

**Associated Counsel for
the Accused**

**Northwest Defender
Association**

**Society of Counsel
Representing
Accused Persons**

**The Defender
Association**

November 29, 2012

For the past 40 years independent nonprofit public defender agencies have represented poor people in King County courts. In 2013, such agencies will represent 30,000 clients.

On Thursday, November 29, the undersigned Executive Directors learned that, as of July 1, 2013, the King County Executive intends to stop contracting with our agencies. Instead, the County Executive proposes -- in some undefined fashion -- to bring the public defense function in-house and convert many of our staff to public employment. The decision to create a County Public defender agency was made without input or analysis from our offices, bar leaders, or community leaders representing our clients.

Among our serious concerns: The County has not calculated the cost to the taxpayers of an in-house defender agency. Such cost is likely to exceed current costs. The County has not defined how it proposes to preserve the hallmark independence of public defense in King County. The County has not determined the terms of employment for employees who have dedicated their lives to the public defense mission. Deciding to move to an in-house defender system without addressing these key questions puts the cart before the horse, and commits the County to a radical change without understanding the impacts of that change.

The July 1 deadline is impossibly short to permit reorganization of counsel for 30,000+ clients; to assess projected additional costs in the 2013 budget and beyond; to ensure that court ordered attorney caseload, supervisory, and support staff standards are met; and to establish systems that guarantee attorney independence from the County and Prosecuting Attorney.

The County Council has often acted to ensure the viability of our public defense system. We hope the Council will require public discussion and careful scrutiny of the risks and benefits of this proposed change, with input from the bar, community leaders and public defenders themselves, before deciding whether to permit the proposed conversion to an in-house system.

s/ Don Madsen, Director ACA

s/ Eileen Farley, Director NDA

s/ Anne Daly, Director SCRAP

s/ Floris Mikkelsen, Director TDA