

BENTON & FRANKLIN COUNTIES OFFICE OF PUBLIC DEFENSE

2015

*Benton County
Operations*

Mid-Year Report

Presented by: Eric Hsu
PUBLIC DEFENSE MANAGER

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What's New in This Report

This Quarterly Report is an Enhanced Report that contains additional information above and beyond that which has been previously reported in past reports. Here are the Highlights.

Juvenile Justice Services

This office now manages public defense services in Benton & Franklin Counties Juvenile Court. Accordingly, a section of this report, and of future reports, will be dedicated to operations in the Juvenile Defense Unit.

Public Defense Improvement Project

Details are provided at the end of this report on this office's Public Defense Improvement Project. A sweeping project intended to continually improve the quality of public defense services in a defined, quantitative fashion.

Reporting of Key Metrics

As further specified in the Public Defense Improvement Project overview, certain Key Metrics, determined to be indicative of the quality of public defense services, will be reported in this and future reports, for all jurisdictions where OPD provides public defense services.

Overview

This is a Quarterly Report of Benton & Franklin Counties Office of Public Defense's Benton County Operations, highlighting key caseload, financial, staffing, legal and other information in an easy to read update.

Benton & Franklin Counties Office of Public Defense ("BFOPD") provides public defense services in all courts and jurisdictions in Benton County.

This report is part of BFOPD's regular Update Series. Other components of the Update Series include:

- Annual Reports and Strategic Plans
- Quarterly Total Operations Reports

These reports can all be found on [BFOPD's website](#).

This report is an **overview only** and does not contain any detailed information. For background details, facts and figures and more information, please contact BFOPD's Public Defense Manager by phone (509) 737-3521 or Email (OPD@co.benton.wa.us). For additional information about BFOPD's operations, please visit our website at BentonFranklinDefense.org.

Please [contact us](#) for more information about topics covered in this report.

Quick Summary

Superior Court Operations

YTD May, 2015 unless otherwise specified

Busy? Here is a quick executive summary giving you key information at a glance.

| Metric | 2015 | 2010-2014 avg | Deviation |
|--------------------------------------|-----------------|------------------|---------------|
| Filings YTD | 631 | 705 | -10.5% |
| Appointments YTD | 492 | 517 | -4.8% |
| % of cases apptd to counsel | 83% | 87.1% | -4.1% |
| Trials Held (YTD June 30) | 10 | 9 (2014 only) | +11.1% |
| | System Capacity | % Capacity Used | % of Year |
| Case Appointments | 1,420 | 34.6% | 41.7% |
| | Biennial Budget | % Budget Used | % of Biennium |
| Combined Financials (YTD July 31) | \$2,302,441 | 22.9% | 29.2% |

Quick Summary

District Court Operations YTD May, 2015

Busy? Here is a quick executive summary giving you key information at a glance.

| Metric | 2015 | 2010-2014 Average | Deviation |
|-----------------------------|-----------------|-------------------|---------------|
| Filings YTD | 2,963 | 3,594 | -17.5% |
| Appointments YTD | 1,902 | 1,772 | +7.3% |
| % of cases apptd to counsel | 64% | 49.3% | +14.7% |
| Trials Held | 15 | 15 2014 only | 0.0% |
| | System Capacity | % Capacity Used | % of Year |
| Case Appointments | 4,700 | 40.4% | 41.7% |
| | Biennial Budget | % Budget Used | % of Biennium |
| Financials (YTD July 31) | \$1,828,258 | 31.8% | 29.2% |

Facts, Figures & Metrics Superior Court

Caseload Trends (Filings)

*Caseload Trends
(Appointments)*

*Caseload Trends
(Homicide cases)*

*Performance Metrics
(Trials held)*

*Performance Metrics
(Jail visits)*

*Performance Metrics
(Requests for funding)*

*Performance Metrics (Key
motions filed)*

*Performance Metrics
(Attorney Complaints)*

*Performance Metrics (% of
cases assigned to counsel)*

Financial Metrics

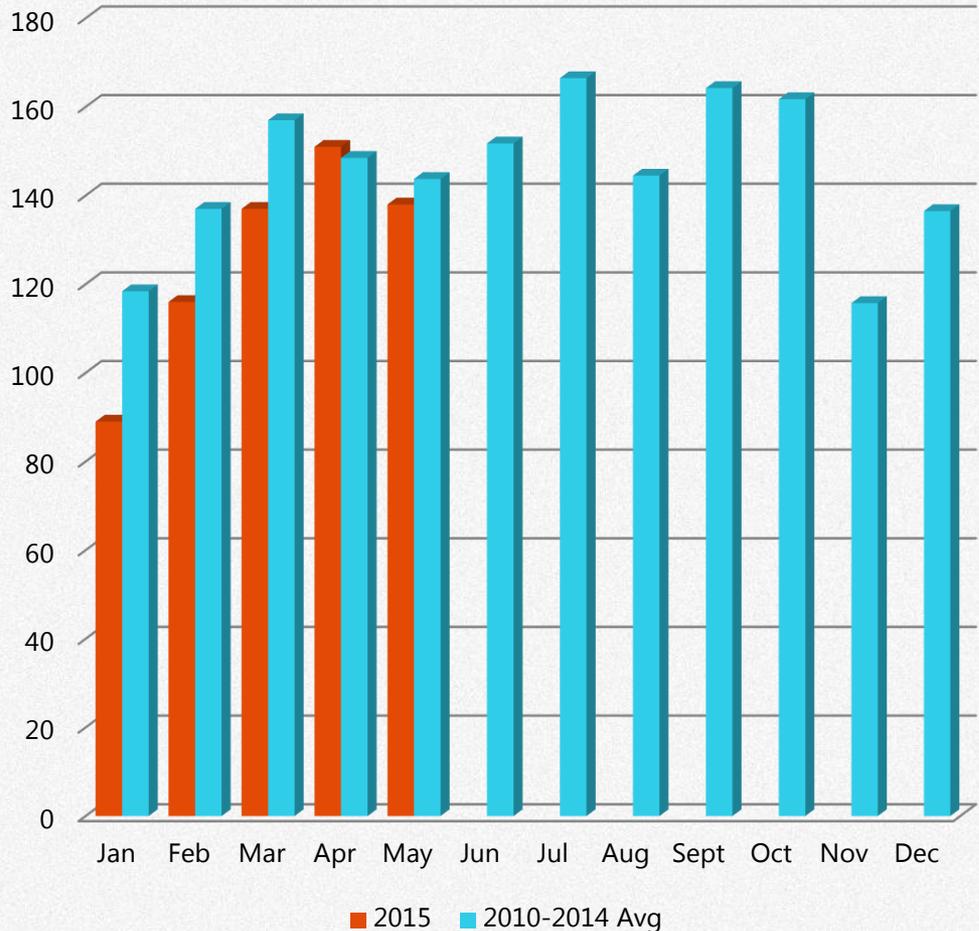
Caseload Trends

Superior Court - Filings YTD

"Filings" represents the aggregate number of cases filed in court without regard to whether they are actually appointed to a public defender.

Trend: Thus far in 2015, it appears that filings are below 2010-2014 average levels.

Benton County Superior Court 2015 Filing Trend



Caseload Trends

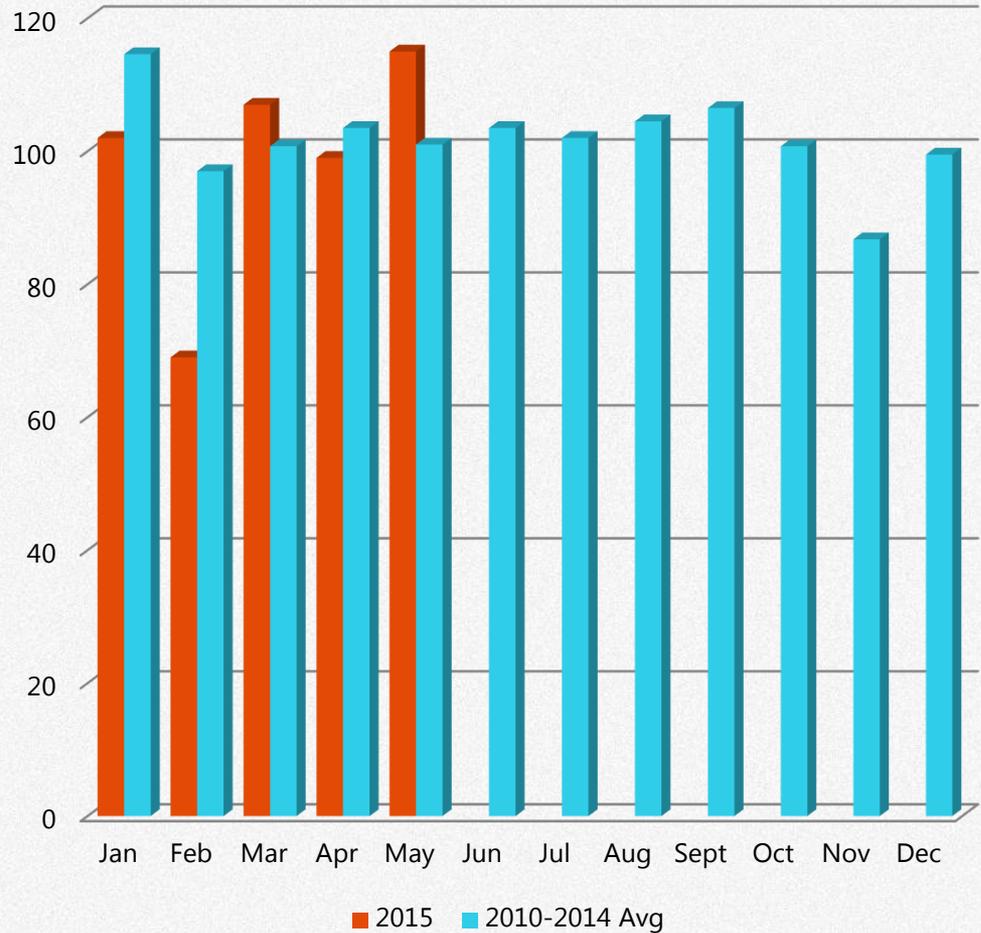
Superior Court - Appointments YTD

"Appointments" represents the portion of overall filed cases that are actually appointed to public defenders.

Trend:

Despite a lower than average filing rate, appointments have been trending at or slightly above historic average rates.

