

WASHINGTON STATE OFFICE OF PUBLIC DEFENSE

“How Lawyers at Arraignment Can
Help the Court While Helping Clients”

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OPD PUBLIC DEFENSE PILOT PROJECT

- 2 Misdemeanor Courts
 - *Thurston District Court*
Bellingham Municipal Court
- 2 Years
- Best Practices, including:
 - *Attorneys at First Appearances*

OPD PILOT PROJECT EVALUATION

BEFORE PILOT

“We [at the court] had to go to some lengths ... to make certain that defendants understood their rights. It was uncomfortable. I had to essentially insert myself into the role of the defense and try to imagine how an attorney would act in a given circumstance to protect the rights of his client.”

Pilot Project Judge

OPD PILOT PROJECT EVALUATION

Judges, Defenders, Prosecutors, & Staff Agreed that Counsel at First Appearance:

- **Preserved the Rights of the Accused**
- **Increased Defendants' Respect for the Court as an Institution**
- **Improved Case Processing and Overall Court Function**

FINDING:

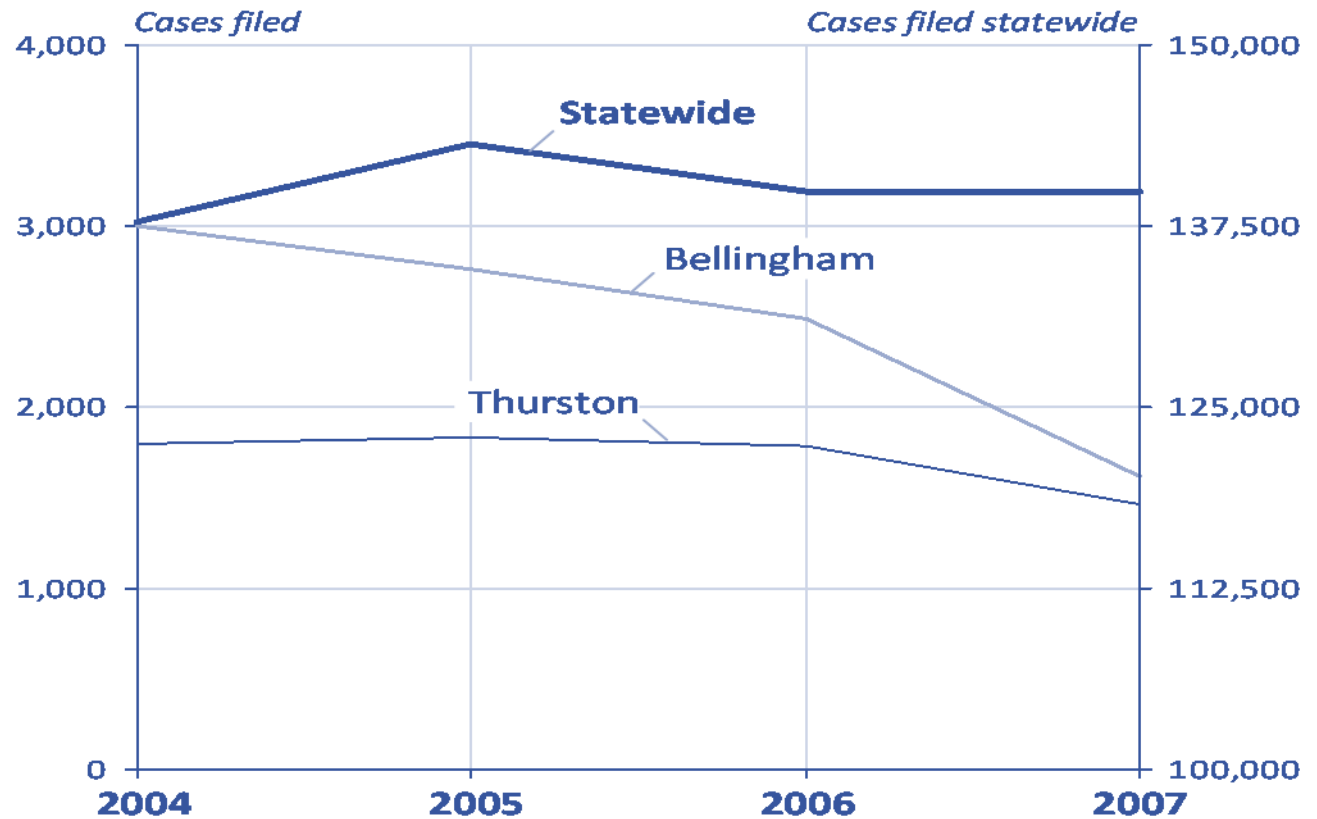
*Attorneys
At First
Appearance
Were A
Positive
Development*

