



2019 Status Report on Public Defense in Washington State

July 2020

Washington State Office of Public Defense

711 Capitol Way South, Suite 106
P.O. Box 40957
Olympia, Washington 98504-0957

Phone: (360) 586-3164
Email: opd@opd.wa.gov
Website: www.opd.wa.gov

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Nicole Dodge

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Introduction



The Washington State Office of Public Defense (OPD) is an independent agency of the judicial branch established to implement the constitutional and statutory guarantees of counsel, and to ensure effective and efficient delivery of indigent defense services funded by the state.¹ Contrary to what the agency title may imply, OPD does not administer all public defense services throughout the state.

Instead it oversees programming in four distinct areas, one of which is the Public Defense Improvement Program, whose annual efforts are detailed in this report.

Cities and counties are responsible for administering most trial-level indigent defense services in their respective jurisdictions. The OPD Public Defense Improvement Program works collaboratively with local jurisdictions to help them fulfill their responsibility of providing effective public defense services. OPD distributes state grant funds, provides technical assistance, develops training for attorneys, collects statewide data, and researches best practices in indigent defense administration.

This 14th annual Status Report highlights our activities during calendar year 2019, and provides the latest data and descriptions for county and city public defense services. New projects accomplished this year include administering Quality Indigent Defense evaluations (page 9), conducting research on implementation of the Supreme Court's Standards for Indigent Defense (page 17), and expanding funding for social work services as part of public defense in our city grants (page 64).

¹ [RCW 2.70.005](#)

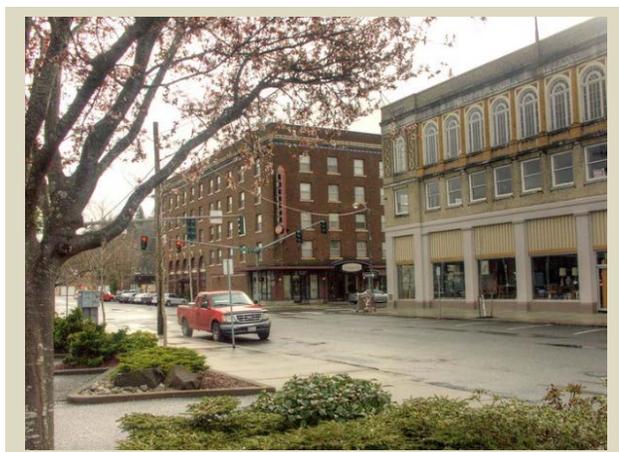
I. Support for Counties and Cities

Public defense is a specialized field – both for the attorneys who represent indigent clients as well as the government officials who oversee the administration of this constitutionally guaranteed service. The Washington State Office of Public Defense (OPD) provides funds and various forms of technical assistance to help county and city governments implement best practices in carrying out their public defense administrative functions.

A. Technical Assistance for Counties and Cities with Public Defense Administration

In Washington the administration of all public defense services for trial-level criminal and juvenile cases occurs at the local level.² Each jurisdiction takes an individualized approach to structuring its public defense services.

Some include robust, well-staffed public defense agencies, while others rely on contracts with a handful of private attorneys. In some locations the public defense oversight is handled by specialized attorneys with significant public defense experience, whereas in others the responsibility resides with local government administrators who manage other departments.³



OPD provides a supportive role to local governments, regardless of their public defense structure, by offering technical assistance in the planning, administration, and evaluation of local public defense services.

In 2019 OPD continued to work with local governments, courts, and attorneys to address administrative questions and challenges in public defense service delivery. OPD support included:

- Compiling and analyzing local trial-level public defense data, including compensation and appointment rates.
- Reviewing and commenting on draft public defense contracts, local standards, case weighting policies, indigency screening forms, and other administrative

² RCW 10.101.030.

³ For more details on public defense structures in specific counties, see Figure 3 on page 20 of this report.

components to ensure consistency with current statutes, court rules, industry standards, and guidelines.

- Advising on implementation of the [Supreme Court Standards for Indigent Defense](#), and the [Washington State Bar Association's Standards for Public Defense Services](#).
- Maintaining an online [FAQ](#) with detailed information on implementing standards, [web tutorials](#) on counting cases, and [online calculators](#) for measuring caseloads composed of mixed case types.
- Providing a [model case weighting policy](#) for misdemeanors.
- Responding to formal and informal requests for information about public defense in Washington.

B. Distributing State Funds to Counties and Cities for Public Defense Improvements

As required by [RCW 10.101.050-080](#) in 2019 OPD continued to disburse approximately \$6.9 million in state grant funds to counties and cities for implementing and sustaining improvements to local public defense services. County and city recipients used state funds for local improvements such as increased attorney compensation, caseload reduction, attorney training, representation at preliminary appearance calendars, public defense coordinator positions, and increased use of investigators, experts, interpreters, and social workers.

County Funds: Each county is invited annually to apply for their portion of available state funds as described in [RCW 10.101.070](#). To qualify counties must submit applications and required attachments detailing local public defense services. Applications must include the number of cases assigned to counsel, program expenditures, copies of current contracts, and other information pertaining to local public defense services. For each year a county receives state funds, it must document that it is meeting the [Washington State Bar Association's Standards for Indigent Defense Services](#), or that funds are being used to make appreciable demonstrable improvements to public defense services. Chapter 10.101 RCW grant funds may only be used towards improvements, not to supplant pre-existing county expenditures.

City Funds: State public defense improvement funds are available to cities through a competitive grant program.⁴ All cities are welcome to apply on a two-year rotation, and OPD consults with the Association of Washington Cities (AWC) to identify award recipients and grant amounts. The selection criteria are based on factors including a city's poverty level, compliance with statutory and court rule public defense requirements, and previous performance with grant funds. In 2019 OPD awarded grants to 32 individual cities, including two cities with a joint application. Cities used grant funds for a variety of public defense improvements such as increased attorney compensation, decreased attorney caseloads, investigative services, contract attorney performance evaluation, interpreter services, and social work services.

Grant Monitoring: To monitor the use of state grant funds OPD conducts site visits with cities and counties. In 2019 OPD visited nine cities and five counties, observing courtroom proceedings and meeting directly with judges, court administrators, public defense agency directors and coordinators, public defense attorneys, city/county officials and their staff. As the Washington State Joint Legislative Audit and Review Committee (JLARC) found in its 2008 review of OPD,⁵ OPD's visits and ongoing practical assistance provide a direct and positive impact on local efforts to improve public defense. Moreover, in the 2015-2019 accountability audit of OPD, the State Auditor's Office (SAO) examined OPD's monitoring of counties and cities among other agency functions. The SAO concluded that all operations "provided adequate controls over the safeguarding of public resources."⁶

How have state grant funds impacted local public defense services?

Sample excerpts from participating cities' June 2019 grant reports:

OPD funds have been essential for our office to provide the services of arguing for release or for reduced bond amounts for inmates, and for explaining to people at their first hearing about future non-jail case resolutions. Without these funds we couldn't be within caseload limits.

City of Spokane

State funds have allowed defenders to spend more time in the jail to meet with in-custody clients, thus improving the timeliness of representation.

City of Kelso

With the use of this grant, Granger has been able to obtain a public defender along with a list of conflict counsel we have not had available to us in the past.

City of Granger

The ability to provide interpreter services and increased access to investigative services has had a positive impact on our public defense program and has enabled improved communication between the attorneys and their clients.

City of Tukwila

⁴ RCW 10.101.080.

⁵ http://www.opd.wa.gov/documents/0015-2008_JLARC_Report.pdf

⁶ <https://portal.sao.wa.gov/ReportSearch/Home/ViewReportFile?arn=1025434&isFinding=false&sp=false>

C. Quality Indigent Defense (QID) - Contract Defender Performance Evaluations

In recent years counties and cities have made improvements to public defense such as reduced attorney caseloads, increased compensation, and additional supportive resources including investigators, experts, and social workers. Many of these improvements were influenced by the adoption of the Supreme Court's Standards for Indigent Defense Services⁷ and civil decisions holding local governments accountable for deficiencies in the administration and oversight of public defense services.⁸ Yet one frequently overlooked component of public defense administration is quality-control monitoring of assigned counsel and contract attorneys.⁹



From small municipalities to large counties with staffed public defense agencies, the indigent defense work performed under contracts with private attorneys and firms is often unchecked. Challenges in ensuring quality representation by contracted counsel is not unique to public defense services in Washington.¹⁰ In many jurisdictions, particularly smaller or rural ones, administrators who oversee public defense contracts lack the particularized expertise to properly evaluate the quality of services provided. A small but growing number of jurisdictions employ or contract with experienced defenders to oversee the work performed by contract and assigned counsel attorneys. Nevertheless some contract

⁷ Superior Court Criminal Rule 3.1, Criminal Rules for Courts of Limited Jurisdiction Rule 3.1, and Juvenile Court Rule 9.2.

⁸ *Wilbur, et al., v. City of Mount Vernon, et al.*, No. C11-1100RSL, United States District Court, Western District of Washington, 2013; *Best, et al., v. Grant County*, No. 04 2 00189 0, Kittitas County Superior Court, 2005.

⁹ See Standard Eleven of the Washington State Bar Association's *Standards for Indigent Defense Services* available at https://www.wsba.org/docs/default-source/legal-community/committees/council-on-public-defense/standards-for-indigent-def-services-boh-apprv-9-22-11.pdf?sfvrsn=dae43cf1_2. Each county and city's legal representation plan "should establish a procedure for systematic monitoring and evaluation of attorney performance based upon publicized criteria."

¹⁰ Anderson, James M. and Heaton, Paul, *Measuring the Effect of Defense Counsel on Murder Case Outcomes*, (2012), available at www.ncjrs.gov/pdffiles1/nij/grants/241158.pdf; Cohen, Thomas H., *Who's Better at Defending Criminals? Does Type of Defense Attorney Matter in Terms of Producing Favorable Case Outcomes* (2011), available at <https://ssrn.com/abstract=187647>

administrators still rely exclusively on judges' critiques to determine whether counsel is performing well.¹¹

In recent years OPD has collaborated with the Board for Judicial Administration and the Washington Cities Insurance Authority to identify strategies for smaller and rural governments to monitor public defense attorney performance. These discussions resulted in development of the Quality Indigent Defense (QID) attorney evaluation system. A QID evaluation is a short-term assessment of contract or assigned counsel attorneys performed by an experienced public defense attorney. Evaluation activities include a combination of stakeholder interviews, courtroom observations, and review of data, documents, and court files. The evaluator uses checklists and assessment tools to guide the work, and each performance criterion is based on established professional guidelines and standards. With checklists and templates in hand, evaluators' time can be best economized by immediately engaging in the evaluation rather than planning or design development. The evaluators conclude their work with a report for the local jurisdiction, identifying strengths and recommendations for improvement.

In 2019 three cities received Chapter 10.101 RCW grant funds for QID evaluations. Each jurisdiction was small in size, and evaluations focused on one or two contract attorneys providing primary public defense representation. The QID evaluations have been useful tools for city administrators to understand and identify how attorneys' performance aligns with national and state standards.

II. Case Consultation for Public Defense Attorneys

Attorneys representing indigent defendants and juveniles must understand and apply a wide array of legal concepts. Standard 14.1 of the Supreme Court's Standards for Indigent Defense requires that, at a minimum, each attorney be familiar with relevant statutes, court rules, constitutional provisions, case law, the Washington Rules of Professional Conduct, the Performance Guidelines for Criminal Defense Representation approved by the Washington State Bar Association, collateral consequences of criminal convictions, and mental health issues. OPD funds and provides no-cost consultation services to defense attorneys statewide so that regardless of their location, they can easily access expert assistance to ensure constitutionally effective representation.

¹¹ Institutionalized judicial oversight of public defense attorney performance is problematic. As stated in Principle One of the American Bar Association's Ten Principles of a Public Defense Delivery System, "The public defense function should be independent from political influence and subject to judicial supervision only in the same manner and to the same extent as retained counsel." www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_def_tenprinciplesbooklet.authcheckdam.pdf

A. Felony and Misdemeanor Assistance

OPD continues to provide funds to the Washington Defender Association (WDA) to fund two full-time positions for felony and misdemeanor case consultation. WDA is a non-profit organization that “provides support for zealous and high quality legal representation by advocating for change, educating defenders, and collaborating with other justice system stakeholders and the broader community to bring



about just solutions.”¹² Attorneys engaged in public defense representation in all jurisdictions are eligible to consult as-needed with two specialized criminal defense attorneys. In 2019 the felony and misdemeanor resource attorneys responded to 1,054 technical requests on matters such as:

- Helping spot issues that may benefit clients at all stages of their cases;
- Shaping arguments for pre-trial motions and evidentiary challenges;
- Researching substantive and procedural issues;
- Brainstorming trial and sentencing strategies;
- Identifying expert witnesses for case consultation and testimony; and
- Providing sample motions, forms, and practical advisories.

Included within the above numbers is work performed by WDA on the Death Penalty Assistance Project - a resource for attorneys and defense team members who represent clients in aggravated murder cases. WDA collaborates with OPD for early identification of aggravated murder charges, resulting in WDA’s support and assistance to defenders at an early stage of these highly complex cases.

B. Incarcerated Parents Program

Effective July 2019, state funds from OPD began supporting the WDA Incarcerated Parents Program – a previously federal grant-funded service that strives to keep incarcerated parents connected to their children. A WDA technical assistance attorney works proactively with defenders statewide in presenting sentencing alternatives that promote family connections. This is particularly important because incarcerated parents are more at risk of having their parental rights legally severed. In one study incarcerated parents were more likely to have their rights terminated than those who physically or

¹² Washington Defender Association Mission Statement, <https://defensenet.org/about/core-values-strategic-goals/>

sexually assault their children, and children of women serving time in prison were five times more likely to end up in the foster care system than children of male inmates.¹³ In 2019 the Incarcerated Parents Program fulfilled 448 technical assistance requests.

C. Immigration Assistance

The U.S. Supreme Court established in *Padilla v. Kentucky* that effective criminal defense representation of non-U.S. citizen clients must include advisement of potential immigration consequences.¹⁴ However, most criminal defense attorneys lack an advanced understanding of the ever-evolving immigration statutes,



regulations, case law, and emerging trends. OPD provides funds to WDA for immigration law experts who consult, train, and develop practice advisories for defense attorneys statewide. Defenders practicing at the misdemeanor, juvenile, and felony levels may contact the WDA Immigration Project for case-specific consultation. This allows their clients to make informed decisions in their criminal cases by understanding the possible immigration consequences of their different options. In 2019 WDA fulfilled 3,014 technical assistance requests.

