



Resolution Regarding Public Defense

Resolution #2025.10

WHEREAS, the promise of equal protection under the law requires that all criminal defendants have access to competent representation; and,

WHEREAS, most people, especially working people and those who are low income, folks of color, or otherwise marginalized, cannot afford to privately hire an attorney, and thus rely on public defenders; and,

WHEREAS, unlike other states, Washington state covers less than 3% of the costs of public defense on average, leaving cities and counties to pay the majority; and,

WHEREAS, due to the differences of county economies, this decentralized public defense system creates a patchwork of access to justice; and,

WHEREAS, this patchwork system has resulted in lawsuits brought against individual counties and the state government, resulting in further delays and costs; and,

WHEREAS, a 1% property tax cap exists and hamstring the ability of local governments to pay for needed services; and,

WHEREAS, public defenders are consequently forced to shoulder caseloads of 150 felony cases or 400 misdemeanors a year; and,

WHEREAS, a national study found that a felony defense may require as much as 286 attorney hours to handle, with a misdemeanor requiring between 13 to 19 hours; and,

WHEREAS, in Washington state, current caseloads allow for only 14 hours of attorney time per felony case or 5 hours per misdemeanor case; and,

WHEREAS, these caseloads lead to high turnover, strained health and family relationships, and justice either delayed or denied for both accusers and accused; and,

WHEREAS, the Washington State Bar Association led a robust workgroup to examine the impacts on workers and participants in the criminal legal system, and recommended a reduction in caseloads of nearly two-thirds; and,

WHEREAS, in 2025, Washington’s Supreme Court agreed with these recommendations, and directed counties to reduce caseloads; now therefore, be it

RESOLVED, that The Washington State Labor Council will advocate for a more equitable tax code at the state and local level to decrease caseloads for public defenders; and be it further,

RESOLVED, that the Washington State Labor Council will lobby for increased state funding to public defense across the state, in line with other states and to ensure equal protection under the law.