offender cases filed: The number of new (non-probation violation) juvenile offender cases filed during 2012 as reported by AOC.
2. New juvenile offender cases per 1,000 population: The total number of new juvenile offender cases filed during 2012 divided by the county population as expressed in thousands.
3. Number of new cases assigned to counsel: The county-reported number of new juvenile offender cases assigned to public defense counsel during 2012.

⁷ Some counties included contract municipal cases in the reported number.

CITY PROFILE

2011 population: Total city population as reported in the Washington State Office of Financial Management April 1, 2013-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. Bureau of the Census Quick Facts.

Median household income: Median household income as reported by the U.S. Bureau of the Census Quick Facts.

2012 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 2012, and were used during calendar year 2013.

I. 2011 Statistics

1. Amount spent for public defense: The city-reported total dollar amount spent for public defense representation during 2011, 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 major cases filed, local attorney availability, the number of attorneys practicing in the city, the city's poverty rate and case filing rates.

II. Adult Misdemeanor

1. New city misdemeanor cases filed: The number of new (non-probation violation) Municipal Court cases filed during 2011 as reported by AOC.
2. Total new misdemeanor cases per 1,000 population: The total number of new misdemeanor cases filed during 2011 divided by the city population as expressed in thousands.
3. Number of new cases assigned to counsel by city: The city-reported number of new Municipal Court cases assigned to public defense counsel during 2011.