



King County

Dow Constantine

King County Executive

401 Fifth Avenue, Suite 800

Seattle, WA 98104-1818

206-263-9600 Fax 206-296-0194

TTY Relay: 711

www.kingcounty.gov

July 31, 2023

The Honorable Dave Upthegrove
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Upthegrove:

This letter transmits the Assigned Counsel Rate Study Report in response to Ordinance 19546, Section 17, Proviso P5, which directed the Office of Performance, Strategy and Budget (PSB) to develop a report on the Department of Public Defense's (DPD) assigned counsel hourly rate, as well as a proposed Motion that, if approved, would acknowledge receipt of the report.

As required, the enclosed report includes a market analysis of the assigned counsel hourly rates and whether the current rates paid to assigned counsel impact the ability of the department to attract qualified assigned counsel.

The market analysis shows that King County's assigned counsel rates are lower than most other counties in the state, as well as the federal rates for assigned counsel. Review of the qualifications required for assigned counsel shows that King County is able to attract and retain an adequate number of assigned counsel attorneys who meet the basic qualifications required by DPD and the statewide standards for indigent defense.

King County's assigned counsel rates increased by 4.5 percent in 2022 and 3 percent in 2023, and they will increase by 3 percent in 2024. Because a further increase is not currently financially feasible, PSB does not recommend pursuing an additional increase for outside counsel at this time. I will continue to consider a general wage increase to these rates on an ongoing basis as part of the budget process.

The Honorable Dave Upthegrove

July 31, 2023

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Thank you for your review of this report and proposed Motion. If your staff have questions, please contact Dwight Dively, Director, Office of Performance, Strategy and Budget, at 206-263-9687.

Sincerely,

 for

Dow Constantine

King County Executive

Enclosure

cc: King County Councilmembers

ATTN: Stephanie Cirkovich, Chief of Staff

Melani Pedroza, Clerk of the Council

Karan Gill, Chief of Staff, Office of the Executive

Mina Hashemi, Council Relations Director, Office of the Executive

Dwight Dively, Director, Department of Performance, Strategy and Budget