

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE STANDARDS)
FOR INDIGENT DEFENSE IMPLEMENTATION)
OF CrR 3.1(d), JuCR 9.2(d) and CrRLJ 3.1(d))
_____)

ORDER

No. 25700-A- 1016

WHEREAS, the Office of Public Defense submitted a report to the Washington Supreme Court on implementation of Standards for Indigent Defense pursuant to Order No. 1013; and

WHEREAS, the Office of Public Defense has reported that many local jurisdictions plan to adopt a case-weighting policy for purposes of calculating misdemeanor case loads as identified in Standards 3.4, 3.5, and 3.6, and further, that during the report's preparation, jurisdictions said they are looking to the State to develop a model case-weighting policy;

WHEREAS, the generally accepted approach to properly develop a case-weighting policy includes conducting a time study to calculate the amount of time required for constitutionally effective representation for criminal defense cases; and

Now, therefore, it is hereby

ORDERED:

That the director of the Washington State Office of Public Defense, a judicial branch agency, conduct a statewide attorney time study which includes, among other information, time records of public defense attorneys from various jurisdictions who wish to participate on a volunteer basis; the director shall also develop a model misdemeanor case-weighting policy consistent with CrRLJ 3.1 and the Standards for Indigent Defense adopted by this Court. Recognizing the unique challenges associated with conducting a statewide time study in a state

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WASHINGTON
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RONALD M. CABERNIER
CLERK

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where misdemeanor public defense attorneys are decentralized, the time study and model policy should, to the extent practicable, allow for reasonable adjustments based on local factors.

IT IS FURTHER ORDERED:

That implementation of the misdemeanor case load limits set forth in Standard 3.4 of the Standards for Indigent Defense shall be delayed until January 1, 2015.

DATED at Olympia, Washington this 8th day of April, 2013.

For the Court



CHIEF JUSTICE