D. Juvenile Assistance

OPD's Public Defense Improvement Program provides one-on-one technical assistance to attorneys representing children and youth in juvenile and status offense cases. The unique aspects of juvenile defense and the frequently changing procedures result in numerous requests for assistance. In 2019 an OPD Managing Attorney responded to more than 150 requests for assistance from defenders throughout the state and distributed updates and checklists on juvenile issues through the WDA juvenile listserv. Assistance can range from a quick email response, to helping prepare briefs, or to in-person consultations.

OPD continued to assist attorney-led efforts in 2019 to insure that the rights of youth are upheld in the courts. Work groups were formed under the leadership of OPD to address sex offender registration, incarceration of status offenders, and juvenile sentencing alternatives.

¹³ "How Incarcerated Parents are Losing Their Children Forever," Eli Hager and Anna Flagg, The Marshall Project, December 2, 2018, <https://www.themarshallproject.org/2018/12/03/how-incarcerated-parents-are-losing-their-children-forever>

¹⁴ *Padilla v. Kentucky*, 559 U.S. 356 (2010).

The program also consults with county juvenile court staff and judicial officers to resolve issues that arise in the representation of indigent youth. During the 2019 legislative session OPD again participated in a work group examining the distribution of sealed juvenile records by law enforcement. While the group succeeded in pressing for a partial legislative fix, the issue is not resolved. The workgroup continues working on crafting a solution that balances the privacy rights of juveniles with the need to keep law enforcement officers informed.

III. Public Defense Trainings

All attorneys representing indigent defendants are required to attend at least seven hours annually of continuing legal education (CLE) on topics relating to their public defense practice area. This requirement applies equally to full-time and part-time public defense counsel, as well as private attorneys who take occasional public defense cases.¹⁵ Each year OPD sponsors trainings for defense attorneys in different regions of the state to help defenders fulfill their annual CLE requirements.

A. Regional CLEs

Every year OPD delivers a Regional CLE series in different areas of the state. These trainings include a variety of timely topics and are offered at no cost to defense attorneys and their staff. In 2019 Regional CLEs took place in Bellingham and Longview. Presentations addressed:



Travis Stearns presents on Storytelling and Theory of the Case to attorneys in Bellingham in December, 2019.

- Vacating criminal convictions
- Pretrial and trial strategies from an appellate perspective
- Effective communication with non-English speaking clients
- Ethical obligations to clients committed under Not Guilty by Reason of Insanity statutes
- Cross-examination techniques

¹⁵ [RCW 10.101.050](#) requires that “attorneys providing public defense services attend training approved by the Office of Public Defense at least once per calendar year.” [CrR 3.1](#), [CrRLJ 3.1](#), and [JuCR 9.2](#) require all attorneys assigned to represent indigent defendants to certify compliance to the [Washington Supreme Court’s Standards for Indigent Defense](#). Standard 14.1(G) requires “seven hours of continuing legal education within each calendar year in courses relating to their public defense practice.” Standard Nine of the WSBA Standards for Indigent Defense Services requires that attorneys providing public defense services should “participate in regular training programs on criminal defense law, including a minimum of seven hours of continuing legal education annually in areas relating to their public defense practice.”

- Opening statements
- Storytelling and developing your theory of the case
- Overlapping issues between criminal defense and child welfare litigation

Presenters at the OPD 2019 Regional CLEs:

- **Jodi Backlund**, Backlund & Mistry
- **Simmie Baer**, Cowlitz County Office of Public Defense
- **Darrin Hall**, Department of Social and Health Services
- **Jana Heyd**, Washington State Office of Public Defense
- **Katrin Johnson**, Washington State Office of Public Defense
- **Jacob Kuykendall**, King County Bar Association
- **Manek Mistry**, Backlund & Mistry
- **Andrew Morrison**, Morrison Legal Services
- **Travis Stearns**, Washington Appellate Project

B. Criminal Defense Training Academy

In 2019 OPD launched its first ever Criminal Defense Training Academy (CDTA), designed to provide new public defense attorneys intense, interactive instruction for effective criminal defense representation. Limited to 35 participants, the CDTA included a balance of lecture-based classroom instruction complemented by small group discussions and hands-on exercises. Participants came from a wide variety of county and city jurisdictions, and the majority had less than two years of experience practicing public defense.



Graduating class and faculty of the 2019 Criminal Defense Training Academy.



Small group discussion at the 2019 Criminal Defense Training Academy.

The CDTA began with two full days of instruction in Spokane in June. Topics included client-centered representation and communication, communication with non-English speaking clients and mentally ill clients, investigation, collateral consequences of criminal convictions, overcoming racial bias, and litigating against racially discriminatory practices. In subsequent months the



Attorneys participate in an objection exercise at the 2019 Criminal Defense Training Academy.

participants were required to select and view multiple pre-recorded webinars focusing on fundamental criminal defense issues. The group reconvened in Spokane for two additional days of instruction, again combining lecture and small-group interactive exercises. The September session focused on trial strategies such as storytelling, developing a theory of the case, working with expert witnesses, opening statements, cross-examination, and making objections.

Presenters and Small-Group Instructors at the OPD 2019 Criminal Defense Training Academy:

- **Kimberly Ambrose**, University of Washington School of Law
- **Cindy Arends Elsberry**, Washington Defender Association
- **Kimberly Gordon**, Law Offices of Gordon & Saunders PLLC
- **Sonja Hardenbrook**, Snohomish County Public Defender Association
- **Brooks Holland**, Gonzaga University School of Law
- **Katrin Johnson**, Washington State Office of Public Defense
- **Shoshana Kehoe-Ehlers**, Washington State Office of Public Defense
- **Janna Richards**, King County Department of Public Defense
- **Travis Stearns**, Washington Appellate Project
- **Larry Tangen**, Private Investigator
- **George Yeannakis**, Washington State Office of Public Defense
- **Cam Zorroza**, Center for Justice

C. Juvenile Defense Training Academy

In the spring and summer of 2019 OPD held the Juvenile Defense Training Academy (JDTA) – a multi-day rigorous educational program designed to expand and improve all aspects of representation in juvenile cases. During the previous two years, 25-plus

attorneys completed the Academy and received Certificates of Completion. Thirteen additional attorneys completed the Academy in 2019.

The appellate courts continue to support the position that juveniles are different - different in both culpability for crimes and also in their understanding of their rights and responsibilities. In 2018 the Washington Supreme Court found “an offender’s age is relevant to the Eighth Amendment, and criminal procedure laws that fail to take defendants’ youthfulness into account at all would be flawed.”¹⁶ Increasingly, the legal community views juvenile public defense as a specialized area of the law. Attorneys representing juveniles must master the use of numerous statutes, court rules, and case law unique to juvenile cases. This includes counseling clients on collateral consequences of juvenile adjudications that impact access to education, employment, military service, housing, and immigration consequences. Further, because young clients’ cognitive abilities are still developing and they have little to no understanding of the criminal justice system, attorneys must develop specialized skills to effectively engage a youth in their representation.

The 2019 JDTA provided a concentrated program designed to improve the quality of representation at every stage of a case. Interested attorneys applied and a select number of participants agreed to attend three days of instruction (24 hours in total). The Academy attracted a dozen defenders practicing in rural counties seeking to strengthen their quality of juvenile representation.

The 2019 JDTA focused on the “School to Prison Pipeline.” After presentations on different aspects of the many ways youth are drawn into and are unable to escape the juvenile justice system, the program utilized small group exercises to encourage the development of strategies to stem the flow of youth into the system. Integrated throughout the Academy were updates on legislation and judicial rulings affecting juvenile practice.

For the first time the JDTA included a session on raising racial issues in the defense of juvenile clients. This dynamic session drew a large audience including many appellate attorneys and a Washington Supreme Court Justice. OPD hopes to be able to continue discussing the impact of racial bias on juveniles of color with the participation of the newly created OPD position of Disproportionality Legal Training Coordinator.

The JDTA continued to rely on the Juvenile Training Immersion Program (JTIP), a highly specialized, comprehensive, trial advocacy program developed by the National Juvenile Defender Center and Georgetown University School of Law. The JTIP

¹⁶ State v. Houston Sconiers, 188 Wn.2d 1, 8 (2017) citing Graham v. Florida, 560 U.S. 48, 76 (2010).

curriculum, which is updated annually, provides a substantive overview of juvenile and criminal law integrated with advocacy skills development for juvenile defenders. JTIP uses a hands-on approach, and lessons are designed to encourage interactive and dynamic learning through a combination of facilitated discussions, interactive exercises, hypothetical case scenarios, skill-building exercises, and other training tools. JDTA topics include:

- The Role of the Public Defender
- Motions Practice
- Dispositions
- Raising Race Equity Issues
- Adolescent Development
- Competence to Stand Trial
- Educational Issues
- Negotiating Cases
- Juveniles Tried as Adults
- The Effect of Trauma on Youth
- Miranda Warnings
- Developmentally Appropriate Language
- Challenging Probable Cause

D. Washington Defender Association Trainings

OPD receives funding from the Washington State Legislature to pass through to the Washington Defender Association (WDA) to support a variety of services, including numerous training programs. Training programs in 2019 included recurring annual CLEs such as the day-long ethics program, the two-day statewide conference, and a day-long program on complex crimes. Many more topic-specific trainings were held in-person and online. While WDA designed some sessions for jurisdiction-specific defense communities, most were available to attorneys statewide.

IV. Audit of Attorneys' Certification to the Supreme Court Standards for Indigent Defense

In 2012 the Washington Supreme Court took significant steps to improve public defense services by adopting the Standards for Indigent Defense (Standards).¹⁷ All attorneys appointed to represent indigent parties in criminal, juvenile, and civil commitment cases are required to comply with specific requirements: adherence to caseload limits; meeting minimal qualifications based on case type; using investigators as appropriate; and having private office space for confidential meetings with clients. Per court rules judges may only appoint attorneys to represent indigent clients if the attorneys have filed a quarterly signed certification affirming compliance with these Standards. In 2019 OPD conducted statewide research to evaluate how jurisdictions and public defense

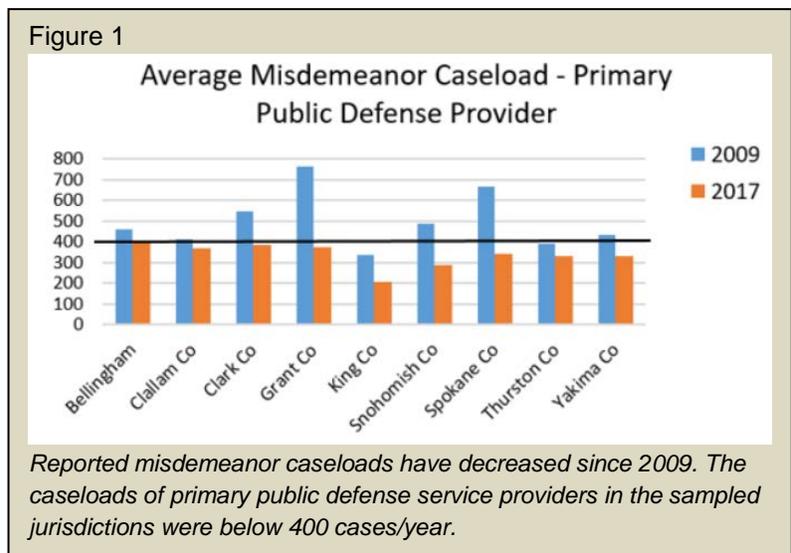
¹⁷ [CrR 3.1](#), [CrRLJ 3.1](#), and [JuCR 9.2](#)

attorneys were implementing the Standards and what challenges they faced. Research included interviewing public defense representatives from 10 jurisdictions, review of filed certification forms in eight jurisdictions, court data evaluation, and review of other data sources. The [full report](#) is available on OPD’s website. Below are some highlights:

Filing of Certification Forms: The filing of certification forms has become a routine function in most jurisdictions. Public defense agencies, both government and non-profit, reliably submit complete sets of certifications for all staff attorneys. However, compliance with the certification requirement is more variable among contract attorneys and assigned counsel. A commonly held misperception was that the certification process only applied to full-time public defense attorneys – not contracted counsel with mixed public defense and private caseloads. Several people indicated confusion in the wording of the form for attorneys with mixed caseloads from differing jurisdictions. They were unsure whether the form was intended to reflect only the caseload in the court that the form is filed, or the attorneys’ cumulative caseload from multiple jurisdictions.

Attorney Caseloads: Standard 3.4 addresses appropriate caseload limits and has resulted in decreases to public defense attorney caseloads statewide. (See Figure 1.) Public defense administrators reported that the caseload limits have been instrumental in budget discussions and

ensuring the appropriate number of staff and/or contract attorneys to meet local demands. Each interviewed jurisdiction reported having some process in place to track attorneys’ case assignments. However, many jurisdictions focus exclusively on case assignments from their particular city/county, and do not track attorneys’ complete caseloads including public defense in other jurisdictions and private work.¹⁸



¹⁸ See [RCW 10.101.050](#). Cities and counties that receive state funds must require contract defense counsel to report “hours billed for nonpublic defense legal services in the previous calendar year, including number and types of private cases.”

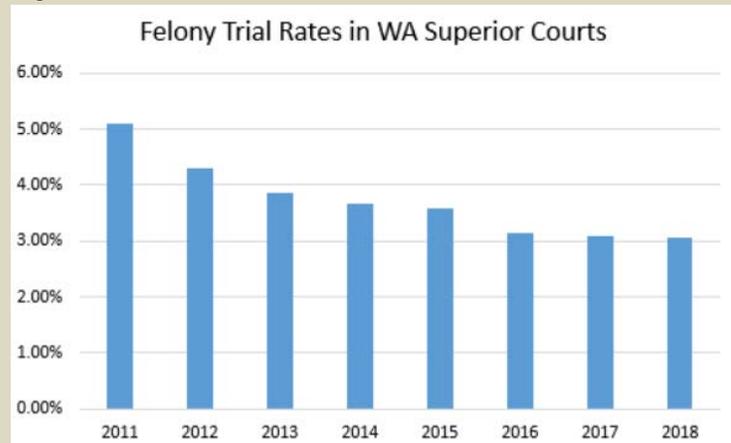
The Standards give jurisdictions the option of adopting case weighting policies to calculate caseloads. Among other requirements, case weighting values should recognize the greater or lesser workload required for certain case types compared to an average case. At the time of the audit, 10 cities and 15 counties had filed case weighting policies with OPD. Each policy included case types that are weighted at *less than* an average case, yet six policies lacked any increased weights to value certain case types as *more than* an average case.

Case-Type Qualifications:

Another purpose served by the certification form is to verify that attorneys meet the specific qualifications for different case types as described in Standards 14.1 and 14.2. All persons interviewed for the audit agreed that these qualification requirements have improved the quality of representation and that most case-level prerequisites are appropriate. Counties with low trial rates, however, experience obstacles

in obtaining a sufficient number of qualified attorneys to represent individuals facing serious felony charges. Statewide trial rates in felony cases have decreased in recent years. (See Figure 2.) Moreover, counties face challenges sustaining a sufficient number of Class A qualified attorneys because many who attain this level of experience move to private practice.