Benton County Superior Court 2015 Appointment Trend

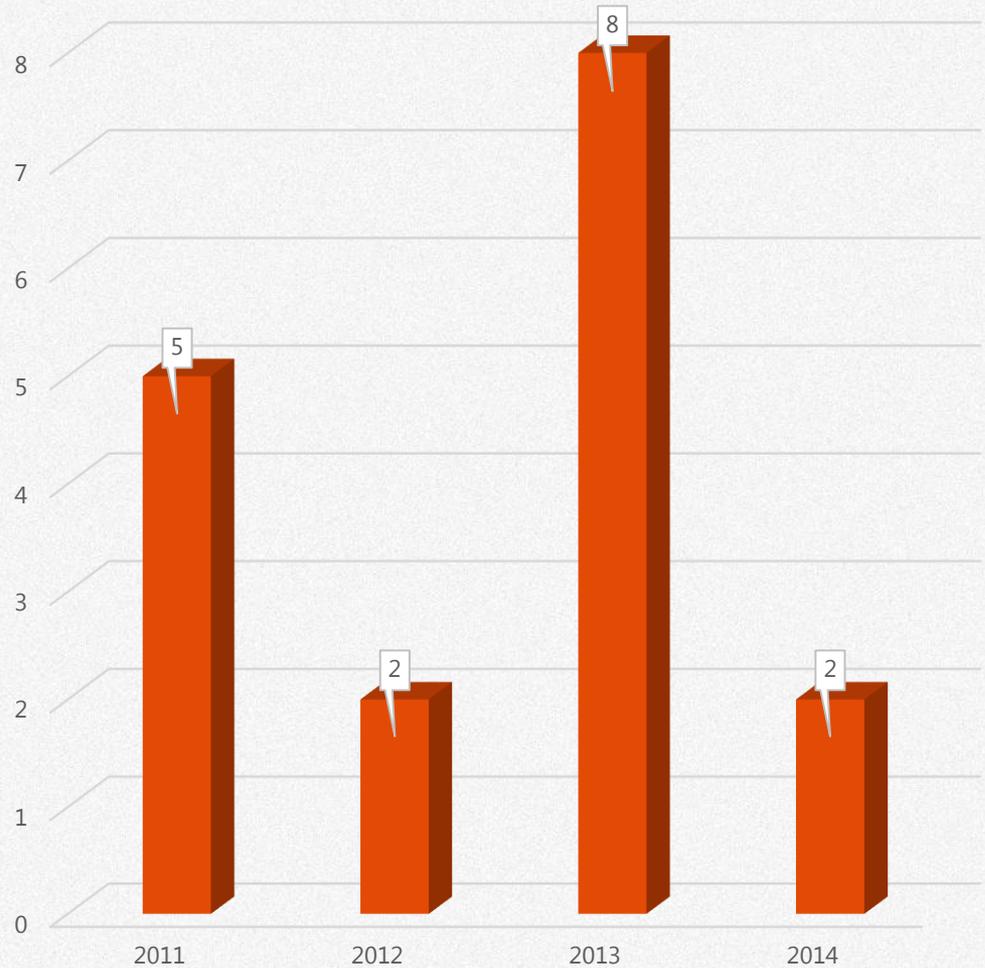


Caseload Trends

Superior Court - Homicide cases appointed to public defense counsel

Note: many of the homicide cases in 2011 were Vehicular Homicide or Manslaughter cases whereas almost all of the 2013 cases (in fact all except one) were Murder cases.

Benton County Homicide cases Assigned to Public Defense Counsel



Caseload Trends

Superior Court - Pending & Recent Homicide Cases

| Case Name | Year of Filing | Charge | Status |
|-----------|----------------|-------------------|---------|
| Miranda | 2014 | Aggravated Murder | Pending |
| De Vore | 2014 | Murder | Pending |

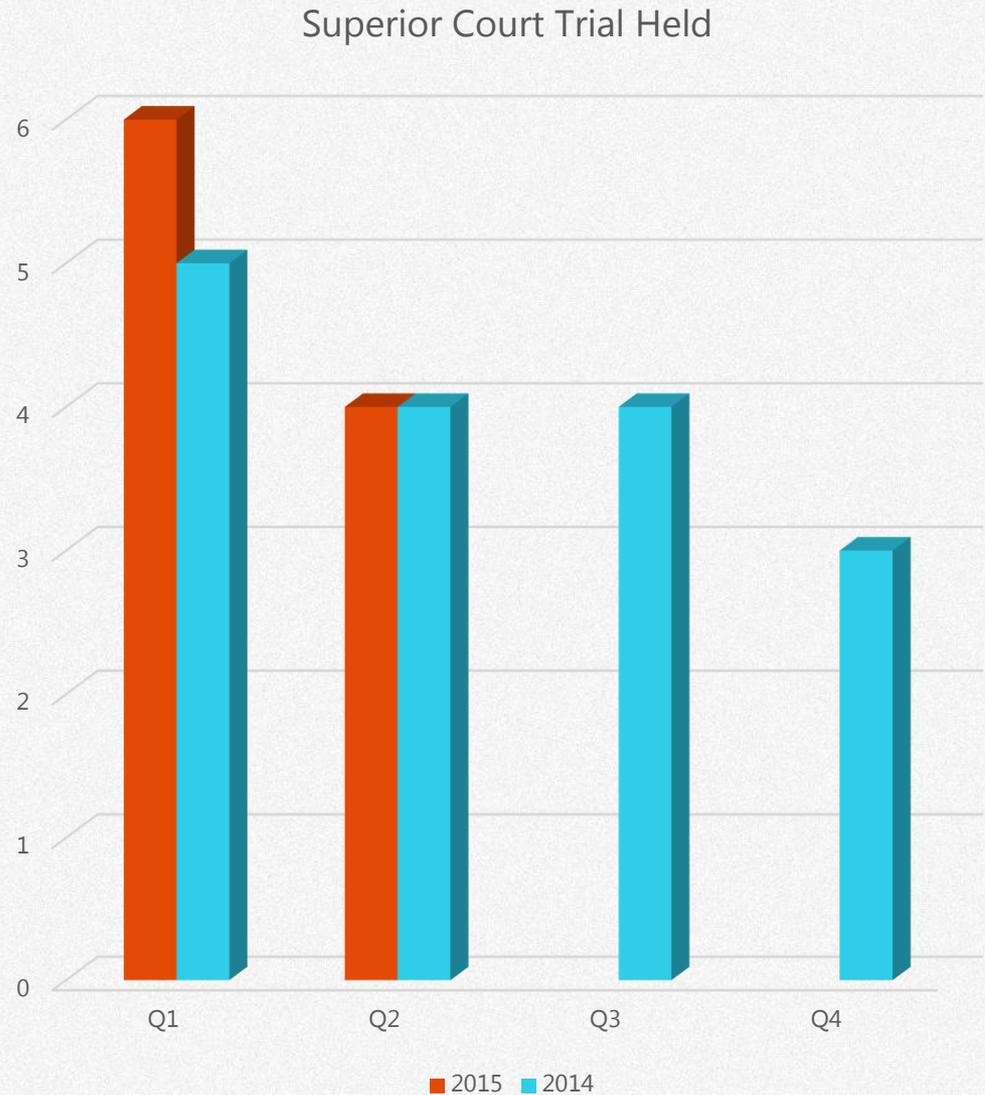
There have been no homicides assigned to public defense counsel in Benton County so far in 2015.

Performance Metrics

Superior Court - Trials Held YTD

The number of trials held is an important metric to monitor since it can be indicative of the relative effectiveness of public defense representation.

Trend: Criminal trials in Superior Court thus far in 2015 are on par with 2014 numbers.



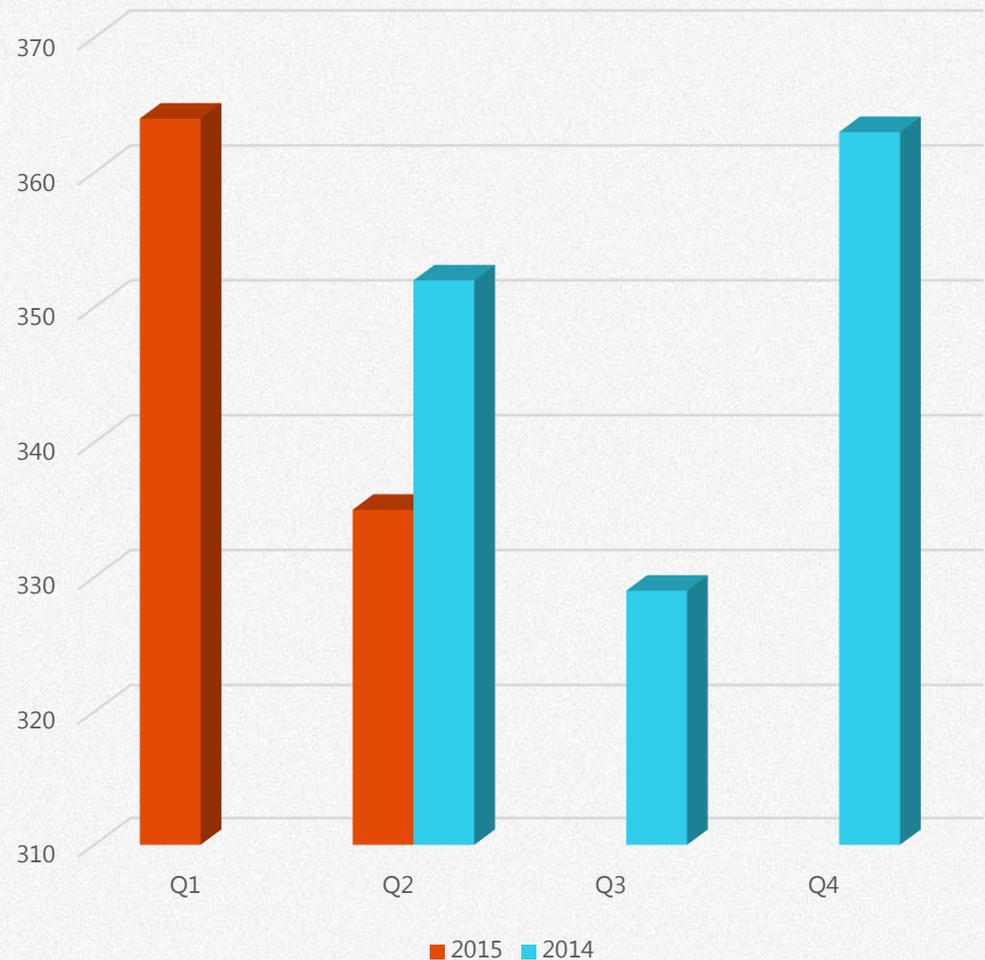
Performance Metrics

Superior and District Court - Jail Visits YTD

This metric measures the number of times District and Superior Court defenders visit their clients in jail and is another important indicator of quality of public defense services rendered.

Data collection started May 1, 2014 with an announcement at the Continuing Legal Education (CLE) seminar held that quarter. Remarkably, the volume of visits for that quarter is the second highest thus far even though it was only for two months (May-Jun 2014) instead of three.

Number of Jail Visits by Public Defenders
Superior & District Courts



Note: data is collected on a "per visit" basis. Since public defenders regularly and routinely visit more than one client for any given visit to the jail, the actual number of clients visited in jail is far greater than the number reflective of the volume of visits.

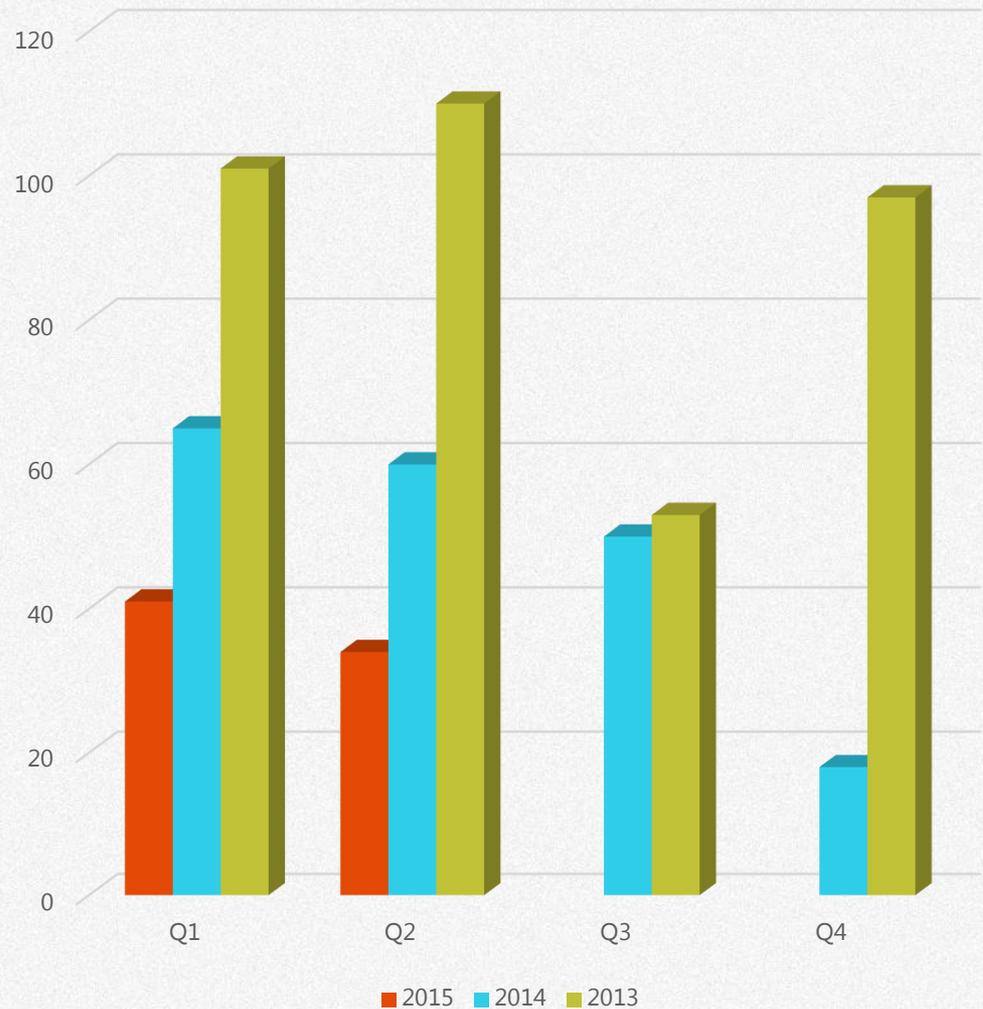
Performance Metrics

Superior Court - Number of Requests for Investigator Funding

This metric measures the number of times Superior Court Defenders request funding for investigative services. This can be indicative of the effort they put into defending the cases they are assigned.

