



Committee of the Whole

Nicole Gorle

Council Initiated:

Yes

No

ECAF: 2025-0012

Motion: 25-026

Type:

- Contract
- Board Appt.
- Code Amendment
- Budget Action
- Other

Requested Handling:

- Normal
- Expedite
- Urgent 1/22/25

Fund Source:

- General Fund
- Other
- N/A

Executive Rec:

- Approve
- Do Not Approve
- N/A

Approved as to

Form:

- Yes
- No
- N/A

Subject: 2025 Contract – Public Defenders Association

Scope: Under the contract the Snohomish County Public Defender Association (SCPDA), will provide counsel for indigent persons charged with criminal offenses in the Snohomish County Superior, District, and Juvenile Courts and other cases for indigent persons as required by law (At-Risk-Youth, Child in Need of Services, Civil Commitment, etc.). Services provided by SCPDA under the contract are:

1. Legal assistance to all clients during criminal investigations who are un-represented and request legal assistance.
2. Counsel and represent all clients in criminal and juvenile proceedings who are referred by the County
3. Counsel clients on their rights to appellate review and file related notices at the request of the client.
4. Counsel and represent people who have petitions filed against them in the Superior Court for involuntary civil commitment under RCW 71.05.

The structure of the contract is changing by consolidating sections, updating language to be consistent with the new caseload standards, and replacing Schedule C – compensation with a contract limit amount in Section 5. Language in Schedule A, section 3 is also amended by changing the statement about recognizing the case load standards adopted by the Washington State Bar Association (WSBA) from suggestive to definitive.

Duration: January 1, 2025 through December 31, 2025

Fiscal Impact: Current Year Future-Year N/A

Below is a chart showing the approved PDA contract amounts for 2023 and 2024 (green), next to the proposed contract before you (orange), and what appropriated funds will be remaining in each DAC for the 2026 contract (blue). At least since 2013, potentially further back, the PDA contract grown in expense annually, whether by \$300k or more than \$1M. At a minimum, to get the 2026 contract up to the 2025 amount an additional appropriation of \$2,238,573.62 will be needed in the mid-biennium budget.

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	2023 Contract	2024 Contract*	2025 Proposed Contract	Remaining Approp for 2026 Contract
002 5321274107 Felony	\$9,319,459	\$9,824,413	\$10,991,676.60	\$9,054,570.40
002 5321274108 Misdemeanor	\$1,432,469	\$1,619,674	\$1,434,475.27	\$1,532,553.73
002 5321274106 Miscellaneous	\$109,620	\$1,365,413	\$263,323.08	\$196,161.92
002 5321274111 Juvenile	\$268,744	\$295,676	\$376,590.24	\$305,928.76
002 5321274117 Becca	\$129,936	\$112,706	\$142,931.92	\$104,265.08
124 502321274107 Adult Felony	\$2,387,572	\$2,854,161	\$3,171,210.41	\$3,015,865.59
124 502321274106 Adult Misc.	\$134,985	\$230,592	\$260,243.12	\$210,368.88
124 502321274108 Juvenile show cause	\$72,485	\$76,723	\$96,495.67	\$78,658.33
ARPA	\$1,083,556	\$853,300		
TOTAL	\$14,938,826	\$17,232,658	\$16,736,946.31	\$14,498,372.69

*includes budget transfer for the COLA/Market rate adjustmet approved in Motion 24-494

Expenditures	Current Year	2026	2027	2028	2029	Total
General Fund	\$13,208,997.11					\$13,208,997.11
Fund 124	\$3,527,949.20					\$3,527,949.20
Total's	\$16,736,946.31					\$16,736,946.31

Authority Granted: Authorize the Executive to execute the contract and future amendments.

Background:

The [Sixth Amendment](#) of the United States Constitution states that the accused has the right to the assistance of counsel for their defense in criminal prosecutions. As not every defendant can afford an attorney, in 1989 Washington State implemented [Chapter 409 \(RCW 10.101\)](#) stating that “legal representation should be provided for indigent persons and persons who are indigent and able to contribute.” This chapter also requires counties and cities to establish standards for the delivery of defense services to indigent defendants.

Today, the largest contract is with the Snohomish County Public Defender Association (SCPDA), who provides the majority of legal services to indigent defendants in the County.

Requested Action: For Council to consider taking action.