OPD PILOT PROJECT EVALUATION

FINDING:

*A Decrease
in Case
Filings*

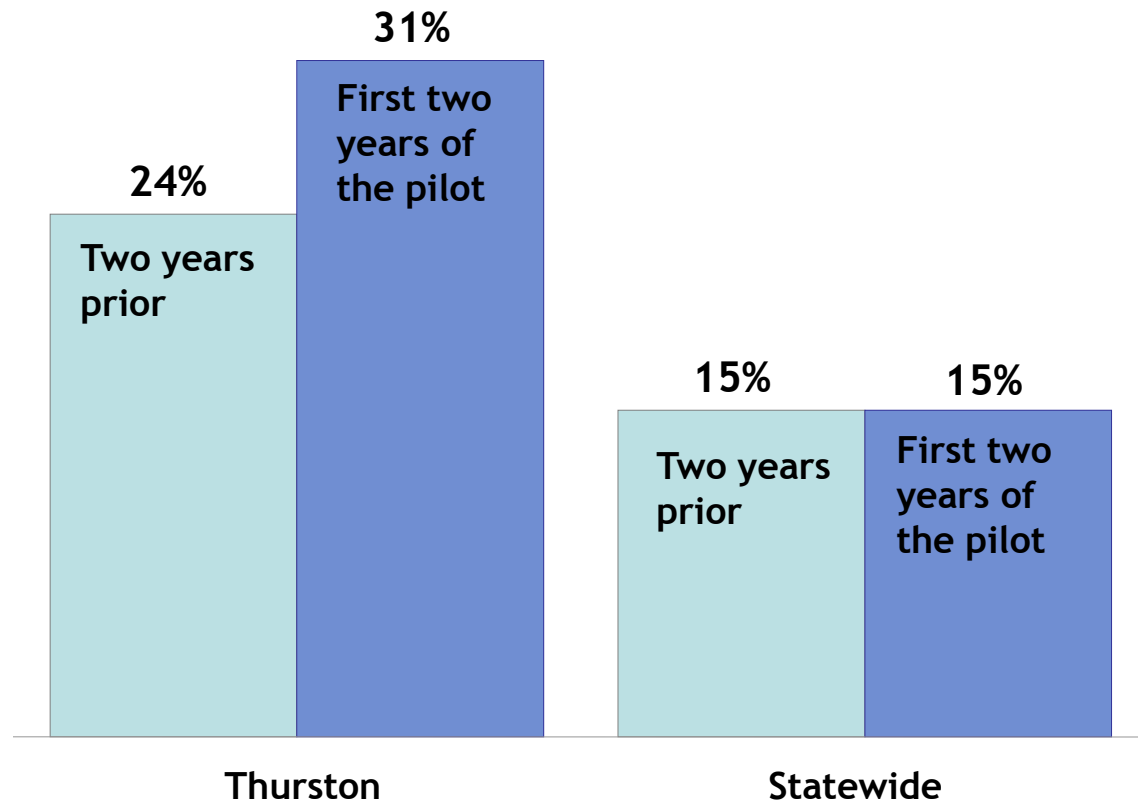
Case Filings for Non-Traffic Misdemeanors
2004 - 2007