Trend: requests for investigative services funding has dropped significantly since 2013. A number of factors, including new contract defenders, may explain this.

Superior Court Investigator Funding Requests



Performance Metrics

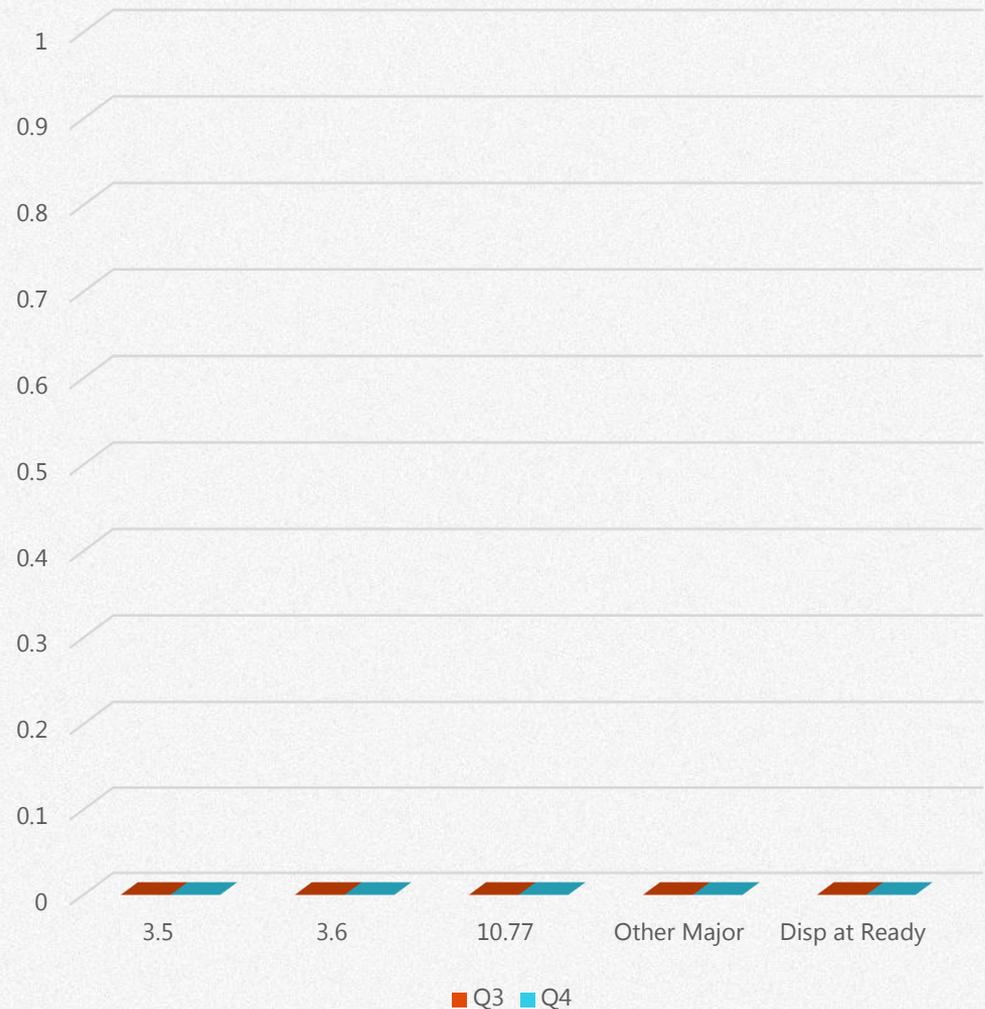
Superior Court – Number of key motions filed

This metric measures the number of times Superior Court Defenders file certain key motions that are most indicative of the effort being put into defending cases.

The displayed chart is a preview of the data that will be published. Data is officially being collected starting August 1, 2015 and will be published in future Quarterly Updates.

Please [see Glossary](#) for further explanation about these motion types.

Key Motions Filed 2015



Performance Metrics

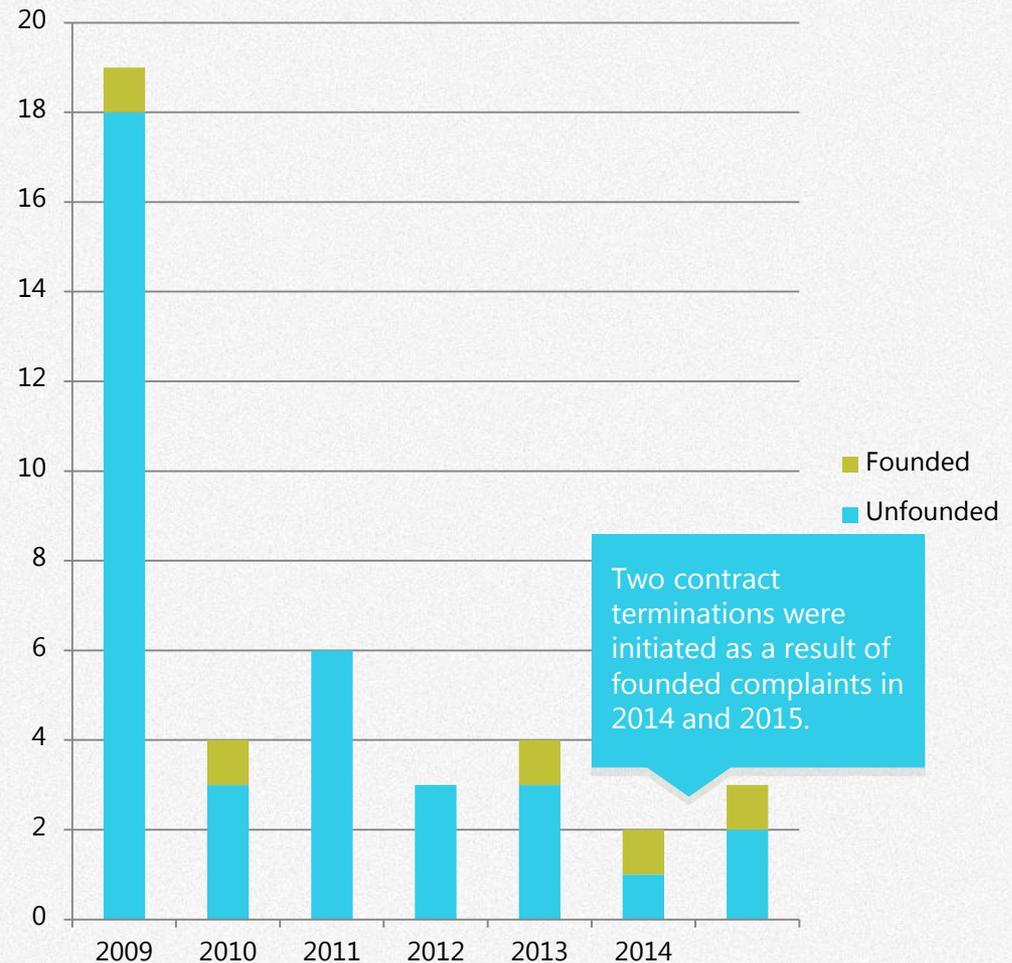
Superior Court and District Court

Number of Formal Complaints about Public Defenders

This metric measures the number of Formal Complaints filed with OPD about public defenders. Formal Complaints are defined as written complaints that state a specific and addressable complaint about a public defender's representation on a case, filed by a client¹. OPD has a very specific Complaint Resolution Process.

Trend: Complaints have been on a significant downward trend since data was collected starting 2009.

Formal Complaints Against Public Defenders



1. OPD does not accept complaints filed by people other than actual clients of public defenders. Furthermore, complaints received in a form other than in writing are not regarded as formal complaints and therefore not logged in the figures on this slide.

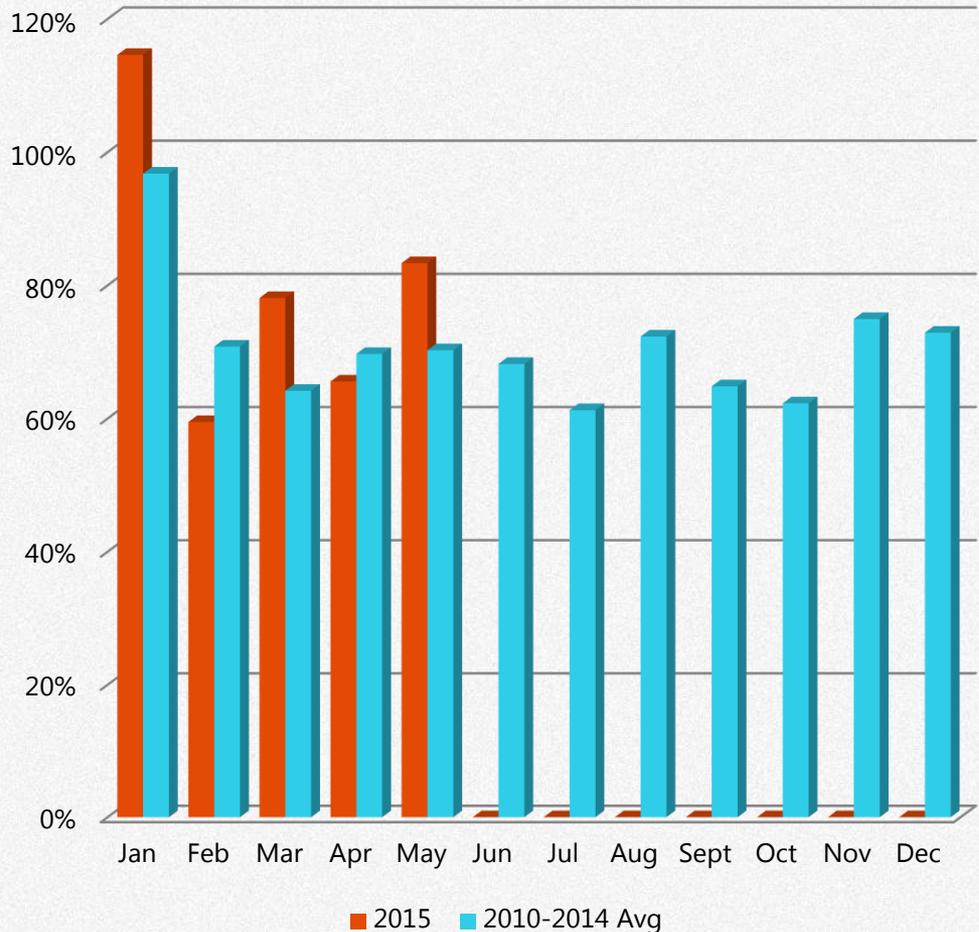
Performance Metrics

Superior Court - % of cases appointed to counsel YTD

This metric measures the percentage of cases filed in District Court that are actually appointed to counsel and plots it over time. This percentage can be indicative of the success of early resolution programs.

