

Discussion of Public Defense Caseload Limits and Case Weighting

John Norris
Assistant City Manager
July 14, 2014



Indigent Defense Standards

- In June of 2012, the Washington State Supreme Court adopted new Standards for Indigent Defense
- Standards include:
 - Guidelines for caseload limits (effective Jan 1, 2015)
 - Case weighting policy



Caseload Limits

- 300 misdemeanor cases per attorney per year if the jurisdiction has adopted a case weighting policy
- 400 misdemeanor cases per attorney per year if the jurisdiction has not adopted a case weighting policy

Case Weighting Policy

- If a City wants to weight public defense cases, should adopt and publish written policies and procedures to implement a case-weighting system
- Cases can be weighted upward and downward; examples:
 - Domestic Violence (weighted upward)
 - Driving While License Suspended in the 3rd Degree (weighted downward)
- OPD created model policy for case weighting

Shoreline Cases/Weighted Cases

Year	Charges	Cases	Weighted Cases
2011	1016	885	701
2012	924	803	623
2013	813	711	553
Three Year Average	918	800	626

Attorney Resources Needed

	Weighted Cases	Un-weighted Cases
Standard Cases - 3 Year Average	626	800
First Appearance Cases	13	17
Arraignment Cases	35	46
Total Caseload	674	863
Attorney Caseload Limit	300	400
Attorney Resources Needed	2.25	2.16

Next Steps

- Public Defense RFP
 - Will include caseload limits
 - Public Defender at arraignment would be RFP add-on service
- Explore expansion of SCORE jail video court for substantive court hearings; would require primary public defender operating out of SCORE jail

Staff Recommendation

- Staff recommends that the City not weight misdemeanor cases and therefore not adopt and publish written policies and procedures to implement a numerical case-weighting system to count cases.