

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 19-327

AMENDING LEWIS COUNTY CODE 2.40.050
STANDARD 3 TO UPDATE CASELOAD LIMITS TO
MATCH WASHINGTON COURT RULES STANDARDS
FOR INDIGENT DEFENSE, PURSUANT TO RCW
10.101.030, AND DIRECTING THE SETTING OF A
PUBLIC HEARING.

WHEREAS, RCW 10.101.030 states counties shall adopt standards for the delivery of public defense services to include caseload limits and types of cases; and

WHEREAS, the Board of County Commissioners adopted and codified Ordinance 1199 under the Lewis County Code 2.40.050 Standard 3 caseload limits and types of cases in 2007; and

WHEREAS, the Washington State Court Rules Standard for Indigent Defense were adopted in 2012 allowing for a greater number of cases in caseload limits; and

WHEREAS, the Board of County Commissioners has recognized it is in the best interest of Lewis County to amend Lewis County Code 2.40.050 Standard 3 to reflect those changes.

NOW THEREFORE BE IT RESOLVED the Board of County Commissioners will hold a public hearing on the proposed amendment to Lewis County Code 2.40.050 Standard 3 on December 9, 2019, at or after 10:00 am at the Lewis County Courthouse, Commissioners' Hearing Room, 351 NW North Street, Chehalis, WA, as set forth in a Legal Notice of Public Hearing, and the Clerk is directed to carry out such notice and publication as is required by law; and

NOW THEREFORE BE IT FURTHER RESOLVED the Board of County Commissioners declares and establishes its intent to ordain as follows in Exhibit A hereto.

DONE IN OPEN SESSION this 18th day of November, 2019.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Eric Eisenberg
By: Eric Eisenberg,
Chief Civil Deputy Prosecuting Attorney

Robert C. Jackson
Robert C. Jackson, Chair

ATTEST:



Gary Stamper
Gary Stamper, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of County
Commissioners

Absent
Edna J. Fund, Commissioner

**NOTICE OF PUBLIC HEARING BEFORE THE
LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS
AND INTENT TO ADOPT**

NOTICE IS HEREBY GIVEN that the **LEWIS COUNTY, WASHINGTON, BOARD OF COUNTY COMMISSIONERS** will hold a public hearing on December 9, 2019, starting at or after 10:00 AM.

The public hearing will consider amendment to Lewis County Code 2.40.050 Standard 3, for the purpose of updating caseload limits to match Washington Court Rules Standards for Indigent Defense, pursuant to RCW 10.101.030.

The public hearing will be at the Lewis County Courthouse, Commissioners' Hearing Room, 351 NW North Street, Chehalis, WA. At the hearing, individuals will be invited to speak and/or provide written statements regarding the proposed changes. All individuals wishing to speak are encouraged to attend. Written comments may be submitted in advance of the hearing to:

Amber Smith, 360.740.1240 or amber.smith@lewiscountywa.gov

The meeting site is barrier free. People needing special assistance or accommodations should contact the Community Development Department 72 hours in advance of the meeting.

Exhibit A

2.40.050 Standard 3 - Caseload limits and types of cases.

The contract shall specify the types of cases for which representation shall be provided and the maximum number of cases which each attorney shall be expected to handle. The caseload of public defense attorneys should allow each lawyer to give each client the time and effort necessary to ensure effective representation. Contract attorneys ~~should~~ shall not accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation.

The caseload of a contract public defender ~~shall~~ should not exceed the following:

- (1) One hundred fifty felonies per attorney per year; or
- (2) ~~Three~~ Four hundred misdemeanors per attorney per year; or
- (3) Two hundred fifty juvenile offender cases per attorney per year; or
- (4) ~~Sixty~~ Eighty open juvenile dependency clients per attorney per year; or
- (5) Two hundred fifty civil commitment cases per attorney per year; or
- (6) ~~Twenty-five~~ Thirty-six appeals to appellate court hearing a case on the record and briefs per attorney per year.

A "case" is defined by the office of the administrator for the courts as a filing of a document with the court naming a person as defendant or respondent.

Caseload limits should be determined by the number and type of cases being accepted and on the prosecutor's charging and plea bargaining practices. Since contract public defenders may also maintain private law practices, the BOCC and the assigning court shall ensure that attorneys not be assigned more cases than they can reasonably discharge. In these situations, the caseload ceiling should be based on the percentage of time the lawyer devotes to public defense. [Ord. 1199, 2007]

BOCC AGENDA ITEM SUMMARY

Resolution: 19-327

BOCC Meeting Date: Nov. 18, 2019

Suggested Wording for Agenda Item:

Agenda Type: Legal Notice

Amending Lewis County Code 2.40.050 Standard 3 to update caseload limits to match Washington Court Rules Standards for Indigent Defense, pursuant to RCW 10.101.030, and directing the setting of a public hearing.

Contact: Amber Caulfield

Phone: 360-740-2750

Department: PAO - Prosecuting Attorney's Office

Description:

An amendment to Lewis County Code 2.40.050 Standard 3 to update caseload limits to match Washington Court Rules Standards for Indigent Defense.

Approvals:

User	Status
PA's Office	Approved

Publication Requirements:

Publications:

The Chronicle: Tuesday November 19, November 26, and December 3, 2019.

Additional Copies

Lewis County Superior Court and Lewis County District Court