Trend: Compared to historical data, a higher percentage of cases are being appointed to counsel YTD.

Benton County Superior Court % of Cases Appointed to Counsel



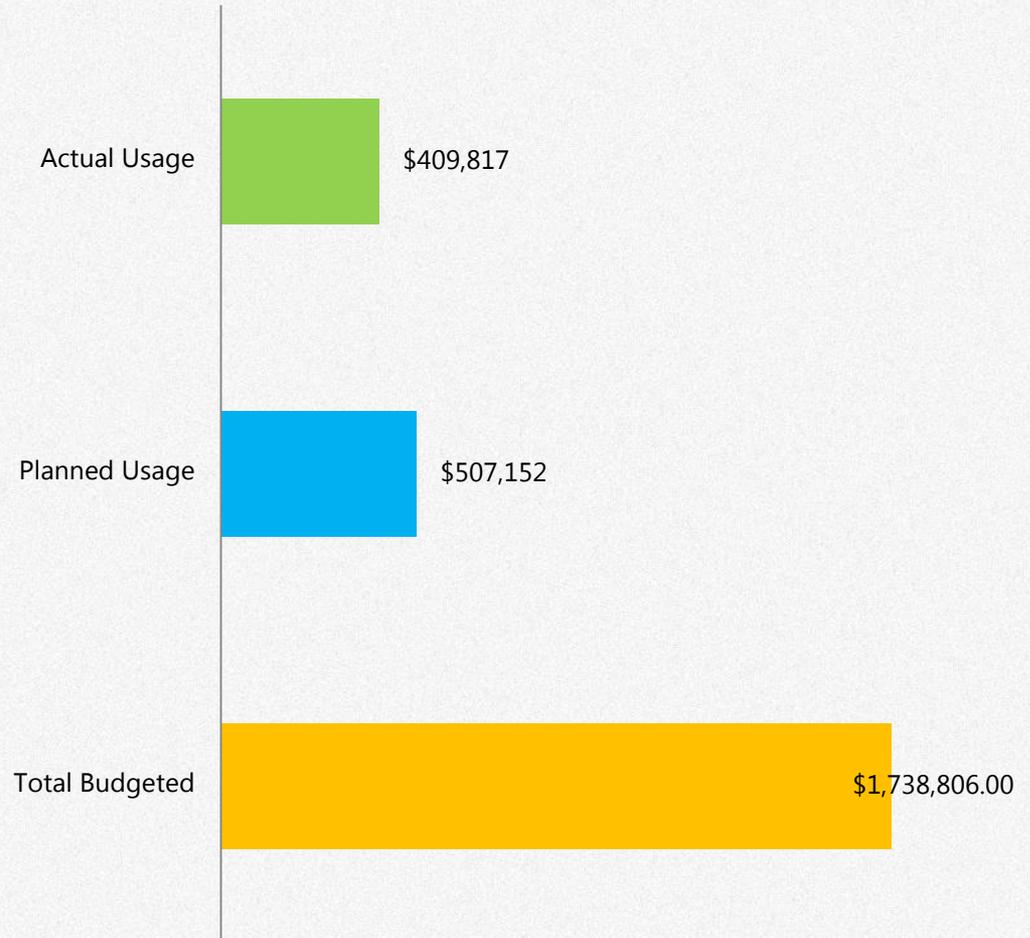
Financial Metrics

Superior Court - Contracts Budget

This metric measures Biennium-to-date ("BTD") actual vs budgeted expenditures.

Trend: This budget line item is significantly under-expended both in terms of point-in-time budget usage.

BTD Superior Court Budget Usage as of July 31, 2015



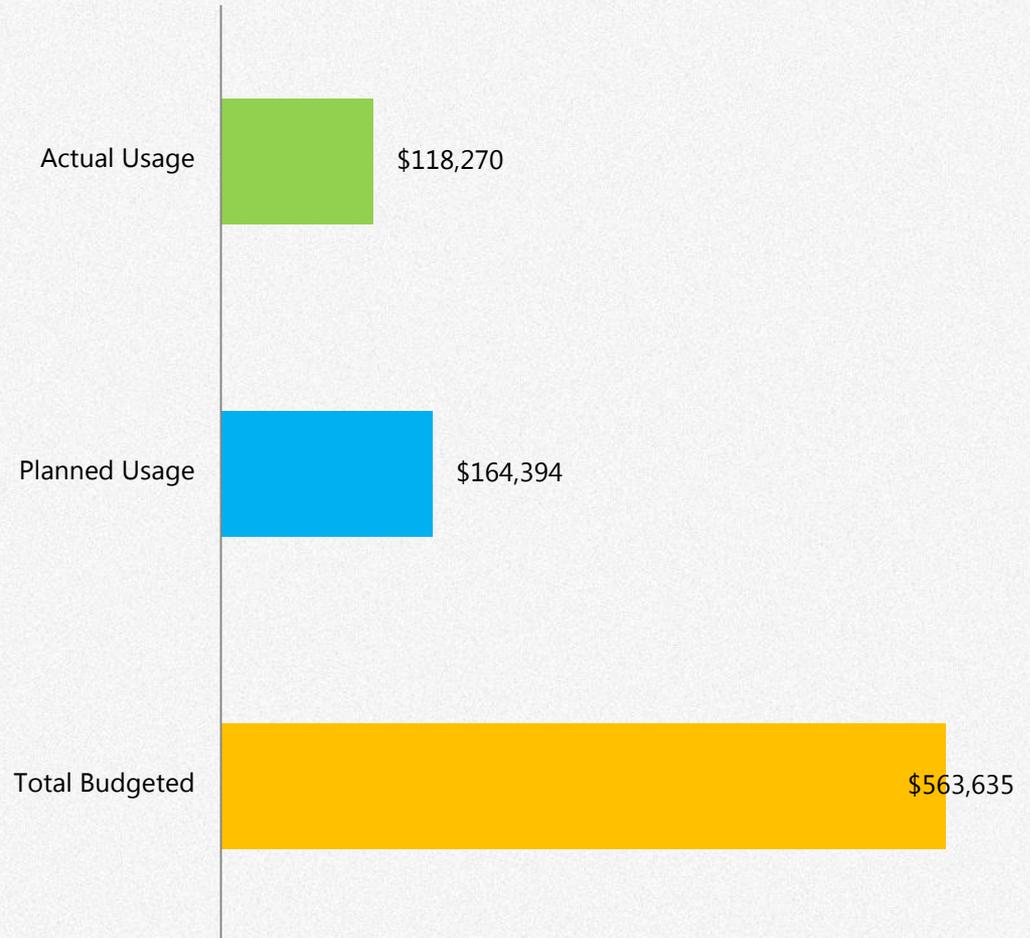
Financial Metrics

Superior Court - Professional Services Budget

This metric measures Biennium-to-date ("BTD") actual vs budgeted expenditures.

Trend: This budget line item is significantly under-expended both in terms of point-in-time budget usage.

BTD Prof Services Budget Usage as of July 31, 2015



Facts, Figures & Metrics District Court

Caseload Trends (Filings)

*Caseload Trends
(Appointments)*

*Performance Metrics
(Trials Held)*

*Performance Metrics (Jail
Visits)*

*Performance Metrics
(Requests for funding)*

*Performance Metrics (Key
motions filed)*

*Performance Metrics (% of
cases assigned to counsel)*

Financial Metrics

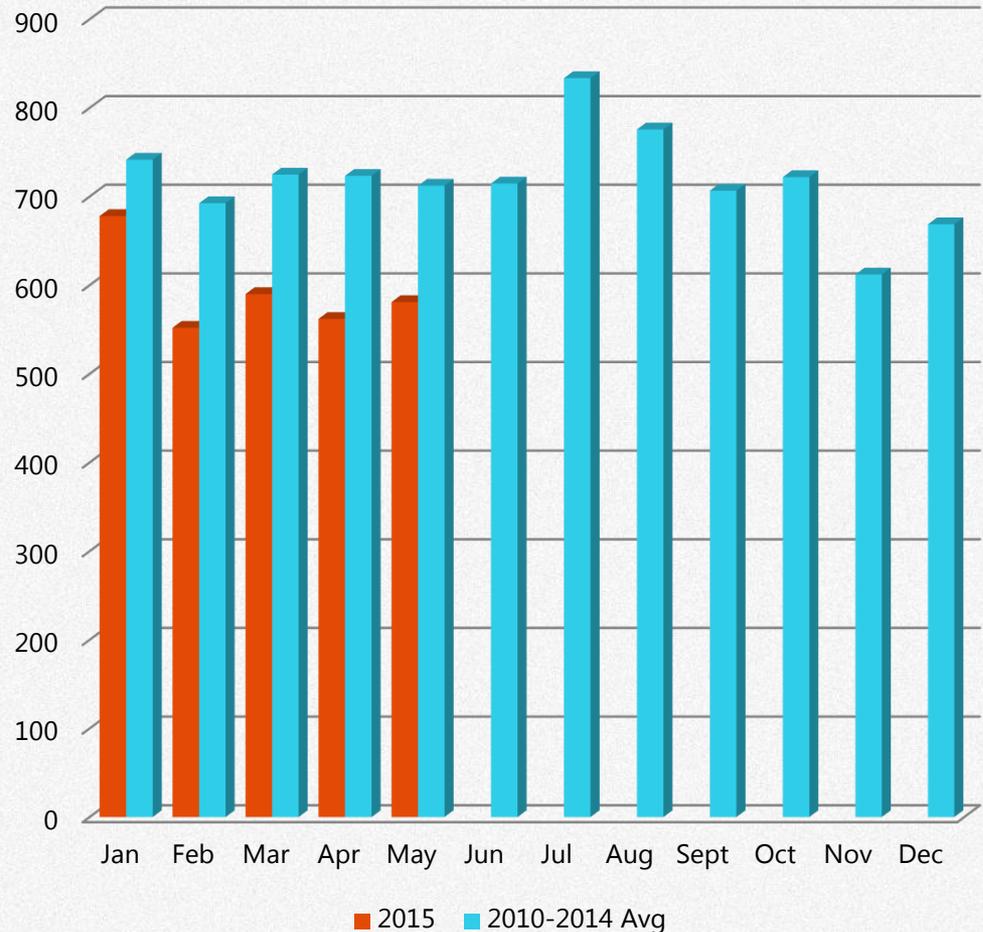
Caseload Trends

District Court - Filings YTD

"Filings" represents the aggregate number of cases filed in court without regard to whether they are actually appointed to a public defender.

Trend: Based on available data¹ it appears that there is a noticeable downward trend to case filings in 2015.

Benton County District Court 2015 Filings Trend



¹ Data for case filings is obtained from the [Washington State Courts](#) website. Data for District Court filings generally lag at least a month, if not two, behind.

