

READ THIS NOTICE YOU HAVE IMPORTANT RIGHTS AS A CLIENT OF THE PUBLIC DEFENDER

The Washington State Supreme Court has adopted standards for the conduct of public defenders. The Washington State Bar Association has also adopted guidelines for the provision of services to you by public defenders. These Standards and Guidelines are the basis for standards adopted by the City. This notice is provided to you as a client of the Public Defender to make you aware of your rights under these standards. You are receiving this notice because you are a client of the Public Defender. It helps describe some of your rights and what you can do if you think your rights have been violated. Your rights include:

A right to confidential meetings with your lawyer.

A right to advice about your case.

A right to understand any plea agreement.

YOU HAVE A RIGHT TO FILE A COMPLAINT

If you believe your rights have been violated, you have the right to file a complaint.

You can file a complaint with the Washington State Bar Association. The Bar Association regulates lawyer conduct, and can investigate and discipline any lawyer who violates the rules of professional conduct.

You can also file a complaint with the Municipal Court Judge. Public defenders are required to file certificates with the court indicating that they are in compliance with the rules for public defenders. If you believe your rights as a client of the Public Defender have been violated, you can make a written complaint to the Municipal Judge handling your case.

If your complaint is about the legal strategy the Public Defender is using in your case or the type of legal advice you have received, you should contact the Court or Bar Association, not the City.

YOU CAN FILE A COMPLAINT WITH THE CITY

You can file a written complaint with the City of Kelso. In addition to general complaints, the City has a special process in place in two areas:

- a.) A complaint that you were denied a meeting with your public defender to discuss your case or options or;

- b.) A complaint that you entered a plea agreement that you did not understand, or that you entered a plea agreement involuntarily.

RULES OF THE CITY COMPLAINT PROCESS

If you want to file a complaint in either of these two areas, you must do so within 15 days of the date you were refused a meeting by the Public Defender or entered a plea agreement by written notice on the attached form.

You must complete the form or you will not get a response. If you need assistance completing the written form, please contact the Public Defender Supervisor at (360) 577-3301.

You must provide the form to Public Defender Supervisor, Steve Taylor, City of Kelso, 203 S. Pacific Avenue, (P.O. Box 819) Kelso, WA 98626.

Upon receipt of the written complaint form, the City shall have 30 days to respond. The City is not required to respond or take any further action if you stop being a public defender client any time within the 30-day period. The City shall not be required to respond or take any further action if you are subject of an active arrest warrant issued anywhere in the State of Washington or issued by the Federal Government.

If you think you were denied a meeting by your public defender, the City will attempt to set up a meeting with your public defender to occur within 30 days of receiving the complaint. The meeting may be in person or by phone.

If you think your plea agreement was not knowing and voluntary, the City will work with the prosecutor to review your complaint and provide a response within 30 days of receipt of your complaint. If the City's response to your complaint does not result in a satisfactory resolution, you may forward that complaint to the Washington State Bar Association and/or the Municipal Court.

By accepting and processing your complaint, the City is not making any judgment that the Public Defender has violated your rights or done anything wrong. The City is committed to providing constitutionally adequate representation for indigent defendants and is providing this process in an effort to meet and exceed its obligation in that regard. The City reserves the right to terminate this process in any particular case if it believes that a client of the Public Defender is abusing the process.