Figure 2



Statewide trial rates have decreased from 5.10% to 3.07% from 2011 to 2018. Trial rates are calculated by comparing the number of bench and jury trials occurring each year against new felony filings.

V. County Public Defense Services

A. Case Filings and Expenditures

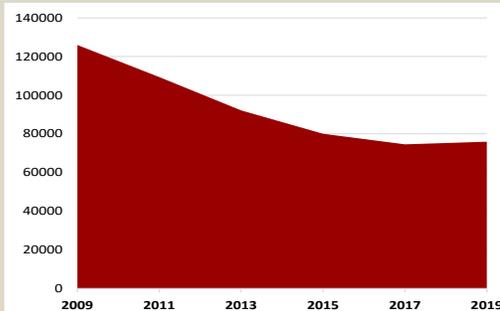
With the exception of several case types,¹⁹ local governments predominantly fund and manage public defense in Washington State. Counties provide public defense services to eligible defendants in felonies, misdemeanors, juvenile offense cases, juvenile diversion, truancies, At Risk Youth (ARY) and Child in Need of Services (CHINS), involuntary commitment for mental health or substances abuse, and appeals from courts of limited jurisdiction. In some locations, cities contract with counties to provide public defense representation in municipal cases.

In recent years county filings have shifted. While filings have significantly decreased in misdemeanors and juvenile cases, they have slightly increased in felonies.²⁰ (See Figure 3.) It is estimated that in 2018 courts appointed public defense attorneys to represent approximately 95% of felony defendants, 54% of misdemeanor defendants, and almost 100% of juveniles.²¹

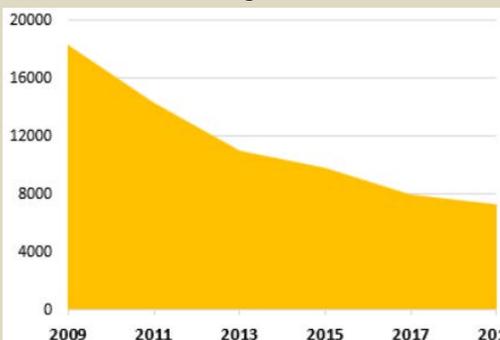
During this same time frame county expenditures for public defense have generally risen. (See Figure 4.) This increase can be attributable to different factors such as implementation of mandatory caseload limits, improved levels of representation, and

Figure 3

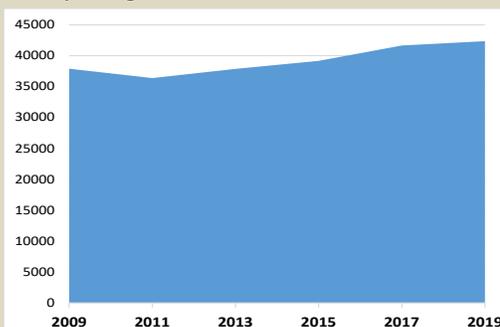
County Misdemeanor Filings Statewide



Juvenile Offender Filings Statewide



Felony Filings Statewide



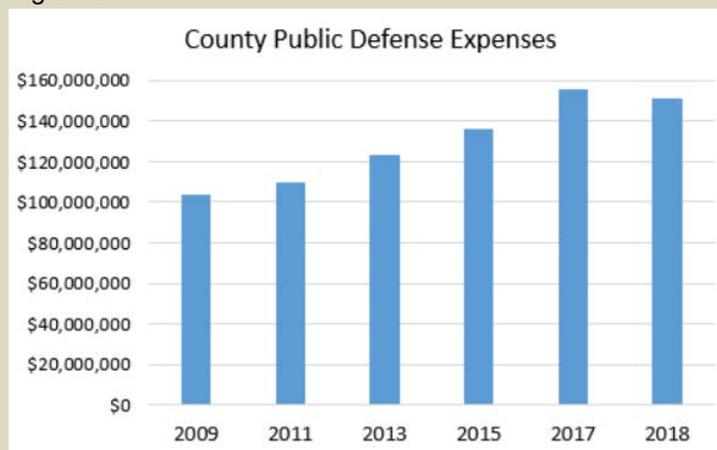
¹⁹ Washington State OPD funds and administers public defense services in three case types: (1) parent representation in dependency and termination cases, (2) representation of respondents in civil commitment actions under Chapter 71.09 RCW, and (3) representation of indigent appellants in the Court of Appeals and Supreme Court.

²⁰ Filing data obtained by the Caseloads of the Courts of Washington, published by the Administrative Office of the Courts. <http://www.courts.wa.gov/caseload/>. The juvenile and felony filings do not include “non charges.” The misdemeanor filings do not include municipal cases.

²¹ Public defense appointment rates are calculated by comparing the number of annual filings as reported by the Administrative Office of the courts, against the number of public defense case assignments as reported by counties in their applications for Chapter 10.101 RCW funds.

compensation rates keeping pace with increased law school debt and the cost of managing a law practice. Another influential factor has been case law²² and civil litigation²³ outcomes finding that constitutionally effective defense requires a sophisticated level of representation. Today's standards of practice require, among other elements, reasonable caseloads, relevant training, support staff, access to investigative and expert services, and appropriate levels of experience commensurate with the severity level of the criminal charges.

Figure 4



Total county public defense expenditures have generally risen since 2009.

Data reported by counties to OPD show that in 2018 counties spent approximately \$151 million on public defense services. This was an increase of \$41 million since 2011. In 2018 counties provided public defense representation in approximately 40,000 felony cases, 45,000 misdemeanor cases, and 8,300 juvenile cases.

B. Public Defense Administrative Design

Each county takes an individualized approach in how it structures public defense services. In some jurisdictions the public defense function is managed by experienced public defense attorneys, whereas in others the supervision and administrative functions fall under county administrators or judicial officers. To a certain degree, county public defense structures tend to fall into four categories.

- 1. County Agencies:** Twelve counties have government department public defense agencies. These county agencies directly employ attorneys, support staff, and supervisors, and in some counties, additional staff for investigation and social work. In most of these counties, the majority of public defense cases are assigned to agency attorneys, while conflict and overflow cases are assigned to contract and/or assigned counsel attorneys. In some of the counties the contract and assigned counsel work is also managed by the county public defense agency, whereas in other counties that function is assigned to other county administrators.

²² State v. A.N.J., 168 Wash2d 91 (2010).

²³ Wilbur, et al., v. City of Mount Vernon, et al., No. C11-1100RSL (W.D. Wash 2013); Best v. Grant County, No. 04-2-00189-1 (2005).

2. **Non-Profit Agencies:** Four counties contract with non-profit agencies to provide the majority of their public defense services. Like county agencies, these non-profit organizations employ staff attorneys, supervisors, and support staff. These counties also contract with individual private attorneys or law firms to handle conflict and overflow cases.

3. **Specialized Contract Counsel**

Oversight: Four counties employ or contract with an experienced public defense attorney to provide some degree of specialized oversight for contract and assigned counsel public defense services. The roles vary by location. In Lewis County the role is limited to indigency screening and handling client complaints. In others, the county involvement expands to include attorney recruitment and selection, contract monitoring, and approval of expert and investigator funding requests.

	Public defender agencies
	Nonprofit agencies
	Public Defense contract managers
	Contract and assigned counsel systems



4. **Contract and Assigned Counsel Attorneys:**

The remaining counties exclusively provide public defense representation through contract attorney and assigned counsel models. Unlike the previous group, public defense oversight is typically managed by county government representatives such as the Board of Commissioners, county administrators, court administrators, or judges. Most of these counties contract with local private attorneys or firms. In assigned counsel systems local attorneys do not work under written contracts, but instead agree to accept cases on a rotational or as-needed basis, with compensation based on a published fee schedule.



In 2005 the far majority of Washington’s counties administered public defense services through a contract or assigned counsel system. Since then counties have moved toward the use of county agencies, non-profits, or specialized county oversight.

[RCW 10.101.030](#) requires all local governments to adopt standards for public defense services, and identifies the specific areas to be addressed:

- Compensation of counsel
- Duties and responsibilities of counsel
- Caseload limits and types of cases
- Expert witness fees and other costs
- Administrative expenses
- Support services
- Attorney activity reports
- Training
- Supervision
- Monitoring and evaluation of attorneys
- Substitution of attorneys
- Limitations on private practice
- Attorney qualifications
- Disposition of client complaints
- Contract termination
- Nondiscrimination policies

The Washington State Bar Association (WSBA) has published guidance designed for local governments in developing their local public defense system,²⁴ and [RCW 10.101.030](#) states that local governments should use this document as a guideline when adopting public defense ordinances.

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

The following pages provide summaries of county public defense expenditures and appointments, general descriptions of their public defense services, and steps taken in compliance with the requirements set forth in [Chapter 10.101 RCW](#).²⁵ [Appendix A](#) and

²⁴ [Washington State Bar Association Standards for Indigent Defense Services, September 22, 2011.](#)

²⁵ 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.

[Appendix B](#) provide details on the data sources, terminology, and methodology used for the County Reports.

Adams County

2018 Population	19,759
Percent below poverty level 2014-2018	25.2%
2014-2018 estimated median household income	\$49,142
RCW 10.101 distribution for use in 2019	\$31,229

Administration of Public Defense Services: Adams County delivers public defense representation through a contract system. The county contracts with four firms to handle indigent defense cases in Superior Court and District Court. Each firm provides counsel to handle up to one full time equivalent caseload.

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

2018 Statistics

Amount spent on public defense	\$472,500
Amount spent per capita	\$23.91

Adult Felony

Adult Superior Court criminal cases filed	100
Adult Superior Court criminal cases per 1,000 population	5.1
Number of cases assigned to counsel	146

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,017
Number of cases assigned to counsel (including the Municipalities of Ritzville and Othello)	727

Juvenile Offender

Juvenile offender cases filed	36
Juvenile offender cases per 1,000 population	1.8
Number of cases assigned to counsel	46

Use of State Funds: In 2019 Adams County spent its state funding to continue supporting public defense services with investigator, expert, and interpreter services, and provide public defense services at preliminary appearance calendars in Superior Court. The county plans to use its funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms

Asotin County

2018 Population	22,610
Percent below poverty level 2014-2018	13.0%
2014-2018 estimated median household income	\$50,423
RCW 10.101 distribution for use in 2019	\$30,973

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

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

2018 Statistics

Amount spent on public defense	\$325,258
Amount spent per capita	\$14.39

Adult Felony

Adult Superior Court criminal cases filed	232
Adult Superior Court criminal cases per 1,000 population	10.3
Number of cases assigned to counsel	298

Adult Misdemeanor – County District Court

County misdemeanor cases filed	659
Number of cases assigned to counsel	321

Juvenile Offender

Juvenile offender cases filed	55
Juvenile offender cases per 1,000 population	2.4
Number of cases assigned to counsel	69

Use of State Funds: In 2019 Asotin County spent its state funding to maintain increased investigator, expert, and interpreter services for the public defense attorneys. In addition, state funds were used to maintain previous increases to public defense attorney compensation, and reductions to public defense caseloads. The county plans to use its state funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Benton County

2018 Population	201,877
Percent below poverty level 2014-2018	12.8%
2014-2018 estimated median household income	\$65,650
RCW 10.101 distribution for use in 2019	\$169,623

Administration of Public Defense Services: Benton County provides services through a hybrid model of both county-employed staff attorneys and contract attorneys. The Public Defense Manager oversees all public defense operations including contract compliance, management for contracted defenders, and supervision of staff defenders. Benton County delivers a data-driven indigent defense program which includes, among other components, a 2017 Strategic Plan, a Supervision and Quality Control Plan, and robust training opportunities.

Web Link to Program Information: www.BentonCountyDefense.org

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

2018 Statistics

Amount spent on public defense	\$3,440,993
Amount spent per capita	\$17.04

Adult Felony

Adult Superior Court criminal cases filed	1,400
Adult Superior Court criminal cases per 1,000 population	6.9
Number of cases assigned to counsel	1,409

Adult Misdemeanor – County District Court

County misdemeanor cases filed	7,765
Number of cases assigned to counsel (including the cities of Richland, West Richland, Kennewick, and Prosser)	4,826

Juvenile Offender

Juvenile offender cases filed	386
Juvenile offender cases per 1,000 population	1.9
Number of cases assigned to counsel	397

Use of State Funds: In 2019 Benton County used state funds to maintain the Public Defense Manager position, and to continue providing representation at all preliminary appearance calendars. The county plans to use its 2020 funds to continue these activities.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Chelan County

2018 Population	77,036
Percent below poverty level 2014-2018	11.6%
2014-2018 estimated median household income	\$56,135
RCW 10.101 distribution for use in 2019	\$83,997

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

Chelan County has adopted local public defense standards (Resolution No. 2012-126) which incorporate by reference the Standards for Indigent Defense adopted by the Washington Supreme Court.

2018 Statistics

Amount spent on public defense	\$2,241,670
Amount spent per capita	\$29.10

Adult Felony

Adult Superior Court criminal cases filed	728
Adult Superior Court criminal cases per 1,000 population	9.5
Number of cases assigned to counsel	677

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,647
Number of cases assigned to counsel (including the Municipalities of Leavenworth, Cashmere, and Entiat)	898

Juvenile Offender

Juvenile offender cases filed	161
Juvenile offender cases per 1,000 population	2.1
Number of cases assigned to counsel	192

Use of State Funds: In 2019 Chelan County used its state funding to maintain increased investigator and expert services. The county plans to use its state funds in 2020 to continue these prior improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Clallam County

2018 Population	76,737
Percent below poverty level 2014-2018	15.9%
2014-2018 estimated median household income	\$49,913
RCW 10.101 distribution for use in 2019	\$67,789

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

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

2018 Statistics

Amount spent on public defense	\$1,556,806
Amount spent per capita	\$20.29

Adult Felony

Adult Superior Court criminal cases filed	461
Adult Superior Court criminal cases per 1,000 population	6.0
Number of cases assigned to counsel	557

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,677
Number of cases assigned to counsel (including the Cities of Port Angeles and Sequim)	1,217

Juvenile Offender

Juvenile offender cases filed	113
Juvenile offender cases per 1,000 population	1.5
Number of cases assigned to counsel	127

Use of State Funds: In 2019 Clallam County spent its state funding to maintain staffing compensation increases, attorney caseloads, and provide representation at preliminary appearance calendars. The county anticipates using its state funds in 2020 for the same purposes

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Clark County

2018 Population	481,857
Percent below poverty level 2014-2018	9.3%
2014-2018 estimated median household income	\$71,636
RCW 10.101 distribution for use in 2019	\$356,145

Administration of Public Defense Services: Clark County’s Indigent Defense Office contracts with private counsel. The county’s Indigent Defense Manager and Coordinator oversee the contracting system, review motions for non-attorney services, and provide training and assistance to the contractors to improve the level of public defense representation.