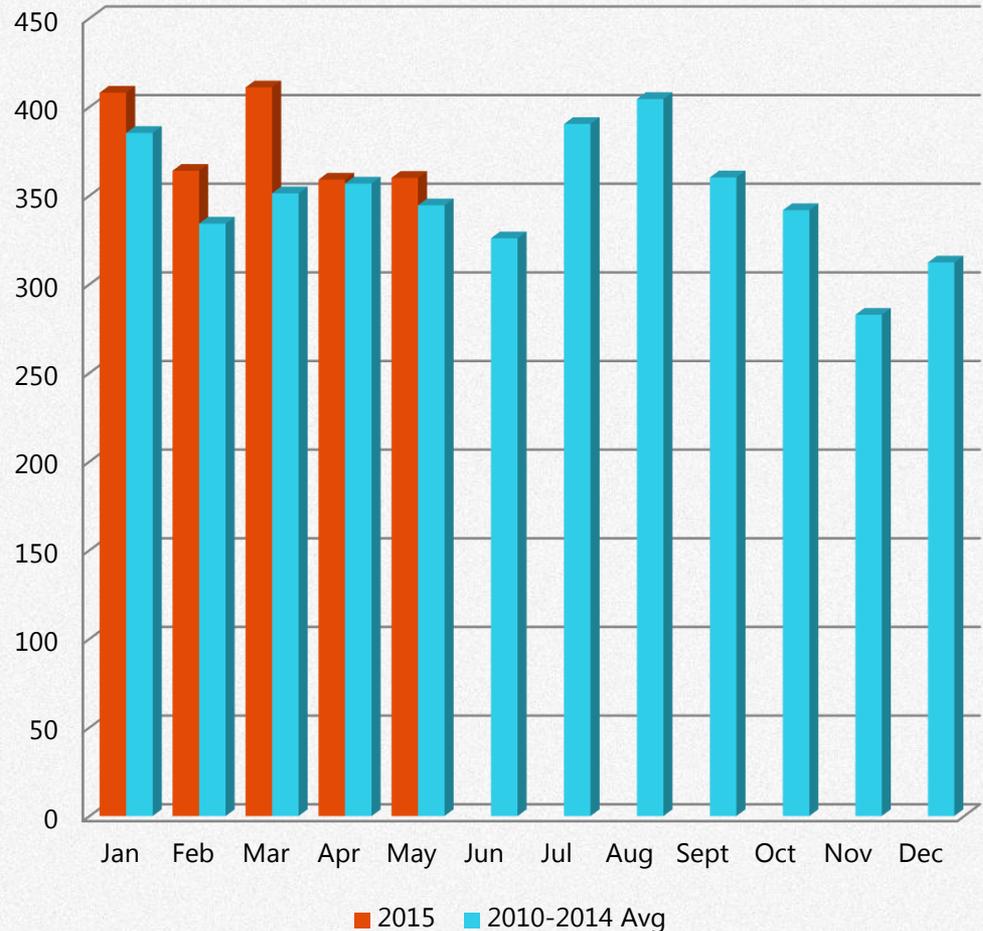
Caseload Trends

District Court - Appointments YTD

"Appointments" represents the portion of overall filed cases that are actually appointed to public defenders.

Trend: despite the downward trend in filings, appointments are trending above historic levels, indicating that a higher percentage of filed cases are qualifying for public defense representation.

Benton County District Court 2015 Appointments Trend



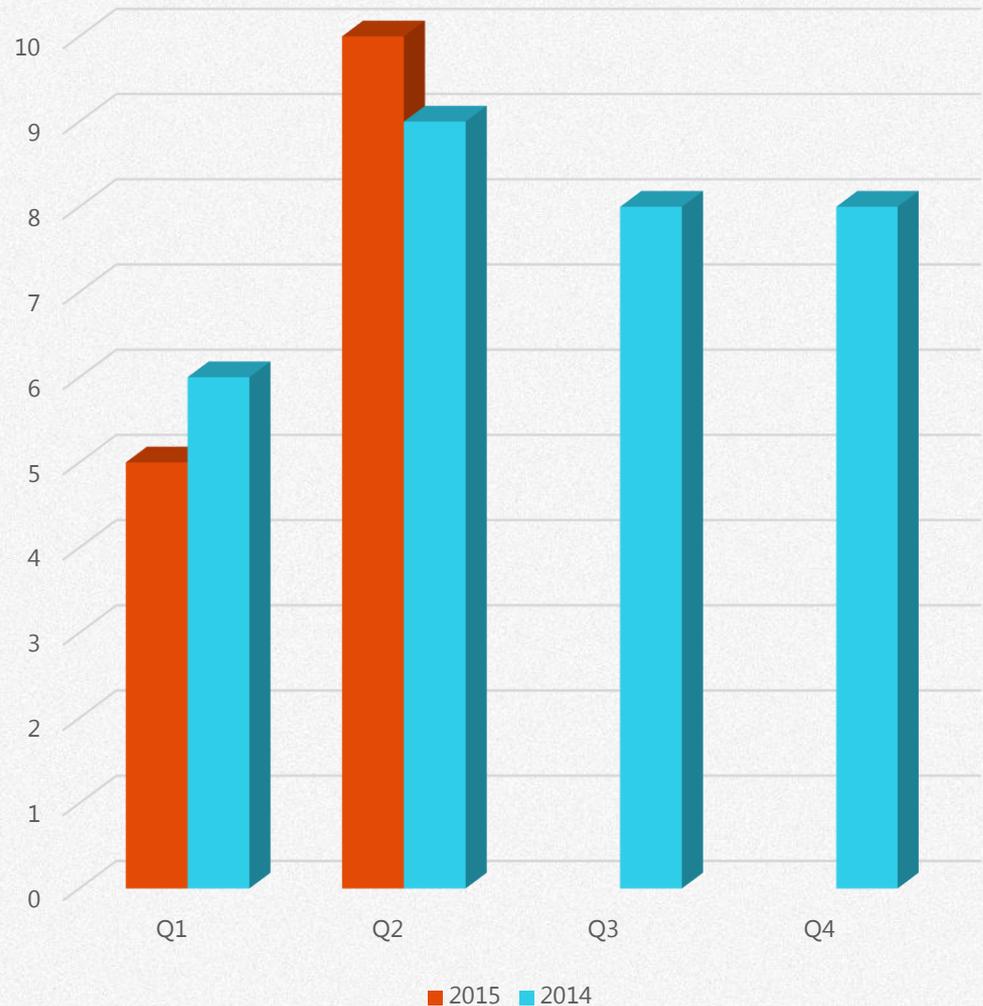
Performance Metrics

District Court - Trials Held YTD

The number of trials held is an important metric to monitor since it is indicative of the relative effectiveness of public defense representation. NOTE: data collection methodology has now been modified to collect only trials conducted by public defenders.

Trend: YTD, number of trials is on par with last year. While this only represents a small percentage of appointed cases, this metric must be taken into account together with other effectiveness metrics (following) to gauge the effectiveness of local public defense.

District Court Public Defender Trials



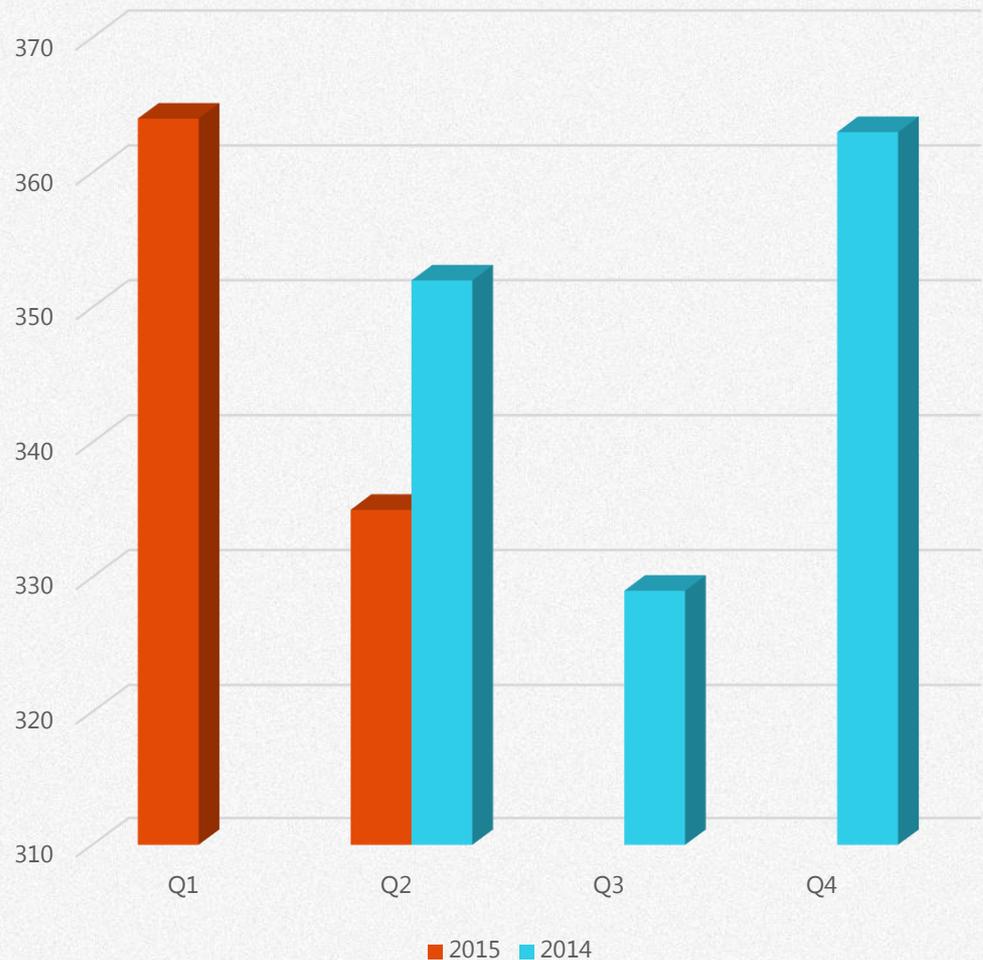
Performance Metrics

Superior and District Court - Jail Visits YTD

This metric measures the number of times District and Superior Court defenders visit their clients in the Benton County Jail and has been identified as an important measure of the effectiveness of representation.

Data collection started May 1, 2014 with an announcement at the Continuing Legal Education (CLE) seminar held that quarter. Remarkably, the volume of visits for that quarter is the second highest thus far even though it was only for two months (May-Jun 2014) instead of three.

Number of Jail Visits by Public Defenders
Superior & District Courts



Note: data is collected on a "per visit" basis. Since public defenders regularly and routinely visit more than one client for any given visit to the jail, the actual number of clients visited in jail is far greater than the number reflective of the volume of visits.

Performance Metrics

District Court - Number of Requests for Funding

Responsibility for approving funding requests has only recently been delegated by District Court to this office (2Q 2015). As such, it is too early to have collected data to publish. It is anticipated that data for 3Q 2015 (and onward thereafter) will be available and published in the next Quarterly Report.

This metric measures the number of times District Court Defenders request funding for investigative services. This can be indicative of the effort they put into defending the cases they are assigned.

