CITY OF BATTLE GROUND, WASHINGTON
RESOLUTION NO. 25-09

A RESOLUTION ADOPTING WASHINGTON STATE SUPREME COURT ORDER NO. 25700-A-1644 AS IT RELATES TO WASHINGTON STATE BAR ASSOCIATION COUNCIL ON PUBLIC DEFENSE STANDARDS FOR INDIGENT DEFENSE SERVICES

WHEREAS, in October 2023, the Washington State Supreme Court (Court) requested that the Washington State Bar Association (WSBA) Council on Public Defense (CPD) review a National Public Defense Workload Study and provide recommendations; and

WHEREAS, because of that review, CPD proposed comprehensive revisions to WSBA Standards for Indigent Defense Services; and

WHEREAS, the Court, in June 2024, published the proposed WSBA standards for comment and held two public hearings on those proposed Standards on September 25, 2024, and November 13, 2024, as well as conducted three (3) internal work sessions to review all pertinent comments and testimony, and to discuss each proposed Standard; and

WHEREAS, on June 9, 2025, the Court issued Order No. 25700-A-1644, mandating that effective January 1, 2026, the caseload standard for each full-time appointed felony attorney for any 12-month period shall be 47 felony cases; and for each full-time appointed misdemeanor attorney for any 12-month period shall be 120 misdemeanor cases; and for each full-time appointed attorney for a respondent in civil commitment proceedings for any 12-month period shall be 250 commitment cases; and

WHEREAS, the Court's order also stated that implementation of the caseload standards must be accomplished as soon as reasonably possible; and

WHEREAS, pursuant to RCW 3.50, Battle Ground Municipal Court is a limited jurisdiction court authorized to hear misdemeanor crimes and civil infractions committed within its boundaries; and

WHEREAS, pursuant to separate interlocal agreements between the City of Battle Ground and the Cities of La Center and Ridgefield, Battle Ground Municipal Court serves as the limited jurisdiction court for each of those jurisdictions.

NOW, THEREFORE, BE IT RESOVLED BY THE CITY COUNCIL OF THE CITY OF BATTLE GROUND, WASHINGTON, AS FOLLOWS:

Section 1.
The City of Battle Ground, Washington, on behalf of Battle Ground Municipal Court, hereby implements the caseload standards for indigent defense serves mandated by Court Order No. 25700-A-1644, attached hereto as Exhibit A, effective January 1, 2026.

Passed at the regular session of the City of Council of the City of Battle Ground, Washington on this 18th day of August, 2025.

CITY OF BATTLE GROUND, WASHINGTON

Troy McCoy (Aug 19, 2025 20:38:22 PDT)

Troy McCoy
Mayor

ATTEST:

Elizabeth Halili

Elizabeth Halili
City Clerk

APPROVED AS TO FORM:

Kirk Ehlis
Kirk Ehlis (Aug 20, 2025 09:15:06 PDT)

City Attorney

FILED
SUPREME COURT STATE
OF WASHINGTON
JUNE 9, 2025
BY SARAH R. PENDLETON
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE STANDARDS FOR INDIGENT DEFENSE IMPLEMENTATION OF CrR 3.1, CrRLJ 3.1, AND JuCR 9.2

ORDER

NO. 25700-A-1644

The Washington State Supreme Court in October 2023 requested that the Washington State Bar Association ("WSBA") Council on Public Defense ("CPD") review a newly released National Public Defense Workload Study ("The Rand Study") and provide recommendations, if any, to the Court.

As a result of that review, the CPD proposed comprehensive revisions to the WSBA Standards for Indigent Defense Services. The WSBA Board of Governors, after receiving public comments, adopted the proposed revised Standards and forwarded them to the Court with a recommendation that the Court incorporate the WSBA-adopted revised Standards into the Court's Standards in CrR3.1, CrRLJ 3.1, and JuCR 9.2.

The Court, in June 2024, published the WSBA proposed Standards for comment and held two public hearings on those proposed Standards on September 25, 2024 and November 13,

2024. The Court has, to date, held three lengthy internal work sessions to review all of the comments and testimony, and to discuss each proposed Standard.

Although the Court has not completed its full review, the Court is aware that: (1) budget planning is underway in local jurisdictions; (2) it would help that process for planners to know as soon as possible about any revised caseload standards that will be adopted; and (3) the crisis in the provision of indigent criminal defense services throughout our state requires action now to address the crisis and to support quality defense representation at every level. Thus, in advance of a full decision on all parts of the CPD's proposal, we provide this summary communication of the Court's conclusions on caseloads. The reality is that many aspects of indigent criminal defense services vary by structure and location, so the Court is adopting an approach which accommodates that diversity while fostering real and meaningful reductions in caseloads as soon as possible, where necessary.

Now therefore, it is hereby ORDERED:

1. Effective January 1, 2026, the caseload standard for each full-time appointed felony attorney for any 12 month period shall be 47 felony case credits; and for each full-time appointed misdemeanor attorney for any 12 month period shall be 120 misdemeanor case credits; and for each full-time appointed attorney for a respondent in civil commitment proceedings for any 12 month period shall be 250 commitment case credits. Implementation of these caseload standards must be accomplished as soon as reasonably possible. Implementation may, however, be accomplished in a phased approach with an annual reduction of at least 10% of the difference between the current standard and the new standard (as measured on January 1, 2026), until the

new standard has been met. Full compliance must occur no later than ten years from January 1, 2026.

2. The Court declines to adopt the mandatory method of case counting and weighting in the proposed standards. However, we endorse the importance of case weighting to measure case credits and actual case counts, including inherited cases, to make the mandatory caseload limits meaningful. Thus, case weighting to measure case credits is permissible and encouraged. Case weighting should rely on written policies and procedures that have been adopted and published by the local government entity responsible for employing, contracting with, or appointing counsel for indigent defendants and respondents. Such case weighting may use the method in the Rand Study relied upon by the WSBA CPD and the rules for weighting contained in the WSBA's adopted Standards. All policies on case counting and weighing shall, at a minimum, comply with principles in the current court rule Standards 3.5 and 3.6. If no case weighting system is adopted, the maximum caseload count is the actual number of cases referenced above for each case type.

3. There shall be an evaluation of the progress and impact of these caseload standards three years after the effective date of these standards. Implementation shall continue during the evaluation.

4. Rule amendments concerning revised caseload standards will be announced in the near future, once the court's review is complete.

IT IS SO ORDERED, this 9th day of June, 2025.

Stephens, C. J.
CHIEF JUSTICE

Johnson, J.

Yu, J.

Madsen, J.

Montoya-Lewis, J.

González, J.

Whitener, J.

Gordon McCloud, J.

Mungia, J.

Res. No. 25-09 Adopting Public Defense Standards for Indigent Defense Services NEED ATTNY SIG

Final Audit Report 2025-08-20

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