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**SECOND SUBSTITUTE SENATE BILL 5780**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Torres, Dhingra, Padden, Boehnke, L. Wilson, Braun, Frame, Hasegawa, Kuderer, Lovick, Mullet, Nguyen, Warnick, and J. Wilson)

AN ACT Relating to encouraging participation in public defense and prosecution professions; adding new sections to chapter 2.70 RCW; adding new sections to chapter 43.101 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that the lack of availability of public defense attorneys and deputy prosecutors is an increasing problem in Washington and neighboring states which threatens the ability of court systems to process criminal filings, particularly within rural areas. The legislature intends to encourage law students to enter public defense practice and prosecution and to remove barriers to practice in underserved areas and rural areas of the state.

NEW SECTION. **Sec.**  A new section is added to chapter 2.70 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of public defense shall administer a law student rural public defense program. The program shall coordinate with one or more law schools to place law students who are eligible to practice as a licensed legal intern under Washington state admission and practice rule 9 and/or recent law school graduates as legal interns with experienced public defense attorneys located in underserved areas and rural areas of the state. The program must allow the intern to gain real-world public defense experience under the mentorship of the experienced public defense attorney, including active representation and litigation opportunities, with the purpose of encouraging the intern to consider, or not be deterred from pursuing, employment opportunities in public defense in underserved areas and rural areas of Washington state. The internship may be structured to correspond with time periods relevant to the academic calendar. Eligible internship placements shall include government and nonprofit public defense agencies as well as private firms that contract to provide public defense services.

(2) Contracts established by the office of public defense under this section shall include monthly compensation and housing stipends for program participants. Contracts may include partial reimbursement for the supervising attorney.

NEW SECTION. **Sec.**  A new section is added to chapter 2.70 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the office of public defense shall expand the capacity of its criminal defense training academy program to train practitioners who are new to public defense. The program must include and prioritize training for practitioners in underserved areas and rural areas of the state. The program must offer intensive trial skill development, incorporate public defense best practices and applicable standards, and offer networking opportunities. Trainings may incorporate in-person, remote, and recorded resources. By June 30, 2026, the office of public defense shall expand program offerings to also provide training to public defense practitioners who are seeking to achieve advanced qualifications.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the criminal justice training commission shall provide trial skills training for practitioners who are new to prosecution, or contract with an entity that serves prosecuting attorneys in Washington to provide that training. The program must include and prioritize training for practitioners in underserved areas and rural areas of the state. The program must offer intensive trial skill development, incorporate prosecution best practices, provide training related to ethical duties of prosecutors, and offer networking opportunities. Trainings may incorporate in-person, remote, and recorded resources. By June 30, 2026, the criminal justice training commission, or its grantee who serves prosecuting attorneys in Washington, shall expand a trial skills program to include advanced trial skills training.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall administer a law student rural public prosecution program, or contract with a statewide entity which represents prosecuting attorneys to run the program. The program shall coordinate with one or more law schools to place law students who are eligible to practice as a licensed legal intern under Washington state admission and practice rule 9 and/or recent law school graduates as legal interns with prosecuting attorneys located in underserved areas and rural areas of the state. The program must allow the intern to gain real-world prosecution experience under the mentorship of the experienced prosecuting attorney or their deputy, including active litigation opportunities, with the purpose of encouraging the intern to consider, or not be deterred from pursuing, employment opportunities in prosecution in underserved areas and rural areas of Washington state. The internship may be structured to correspond with time periods relevant to the academic calendar.

(2) Contracts established under this section shall include monthly compensation and housing stipends for program participants. Contracts may include partial reimbursement for the supervising attorney.

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