Web link to program information: www.clark.wa.gov/county-manager/indigent-defense

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

2018 Statistics

Amount spent on public defense	\$6,077,781
Amount spent per capita	\$12.61

Adult Felony

Adult Superior Court criminal cases filed	2,569
Adult Superior Court criminal cases per 1,000 population	5.3
Number of cases assigned to counsel	2,428

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,715
Number of cases assigned to counsel	2,039

Juvenile Offender

Juvenile offender cases filed	561
Juvenile offender cases per 1,000 population	1.2
Number of cases assigned to counsel	535

Use of State Funds: In 2019 Clark County used its state funding to continue the indigent defense manager position, coordinator position, and one office staff position. In addition, state funds help maintain a seventh full-time attorney position for District Court, and sustain previous increases to investigator services. The county plans to use its state funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Columbia County

2018 Population	4,059
Percent below poverty level 2014-2018	11.6%
2014-2018 estimated median household income	\$51,111
RCW 10.101 distribution for use in 2019	\$14,360

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

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

2018 Statistics

Amount spent on public defense	\$124,800
Amount spent per capita	\$30.75

Adult Felony

Adult Superior Court criminal cases filed	36
Adult Superior Court criminal cases per 1,000 population	8.9
Number of cases assigned to counsel	49

Adult Misdemeanor – County District Court

County misdemeanor cases filed	85
Number of cases assigned to counsel	53

Juvenile Offender

Juvenile offender cases filed	2
Juvenile offender cases per 1,000 population	0.5
Number of cases assigned to counsel	2

Use of State Funds: In 2019 Columbia County spent its state funding on maintaining increases to attorney compensation.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Cowlitz County

2018 Population	108,987
Percent below poverty level 2014-2018	16.0%
2014-2018 estimated median household income	\$51,752
RCW 10.101 distribution for use in 2019	\$150,776

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

Web link to program information: www.co.cowlitz.wa.us/Index.aspx?NID=2498

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

2018 Statistics

Amount spent on public defense	\$2,615,858
Amount spent per capita	\$24.00

Adult Felony

Adult Superior Court criminal cases filed	1,549
Adult Superior Court criminal cases per 1,000 population	14.2
Number of cases assigned to counsel	1,567

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,440
Number of cases assigned to counsel	806

Juvenile Offender

Juvenile offender cases filed	244
Juvenile offender cases per 1,000 population	2.2
Number of cases assigned to counsel	271

Use of State Funds: In 2019 Cowlitz County used its state funding to maintain and expand its Office of Public Defense, increase public defense attorney compensation, provide counsel at preliminary appearance calendars, fund expert, investigator, and interpreter services for attorney-client communications. The county plans to use its state funds in 2020 to maintain these improvements and hire a staff investigator.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Douglas County

2018 Population	42,907
Percent below poverty level 2014-2018	13.3%
2014-2018 estimated median household income	\$60,452
RCW 10.101 distribution for use in 2019	\$0

Administration of Public Defense Services: Douglas County has not applied to participate in the Chapter 10.101 RCW funding program since the application process began in 2006. Accordingly, public defense caseload data is not available. The amount spent on public defense services is taken from the State Auditor’s Local Government Financial Report System BARS codes. The number of new cases filed is derived from the Washington State Administrative Office of the Courts Caseload Reports.

2018 Statistics

Amount spent on public defense	\$591,958
Amount spent per capita	\$13.80

Adult Felony

Adult Superior Court criminal cases filed	215
Adult Superior Court criminal cases per 1,000 population	5.0
Number of cases assigned to counsel	Unknown

Adult Misdemeanor – County District Court

County misdemeanor cases filed	860
Number of cases assigned to counsel	Unknown

Juvenile Offender

Juvenile offender cases filed	61
Juvenile offender cases per 1,000 population	1.4
Number of cases assigned to counsel	Unknown

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Ferry County

2018 Population	7,649
Percent below poverty level 2014-2018	18.8%
2014-2018 estimated median household income	\$41,924
RCW 10.101 distribution for use in 2019	\$15,607

Administration of Public Defense Services: Ferry County contracts with one law firm to provide primary public defense representation. For conflict cases the court appoints counsel from a list of private attorneys and pays them on an hourly basis.

Ferry County has adopted local public defense standards (Resolution 2016-22) which incorporate a case weighting policy. The resolution requires all contract public defense attorneys to participate in annual training relating to indigent defense.

2018 Statistics

Amount spent on public defense	\$198,907
Amount spent per capita	\$26.00

Adult Felony

Adult Superior Court criminal cases filed	68
Adult Superior Court criminal cases per 1,000 population	8.9
Number of cases assigned to counsel	63

Adult Misdemeanor – County District Court

County misdemeanor cases filed	187
Number of cases assigned to counsel (includes the Municipalities of Republic, Curlaw, Inchelium, Orient, and Keller)	229

Juvenile Offender

Juvenile offender cases filed	19
Juvenile offender cases per 1,000 population	2.5
Number of cases assigned to counsel	19

Use of State Funds: In 2019 Ferry County spent its state funding on representation at preliminary appearance calendars. The county intends to use its state funds in 2020 to continue this improvement.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Franklin County

2018 Population	94,347
Percent below poverty level 2014-2018	15.7%
2014-2018 estimated median household income	\$62,002
RCW 10.101 distribution for use in 2019	\$91,168

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

Web link to program information: www.franklinopd.org/

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

2018 Statistics

Amount spent on public defense	\$1,083,232
Amount spent per capita	\$11.48

Adult Felony

Adult Superior Court criminal cases filed	622
Adult Superior Court criminal cases per 1,000 population	6.6
Number of cases assigned to counsel	747

Adult Misdemeanor – County District Court

County misdemeanor cases filed	986
Number of cases assigned to counsel (including the Municipality of Connell)	330

Juvenile Offender

Juvenile offender cases filed	192
Juvenile offender cases per 1,000 population	2.0
Number of cases assigned to counsel	213

Use of State Funds: In 2019 Franklin County primarily used grant funds for costs relating to investigators and expert witnesses. In 2020 Franklin County plans to continue using funds for these purposes, as well as interpreter services and sustaining increases to attorney compensation.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Garfield County

2018 Population	2,247
Percent below poverty level 2014-2018	11.6%
2014-2018 estimated median household income	\$52,525
RCW 10.101 distribution for use in 2019	\$11,126

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

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

2018 Statistics

Amount spent on public defense	\$52,342
Amount spent per capita	\$23.29

Adult Felony

Adult Superior Court criminal cases filed	22
Adult Superior Court criminal cases per 1,000 population	9.8
Number of cases assigned to counsel	22

Adult Misdemeanor – County District Court

County misdemeanor cases filed	150
Number of cases assigned to counsel	43

Juvenile Offender

Juvenile offender cases filed	3
Juvenile offender cases per 1,000 population	1.3
Number of cases assigned to counsel	2

Use of State Funds: In 2019 Garfield County spent its state funding to sustain increases in attorney compensation and interpreters for attorney-client communications. In 2020 the county plans to continue using grant funds for these purposes, as well as fund investigator and expert services.

See [Appendix A](#) for the data sources and calculation methodologies.
See [Appendix B](#) for glossary of terms.

Grant County

2018 Population	97,331
Percent below poverty level 2014-2018	14.4%
2014-2018 estimated median household income	\$54,982
RCW 10.101 distribution for use in 2019	\$94,944

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

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

2018 Statistics

Amount spent on public defense	\$3,019,399
Amount spent per capita	\$31.02

Adult Felony

Adult Superior Court criminal cases filed	781
Adult Superior Court criminal cases per 1,000 population	8.0
Number of cases assigned to counsel	731

Adult Misdemeanor – County District Court

County misdemeanor cases filed	3,643
Number of cases assigned to counsel	3,102

Juvenile Offender

Juvenile offender cases filed	161
Juvenile offender cases per 1,000 population	1.7
Number of cases assigned to counsel	164

Use of State Funds: In 2019 Grant County spent its state funds on maintaining additional attorneys to lower caseloads; sustaining increases to attorney compensation; representation at preliminary appearance calendars; and investigative and interpreter services. The county plans to use its state funds in 2020 to continue the improvements already implemented.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Grays Harbor County

2018 Population	73,901
Percent below poverty level 2014-2018	15.9%
2014-2018 estimated median household income	\$47,770
RCW 10.101 distribution for use in 2019	\$78,798

Administration of Public Defense Services: In 2019 Grays Harbor County established the Department of Public Defense, a county office to manage public defense services. The Coordinator oversees attorney recruitment and contracting, receives client complaints, identifies and provides training opportunities to local contract defenders, and provides private office space for contract defenders to meet with clients.

Web link to program information: http://www.co.grays-harbor.wa.us/departments/public_defense/index.php

Grays Harbor County adopted local public defense standards per Resolution #2008-160, which was amended by #2014-112 to also include case weighting District Court. The Superior Court has also adopted a case weighting system for juvenile court. All contract public defense attorneys are required to attend approved training on an annual basis.

2018 Statistics

Amount spent on public defense	\$1,346,954
Amount spent per capita	\$18.23

Adult Felony

Adult Superior Court criminal cases filed	708
Adult Superior Court criminal cases per 1,000 population	9.6
Number of cases assigned to counsel	411

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,893
Number of cases assigned to counsel	1,430

Juvenile Offender

Juvenile offender cases filed	109
Juvenile offender cases per 1,000 population	1.5
Number of cases assigned to counsel	93

Use of State Funds: In 2019 Grays Harbor County used state funds for attorney contracts, representation at preliminary appearance calendars, investigator and expert services, and interpreter services for attorney-client communications. In 2020 the county will maintain these improvements, and support the new public defense coordinator position.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Island County

2018 Population	84,460
Percent below poverty level 2014-2018	8.6%
2014-2018 estimated median household income	\$64,809
RCW 10.101 distribution for use in 2019	\$61,118

Administration of Public Defense Services: Island County delivers public defense representation through a contract system. One private law firm provides attorney and in-house investigative services for most criminal defense services. The court appoints conflict counsel from a list of private attorneys.

Island County has adopted a public defense standards ordinance (Ordinance No. 100-09). The Island County Standards for Public Defense Services require attorneys to attend training on an annual basis, and to report non-public defense attorney hours.

2018 Statistics

Amount spent on public defense	\$937,445
Amount spent per capita	\$11.10

Adult Felony

Adult Superior Court criminal cases filed	256
Adult Superior Court criminal cases per 1,000 population	3.0
Number of cases assigned to counsel	146

Adult Misdemeanor – County District Court

County misdemeanor cases filed	918
Number of cases assigned to counsel	232

Juvenile Offender

Juvenile offender cases filed	42
Juvenile offender cases per 1,000 population	0.5
Number of cases assigned to counsel	20

Use of State Funds: In 2019 Island County spent its state funding to continue providing defense counsel at preliminary appearance calendars and investigator services. The county plans to use its state funds in 2020 to sustain these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Jefferson County

2018 Population	31,729
Percent below poverty level 2014-2018	13.3%
2014-2018 estimated median household income	\$54,471
RCW 10.101 distribution for use in 2019	\$34,142

Administration of Public Defense Services: Jefferson County contracts with Jefferson Associated Counsel, a private nonprofit corporation, for primary public defense services. The office director supervises attorneys and is responsible for handling client complaints. Some investigative services are provided by support staff. The court appoints conflict counsel from a list of private attorneys.

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

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

2018 Statistics

Amount spent on public defense	\$742,929
Amount spent per capita	\$23.41

Adult Felony

Adult Superior Court criminal cases filed	246
Adult Superior Court criminal cases per 1,000 population	7.8
Number of cases assigned to counsel	186

Adult Misdemeanor – County District Court

County misdemeanor cases filed	472
Number of cases assigned to counsel (including the City of Port Townsend)	458

Juvenile Offender

Juvenile offender cases filed	20
Juvenile offender cases per 1,000 population	0.6
Number of cases assigned to counsel	16

Use of State Funds: In 2019 Jefferson County spent its state funding to maintain attorney levels that had been established to reduce caseloads, provide an attorney coordinator, and to sustain increases to investigator services. The county plans to continue using its state funds in 2020 to sustain this level of representation.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

King County

2018 Population	2,233,163
Percent below poverty level 2014-2018	9.5%
2014-2018 estimated median household income	\$89,418
RCW 10.101 distribution for use in 2019	\$1,223,094

Administration of Public Defense Services: King County has a county government-based public defense agency with four separate units. Representation for conflict cases is provided through an assigned counsel panel composed of private attorneys who are compensated on an hourly basis.

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

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

2018 Statistics

Amount spent on public defense	\$57,883,749
Amount spent per capita	\$25.92

Adult Felony

Adult Superior Court criminal cases filed	5,989
Adult Superior Court criminal cases per 1,000 population	2.7
Number of cases assigned to counsel	5,631

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,732
Number of cases assigned to counsel	2,814

Juvenile Offender

Juvenile offender cases filed	1,229
Juvenile offender cases per 1,000 population	0.5
Number of cases assigned to counsel	1,286

Use of State Funds: In 2019 King County used state funds to increase the hourly compensation rate for conflict panel attorneys and investigators. In 2020 the county plans to use state funds to continue sustaining these compensation levels.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Kitsap County

2018 Population	269,805
Percent below poverty level 2014-2018	9.7%
2014-2018 estimated median household income	\$71,610
RCW 10.101 distribution for use in 2019	\$229,873

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

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

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

2018 Statistics

Amount spent on public defense	\$3,503,382
Amount spent per capita	\$12.98

Adult Felony

Adult Superior Court criminal cases filed	1,872
Adult Superior Court criminal cases per 1,000 population	6.9
Number of cases assigned to counsel	1,854

Adult Misdemeanor – County District Court

County misdemeanor cases filed	3,583
Number of cases assigned to counsel	1,756

Juvenile Offender

Juvenile offender cases filed	232
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	201

Use of State Funds: In 2019 Kitsap County used state funds to sustain expansion of the county public defense agency, and to provide technology support for staff attorneys. The county plans to continue these improvements in 2020 and use funds to increase attorney compensation.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Kittitas County

2018 Population	47,364
Percent below poverty level 2014-2018	19.0%
2014-2018 estimated median household income	\$55,193
RCW 10.101 distribution for use in 2019	\$46,914

Administration of Public Defense Services: In 2018 Kittitas County Superior Court transitioned from a case-by-case list appointment process to contracting with primary indigent defense attorneys. Lower Kittitas District Court continues to contract with one firm for all indigent defense cases, and conflicts or cases exceeding the firm’s caseload limit are assigned to associated counsel. Upper Kittitas District Court contracts with one attorney for all non-conflict public defense cases. Conflicts are assigned among a group of conflict attorneys.