Trend:

Performance Metrics

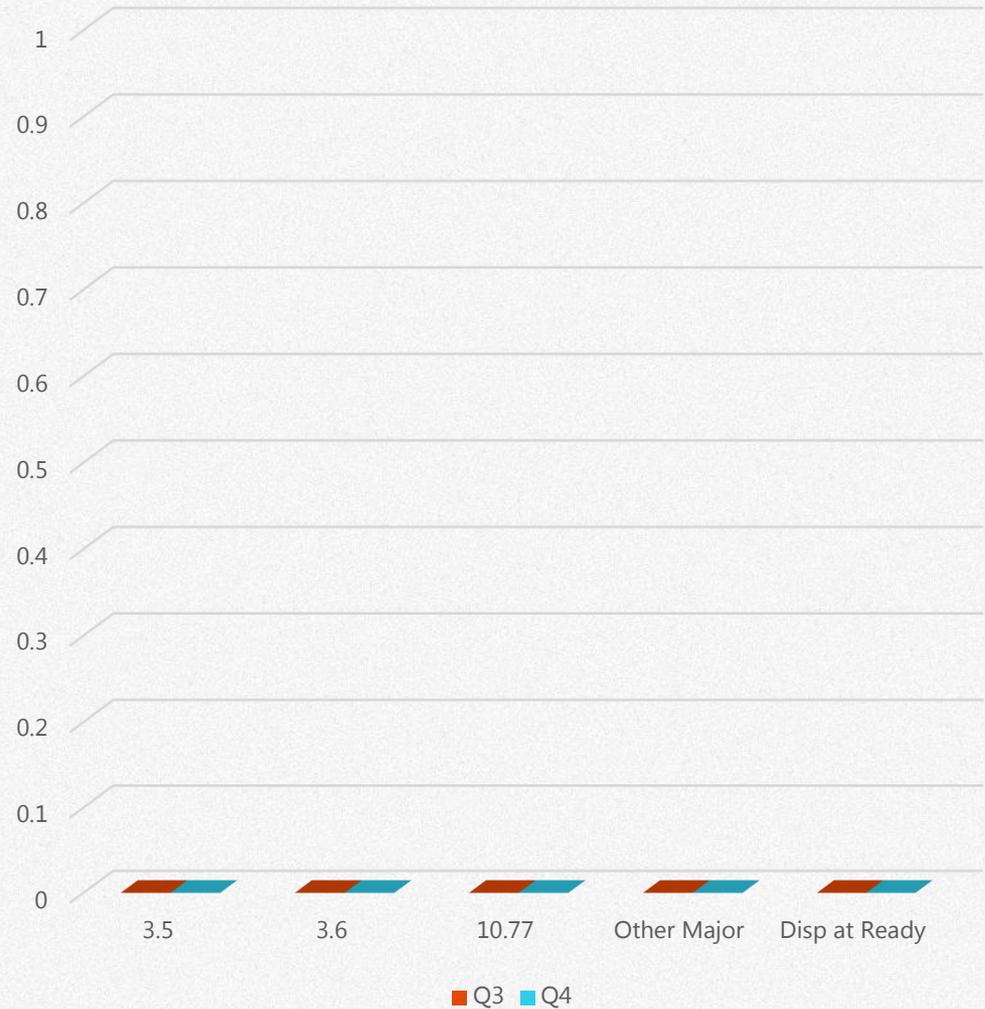
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Key Motions Filed 2015



Performance Metrics

Superior Court and District Court

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Trend: Complaints have been on a significant downward trend since data was collected starting 2009.

Formal Complaints Against Public Defenders



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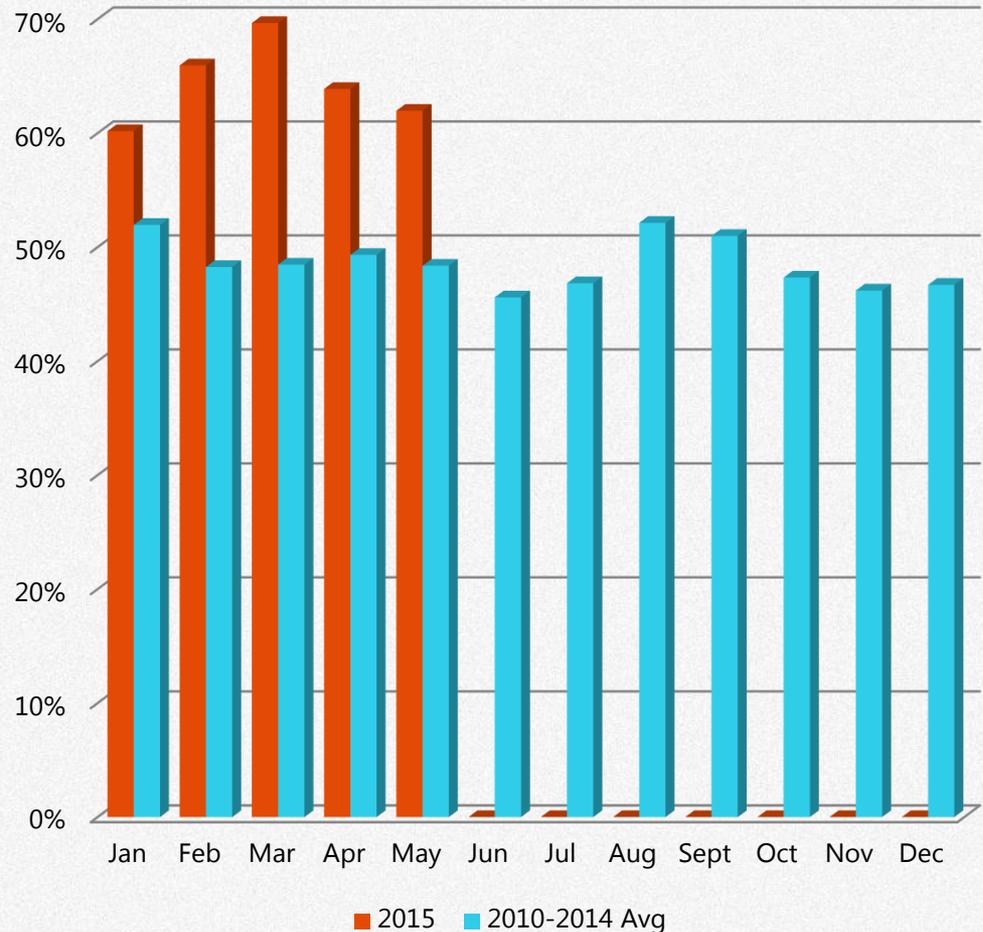
Performance Metrics

District Court - % of cases appointed to counsel YTD

This metric measures the percentage of cases filed in District Court that are actually appointed to counsel and plots it over time. This percentage can be indicative of the success of early resolution programs.

Trend: *As compared to recent years, a significantly higher percentage of cases filed are being appointed public defense counsel. It is unclear at this time whether this apparently sustained trend is due to a large proportion of defendants qualifying for public defense counsel or to fewer cases being resolved at arraignment.*

Benton County District Court % of Cases Appointed to Counsel



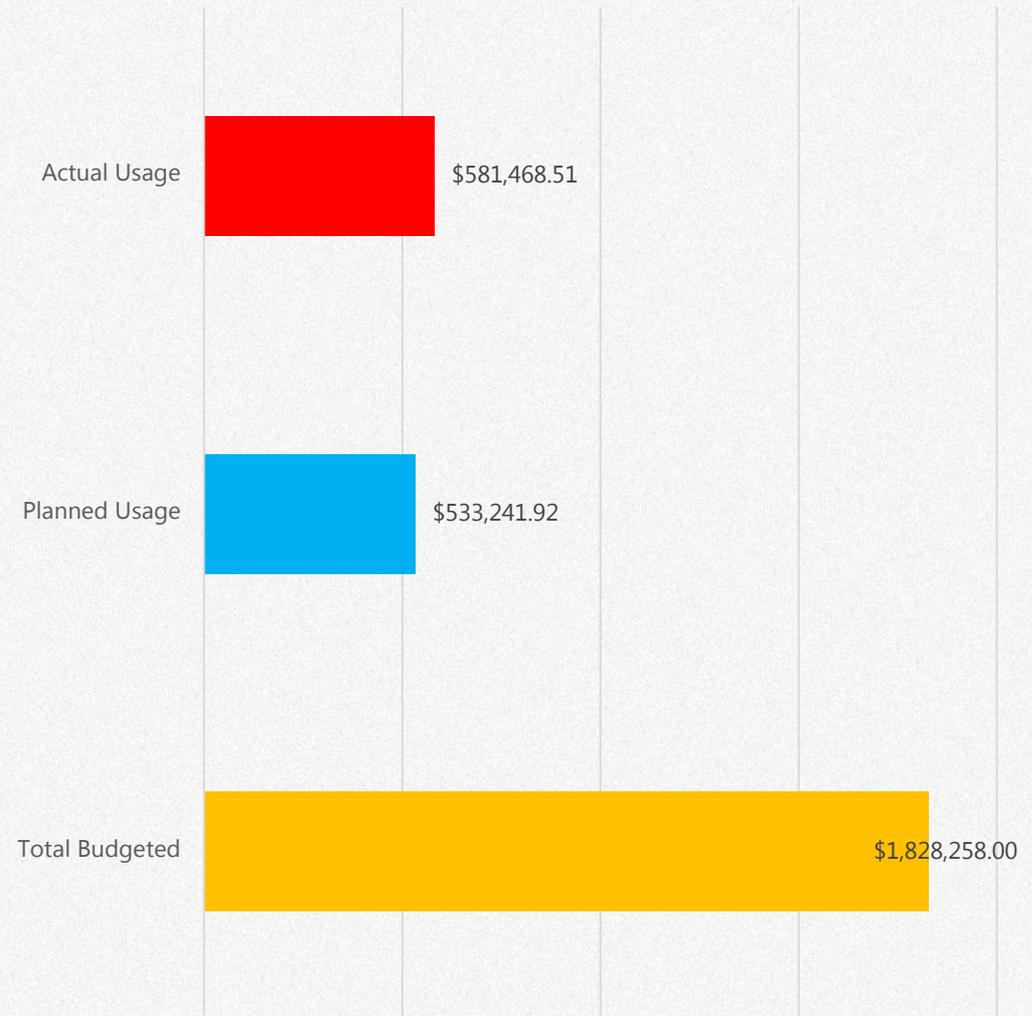
Financial Metrics

District Court - Overall Budget

These metrics measure Biennium-to-date ("BTD") actual vs budgeted expenditures and makes a forecast for the end-of-biennium status of this budget line item .

Trend: Despite being slightly over-budget for this point in the biennial budget cycle, this budget line item is still predicted to finish the year with at most a minor deficit, if not a surplus.

District Court Budget Usage as of July 31, 2015



Facts, Figures & Metrics Juvenile Court

Caseload Trends (Filings)

*Caseload Trends
(Appointments)*

*Caseload Trends
(Homicide cases)*

*Performance Metrics
(Trials held)*

*Performance Metrics
(Jail visits)*

*Performance Metrics
(Requests for funding)*

*Performance Metrics (Key
motions filed)*

*Performance Metrics
(Attorney Complaints)*

*Performance Metrics (% of
cases assigned to counsel)*

Financial Metrics

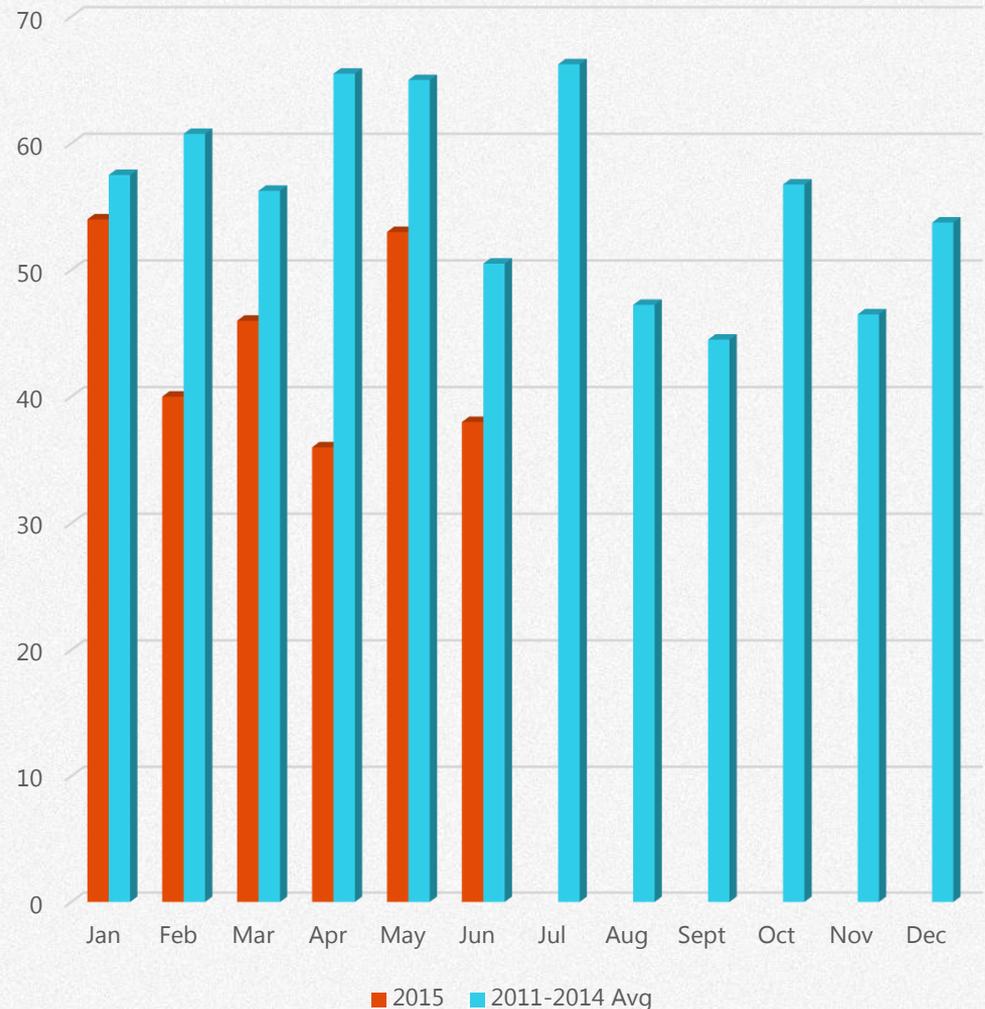
Caseload Trends

Juvenile Court - Filings YTD

In Juvenile Court, all juvenile defendants are presumed to be indigent and appointed defense counsel. Therefore the difference between filed and appointed cases is minimal and insignificant.

