

**From:** [Council](#)  
**To:** [Lisa Bruner](#); [Cathy Halka](#); [Kristi Felbinger](#); [Jenna Gernand](#); [Tara Jackson](#); [Kirsten Smith](#)  
**Subject:** FW: Supreme Court Adopts New Standards  
**Date:** Wednesday, June 11, 2025 10:05:08 AM  
**Attachments:** [Washington State Courts - News, Reports, Court Information.html](#)  
[Order 25700-A-1644.pdf](#)

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**From:** Starck Follis <SFollis@co.whatcom.wa.us>  
**Sent:** Wednesday, June 11, 2025 10:04:59 AM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Council <Council@co.whatcom.wa.us>  
**Cc:** Aly Pennucci <APennucc@co.whatcom.wa.us>; Kayla Schott-Bresler <KSchottb@co.whatcom.wa.us>; Maialisa Vanyo <MVanyo@co.whatcom.wa.us>  
**Subject:** FW: Supreme Court Adopts New Standards

Councilmembers:

Upon reflection and re-examining the Supreme Court order issued June 9, , the annual minimum reduction/progression towards compliance in caseload required by the Court is ten percent (10%) of the **difference** between the current standard and the new standard going into effect on January 1, 2026. So, we are at 150 felonies now and 47 on January 1, the difference being 103 cases. Ten percent would be about a 10 case reduction as of January 1, 2026-- not 15 as I reported to the County Council. If we continue to use a case-weighting policy those numbers would be calculated in case credits, not cases filed.

Please let me know if you have any questions or if this causes any confusion.

**Starck Follis**  
Director  
Whatcom County Public Defender

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**From:** Starck Follis  
**Sent:** Monday, June 9, 2025 11:59 AM  
**To:** Council <Council@co.whatcom.wa.us>  
**Cc:** Kayla Schott-Bresler <KSchottb@co.whatcom.wa.us>; Aly Pennucci <APennucc@co.whatcom.wa.us>; Satpal Sidhu <SSidhu@co.whatcom.wa.us>; Maialisa Vanyo <MVanyo@co.whatcom.wa.us>  
**Subject:** Supreme Court Adopts New Standards

Councilmembers:

This morning the Washington Supreme Court issued an order on new Standards of Indigent Defense.

Meanwhile, the Court is going to continue to examine these issues. Attached find the news release and the order. In sum, the Court adopted the caseload reductions that the Washington Bar Association adopted. However, the Court said that the reduced numbers were to be set on January 1, 2026, rather than July 1, 2027 as in the Bar Standards. However, the Court also ordered that implementation should be “as soon as reasonable” but should at least be 10% of the current standards (150 felonies or 400 misdemeanors per attorney per year) each year until the standard is met. In other words, the felony standard per attorney for 2026 will be 135:  $(150 - 15 = 135)$ . In no event may full implementation be extended beyond **January 1, 2036**.

The court declined to adopt a case-weighting policy or mandate one. It strongly encourages the use of a weighting policy which we already have in place in Whatcom County. We will be discussing the wisdom of continuing with our case-weighting policy.

Finally, the court is going to set an implementation review in three years.

I am making my annual report to the council tomorrow morning and can take any questions about the ramifications of these new standards at that time.

***Starck Follis***

Director

Whatcom County Public Defender