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

2018 Statistics

Amount spent on public defense	\$830,205
Amount spent per capita	\$17.53

Adult Felony

Adult Superior Court criminal cases filed	390
Adult Superior Court criminal cases per 1,000 population	8.2
Number of cases assigned to counsel	300

Adult Misdemeanor – County District Court

County misdemeanor cases filed	2,191
Number of cases assigned to counsel (including the Municipalities of Ellensburg and Kittitas)	1,645

Juvenile Offender

Juvenile offender cases filed	57
Juvenile offender cases per 1,000 population	1.2
Number of cases assigned to counsel	59

Use of State Funds: In 2019 Kittitas County spent its state funds for representation at preliminary appearance calendars, sustaining increases to attorney compensation, and attorney training. The county plans to use its state funds in 2020 to maintain these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Klickitat County

2018 Population	22,107
Percent below poverty level 2014-2018	15.0%
2014-2018 estimated median household income	\$54,056
RCW 10.101 distribution for use in 2019	\$26,559

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

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

2018 Statistics

Amount spent on public defense	\$340,880
Amount spent per capita	\$15.42

Adult Felony

Adult Superior Court criminal cases filed	111
Adult Superior Court criminal cases per 1,000 population	5.0
Number of cases assigned to counsel	152

Adult Misdemeanor – County District Court

County misdemeanor cases filed	594
Number of cases assigned to counsel	346

Juvenile Offender

Juvenile offender cases filed	20
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	94

Use of State Funds: Klickitat County used its state funds in 2010 to pay for investigator and expert services, and provide interpreters for attorney-client communications. The County plans to use its state funds in 2020 to maintain these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Lewis County

2018 Population	79,604
Percent below poverty level 2014-2018	14.4%
2014-2018 estimated median household income	\$50,216
RCW 10.101 distribution for use in 2019	\$93,871

Administration of Public Defense Services: Lewis County administers public defense services through a 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 in-custody first appearances, screen defendants for indigence, and investigate complaints about public defense services.

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

2018 Statistics

Amount spent on public defense	\$1,942,000
Amount spent per capita	\$24.40

Adult Felony

Adult Superior Court criminal cases filed	1,032
Adult Superior Court criminal cases per 1,000 population	13.0
Number of cases assigned to counsel	955

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,510
Number of cases assigned to counsel	911

Juvenile Offender

Juvenile offender cases filed	190
Juvenile offender cases per 1,000 population	2.4
Number of cases assigned to counsel	211

Use of State Funds: In 2019 Lewis County spent its state funding on a contract attorney to provide representation at preliminary appearances and respond to complaints about public defense counsel. The County plans to use its state funds in 2020 to continue funding this contract positions.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Lincoln County

2018 Population	10,740
Percent below poverty level 2014-2018	12.9%
2014-2018 estimated median household income	\$50,744
RCW 10.101 distribution for use in 2019	\$17,704

Administration of Public Defense Services: Lincoln County contracts with one private attorney for all non-conflict District Court cases and many Superior Court cases. Additional cases are assigned to a group of panel attorneys who are paid on an hourly basis.

Lincoln County has adopted a public defense standards ordinance (07-02). All attorneys providing public defense services are required to participate in regular trainings on criminal defense law, including a minimum of seven hours annually.

2018 Statistics

Amount spent on public defense	\$178,541
Amount spent per capita	\$16.62

Adult Felony

Adult Superior Court criminal cases filed	89
Adult Superior Court criminal cases per 1,000 population	8.3
Number of cases assigned to counsel	93

Adult Misdemeanor – County District Court

County misdemeanor cases filed	572
Number of cases assigned to counsel	286

Juvenile Offender

Juvenile offender cases filed	10
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	9

Use of State Funds: Lincoln County has used and will continue to use the grant funds to help reduce the caseloads and provide better compensation for the attorneys who receive list appointments. Due to the County's rural location, sufficient attorney compensation is necessary to maintain quality representation and ensure attorney availability for all indigent defense assignments.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Mason County

2018 Population	65,507
Percent below poverty level 2014-2018	15.0%
2014-2018 estimated median household income	\$55,726
RCW 10.101 distribution for use in 2019	\$59,576

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

Web link to program information: www.co.mason.wa.us/public-defender/index.php

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

2018 Statistics

Amount spent on public defense	\$910,817
Amount spent per capita	\$13.90

Adult Felony

Adult Superior Court criminal cases filed	384
Adult Superior Court criminal cases per 1,000 population	5.9
Number of cases assigned to counsel	341

Adult Misdemeanor – County District Court

County misdemeanor cases filed	968
Number of cases assigned to counsel	792

Juvenile Offender

Juvenile offender cases filed	48
Juvenile offender cases per 1,000 population	0.7
Number of cases assigned to counsel	58

Use of State Funds: In 2019 state funds were used to increase compensation to contract attorneys and access to investigative services. In 2020 the County will continue to use funds for these purposes, and possibly to also increase staffing at the public defense agency.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Okanogan County

2018 Population	42,132
Percent below poverty level 2014-2018	20.6%
2014-2018 estimated median household income	\$45,808
RCW 10.101 distribution for use in 2019	\$51,886

Administration of Public Defense Services: Okanogan County contracts with one law firm for all public defense services. The contracted firm provides representation on a portion of the cases, and subcontracts with and assigns remaining cases to local private attorneys.

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

2018 Statistics

Amount spent on public defense	\$995,663
Amount spent per capita	\$23.63

Adult Felony

Adult Superior Court criminal cases filed	432
Adult Superior Court criminal cases per 1,000 population	10.3
Number of cases assigned to counsel	348

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,425
Number of cases assigned to counsel (including the Municipalities of Brewster, Coulee Dam, Elmer City, Okanogan, Omak, Oroville, Tonasket, Twisp, and Winthrop)	1,212

Juvenile Offender

Juvenile offender cases filed	113
Juvenile offender cases per 1,000 population	2.7
Number of cases assigned to counsel	106

Use of State Funds: In 2019 Okanogan County spent its state funding to sustain previous increases to investigative and expert services. State funds were also used to sustain additions to contract attorneys, compensation, interpretation, and ensure representation at preliminary appearance calendars. The county plans to use its state funds in 2020 to sustain these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Pacific County

2018 Population	22,036
Percent below poverty level 2014-2018	17.4%
2014-2018 estimated median household income	\$44,846
RCW 10.101 distribution for use in 2019	\$35,434

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

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

2018 Statistics

Amount spent on public defense	\$498,792
Amount spent per capita	\$22.64

Adult Felony

Adult Superior Court criminal cases filed	192
Adult Superior Court criminal cases per 1,000 population	8.7
Number of cases assigned to counsel	253

Adult Misdemeanor – County District Court

County misdemeanor cases filed	658
Number of cases assigned to counsel	331

Juvenile Offender

Juvenile offender cases filed	42
Juvenile offender cases per 1,000 population	1.9
Number of cases assigned to counsel	35

Use of State Funds: In 2019 Pacific County spent its state funding to sustain additions made to attorney levels to reduce public defense caseloads, and additional investigator and expert services. The county plans to use its state funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Pend Oreille County

2018 Population	13,602
Percent below poverty level 2014-2018	15.3%
2014-2018 estimated median household income	\$48,583
RCW 10.101 distribution for use in 2019	\$18,033

Administration of Public Defense Services: Pend Oreille County provides public defense representation through contracts with four private attorneys. Conflict cases are assigned to list-appointed attorneys who are paid at an hourly rate.

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

2018 Statistics

Amount spent on public defense	\$309,876
Amount spent per capita	\$22.78

Adult Felony

Adult Superior Court criminal cases filed	125
Adult Superior Court criminal cases per 1,000 population	9.2
Number of cases assigned to counsel	99

Adult Misdemeanor – County District Court

County misdemeanor cases filed	228
Number of cases (including probation violations) assigned to counsel	425

Juvenile Offender

Juvenile offender cases filed	16
Juvenile offender cases per 1,000 population	1.2
Number of cases assigned to counsel	16

Use of State Funds: In 2019 Pend Oreille County spent its state funding on public defense representation at arraignment calendars and increased attorney compensation. The county plans to use its state funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Pierce County

2018 Population	891,299
Percent below poverty level 2014-2018	11.2%
2014-2018 estimated median household income	\$67,868
RCW 10.101 distribution for use in 2019	\$634,965

Administration of Public Defense Services: Pierce County provides indigent defense through a county agency, the Department of Assigned Counsel (DAC). DAC employees receive salary and benefits at parity with prosecuting attorneys and office staff. 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.

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

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

2018 Statistics

Amount spent on public defense	\$16,488,771
Amount spent per capita	\$18.50

Adult Felony

Adult Superior Court criminal cases filed	5,107
Adult Superior Court criminal cases per 1,000 population	5.7
Number of cases assigned to counsel	4,636

Adult Misdemeanor – County District Court

County misdemeanor cases filed	8,649
Number of cases assigned to counsel	2,977

Juvenile Offender

Juvenile offender cases filed	947
Juvenile offender cases per 1,000 population	1.1
Number of cases assigned to counsel	901

Use of State Funds: In 2019 Pierce County used its state funding to sustain increases to attorney compensation and maintain positions created in 2007 and 2008. The County plans to use its state funds in 2020 to maintain these positions.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

San Juan County

2018 Population	17,128
Percent below poverty level 2014-2018	11.4%
2014-2018 estimated median household income	\$60,711
RCW 10.101 distribution for use in 2019	\$18,417

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

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

2018 Statistics

Amount spent on public defense	\$356,000
Amount spent per capita	\$20.78

Adult Felony

Adult Superior Court criminal cases filed	46
Adult Superior Court criminal cases per 1,000 population	2.7
Number of cases assigned to counsel	40

Adult Misdemeanor – County District Court

County misdemeanor cases filed	245
Number of cases assigned to counsel	196

Juvenile Offender

Juvenile offender cases filed	6
Juvenile offender cases per 1,000 population	0.4
Number of cases assigned to counsel	0

Use of State Funds: In 2019 San Juan County spent its state funding to cover increased expert and investigative services for public defense services. The county plans to use its state funds in 2020 to pay for investigation.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Skagit County

2018 Population	128,206
Percent below poverty level 2014-2018	12.8%
2014-2018 estimated median household income	\$62,865
RCW 10.101 distribution for use in 2019	\$143,437

Administration of Public Defense Services: Skagit County delivers most public defense representation through the Skagit County Public Defender, a county government 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 on a contract basis. Skagit County also contracts with private law firms for conflict cases and a portion of its involuntary commitment cases.

Web link to program information:

www.skagitcounty.net/Departments/PublicDefender/main.htm

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

2018 Statistics

Amount spent on public defense	\$3,901,018
Amount spent per capita	\$30.43

Adult Felony

Adult Superior Court criminal cases filed	1,326
Adult Superior Court criminal cases per 1,000 population	10.3
Number of cases assigned to counsel	1,386

Adult Misdemeanor – County District Court

County misdemeanor cases filed	3,319
Number of cases assigned to counsel	1,873

Juvenile Offender

Juvenile offender cases filed	140
Juvenile offender cases per 1,000 population	1.1
Number of cases assigned to counsel	163

Use of State Funds: In 2019 Skagit County spent its state funding to maintain previous staff increases. The county plans to use its state funds in 2020 to continue these positions.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Skamania County

2018 Population	11,924
Percent below poverty level 2014-2018	13.5%
2014-2018 estimated median household income	\$58,598
RCW 10.101 distribution for use in 2019	\$18,752

Administration of Public Defense Services: Skamania County delivers public defense representation through contracts with three attorneys. When a conflict is identified, counsel is appointed from a list and paid on an hourly basis.

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

2018 Statistics

Amount spent on public defense	\$161,778
Amount spent per capita	\$13.57

Adult Felony

Adult Superior Court criminal cases filed	78
Adult Superior Court criminal cases per 1,000 population	6.5
Number of cases assigned to counsel	65

Adult Misdemeanor – County District Court

County misdemeanor cases filed	314
Number of cases assigned to counsel	163

Juvenile Offender

Juvenile offender cases filed	11
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	12

Use of State Funds: In 2019 Skamania County spent its state funding on investigator services, expert services, interpreter services for attorney-client communications, attorney compensation, and representation at Superior Court preliminary hearings. The county plans to use its state funds in 2020 to sustain these services.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Snohomish County

2018 Population	814,901
Percent below poverty level 2014-2018	8.1%
2014-2018 estimated median household income	\$82,751
RCW 10.101 distribution for use in 2019	\$511,809

Administration of Public Defense Services: Snohomish County provides representation in most adult criminal and juvenile offender cases through a contract with the Snohomish County Public Defender Association (PDA), a private nonprofit corporation. PDA is managed by a director, an assistant director and supervisors who are responsible for attorney supervision and resolution of client complaints. PDA provides investigative services in-house. The county assigns conflict cases to a variety of contract attorneys.

Web link to county information: snohomishcountywa.gov/199/Office-of-Public-Defense

Snohomish County has adopted a public defense standards ordinance ([Title 2 Chapter 2.09](#)) which incorporates, by reference, the Standards for Public Defense Services adopted in 1989 by the Washington Defender Association.

2018 Statistics

Amount spent on public defense	\$9,807,929
Amount spent per capita	\$12.04

Adult Felony

Adult Superior Court criminal cases filed	3,188
Adult Superior Court criminal cases per 1,000 population	3.9
Number of cases assigned to counsel	2,882

Adult Misdemeanor – County District Court

County misdemeanor cases filed	6,585
Number of cases assigned to counsel	2,673

Juvenile Offender

Juvenile offender cases filed	508
Juvenile offender cases per 1,000 population	0.6
Number of cases assigned to counsel	510

Use of State Funds: In 2019 state funds supported an additional investigator and increased attorneys to reduce per-attorney caseloads. In 2020 the County plans to use funds to expand representation in appellate cases from District Court.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Spokane County

2018 Population	514,631
Percent below poverty level 2014-2018	14.4%
2014-2018 estimated median household income	\$54,852
RCW 10.101 distribution for use in 2019	\$521,655

Administration of Public Defense Services: Two county agencies provide primary public defense representation. The Spokane County Public Defender handles most Superior and District court cases, and Counsel for Defense handles the majority of felony conflict cases and juvenile offender cases. Employees are compensated at parity with county prosecutors and staff. Each agency director is responsible for attorney supervision and resolution of client complaints. The Spokane County Public Defender contracts with private attorneys to handle felony cases conflicted from both agencies. Misdemeanor conflicts are handled through an inter-local agreement with the City of Spokane Public Defender.