Trend: Based on available data¹ it appears that there is a noticeable downward trend to case filings in 2015.

Benton County Juvenile Offender Filings



¹ Data for case filings is obtained from the [Washington State Courts](#) website.

Performance Metrics

Juvenile Court - Trials Held YTD

Since OPD only took over management of juvenile defense functions earlier this year, data for this metric is not yet available for reporting.

The number of trials held is an important metric to monitor since it is indicative of the relative effectiveness of public defense representation.

Trend:

Performance Metrics

Juvenile Court – Detention Visits YTD

Since OPD only took over management of juvenile defense functions earlier this year, data for this metric is not yet available for reporting.

This metric measures the number of times Juvenile defenders visited their clients in the Benton & Franklin Counties Juvenile Detention Facility and has been identified as an important measure of the effectiveness of representation.

Performance Metrics

Juvenile Court - Number of Requests for Funding

This metric measures the number of times Juvenile Court Defenders request funding for investigative or expert services. This can be indicative of the effort they put into defending the cases they are assigned.

Trend:

Responsibility for approving funding requests has only recently been delegated by Superior Court, Juvenile Division, to this office (1Q 2015). As such, it is too early to have collected data to publish. It is anticipated that data for 3Q 2015 (and onward thereafter) will be available and published in the next Quarterly Report.

Performance Metrics

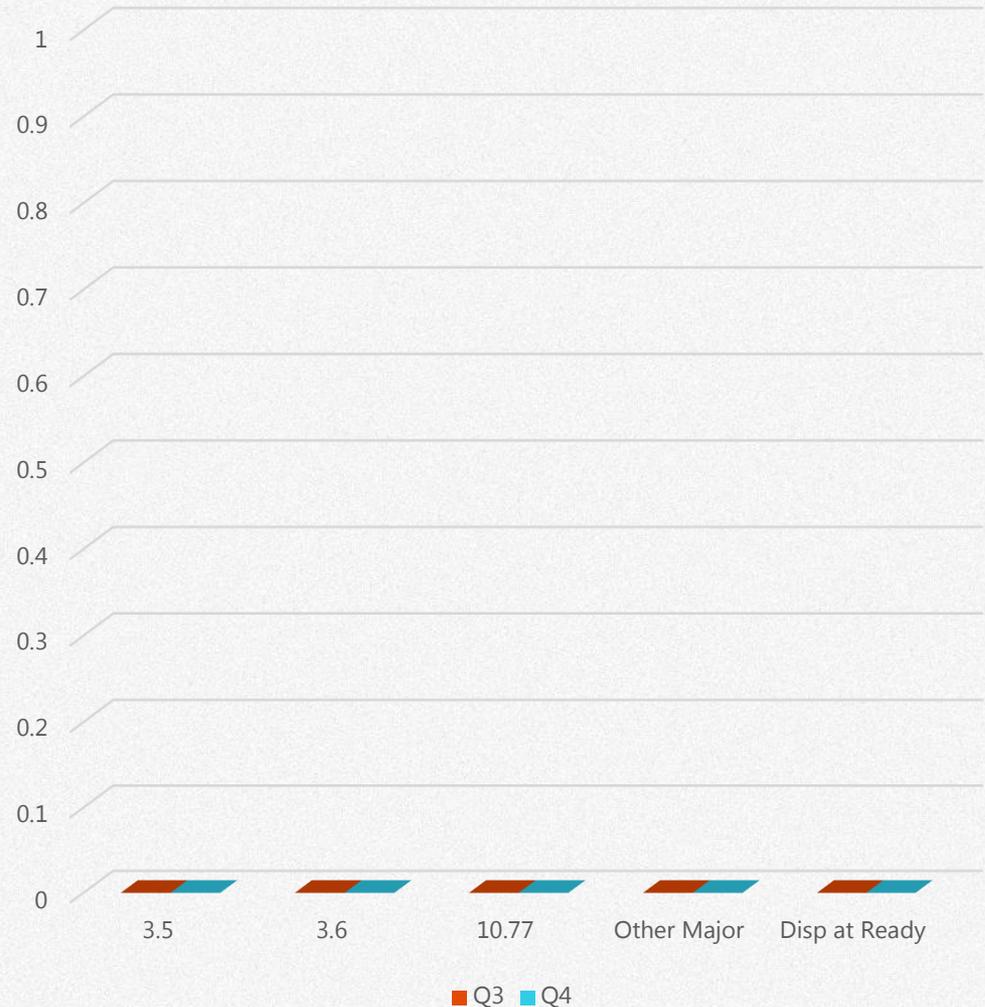
District Court— Number of key motions filed

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The displayed chart is a preview of the data that will be published. Data is officially being collected starting August 1, 2015 and will be published in future Quarterly Updates.

Please [see Glossary](#) for further explanation about these motion types.

Key Motions Filed 2015



Performance Metrics

Superior Court and District Court

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Trend: Complaints have been on a significant downward trend since data was collected starting 2009.

Formal Complaints Against Public Defenders



The data on complaints includes complaints received about public defenders assigned to the Juvenile Defense Unit.

Staffing

Staffing Overview

*Superior Court Staffing
Allocation*

*Superior Court Special
Teams*

*District Court Staffing
Allocation*

*District Court Special
Teams*

Staffing Overview

People

BFOPD provides public defense services in Benton County Courts in two different ways:

Through fully employed **Staff Defenders**, and using **Contract Defenders**.

Contract defenders are further divided between “monthly compensation” contractors (paid a fixed monthly compensation for “up to” a total number of cases per year and “by the case” contractors (paid for cases appointed as needed only).

Standards

BFOPD adheres to the Public Defense Standards mandated by the Washington State Supreme Court.

This means, among other things, that all District Court defenders have caseloads of no more than 400 cases per year, all Superior Court defenders have caseloads of no more than 150 cases per year, and all defenders certify that they have access to appropriate office and interview facilities.

Quality

BFOPD utilizes an **Enforcement & Empowerment** approach to public defense quality control.

Enforcement refers to the enhancing of quality control through rigorous contract compliance and monitoring of key Performance Metrics.

Empowerment is accomplished through mentorship opportunities and class-leading Continuing Legal Education (“CLE”) training offered free to all contract and staff public defenders.

Staffing Overview

Management & Administration

Management

To improve the management of BFOPD's District Court operations, Sr. Staff Defender Alexandria Sheridan was recently promoted in late 2013 to District Court Supervisor. She assists with day to day oversight as well as policies, procedures and training in District Court.

Administration

Administrative support for District and Superior Court operations includes contract oversight, accounts payable functions, and caseload audit. The caseload audit functions are increasingly important for fiscal and risk management reasons so a sophisticated system of audit checks and balances, including multiple data sources and a custom database is used.

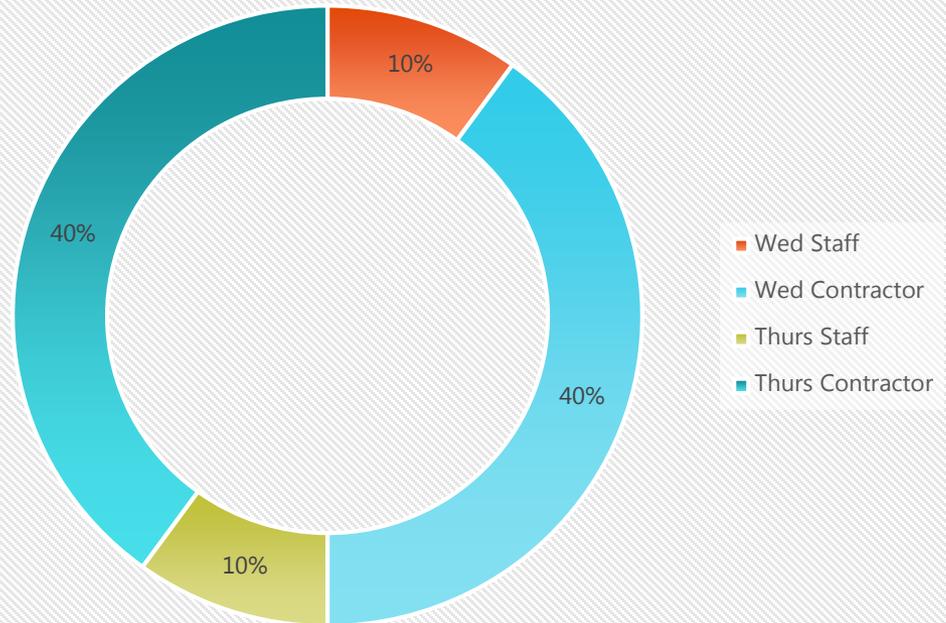
Staffing Allocation

Superior Court

Staffing in Superior Court is divided between the Wednesday and Thursday criminal pre-trial dockets. There is no difference between the dockets except for the different prosecutors who are assigned to each.

Development: OPD started the year with five defenders on each docket, matching the five prosecutors on each docket. However, it is understood that the Prosecutor's Office will be adding an additional prosecutor to one of the dockets bringing that docket to a total of six. Once the new prosecutor is added, an evaluation of caseloads and capacity will be conducted to determine when to add a new defender (the funding for which is covered by proceeds from the Public Safety Sales Tax).

Benton County Superior Court Staffing



Special Teams

Superior Court

Legal Financial Obligations

The Superior Court Clerk's Office is authorized by RCW 9.94A.760 to collect legal financial obligations ("LFOs") imposed in Superior Court convictions. BFOPD provides defense counsel to those indigent defendants facing a potential jail sanction for an alleged failure to pay LFOs as agreed. Currently this is provided by way of a team of two contract defenders each contracted to make two court appearances a month.

Civil Commitment

BFOPD is obligated by law to provide public defense services to indigent individuals subject to involuntary civil commitment pursuant to Washington's Involuntary Treatment Act (RCW Chapter 71.05).

Services are currently provided by way of a contract shared by two attorneys who jointly provide services to all Benton & Franklin County cases.

Special Teams

Superior Court

Child Support Contempt

BFOPD is obligated by law to provide public defense counsel to indigent individuals facing Contempt of Court proceedings for failure to pay child support, where incarceration in jail is likely. This primarily occurs in cases prosecuted by Child Support Division of the Prosecutor's Office.

