

**RCW 2.70.027 Director—Commitment to psychiatric care—
Postcommitment public defense services for indigent persons.** In providing postcommitment public defense services for indigent persons who are committed to state psychiatric care following acquittal by reason of insanity under chapter 10.77 RCW, the director shall:

(1) In accordance with state contracting laws, contract with persons admitted to practice law in this state and with government or nongovernment organizations employing persons admitted to practice law in this state;

(2) Establish annual contract fees for public defense legal services within amounts appropriated;

(3) Ensure an indigent person qualified for public defense counsel has contracted counsel appointed to assist him or her;

(4) Consistent with applicable statutes, court orders, and court rules, establish office policies and procedures for the payment of expert costs, other professional and investigative costs, and litigation costs;

(5) Review and analyze existing caseload standards and make recommendations for updating caseload standards as appropriate for this area of legal practice; and

(6) Periodically, as needed, submit reports to the chief justice of the supreme court of the state of Washington, the governor, and the legislature. The purpose of such reports is to communicate new information regarding public defense services for persons who are committed following acquittal by reason of insanity under chapter 10.77 RCW and to recommend changes in statutes and court rules for the improvement of insanity commitment and postcommitment proceedings. [2023 c 120 § 3.]

Intent—2023 c 120: "Out of concern for inconsistent practices for providing postcommitment right to counsel services, the legislature directed the Washington state office of public defense to develop a statewide proposal to administer the right to counsel for persons acquitted by reason of insanity and committed to state psychiatric care.

In response to the office's proposal, the legislature intends that the office of public defense shall administer a program of statewide public defense services to ensure the right to counsel for indigent persons who are committed to state psychiatric care following acquittal by reason of insanity. The legislature intends that the office shall administer these postcommitment public defense services in a manner that provides for statewide effectiveness, efficiency, and equity." [2023 c 120 § 1.]

Effective date—2023 c 120: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 20, 2023]." [2023 c 120 § 15.]