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

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

2018 Statistics

Amount spent on public defense	\$9,713,201
Amount spent per capita	\$18.87

Adult Felony

Adult Superior Court criminal cases filed	4,905
Adult Superior Court criminal cases per 1,000 population	9.5
Number of cases assigned to counsel	4,757

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,226
Number of cases assigned to counsel	2,901

Juvenile Offender

Juvenile offender cases filed	650
Juvenile offender cases per 1,000 population	1.3
Number of cases assigned to counsel	923

Use of State Funds: State funds are used for four full-time felony attorney positions which help keep all attorneys' caseloads within the limits established by the Supreme Court. The state funds will continue to support these positions in 2020.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Stevens County

2018 Population	45,531
Percent below poverty level 2014-2018	15.6%
2014-2018 estimated median household income	\$49,200
RCW 10.101 distribution for use in 2019	\$50,517

Administration of Public Defense Services: Stevens County provides public defense representation through numerous contracts with private attorneys to represent indigent clients in District, Superior and Juvenile Courts. Conflict cases at all court levels are handled through list appointments. The county uses a case weighting policy adopted in 2018 for purposes of measuring caseloads.

Stevens County has adopted a public defense standards ordinance ([Ordinance No. 2018-03](#)). The Stevens County public defense contractors are required to attend approved annual attorney training.

2018 Statistics

Amount spent on public defense	\$877,751
Amount spent per capita	\$19.28

Adult Felony

Adult Superior Court criminal cases filed	390
Adult Superior Court criminal cases per 1,000 population	8.6
Number of cases assigned to counsel	411

Adult Misdemeanor – County District Court

County misdemeanor cases filed	805
Number of cases assigned to counsel	361

Juvenile Offender

Juvenile offender cases filed	44
Juvenile offender cases per 1,000 population	1.0
Number of cases assigned to counsel	53

Use of State Funds: In 2019 Stevens County spent its state funding on public defense services at preliminary appearance calendars and to sustain reductions to public defense caseloads. The county intends to use its state funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms

Thurston County

2018 Population	286,419
Percent below poverty level 2014-2018	11.0%
2014-2018 estimated median household income	\$69,592
RCW 10.101 distribution for use in 2019	\$255,132

Administration of Public Defense Services: Thurston County provides public defense representation through a county government agency – Thurston County Public Defense (TCPD). TCPD staff are compensated at parity with the county prosecutor’s office. Conflict cases are assigned to contract attorneys. TCPD employs a director, two Senior Defense Attorneys, and one Defense Attorney III to assist in the supervision of staff and resolution of client complaints.

Web link to program information: www.thurstoncountywa.gov/pd

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

2018 Statistics

Amount spent on public defense	\$6,809,158
Amount spent per capita	\$23.77

Adult Felony

Adult Superior Court criminal cases filed	1,996
Adult Superior Court criminal cases per 1,000 population	7.0
Number of cases assigned to counsel	2,183

Adult Misdemeanor – County District Court

County misdemeanor cases filed	3,997
Number of cases assigned to counsel (Including City of Tumwater)	2,537

Juvenile Offender

Juvenile offender cases filed	511
Juvenile offender cases per 1,000 population	1.8
Number of cases assigned to counsel	487

Use of State Funds: In 2019 Thurston County used state funds to maintain caseload reductions and increase the availability of investigative and other expert services. The county will continue using state funds in 2020 to comply with the Supreme Court Standards for Indigent Defense Services, to support attorneys’ requests for experts and investigators, represent indigent clients at all critical legal stages, and fund interpreter services for attorney-client communications.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Wahkiakum County

2018 Population	4,426
Percent below poverty level 2014-2018	7.8%
2014-2018 estimated median household income	\$54,085
RCW 10.101 distribution for use in 2019	\$12,122

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

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

2018 Statistics

Amount spent on public defense	\$76,252
Amount spent per capita	\$17.23

Adult Felony

Adult Superior Court criminal cases filed	16
Adult Superior Court criminal cases per 1,000 population	3.6
Number of cases assigned to counsel	13

Adult Misdemeanor – County District Court

County misdemeanor cases filed	119
Number of cases assigned to counsel	75

Juvenile Offender

Juvenile offender cases filed	4
Juvenile offender cases per 1,000 population	0.9
Number of cases assigned to counsel	5

Use of State Funds: In 2019 Wahkiakum County used state funds to maintain reductions to attorney caseloads, provide representation at some preliminary appearance calendars and pay for interpreter services for attorney-client communications. The county plans to use its state funds in 2020 for the same purposes.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Walla Walla County

2018 Population	60,922
Percent below poverty level 2014-2018	13.8%
2014-2018 estimated median household income	\$56,533
RCW 10.101 distribution for use in 2019	\$59,393

Administration of Public Defense Services: Walla Walla County delivers public defense representation through a contract system. Private attorneys contract with the county to provide representation to indigent clients in felony, misdemeanor, and juvenile cases.

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

2018 Statistics

Amount spent on public defense	\$870,786
Amount spent per capita	\$14.29

Adult Felony

Adult Superior Court criminal cases filed	386
Adult Superior Court criminal cases per 1,000 population	6.3
Number of cases assigned to counsel	449

Adult Misdemeanor – County District Court

County and City of Walla Walla misdemeanor cases filed	1,689
Number of county cases assigned to counsel	320

Juvenile Offender

Juvenile offender cases filed	74
Juvenile offender cases per 1,000 population	1.2
Number of cases assigned to counsel	89

Use of State Funds: In 2019 Walla Walla County spent its state funding to sustain increases to public defense attorney compensation, provide public defense services at most preliminary appearance calendars, utilize investigator and expert services, and procure interpreter services for attorney-client interviews and other necessary communications. The county plans to use its state funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Whatcom County

2018 Population	225,685
Percent below poverty level 2014-2018	15.0%
2014-2018 estimated median household income	\$59,285
RCW 10.101 distribution for use in 2019	\$196,141

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

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

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

2018 Statistics

Amount spent on public defense	\$4,230,657
Amount spent per capita	\$18.75

Adult Felony

Adult Superior Court criminal cases filed	1,686
Adult Superior Court criminal cases per 1,000 population	7.5
Number of cases assigned to counsel	1,588

Adult Misdemeanor – County District Court

County misdemeanor cases filed	3,388
Number of cases assigned to counsel	1,718

Juvenile Offender

Juvenile offender cases filed	244
Juvenile offender cases per 1,000 population	1.1
Number of cases assigned to counsel	304

Use of State Funds: Since inception of the state funding program, Whatcom County has spent its allocation on two deputy public defense attorney positions, and plans to continue doing so in 2020.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Whitman County

2018 Population	49,791
Percent below poverty level 2014-2018	26.8%
2014-2018 estimated median household income	\$42,163
RCW 10.101 distribution for use in 2019	\$44,516

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

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

2018 Statistics

Amount spent on public defense	\$334,342
Amount spent per capita	\$6.71

Adult Felony

Adult Superior Court criminal cases filed	227
Adult Superior Court criminal cases per 1,000 population	4.6
Number of cases assigned to counsel	152

Adult Misdemeanor – County District Court

County misdemeanor cases filed	1,144
Number of cases assigned to counsel	431

Juvenile Offender

Juvenile offender cases filed	34
Juvenile offender cases per 1,000 population	0.7
Number of cases assigned to counsel	63

Use of State Funds: In 2019 Whitman County spent its state funding to sustain increases to public defense attorney compensation. The county plans to use its state funds in 2020 to maintain this improvement.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

Yakima County

2018 Population	251,446
Percent below poverty level 2014-2018	18.2%
2014-2018 estimated median household income	\$49,871
RCW 10.101 distribution for use in 2019	\$260,079

Administration of Public Defense Services: Yakima County delivers public defense services through the Yakima County Department of Assigned Counsel (DAC), a county government agency. The director and senior staff attorneys supervise staff attorneys and resolve client complaints. Staff are compensated at parity with the county prosecutor's office. DAC also administers attorney contracts and assigned counsel panels for overflow and conflict coverage. Staff and contract counsel access investigative services through in-house and contract investigators. Interpreters are available through an approved list of providers managed by DAC.

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

Yakima County has adopted a public defense standards ordinance ([Ordinance 10-2007](#)). The Yakima County DAC requires attorneys to annually attend public defense training.

2018 Statistics

Amount spent on public defense	\$5,127,697
Amount spent per capita	\$20.39

Adult Felony

Adult Superior Court criminal cases filed	2,125
Adult Superior Court criminal cases per 1,000 population	8.5
Number of cases assigned to counsel	2,064

Adult Misdemeanor – County District Court

County misdemeanor cases filed	4,035
Number of cases assigned to counsel	1,673

Juvenile Offender

Juvenile offender cases filed	512
Juvenile offender cases per 1,000 population	2.0
Number of cases assigned to counsel	582

Use of State Funds: In 2019 Yakima County used state funds to maintain reductions to attorney caseloads, increase compensation, and provide counsel at first appearance hearings. The county plans to use its state funds in 2020 to continue these improvements.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

VI. Municipal Public Defense Services

Municipalities are charged with delivering public defense services and ensuring that indigent defendants receive constitutionally sufficient representation. Like counties, the cities have different structural approaches towards public defense administration. Most cities tend to fall into three general categories:

- **Contracts with county public defense agencies:** Many cities statewide contract with county public defense agencies to provide representation on municipal cases. This is particularly common where cities also contract with the local county for District Court services.
- **Internal public defense agencies:** A small number of cities have internal public defense departments with staff attorneys and support staff to represent the majority of public defense clients. Overflow and conflict cases are assigned to conflict counsel.
- **Public Defense Contract Administrators:** A few cities hire or contract with experienced defense attorneys to manage and oversee their contract public defense systems. These administrators carry out functions such as attorney recruitment, contracting, training, monitoring, responding to client complaints, handling investigative and expert requests, and coordinating with local court and city departments.
- **Contract and assigned counsel systems:** Many cities procure defense services from solo practitioners and law firms either through written contracts, or via list appointment with set fee schedules. Public defense administration and management functions are absorbed by city employees such as city managers, finance directors, human resource managers, and court administrators.



In recent years many cities have taken steps to improve local public defense services and, in particular, increase oversight of the quality of representation. In response to the 2013 decision issued in [Wilbur, et. al., v. City of Mouny Vernon, et. al, No. C11-1100RSL \(W.D. Wash.\)](#), cities often require contract public defense attorneys to submit monthly or quarterly reports reflecting various case-related activities and case outcomes. Case-related activities include but are not limited to motion practice, trials,

use of experts and investigators, case outcomes, and amount of time spent on various tasks. These reports help to identify whether attorneys are taking active steps to investigate and challenge cases, and develop representational relationships with their clients.

Every other year cities are invited to apply for competitive grant funds available from OPD under [RCW 10.101.080](#). Grant funds are used for funding improvements or expansions to local public defense services. Examples of uses of grant funds include:

- Additional expert services such as investigators, social workers, interpreters, or expert witnesses;
- Creating a public defense office;
- Quality-control monitoring;
- Increased attorney compensation;
- Provision of public defense representation at first appearance calendars;
- Additional attorneys;
- Evaluation of defendants for sentencing options; and/or
- Attorney training.

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

In recent years a growing number of cities have applied for and received grant funds for adding social services into public defense representation. Social workers or social service specialists work collaboratively with the legal public defense team to identify, mitigate, and address challenges faced by clients. Examples of duties include:



- Proactively connect with clients on both in- and out-of custody court calendars;
- Identify and investigate community social services such as housing, employment, benefits, and treatment;
- Create release plans for in-custody defendants;
- Help clients re-engage with treatment if they were unsuccessful;
- De-escalate defendants in crisis in court;
- Connect clients with mental health resources;
- Find in-patient treatment bed dates;
- Be a liaison between the attorney and defendants' case managers; and

- At the request and direction of public defense counsel, occasionally provide information to the court regarding clients' release plans, treatment, or other social services

In 2019 OPD provided public defense improvement grants exceeding \$1 million to 32 cities, including a two-city collaboration. The following pages provide summaries of public defense data in those cities such as expenditures and appointments, general descriptions of their public defense services, and steps taken in compliance with the funding requirements set forth in [Chapter 10.101 RCW](#). The data reported by the Cities on these pages was reported in 2018, and therefore reflect expenses and case counts in calendar year 2017. [Appendix A](#) and [Appendix B](#) provide details on the data sources, terminology, and methodology used for the City Reports.

City of Aberdeen

2017 Population	16,281
Percent below poverty level 2014-2018	23.1%
2014-2018 estimated median household income	\$40,948
Competitive Grant awarded for use in 2019	\$25,000

2017 Statistics

Amount spent on public defense	\$225,000
Amount spent per capita	\$13.82
City misdemeanor cases filed	1,393
Total misdemeanors per 1,000 population	85.6
Number of cases assigned to counsel	700

Administration of Public Defense Services: The City of Aberdeen delivers public defense services through a contract system. The city contracts with one primary firm which provides representation on all non-conflict public defense cases. The remaining cases are assigned to local private attorneys who are paid on a per-case basis. The city has adopted local public defense standards (Resolution No. 2015-02), and has adopted a case weighting policy for purposes of calculating attorney caseloads.

Use of State Funds: The City of Aberdeen received its first public defense improvement grant in 2017, and since then funds have been used to provide defense counsel for indigent defendants at noncustodial preliminary appearance calendars.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Airway Heights

2017 Population	8,017
Percent below poverty level 2014-2018	16.5%
2014-2018 estimated median household income	\$50,030

Competitive Grant awarded for use in 2019	\$20,000
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2017 Statistics

Amount spent on public defense	\$50,587
Amount spent per capita	\$6.31
City misdemeanor cases filed	740
Total misdemeanors per 1,000 population	92.3
Number of cases assigned to counsel	403

Administration of Public Defense Services: The City of Airway Heights delivers public defense services through a contract system. Two primary firms represent the majority of indigent defendants. The city also has an interlocal agreement with the Spokane County Public Defender's office to provide services for defendants who appear in-custody in the county District Court on non-city court days.

The City of Airways Heights adopted a public defense ordinance in 2016, [Chapter 2.33](#). The contract for public defense services requires the attorneys to attend seven hours of public defense training annually.

Use of State Funds:

The city used its state grant funds in 2019 to reduce attorney caseloads, increase compensation, provide counsel at arraignments, and fund interpreter services for attorney-client meetings.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Battle Ground

2017 Population	19,439
Percent below poverty level 2014-2018	8.0%
2014-2018 estimated median household income	\$70,774
Competitive Grant awarded for use in 2019	\$15,000

2017 Statistics

Amount spent on public defense	\$119,444
Amount spent per capita	\$6.14
City misdemeanor cases filed	867
Total misdemeanors per 1,000 population	44.6
Number of cases assigned to counsel	479

Administration of Public Defense Services: Public defense representation in the City of Battle Ground is provided through contracts with five attorneys. The city has adopted public defense standards by resolution (Resolution No. 12-06) which incorporates by reference the Washington State Bar Association's Standards for Indigent Defense Services.

