

**CITY OF SEATTLE PUBLIC DEFENSE SERVICES AUDIT**
**Improving the Quality of Public Defense**
**Why We Did This Study**

The City is required to provide indigent public defenses services for qualifying individuals charged with misdemeanors in the Seattle Municipal Court.

To ensure that 2005 changes in Seattle's public defense system did not compromise the quality of Seattle's public defense, City Councilmembers Nick Licata and Richard McIver requested an audit.

**Background**

Currently, the City contracts directly with two non-profit public defense agencies. The current three year contracts expire on December 31, 2007. The City's 2007 budget for the Indigent Defense Program is approximately \$5 million.

Seattle's public defense system has been highly regarded as a model at the State and national level. 2005 changes to the program prompted concerns from the legal community and City Councilmembers.

**How We Did This Study**

We analyzed 19 key elements of the City's public defense program. Field work included: a review of the City's public defense agencies' compliance with City ordinances, contract terms, and professional standards, a review of previous audits of the agencies, case file reviews of each agency, a survey of pre-trial in-custody defendants, and interviews with public defense officials.

<http://seattle.gov/audit>

To view the full report, click on the link above. For more information or suggestions for future audits to Susan Cohen, Seattle City Auditor, at (206) 233-3801 or [susan.cohen@seattle.gov](mailto:susan.cohen@seattle.gov).

**What We Found**

The audit revealed several significant findings:

- One-third of the primary defender's attorneys exceeded the City's attorney caseload standard
- Instances of non-compliance with the City's attorney-client contact terms
- The defendant complaint process needs improvement
- Full compliance with four of the American Bar Association's (ABA) 10 Principles of a Public Defense Delivery System
- City oversight of public defense agencies could be improved
- City could improve data collection for assessing quality of public defense
- Benefits of having a larger secondary public defense agency

**Recommendations**

We made recommendations in 17 of 19 areas we analyzed to improve the quality of public defense including:

- Process improvements
- Oversight improvements
- Improvements in data collection to assess the quality of public defense
- Revisions to contract provisions

**Table of Issues Analyzed and Whether Office of City Auditor (OCA) Made Recommendations**

<b>Issues Analyzed</b>	<b>Fully Met City Standards or Contract Requirements?</b>	<b>OCA Recommendation?</b>
1. Attorney Caseloads	No	Yes
2. Attorney-Client Contacts	No	Yes
3. Client Complaint Process	No	Yes
4. Attorney Experience	Yes	No
5. Supervision	No	Yes
6. Training	Yes	Yes
7. Performance Evaluations	Yes	Yes
8. Investigator Use	No	Yes
9. Interpreter Use	Not Applicable (NA)	Yes
10. Continuances	NA	Yes
11. Case Processing Time	NA	Yes
12. Dispositions	NA	Yes
13. Jail Population/Length of Stay	NA	No
14. Appeals	NA	Yes
15. Motions	NA	Yes
16. Probation Revocation Hearings	NA	Yes
17. Trial Data	NA	Yes
18. ABA's 10 Principles	Fully Meets 4 of 10	Yes
19. Contracts Comparison	NA	Yes