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SENATE BILL 5903

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State of Washington

59th Legislature

2005 Regular Session

By Senators Stevens, Hargrove, Zarelli, Haugen, Esser, Kline, Doumit, Fairley, Johnson, Delvin, Swecker, Kohl-Welles and Rasmussen; by request of Office of Public Defense

Read first time 02/14/2005. Referred to Committee on Human Services & Corrections.

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 funds, oversee and monitor  
7 dependency and termination legal representation for parents statewide.  
8 The goal shall be to enhance the quality of legal representation in  
9 dependency and termination hearings. To meet this goal, attorneys and  
10 agencies providing such representation shall comply with the following:

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

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

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

19 The office of public defense shall not provide direct  
20 representation of clients.

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