
SUBSTITUTE HOUSE BILL 2029

State of Washington

59th Legislature

2005 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Kagi, Hinkle, Darneille, Williams, Haler, Rodne, Kirby, Pettigrew, Chase and Kenney; by request of Office of Public Defense)

READ FIRST TIME 02/28/05.

1 AN ACT Relating to duties of the director of the office of public
2 defense; and amending RCW 2.70.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 2.70.020 and 1996 c 221 s 3 are each amended to read
5 as follows:

6 The director, under the supervision and direction of the advisory
7 committee, shall:

8 (1) Administer all criminal appellate indigent defense services;

9 (2) Submit a biennial budget for all costs related to state
10 appellate indigent defense;

11 (3) Establish administrative procedures, standards, and guidelines
12 for the program including a cost-efficient system that provides for
13 recovery of costs;

14 (4) Recommend criteria and standards for determining and verifying
15 indigency. In recommending criteria for determining indigency, the
16 director shall compile and review the indigency standards used by other
17 state agencies and shall periodically submit the compilation and report
18 to the legislature on the appropriateness and consistency of such
19 standards;

1 (5) Collect information regarding indigency cases funded by the
2 state and report annually to the legislature and the supreme court;

3 (6) Coordinate with the supreme court and the judges of each
4 division of the court of appeals to determine how attorney services
5 should be provided;

6 (7) Subject to the availability of amounts appropriated for this
7 specific purpose, oversee and monitor dependency and termination legal
8 representation for parents statewide. The goal shall be to enhance the
9 quality of legal representation in dependency and termination hearings.
10 To meet this goal, attorneys and agencies providing such representation
11 shall comply with the following, subject to appropriation of state
12 funds:

13 (a) Meet maximum caseload requirements for dependency and
14 termination cases, in accordance with standards published by the office
15 of public defense;

16 (b) Implement enhanced defense attorney practice standards
17 published by the office of public defense, including but not limited to
18 those related to reasonable case preparation and the delivery of
19 adequate client advice; and

20 (c) Use investigative and expert services in appropriate cases.

21 The office of public defense shall not provide direct
22 representation of clients.

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