



Committee of the Whole

Nicole Gorle

Council Initiated:

Yes

No

ECAF: 2026-0331

Motion: 26-081

Type:

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

Requested Handling:

- Normal
- Expedite
- Urgent

Fund Source:

- General Fund
- Other
- N/A

Executive Rec:

- Approve
- Do Not Approve
- N/A

Approved as to

Form:

- Yes
- No
- N/A

Subject: 2026 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:

Primary changes from prior contracts

Contract:

- The structure of the contract is changing by consolidating sections.
- Updating language throughout to be consistent with the new caseload standards.

Schedule A:

- Sec. A3 shows caseload maximums with the required 10% reduction
- Sec. F11 removes representation for truancy proceedings as the funding from the state for this service was lost

Schedule B:

- No major changes. OPD did create a time entry procedure that the PDA has agreed to for time keeping.

Schedule C (NEW):

- This schedule establishes case weighting for all non-standard cases and assignments not addressed by the WSBA and court ruling. In speaking with the department, this was developed in consultation with the PDA and when possible, they used available data on hours worked to estimate case weights. It is anticipated that these may need to be adjusted in the next contract cycle.

Duration: January 1, 2026 through December 31, 2026

Fiscal Impact: Current Year Future-Year N/A

This year’s contract is an increase of \$1,412,824 from 2025. Part of this increase, \$882,499, is covered by the grant received from the Washington State Office of Public Defense Indigent Defense Improvement Funds received under Motion [25-523](#). These are one-time funds that will go towards funding 8 temporary attorneys to provide services to the County’s contract in order to meet the new caseload standards for 2026.

Committee of the Whole

Nicole Gorle

Below is a chart that shows where this contract will put the County budgetarily in terms of what was appropriate vs. what is being approved through contracts and the difference. If the 2026 contract is approved as is the amount budgeted for this contract in the budget will be over budget by \$3.6M. This is not a wholistic look at OPD’s overall budget, just the charge codes that apply to this contract.

Comparison 2025/2026 Adopted Budget and Public Defender Association Contract				
	Budget Appropriation	2025 Contract	2026 Proposed Contract	*Over Budget
002.5321274107 Felony	\$20,046,247	\$10,991,677	\$12,186,972.65	\$3,132,402
002.5321274108 Misdemeanor	\$2,967,029	\$1,434,475	\$1,485,930.57	-\$46,623
002.5321274106 Miscellaneous	\$459,485	\$263,323	\$396,723.92	\$200,562
002.5321274111 Juvenile	\$682,519	\$376,590	\$277,702.97	-\$28,226
002.5321274117 Becca	\$247,197	\$142,932	\$148,410.84	\$44,146
General Fund Sub-Total	\$24,402,477	\$13,208,997	\$14,495,741	\$3,302,261
124.502321274107 Adult Felony	\$6,187,076	\$3,171,210	\$3,288,714.40	\$272,849
124.502321274106 Adult Misd.	\$470,612	\$260,243	\$263,229.19	\$52,860
124.502321274108 Juvenile Show Cause	\$175,154	\$96,496	\$102,085.60	\$23,427
Fund 124 Sub-Total	\$6,832,842	\$3,527,949	\$3,654,029	\$349,136
Total	\$31,235,319	\$16,736,946	\$18,149,770	\$3,651,397

*Total of 2025 and 2026 contract subtracted from total budget appropriation

Expenditures	Current Year	2026	2027	2028	2029	Total
General Fund	\$14,495,741					\$14,495,741
Fund 124	\$3,654,029					\$3,654,029
Total's	\$18,149,770					\$18,149,770

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.

Committee of the Whole

Nicole Gorle

In 2024 the Washington State Bar Association (WSBA) adopted [new caseload standards](#) for public defense. Since then, the Washington State Supreme Court has issued [an order](#) (with a couple clarifications and additions) pertaining to the WSBA caseload standards. The end result is that the County must work towards reducing caseloads by 10% annually each year until the new set standards are met, regardless of how close or far away you are from meeting those standards currently.

Requested Action: For Council to consider taking action.