

# SENATE BILL REPORT

## SB 5453

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As of February 1, 2025

**Title:** An act relating to public defense recruitment and retention.

**Brief Description:** Concerning public defense recruitment and retention.

**Sponsors:** Senators Slatter, Torres, Chapman, Frame, Hasegawa, Holy, Saldaña and Valdez.

**Brief History:**

**Committee Activity:** Law & Justice: 2/03/25.

**Brief Summary of Bill**

- Directs the office of public defense to administer training programs for public defense support staff and maintain a pool of paralegals to support public defense contracted counsel.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Patrick Moore (786-7535)

**Background:** People who cannot afford an attorney to counsel them in criminal, juvenile, involuntary commitment, and dependency cases are described as indigent and are entitled to have a publicly funded attorney represent them. Public defenders are attorneys employed by governments to represent indigent defendants. Other attorneys may also be contracted to provide this service. The Office of Public Defense (OPD) was legislatively created in 1996 to implement the constitutional guarantee of counsel and to ensure the effective and efficient delivery of the indigent appellate services funded by the state of Washington. Paralegals perform certain legal work but are not licensed as attorneys and cannot perform some of the tasks that attorneys do. Public defense mitigation specialists assist attorneys in developing defense strategies by providing advice and recommendations to attorneys in assessing and preparing client cases as well as presenting information on social service needs of clients.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** The OPD is directed to administer a training program for public defense mitigation specialists and paralegals who are new to public defense. The OPD is also directed to administer a pool of public defense paralegals to support the OPD contracted counsel on an as-needed basis. This paralegal pool is to prioritize solo practitioners and very small private law firms that are contracted with the OPD, as well as legal practitioners contracted to provide postconviction representation.

**Appropriation:** The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

**Fiscal Note:** Requested on January 31, 2025.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** This bill takes effect on July 1, 2026.