Use of State Funds: In 2019 the City of Battle Ground used state funds to sustain increases to contract attorney compensation. This increase has helped the city compete for quality attorneys in light of caseload limits and higher compensation rates payed by nearby jurisdictions. In addition, the city used grant funds to support defense investigatory services and to reimburse the cost of training for public defense attorneys.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Bellingham

2017 Population	85,388
Percent below poverty level 2014-2018	21.8%
2014-2018 estimated median household income	\$50,844
Competitive Grant awarded for use in 2019	\$40,000

2017 Statistics

Amount spent on public defense	\$818,637
Amount spent per capita	\$9.59
City misdemeanor cases filed	2,694
Total misdemeanors per 1,000 population	31.6
Number of cases assigned to counsel	1,981

Administration of Public Defense Services: The City of Bellingham delivers public defense representation through a contract system. The city contracts with one primary law firm, Bellingham Assigned Counsel (BAC), to handle all non-conflict public defense cases. The City of Bellingham has adopted a public defense standards ordinance ([Chapter 2.16.090](#)) which incorporates by reference the Washington State Bar Association’s Standards for Public Defense Services.

Use of State Funds: The city used grant funds to provide public defense services for all first appearance and arraignment calendars. This included pretrial defendants incarcerated in the Yakima County Corrections Center who were sent there prior to arraignment due to lack of local jail space. Funds also supported interpreter services for attorney-client communications in both Bellingham and Yakima.

See [Appendix A](#) for the data sources and calculation methodologies.
See [Appendix B](#) for glossary of terms.

City of Black Diamond

2017 Population	4,378
Percent below poverty level 2014-2018	7.9%
2014-2018 estimated median household income	\$94,650
Competitive Grant awarded for use in 2019	\$4,000

2017 Statistics

Amount spent on public defense	\$30,800
Amount spent per capita	\$7.04
City misdemeanor cases filed	158
Total misdemeanors per 1,000 population	36.1
Number of cases assigned to counsel	70

Administration of Public Defense Services: The City of Black Diamond delivers public defense representation through a contract system. The city contracts with one primary law firm, and conflict cases are assigned to additional attorneys who are compensated on a per-case basis. The City of Black Diamond has adopted a public defense standards ordinance ([Chapter 9.09](#)).

Use of State Funds: The Black Diamond Municipal Court lacked a private meeting area for attorneys to hold confidential conversations with clients. Prior to and following court hearings, attorneys and clients had to hold sensitive conversations within earshot of others in the courtroom. The City used grant funds to construct a private meeting area adjacent to the courtroom designated for public defense attorneys and their clients.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Bremerton

2017 Population	39,584
Percent below poverty level 2014-2018	17.7%
2014-2018 estimated median household income	\$50,311
Competitive Grant awarded for use in 2019	\$16,000

2017 Statistics

Amount spent on public defense	\$303,220
Amount spent per capita	\$7.66
City misdemeanor cases filed	1,342
Total misdemeanors per 1,000 population	33.9
Number of cases assigned to counsel	1,027

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

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

Use of State Funds: In 2019 Bremerton continued to use state funds to sustain a variety of improvements to public defense services. Attorneys are present at all arraignment hearings, increased compensation has helped to reduce attorney turnover, and the city used state funds for investigators, experts, and interpreters for attorney-client communications. In addition, the city reimbursed a public defense attorney's expenses for training.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Cheney

2017 Population	11,735
Percent below poverty level 2014-2018	36.3%
2014-2018 estimated median household income	\$37,386
Competitive Grant awarded for use in 2019	\$15,000

2017 Statistics

Amount spent on public defense	\$34,650
Amount spent per capita	\$2.95
City misdemeanor cases filed	425
Total misdemeanors per 1,000 population	36.2
Number of cases assigned to counsel	370

Administration of Public Defense Services: 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.

The city has adopted an ordinance with local public defense standards ([Chapter 2.33](#)). The city has also adopted a Case Weighting Policy for purposes of weighting public defense caseloads, which was recently updated to be in alignment with state law and local ordinances, and to more accurately track and represent attorney workloads.

Use of State Funds: In 2019 the city used State funds to continue providing a public defender at preliminary appearance calendars. 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. Funds were also used for investigator and expert services.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Fife

2017 Population	9,805
Percent below poverty level 2014-2018	13.4%
2014-2018 estimated median household income	\$61,447
Competitive Grant awarded for use in 2019	\$10,000

2017 Statistics

Amount spent on public defense	\$170,680
Amount spent per capita	\$17.41
City misdemeanor cases filed	1,050
Total misdemeanors per 1,000 population	107.1
Number of cases assigned to counsel	650

Administration of Public Defense Services: The City of Fife delivers public defense services through a contract system. The city contracts with one primary firm which provides representation on most non-conflict public defense cases. The remaining cases are assigned to local private attorneys who are paid on a per-case basis. The city has adopted local public defense standards ([Resolution No. 1629](#)).

Use of State Funds: The City of Fife received its first public defense improvement grant in 2019, and funds were used for a qualitative evaluation on public defense services.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Granger

2017 Population	3,594
Percent below poverty level 2014-2018	24.3%
2014-2018 estimated median household income	\$50,655
Competitive Grant awarded for use in 2019	\$19,000

2017 Statistics

Amount spent on public defense	\$32,308
Amount spent per capita	\$8.99
City misdemeanor cases filed	58
Total misdemeanors per 1,000 population	16.1
Number of cases assigned to counsel	71

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

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

Use of State Funds: Due to its geographic location, the City of Granger has historically experienced difficulties recruiting and retaining attorneys to provide public defense services. In 2019 it continued to use grant funds to sustain increases to attorney compensation in order to provide quality representation to indigent defendants.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Hoquiam

2017 Population	8,416
Percent below poverty level 2014-2018	18.3%
2014-2018 estimated median household income	\$42,250
Competitive Grant awarded for use in 2019	\$25,000

2017 Statistics

Amount spent on public defense	\$125,720
Amount spent per capita	\$14.94
City misdemeanor cases filed	635
Total misdemeanors per 1,000 population	75.5
Number of cases assigned to counsel	507

Administration of Public Defense Services: The City of Hoquiam delivers public defense services through a contract system. The city contracts with two primary attorneys for public defense cases, and one attorney for representation at preliminary appearances. The city has adopted local public defense standards (Resolution No. 2013 - 24)

Use of State Funds: In 2019 the City of Hoquiam used state funds for representation of indigent defendants at preliminary appearance calendars, interpreter services for attorney-client communications, and reimbursement of some training costs for defense counsel. In 2020 the City of Hoquiam plans to continue these improvements, as well as use funds to increase defense attorney compensation and support defense expert witness services.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Kelso

2017 Population	11,864
Percent below poverty level 2014-2018	27.4%
2014-2018 estimated median household income	\$37,450
Competitive Grant awarded for use in 2019	\$70,000

2017 Statistics

Amount spent on public defense	\$160,214
Amount spent per capita	\$13.50
City misdemeanor cases filed	755
Total misdemeanors per 1,000 population	63.6
Number of cases assigned to counsel	705

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

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

Use of State Funds: State funds were used in 2019 to sustain previous increases to the number of attorneys representing indigent defendants, thereby keeping attorneys' caseloads within the limits established by the Washington Supreme Court. In addition, the City of Kelso used grant funds for public defense representation at all in- and out-of-custody preliminary appearance calendars. In 2019 the City of Kelso also received an additional disbursement for participation in the Quality Indigent Defense Program, whereby an experienced defense attorney performed an evaluation on the quality of indigent defense services provided.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Lake Stevens and City of Arlington Partnership

2017 Combined Population	49,906
Average percent below poverty level 2014-2018	7.2%
Average 2014-2018 estimated median household income	\$82,346
Competitive Grant awarded for use in 2019	\$25,000

2017 Statistics

Combined amount spent on public defense	\$370,795
Combined amount spent per capita	\$7.43
Combined city misdemeanor cases filed	Unknown
Total misdemeanors per 1,000 of combined population	Unknown
Combined number of cases assigned to counsel	Unknown

Administration of Public Defense Services, and Use of State Funds: The Cities of Lake Stevens and Arlington have adopted local standards for public defense services (Arlington Resolution No. 2014-017, and Lake Stevens Resolution No. 2014-14). They contract with the same law firm to handle all non-conflict public defense cases, and both cities' cases are heard in Marysville Municipal Court. The firm employs staff attorneys, supervisors, an investigator, and beginning in 2017 with an award of state funds, a social services provider. The cities jointly applied for state funds to expand public defense services by adding a social work component to the defense team. The social services provider assists clients by securing mental, alcohol and drug evaluations, obtaining treatment beds, helping to find housing or safe shelter, and following up with clients to ensure compliance with court-ordered requirements. Grant funds were used in 2019 to continue funding this position.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Lakewood

2017 Population	59,102
Percent below poverty level 2014-2018	17.4%
2014-2018 estimated median household income	\$50,175
Competitive Grant awarded for use in 2019	\$40,000

2017 Statistics

Amount spent on public defense	\$568,197
Amount spent per capita	\$9.61
City misdemeanor cases filed	2,235
Total misdemeanors per 1,000 population	37.8
Number of cases assigned to counsel	1,873

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

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

Use of State Funds: The City of Lakewood used state funds in 2019 to allow the primary public defense attorney team to attend a statewide public defense conference and to expand access to investigative services. Grant funds also supported a part-time social worker who collaborated with the public defense team to connect clients with local services, treatment, and resources.

* The City of Lakewood provides municipal court and public defense services for the Cities of University Place and DuPont, and the Town of Steilacoom. The per capita data is based on a combination of those jurisdictions and the City of Lakewood.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Longview

2017 Population	36,740
Percent below poverty level 2014-2018	20.7%
2014-2018 estimated median household income	\$41,470
Competitive Grant awarded for use in 2019	\$81,500

2017 Statistics

Amount spent on public defense	\$616,418
Amount spent per capita	\$16.78
City misdemeanor cases filed	1,768
Total misdemeanors per 1,000 population	48.1
Number of cases assigned to counsel	1,551

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

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

Use of State Funds: In 2019 state grant funds were spent in a variety of ways to enhance public defense services. Attorneys received reimbursement for costs related to attending public defense trainings, attorneys had increased access to investigators, funds covered costs for obtaining clients' medical records and transcription of officer interviews, and attorney compensation was increased to aid in attorney retention.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Medical Lake

2017 Population	4,923
Percent below poverty level 2014-2018	11.6%
2014-2018 estimated median household income	\$59,596
Competitive Grant awarded for use in 2019	\$2,500

2017 Statistics

Amount spent on public defense	\$12,000
Amount spent per capita	\$2.44
City misdemeanor cases filed	Unknown
Total misdemeanors per 1,000 population	Unknown
Number of cases assigned to counsel	47

Administration of Public Defense Services: The City of Medical Lake contracts with one attorney to handle its primary public defense services, and conflicts are assigned to additional attorneys who are paid on a per-case basis. All Medical Lake cases are heard in Cheney Municipal Court. The City of Medical Lake has adopted Ordinance No. 1054 relating to public defense caseloads

Use of State Funds: In 2019 state grant funds were used to sustain increased compensation for defense counsel. Due to this increase, counsel is present at all preliminary appearance hearings, arraignments, and subsequent hearings. The public defender comes early to meet with clients who are provisionally appointed, meets with incarcerated clients at the jail prior to transport, and meets with clients at Eastern State Hospital prior to hearings and during RCW 10.77 competency and capacity evaluations.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Monroe

2017 Population	18,149
Percent below poverty level 2014-2018	7.7%
2014-2018 estimated median household income	\$79,661
Competitive Grant awarded for use in 2019	\$10,000

2017 Statistics

Amount spent on public defense	\$185,175
Amount spent per capita	\$10.20
City misdemeanor cases filed	475
Total misdemeanors per 1,000 population	26.2
Number of cases assigned to counsel	447

Administration of Public Defense Services: The City of Monroe delivers public defense services through a contract system. The city contracts with one primary firm which provides full-time representation on most public defense cases. The remaining cases are assigned to a second part-time contract attorney, and other attorneys who are paid on a per-case basis. The city has adopted local public defense standards ([Resolution No. 2012/024](#)).

Use of State Funds: The City of Monroe received its first public defense improvement grant in 2019, and funds were used for a qualitative evaluation on public defense services.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Olympia

2017 Population	49,928
Percent below poverty level 2014-2018	16.7%
2014-2018 estimated median household income	\$58,606
Competitive Grant awarded for use in 2019	\$65,000

2017 Statistics

Amount spent on public defense	\$413,587
Amount spent per capita	\$8.28
City misdemeanor cases filed	1,191
Total misdemeanors per 1,000 population	23.9
Number of cases assigned to counsel	1,039

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

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

Use of State Funds: The city used its state grant funds in 2019 in a variety of ways to improve public defense. Similar to previous years, grant funds helped the city increase compensation for contract attorneys, and cover costs associated with attending public defense-related trainings. Additionally the City of Olympia continued to fund a part-time social services worker who works jointly with the contract public defense attorneys to connect clients to services, treatment, and resources.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Pasco

2017 Population	70,607
Percent below poverty level 2014-2018	16.5%
2014-2018 estimated median household income	\$61,662

Competitive Grant awarded for use in 2019	\$20,000
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2017 Statistics

Amount spent on public defense	\$239,845
Amount spent per capita	\$3.40
City misdemeanor cases filed	3,087
Total misdemeanors per 1,000 population	43.7
Number of cases assigned to counsel	965

Administration of Public Defense Services: The City of Pasco contracts with one attorney to coordinate and oversee local public defense services. The city also contracts with additional attorneys who contract on a full-time basis to represent indigent defendants. Conflict cases are assigned to additional attorneys who are paid on a per-case basis.

The City of Pasco has adopted local public defense standards ([Resolution No. 3616](#)). The public defense attorneys are required to attend approved training and report hours billed for non-public defense legal services.

