

PROPOSED BY: Whatcom County Public Defender
INTRODUCTION DATE: _____

ORDINANCE NO. _____

**AMENDING WHATCOM COUNTY CODE (WCC) 2.09, PUBLIC DEFENDER, TO REFLECT
CURRENT STANDARDS OF PRACTICE OUTLINE UNDER RCW 10.101.030 AND THE
ETHICAL STANDARDS RELATING TO CONFLICTS OF INTEREST OUTLINED BY
WASHINGTON COURT RULES OF PROFESSIONAL CONDUCT**

WHEREAS, chapter 2.09 WCC, Public Defender, was most recently adopted in Ordinance No. 2020-042 on August 5, 2020;

WHEREAS, in July, 2005, Washington State Law regarding the standards for public defender services was expanded under RCW 10.101.030, which requires counties to adopt standards that include: compensation of counsel, duties and responsibilities of counsel, case load limits and types of cases, responsibility for expert witness fees and other costs associated with representation, administrative expenses, support services, reports of attorney activity and vouchers, training, supervision, monitoring and evaluation of attorneys, substitution of attorneys or assignment of contracts, limitations on private practice of contract attorneys, qualifications of attorneys, disposition of client complaints, cause for termination of contract or removal of attorney, and nondiscrimination.

WHEREAS, WCC 2.09.070 currently set standards of conduct consistent with State Bar association standards, but fails to specifically articulate the standards as prescribed by RCW 10.101.030;

WHEREAS, WCC 2.09.080 currently set standards regarding conflicts that are not consistent with standards of ethical practice under the Washington State's rules of professional conduct;

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NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that WCC 2.09.070 and 2.09.080 are hereby amended as shown in the attached Exhibit A.

ADOPTED this ____ day of _____, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

Civil Deputy Prosecutor

Satpal Sidhu
County Executive

() Approved () Denied

Date Signed: _____