OPD PILOT PROJECT EVALUATION

Thurston County District Court

Percent of Cases Resolved with a Deferred Prosecution - Non-Traffic Misdemeanors



FINDING:

*An Increase
in Deferred
Prosecutions*

OPD PILOT PROJECT EVALUATION

2 Years later

**Pilot Courts Are Maintaining Counsel at
First Appearances, Despite Budget cuts**

OPD PUBLIC DEFENSE GRANT PROGRAM

County Grants

38 per year

City Grants

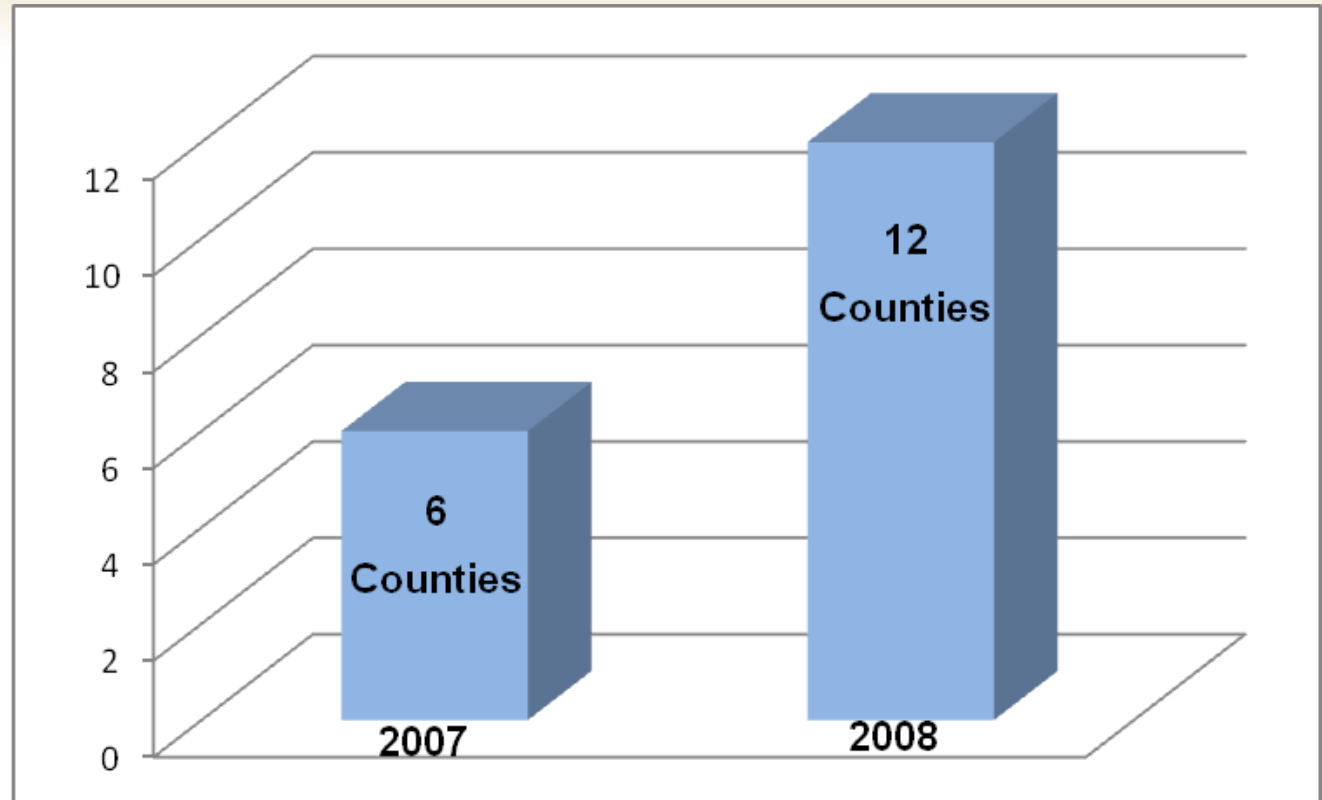
5-18 per year

- Established 2005 - Chapter 10.101 RCW
- \$6 M Per Year to Counties & Cities
- 90% -- All Counties, Based on Formula
- 10% -- Selected Cities
- ***Applicants Must Report Data***