Use of State Funds: The City of Pasco used grant funds in 2019 to pay for costs associated interpreter services, investigation, attorney training, and providing additional attorneys to reduce per-attorney caseloads.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Port Orchard

2017 Population	13,476
Percent below poverty level 2014-2018	14.7%
2014-2018 estimated median household income	\$70,598
Competitive Grant awarded for use in 2019	\$14,000

2017 Statistics

Amount spent on public defense	\$140,985
Amount spent per capita	\$10.46
City misdemeanor cases filed	626
Total misdemeanors per 1,000 population	46.5
Number of cases assigned to counsel	450

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

Use of State Funds: In 2019 the City of Port Orchard used state grant funds to sustain previous grant-funded improvements: additional attorneys to reduce caseloads, and increased compensation. The firm that provides primary public defense representation previously increased attorneys designated for Port Orchard Municipal Court, including additional coverage at preliminary hearings and in-custody hearings. In addition, attorneys who handle conflict cases continue to be paid at a higher hourly rate. This rate increase has helped the city recruit and retain quality attorneys.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Shelton

2017 Population	9,882
Percent below poverty level 2014-2018	25.2%
2014-2018 estimated median household income	\$40,141
Competitive Grant awarded for use in 2019	\$50,000

2017 Statistics

Amount spent on public defense	\$165,849
Amount spent per capita	\$16.78
City misdemeanor cases filed	431
Total misdemeanors per 1,000 population	43.6
Number of cases assigned to counsel	539

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

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

Use of State Funds: The City of Shelton has received state grant funds since 2012. During that time, the city has contracted with a sufficient number of attorneys and increased compensation to ensure that they maintain caseloads consistent with the Supreme Court's Standards for Indigent Defense. In addition, the city compensates attorneys to represent defendants at all in-custody preliminary hearings and arraignments. In 2019 the city also used grant funds to contract with a public defense expert to evaluate the quality of representation provided by contract counsel.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Spokane

2017 Population	212,982
Percent below poverty level 2014-2018	18.3%
2014-2018 estimated median household income	\$47,822
Competitive Grant awarded for use in 2019	\$87,500

2017 Statistics

Amount spent on public defense	\$2,954,031
Amount spent per capita	\$13.87
City misdemeanor cases filed	7,214
Total misdemeanors per 1,000 population	33.9
Number of cases assigned to counsel	7,176

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

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

Use of State Funds: The city has continued to use state grant funds to provide a public defender at daily inmate first appearance hearings and weekly arraignment and bench warrant recall dockets. The city has also used state grant funds to increase investigator services, and reimburse some training costs for staff attorneys.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Spokane Valley

2017 Population	94,424
Percent below poverty level 2014-2018	13.4%
2014-2018 estimated median household income	\$49,510
Competitive Grant awarded for use in 2019	\$20,300

2017 Statistics

Amount spent on public defense	\$697,986
Amount spent per capita	\$7.39
City misdemeanor cases filed	1,489
Total misdemeanors per 1,000 population	15.8
Number of cases assigned to counsel	1,358

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

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

Use of State Funds: In 2019 state grant funds were used to help offset the increased costs for additional misdemeanor attorneys, which were hired to help comply with caseload limits required by the Supreme Court’s Standards for Indigent Defense.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Sunnyside

2017 Population	16,248
Percent below poverty level 2014-2018	24.6%
2014-2018 estimated median household income	\$39,903

Competitive Grant awarded for use in 2019	\$50,000
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2017 Statistics

Amount spent on public defense	\$314,789
Amount spent per capita	\$19.37
City misdemeanor cases filed	964
Total misdemeanors per 1,000 population	59.3
Number of cases assigned to counsel	678

Administration of Public Defense Services: The City of Sunnyside contracts with four attorneys to represent indigent defendants. Counsel is also provided at all in- and out-of-custody first appearance hearings. The city has adopted a public defense standards ordinance ([Chapter 2.42](#)), which requires attorneys to meet training, supervision, monitoring and evaluation standards set by the Washington State Bar Association and the Washington State Defender Association.

Use of State Funds: The City of Sunnyside used state funds to sustain the increase to the number of attorneys representing public defense clients, in order to ensure compliance with mandatory caseload limits. Funds were also used to provide interpreter services for attorney-client communications, and to provide representation at all preliminary appearance calendars.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Tacoma

2017 Population	207,280
Percent below poverty level 2014-2018	15.9%
2014-2018 estimated median household income	\$58,617
Competitive Grant awarded for use in 2019	\$48,700

2017 Statistics

Amount spent on public defense	\$1,989,299
Amount spent per capita	\$9.60
City misdemeanor cases filed	3,078
Total misdemeanors per 1,000 population	14.8
Number of cases assigned to counsel	1,875

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

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

Use of State Funds: During 2019 the city used its state grant funds to help fund staff salaries and benefits for providing indigent defense representation at preliminary appearance calendars in Tacoma Municipal Court.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Tukwila

2017 Population	20,025
Percent below poverty level 2014-2018	19.1%
2014-2018 estimated median household income	\$57,215
Competitive Grant awarded for use in 2019	\$37,000

2017 Statistics

Amount spent on public defense	\$451,588
Amount spent per capita	\$22.55
City misdemeanor cases filed	1,075
Total misdemeanors per 1,000 population	53.7
Number of cases assigned to counsel	815

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

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

Use of State Funds: In 2019 the city used its state grant funds for investigation services, interpreters for attorney-client communications, increased compensation for conflict counsel, and case management services to assist defendants in connecting with social services resources and treatment.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Union Gap

2017 Population	6,152
Percent below poverty level 2014-2018	27.0%
2014-2018 estimated median household income	\$38,957
Competitive Grant awarded for use in 2019	\$40,000

2017 Statistics

Amount spent on public defense	\$171,605
Amount spent per capita	\$27.89
City misdemeanor cases filed	837
Total misdemeanors per 1,000 population	136.1
Number of cases assigned to counsel	882

Administration of Public Defense Services: The City of Union Gap delivers primary public defense representation services through one full-time contract attorney and several part-time contract attorneys. The City of Union Gap has adopted public defense standards by resolution (Resolution No. 14-37) which incorporates by reference the Washington State Bar Association's Standards for Indigent Defense Services, and the decision of *Wilbur v. Mt. Vernon*.

Use of State Funds: Union Gap used state funds in 2019 to sustain increases to the number of contract public defense attorneys and to increase attorney compensation, both of which have contributed to lowering attorneys' caseloads.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Vancouver

2017 Population	171,393
Percent below poverty level 2014-2018	12.5%
2014-2018 estimated median household income	\$58,865
Competitive Grant awarded for use in 2019	\$52,000

2017 Statistics

Amount spent on public defense	\$1,219,432
Amount spent per capita	\$7.11
City misdemeanor cases filed	3,765
Total misdemeanors per 1,000 population	22.0
Number of cases assigned to counsel	2,665

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

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

Use of State Funds: The City of Vancouver increased its public defense budget in 2015 by 79.4% to ensure that public defense attorney caseloads are within the limits set by the Supreme Court's Standards for Indigent Defense, and that public defense attorneys are compensated at levels closer to the prosecuting attorneys. In 20019 the city used its state grant funds for .5 of an FTE at the primary public defense firm, and to offset some costs relating to attorney training.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Westport

2017 Population	2,057
Percent below poverty level 2014-2018	23.9%
2014-2018 estimated median household income	\$40,663
Competitive Grant awarded for use in 2019	\$3,500

2017 Statistics

Amount spent on public defense	\$19,111
Amount spent per capita	\$9.29
City misdemeanor cases filed	260
Total misdemeanors per 1,000 population	126.4
Number of cases assigned to counsel	127

Administration of Public Defense Services: The City of Westport delivers public defense services through a contract system. One attorney is on contract to represent all non-conflict indigent defendants. The city has a public defense services resolution which incorporates, by reference, the Washington State Bar Association’s Standards for Indigent Defense Services, and the decision in *Wilbur, et al v. Mt. Vernon* (Resolution No. 850).

Use of State Funds: State grant funds were used in 2019 to sustain previous increases to attorney compensation and fund interpreter services for attorney-client meetings.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Yakima

2017 Population	93,182
Percent below poverty level 2014-2018	19.9%
2014-2018 estimated median household income	\$44,266
Competitive Grant awarded for use in 2019	\$88,500

2017 Statistics

Amount spent on public defense	\$1,030,959
Amount spent per capita	\$11.06
City misdemeanor cases filed	3,182
Total misdemeanors per 1,000 population	34.1
Number of cases assigned to counsel	1,529

Administration of Public Defense Services: The City of Yakima delivers public defense representation through a contract system. The city contracts with two multi-attorney law firms to represent the majority of public defense clients. An additional law firm provides representation at an hourly rate for conflict cases. The City of Yakima has adopted a public defense standards ordinance ([Chapter 1.64](#)). Contracted attorneys are required to attend approved annual training and report their non-public defense attorney hours.

Use of State Funds: In 2019 the city used state grant funds to maintain previous increases to public defense staffing, to ensure that attorneys' caseloads comply with the limits established by the Supreme Court's Standards for Indigent Defense.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

City of Yelm

2017 Population	8,425
Percent below poverty level 2014-2018	10.1%
2014-2018 estimated median household income	\$65,377
Competitive Grant awarded for use in 2019	\$15,000

2017 Statistics

Amount spent on public defense	\$16,300
Amount spent per capita	\$1.93
City misdemeanor cases filed	702
Total misdemeanors per 1,000 population	83.3
Number of cases assigned to counsel	354

Administration of Public Defense Services: The City of Yelm delivers public defense services through a contract system. One attorney is on contract to represent all non-conflict indigent defendants, and a second attorney handles conflict cases. The city has adopted public defense standards (Ordinance No. 985).

Use of State Funds: State grant funds were used in 2019 to increase attorney compensation, and recruit a second attorney to help reduce per-attorney caseloads.

See [Appendix A](#) for the data sources and calculation methodologies.

See [Appendix B](#) for glossary of terms.

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

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

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

2018 Data in the County Reports: The County Reports present data on funding and caseload levels in each of the thirty-eight counties that participate in the Chapter 10.101 RCW funding program. The data contained in these County Reports reflect the figures reported in the 2019 applications for 2020 funding. Because these applications were submitted in August 2019, the data reflects public defense assignments and expenses in 2018.

2017 Data in the City Reports: The City Reports, on the other hand, reflect public defense data from 2017. The Cities profiled on these pages applied for Chapter 10.101 RCW funds in 2017 in order to receive funds in 2018 and 2019. They submitted grant reports to OPD in July 2018 which reported 2017 data on public defense assignments and expenses.

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

Discrepancies in Data: In comparing case filings with public defense appointments, it is important to keep in mind that these figures are reported from different sources, and may have limitations for purposes of identifying public defense appointment rates. All case filings are based on data contained in the Caseload Reports and reflect cases filed in courts in the stated year. However, public defense attorneys may be appointed to cases that were filed in previous years. Public defense appointments may also apply to situations that do not necessarily reflect new case filings, such as representation of a witness, or representing a client who had been on warrant status for an extended period.

The number of filings in District and Municipal Courts may be overrepresentations of the number of actual cases stemming from the same factual basis due to the courts' case management system. In that system, charges are organized by three categories: DUI, other traffic offenses, and non-traffic offenses. Therefore, cases containing charges from more than one category may be counted as multiple filings.

VIII. Appendix B: Glossary for County/City Reports

COUNTY PROFILE

2018 population: Total county population as reported in the Washington State Office of Financial Management April 1, 2019--[Population of Cities, Towns, and Counties publication](#).

Percent below poverty level: Percent of individuals in the county population below the federal poverty level as reported by the [U.S. Census Bureau – American Community Survey, Table DP03, 2018: ACS 5-Year Estimates Data Profiles](#).

Median household income: Median household income as reported by the [U.S. Census Bureau – American Community Survey, Table DP03, 2018: ACS 5-Year Estimates Data Profiles](#).

2019 Chapter 10.101 RCW distribution: The county's allocation of the Chapter 10.101 RCW funds appropriation as determined by the distribution formula contained in [RCW 10.101.070](#).

I. 2018 Statistics

1. Amount spent for public defense: The county-reported total dollar amount spent for public defense representation during 2018 in annual applications submitted to OPD for state funds. In jurisdictions where counties also provide public defense services for municipal cases, municipal costs were subtracted (if municipal amounts were reported to OPD).
2. Amount spent per capita: The county-reported total dollar amount spent for public defense representation divided by the total county population. **Caution:** The amount spent per capita is not directly comparable county to county. This per capita amount is influenced by a number of variables including geography, the number of cases filed, the number of major cases filed, local attorney availability, the county's poverty rate, and case filing rates.

II. Adult Felony

1. Adult Superior Court cases filed: For King County the number of criminal cases as reported by the [King County Superior Court 2018 Annual Statistical Report](#). For all other counties, the number of new adult felony cases filed during 2018 as reported in the [Superior Court 2018 Annual Caseload Report](#). The number of filings does not include appeals from lower courts and non-charges.
2. Adult Superior Court cases per 1,000 population: The number of new adult Superior Court cases filed divided by the county population as expressed in thousands.
3. Number of new cases assigned to counsel: The county-reported number of new adult Superior Court cases assigned to public defense counsel during 2018 as reported by counties in their Chapter 10.101 RCW grant applications.

III. Adult Misdemeanor

1. County misdemeanor cases filed: The number of new (non-probation violation) District Court cases filed during 2018 as reported in the [Courts of Limited Jurisdiction 2018 Annual Caseload Report](#). The total listed is the sum of DUI, Other Traffic, and Non-Traffic misdemeanor filings. In some jurisdictions, this figure is a combination of both county and municipal court filings.
2. Number of cases assigned to counsel by county: The county-reported number of new adult District Court cases assigned to public defense counsel during 2016 as reported by counties in their Chapter 10.101 RCW grant applications. In some jurisdictions, this includes a combination of county and municipal cases.

IV. Juvenile Offender

1. Juvenile offender cases filed: For King County the number of juvenile offender cases as reported by the [King County Superior Court 2018 Annual Statistical Report](#). For all other counties the number of new juvenile offender cases filed during 2018 as reported in the [Superior Court 2018 Annual Caseload Report](#). The number of filings does not include non-charges.
2. Juvenile offender cases per 1,000 population: The total number of new juvenile offender cases filed during 2018 divided by the county population as expressed in thousands.
3. Number of cases assigned to counsel: The county-reported number of new juvenile offender cases assigned to public defense counsel during 2018.

CITY PROFILE

2017 population: Total city population as reported in the Washington State Office of Financial Management April 1, 2019 - [Population of Cities, Towns, and Counties publication](#).

Percent below poverty level: Percent of city population below the federal poverty level as reported by the [U.S. Census Bureau – American Community Survey, Table DP03, 2018: ACS 5-Year Estimates Data Profiles](#).

Median household income: Median household income as reported by the [U.S. Census Bureau – American Community Survey, Table DP03, 2018: ACS 5-Year Estimates Data Profiles](#).

2019 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 cities received distributions in January 2019, and were used during calendar year 2019.

I. 2017 Statistics

1. Amount spent for public defense: The city-reported total dollar amount spent for public defense representation during 2017, 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.
3. City misdemeanor cases filed: The number of new (non-probation violation) Municipal Court cases filed during 2017 as reported in [Courts of Limited Jurisdiction 2017 Annual Caseload Report](#).
4. Total city misdemeanor cases per 1,000 population: The total number of new misdemeanor cases filed during 2017 divided by the city population as expressed in thousands.
5. Number of cases assigned to counsel by city: The city-reported number of new Municipal Court cases assigned to public defense counsel during 2017.