Services are provided by a contract public defender.

Homicide Defense

BFOPD provides public defense counsel for all indigent defendants charged with homicide (ie Murder, Manslaughter, Vehicular Homicide etc).

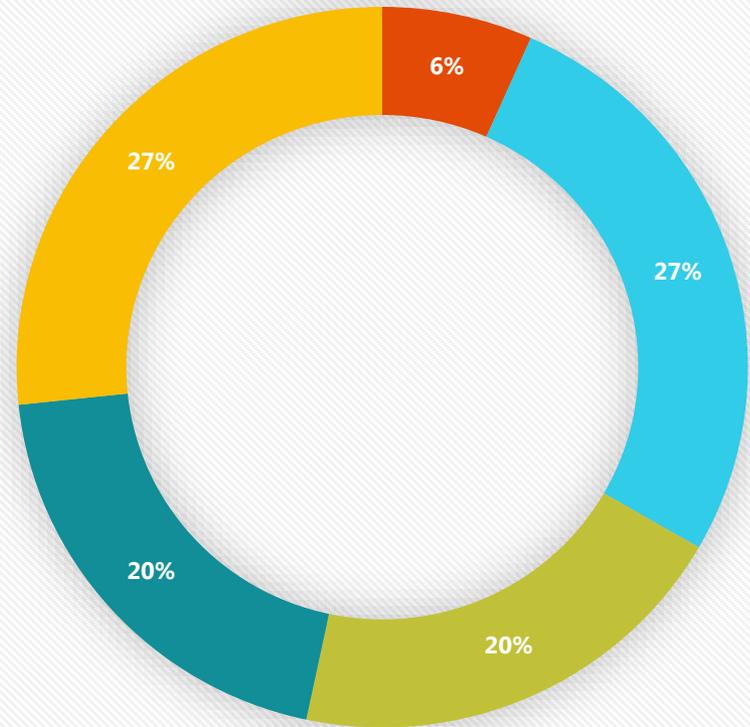
Services are provided by a special team of specially trained attorneys consisting of 3 contract public defenders and one Sr. Staff Defender.

Staffing Allocation

District Court

Staffing allocation decisions are made based on caseload forecasts for each docket/jurisdiction. Based on persistently low caseloads for the biennium, a contract that will be vacated in June will not be filled. This leaves Prosser cases to be handled by a combination of a partial Kennewick contractor and (as needed) a "by-the-case" contractor.

Benton County District Court Staffing



1 For example, the Richland/West Richland docket has needed more than 2 contract defenders but not quite three. Instead of assigning three to this docket at the beginning of the year and risking having all three contractors getting paid for 390 cases a piece but having fewer than those assigned to them, only two contract defenders are assigned to this docket with the anticipation that overage cases will be appointed to "by the case" contractors or "monthly compensation" contractors from other jurisdictions.

Special Teams

District Court

In-Custody/Probation

The In-Custody and Probation team consists of four contract attorneys. Collectively, this team provides provisional representation every day to all in-custody defendants at time of initial appearance (both on misdemeanor and felony initial appearances) and also provides defense representation on all District Court probation and fail to pay fine cases.

Walk-In Arraignments

The Walk-In Arraignment Team provides provisional representation to all out-of-custody defendants at time of initial appearance for District Court matters.

Public defenders on this team all have District Court defense contracts and are provided additional compensation, on a per-docket basis, for their services on this team.

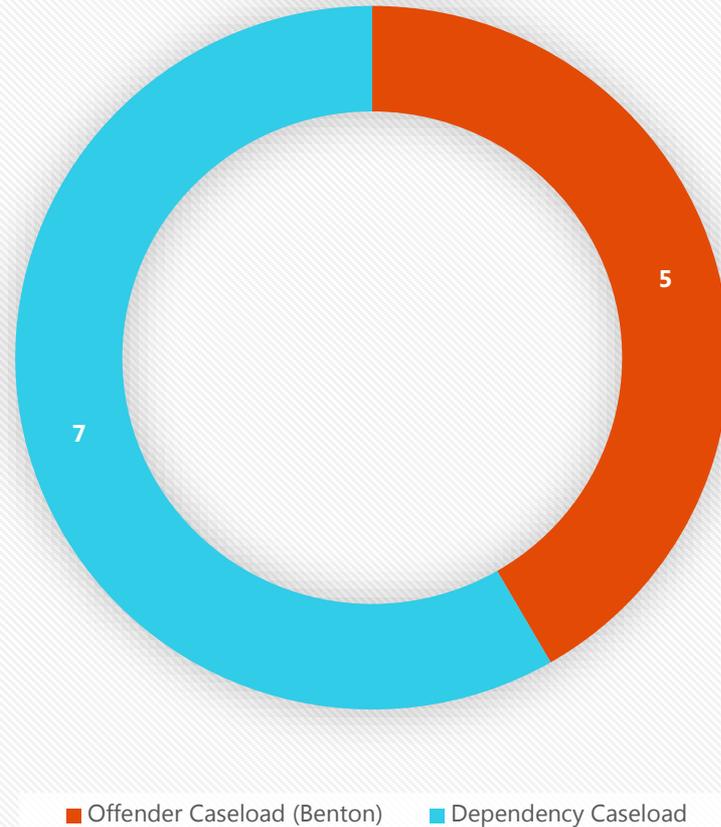
Staffing Allocation

Juvenile Court

Staffing in Juvenile Court is divided between attorneys assigned to an Offender Caseload (juveniles accused of criminal offenses) and Dependency Caseload (children involved in dependency or termination of parental rights cases). The defenders assigned an Offender Caseload are further divided between those who primarily have Benton County caseloads and those who have Franklin County Caseloads. Dependency caseloads are not split between the counties.

Staffing has largely been steady proportion-wise over the last many years.

Benton & Franklin Counties Juvenile Court Defender staffing breakdown



Legal

Legal Updates Overview

*Public Defense
Improvement Project*

Legal Updates

As a professional public defense agency, the Benton & Franklin Counties Office of Public Defense constantly stays abreast of the dynamic legal landscape of public defense services in the State of Washington.

In light of this legal landscape, the public defense system is constantly evaluated for opportunities to improve representation of clients, improve fiscal performance, and reduce risk.

*The most important legal issue (with significant District Court operational implications) that is being actively analyzed by BFOPD at this time is the effect of the ruling in the case of *Wilbur v. Mt. Vernon*.*

*In light of the *Mt. Vernon* case, a comprehensive Public Defense Improvement Project has been undertaken with the goal of not only ensuring that our local public defense system is the best it can be and is completely legally defensible as adequate, but also that the data to support and defend this position is readily available and visible to the public.*

Please read more in the following pages about the Public Defense Improvement Project.

Public Defense Improvement Project

Wilbur v. Mt Vernon was the latest case in a line of cases that have been instrumental in shaping the landscape of public defense in the State of Washington. The Wilbur case was also unique in that it was one of the few cases that spelled out as much detail about what metrics and standards were important in ensuring adequate public defense services (instead of just declaring that a certain system was deficient). In responding to the decision in Wilbur, OPD is embarking on a significant effort to continue the improvement of local public defense services while also, at the same time, ensuring that the quality of such public defense services are always provable and measurable by concrete, meaningful, metrics.

To this end, the Public Defense Improve Project will be a three pronged approach to public defense improvement and measurability focusing on the following:

- 1. Informational Resources*
- 2. Metrics and Reporting*
- 3. Best Practices*

Public Defense Improvement Project

Informational Resources

Recognizing that clients often come into the criminal justice system with little knowledge about the system and their rights, and that this lack of knowledge contributes greatly to substandard public defense services, OPD has developed a set of educational resource documents to improve client knowledge levels in this regard. These documents will be provided to clients at key junctures in the processing of their cases and will, as needed, be provided in Spanish as well. Key documents planned or already in process include:

- 1. Statement of Basic Rights*
- 2. Informational letters describing how to work with public defenders (mandatory for Staff Defenders, recommended for contract defenders)*
- 3. Complaint resolution informational publication*
- 4. 72-hour hold informational publication*
- 5. Informational publications to assist defendants with their decision to proceed pro se (ie representing themselves without the assistance of a public defender)*

More informational resources will be developed as needs arise.

Public Defense Improvement Project

Metrics and Reporting

As reported earlier, key metrics, that were identified as being the hallmarks of an effective public defense system, are being collected and published. These metrics were all identified in the Wilbur court opinion as being important to a local public defense system. The visibility in this reporting and publishing process is intentional – it is OPD’s desire to make it clear to the tax-paying public as well as to clients that it is doing its job effectively AND efficiently. The metrics that will be reported and published are:

- 1. Caseloads (annual)*
- 2. Trials held (quarterly)*
- 3. Requests for investigator and expert funding (quarterly)*
- 4. Key important motions filed (quarterly)*
- 5. Cases resolved with dismissal (quarterly)*
- 6. Jail visits (quarterly)*

Public Defense Improvement Project

Best Practices

A number of best practices are being developed that are intended to maximize the effectiveness of public defense representation. These best practices will be mandatory with Staff Defenders and highly recommended for contract defenders¹ and include:

- 1. Initial consultations with incarcerated clients within 72 hours of notice of appointment*
- 2. Use of a standardized "initial consultation checklist"*
- 3. Use of an introductory letter to clients informing them of the basics of public defense representation as well as the particular public defender's practices and protocols regarding client communication, appointments, and other important issues*
- 4. Routine use of WDA's immigration consulting service (that provides definitive advice on individual cases with potential immigration consequences)*

Other Updates & Resources

*Annual Report & Strategic
Plan*

Glossary

Annual Report & Strategic Plan

2014 Annual Report

The Annual Report recaps the year's operations including caseload, financial, and other data. This Report also revisits Strategic Goals the office set for 2013 in its 2013 Strategic Plan, reporting on the progress toward each goal and the measurable improvements related thereto.

2015 Strategic Plan

BFOPD is committed to a strategy of continual improvement so as to advance its mission and become as effective and efficient as it can be. The Strategic Plan details the efforts that will be made and goals set for this next year in order to advance this effort.

Click on the underlined text to be taken directly to each report.

Glossary

Terms used in reporting of key motions

3.5 Motion

A motion filed under Rule 3.5 is used to suppress confessions made by defendants because of technical violations of the law (most frequently Constitutional law).

3.6 Motion

A motion filed under Rule 3.6 is used to suppress searches and seizures of defendants and their property because of technical violations of (again mostly constitutional) law.

10.77 Motion

A motion filed under RCW 10.77 seeks to have a defendant evaluated for mental competency to stand trial.

Other Maj

This category (for purposes of metrics reporting) is for other significant motions filed by public defenders that are instrumental in either dismissing the case or leading to a significantly improved case-resolving plea offer.

Glossary

Terms used in reporting of key motions

Dism at Ready

This category, for purposes of metrics reporting, is for cases where a public defender has prepared a case ostensibly for trial but it is dismissed by the prosecution either at or close to the time for trial readiness.

Glossary

Key terms explained

Appointments

With respect to caseload numbers, "appointments" refers to the filings that are actually appointed to public defenders.

Appointments should always be a subset of filings.

Dependency Cases

Juvenile dependency cases are filed when there is an allegation that a parent is not appropriately caring for a child. Depending on the case, remedies may include a full range of actions including, for the worst cases, termination of parental rights.

Benton County provides public defense representation locally for the children in such cases. State OPD provides public defense representation for the parents.

Filings

With respect to caseload numbers, "filings" refers to the cases filed by prosecutors, without regard to whether or not they are appointed to public defense counsel or not.

Glossary

Key terms explained

Offender Cases

Juvenile offender cases are filed when there is an allegation that a juvenile has committed a criminal offense.

Professional Services Budget

In keeping with Washington's public defense standards, OPD keeps a separate line item that is used for funding professional services (other than public defender services) necessary for the defense of cases.