OPD PUBLIC DEFENSE GRANT PROGRAM

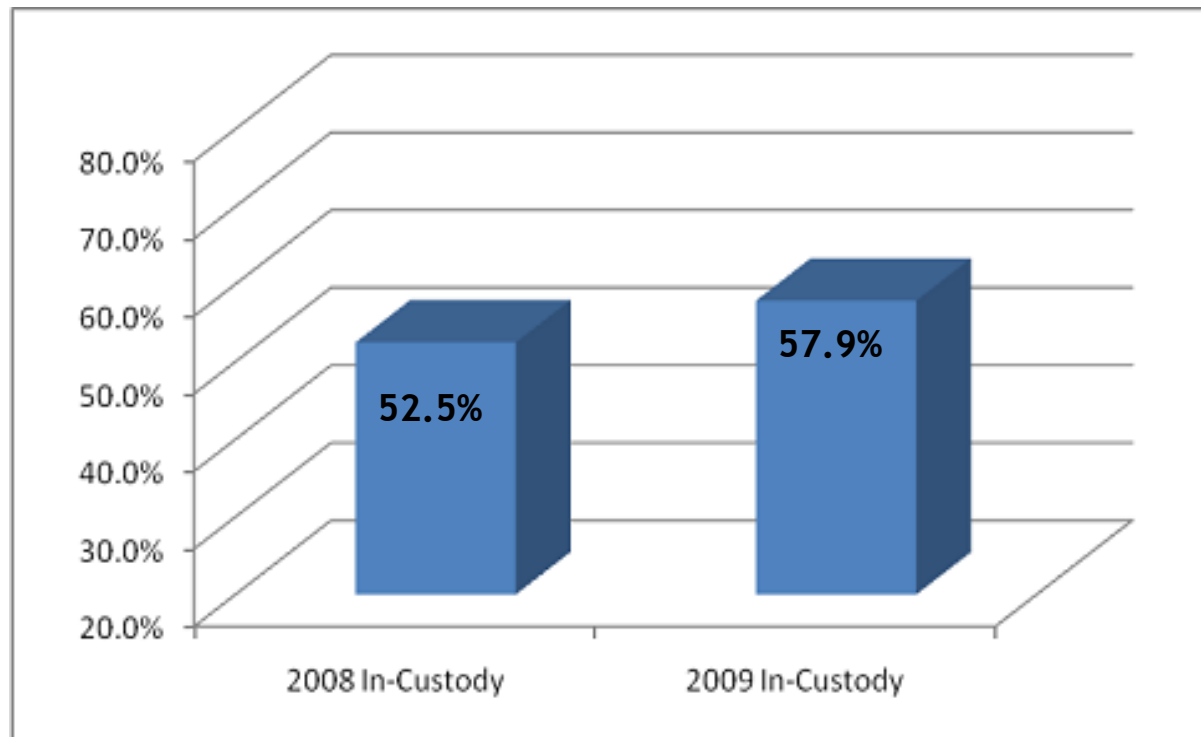
2008 Status Report

*Counties Use
State Grants
to Add
Attorneys at
First
Appearances*



OPD PUBLIC DEFENSE GRANT PROGRAM

Attorneys at First Appearance In District Court (38 Counties Reporting)



OPD PUBLIC DEFENSE GRANT PROGRAM

Status Report

Benefits of Counsel at Misdemeanor First Appearances

- Less Confusion /Chaos in Court
- Fewer Continuances and Warrants
- “Easy” Cases Resolved Quickly
- More Time for Complex Cases
- More Efficient Use of Judicial Time
- Reduced Jail Usage

CONCLUSIONS?

Counsel at First Appearance

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Significant \$avings



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