2025-2026 State Fiscal Year Funding Application

Simple Possession Advocacy & Representation (SPAR) Program

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| --- | --- |
| **City/County Name:** |       |
| **Contact Name\*:** |       |
| **Title:** |       |
| **City/County Department Name:** |       |
| **Mailing Address:** |       |
| **City:** |       | **State:** WA | **Zip Code:** |       |
| **Phone:** |       |
| **Email Address:** |       |
| \*Please list the person who will be responsible for submitting invoices and handling any communication in regard to these funds. |
| **Signing Authority\*\*:** |       |
| **Title:** |       |
| **City/County Department Name:** |       |
| **Mailing Address:** |       |
| **City:** |       | **State:** WA | **Zip Code:** |       |
| **Phone:** |       |
| **Email Address:** |       |
| \*\*Please list the person who will be signing any agreement regarding these funds. **If the same as the contact person listed above, you may skip this section.** |
| **State Vendor Number:** |       |
| For more information see:<https://ofm.wa.gov/it-systems/accounting-systems/statewide-vendorpayee-services> |

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| *NOTE: Completed applications are due to OPD by 5 p.m.* ***June 30, 2025****. State OPD will send preliminary notification of grant awards and denials by July 15. Any available funding remaining after July 15 will be disbursed on a rolling, first-come, first-serve basis.****Completed applications should be submitted as a word document, with a PDF copy of the signed signature page.*** *The application and corresponding documentation should be submitted as email attachments to the SPAR Program at* *spar@opd.wa.gov**. Please do not leave any answers blank.* |

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| **Section I: Applicant and Court Information** |
| 1. **Is this application completed on behalf of a Washington city or county?**
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|  |  |
| 1. **What is the applicant’s current** [**population size**](https://ofm.wa.gov/washington-data-research/population-demographics/population-estimates/april-1-official-population-estimates)**?**
 |       |
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| 1. **What courtroom facilities does the applicant use for court services?** Please provide the name of the court.
 |       |
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| 1. **How does the applicant employ judicial officers?**
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| 1. **If your judicial officers are shared with or employed by another jurisdiction, please indicate which jurisdiction(s). OR if you selected “Other,” please describe.**
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| 1. **Who provides prosecutorial services to the applicant?**
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| 1. **If you selected “Other,” please describe.**
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| 1. **Does the applicant provide public defense services for another jurisdiction?**
 |  |
| * 1. **If yes, is this application made on behalf of the applicant alone, or in consultation with the other jurisdiction(s)? Please describe.**
 |
|       |
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| 1. **Does the applicant have the ability to collect and report data on the following data points?**
 |
| **Yes/No** | **Data to be requested** |
|  | Number of Cases |
|  | Case/Cause Numbers |
|  | Age of Defendant |
|  | Race of Defendant |
|  | Gender of Defendant  |
|  | Case Outcome/Disposition |
|  | Attorney Hours |
|  | Diversion Status (including: was case diverted, was diversion completed) |
|  | Trials |
|  |  |
| *Ability to collect and report data on age, race, and gender of the defendant, or case outcome/disposition and diversion status is not a requirement for grant funding.* ***However, ability to track the number of qualifying cases and case (cause) numbers will be part of the documentation required for reimbursement.***  |
|  |  |  |
| **Section II: Information on Local Public Defense Model** |
| 1. **What is the primary public defense model in the jurisdiction?**
 |
| [ ]  Public defense cases are primarily represented by contract public defense attorneys. [ ]  Public defense cases are primarily represented by staff attorneys employed by the applicant as part of a public defense agency.What is the name of the agency?  |
|  |
| 1. **If the jurisdiction employs staff attorneys, please list all current salaried employees who would be reasonably expected to represent a client on a qualifying case during the grant period.** For counties, please only list attorneys practicing in district court.

[ ]  Not applicable |
| **Employee Name** | **Maximum Caseload** | **Annual Salary** | **Additional Information**(if applicable) |
|       |       | $      |       |
|       |       | $      |       |
|       |       | $      |       |
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| 1. **Using the space below, please list all current contractors who would be reasonably expected to represent a client on a qualifying case during the grant period. This includes contracts for conflict cases only, and for calendar representation only. Please provide copies of all contracts listed.** For counties, please only list contractors practicing in district court.
 |
| **Contractor Name** | **Compensation Structure** | **Rate of Payment** (dollar amount per hour, per case, per month, etc.) | **Maximum Caseload** | **Additional Information**(if applicable) |
|       |  | $      |       |       |
|       |  | $      |       |       |
|       |  | $      |       |       |
|       |  | $      |       |       |
|       |  | $      |       |       |
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| 1. **Who is responsible for overseeing public defense contracts on behalf of the applicant? Please provide their contact information.**
 |
| **Name:**      **Title:**       | **Email:**      **Phone:**       |
|  |  |
| 1. **Are city/county attorneys, prosecutors, judges, judicial staff, or law enforcement officers involved in the selection of public defense attorneys?** [WSBA Indigent Defense Services Standard 19](https://wsba.org/docs/default-source/legal-community/committees/council-on-public-defense/standards-for-indigent-defense-services-approved-by-bog-revised-september-2021.pdf?sfvrsn=b40d17f1_4)**;** [RCW 10.101.040](http://app.leg.wa.gov/RCW/default.aspx?cite=10.101.040); [GR 42](https://www.courts.wa.gov/court_rules/pdf/GR/GA_GR_42_00_00.pdf)
 |  |
|  |
| 1. **Who is responsible for appointing public defenders to indigent defense cases on behalf of the applicant? Please provide their contact information.**
 |
| **Name:**      **Title:**       | **Email:**      **Phone:**       |
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| **Section III: Qualifying Cases** |
| 1. **If applying on behalf of a city, what is the city ordinance/city code new filings for possession of a controlled substance are charged under? Please attach a copy of the ordinance.**
 |       |
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| 1. **How many cases were filed in 2024 with qualifying offenses?** (See Appendix A.)
 |       |
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| 1. **Does the applicant expect case filings with qualifying offenses to increase, decrease, or remain steady over the next 12 months?**
 |  |
|  |  |
| 1. **Please describe any alternatives to traditional prosecution that exist in the applicant’s jurisdiction.** An “alternative to prosecution” means an opportunity to depart from the traditional criminal case process of charge to trial, or charge to guilty plea. Examples might be, but not limited to, stipulated continuance, deferrals, therapeutic or specialty courts, or diversions.

**For each alternative that exists in applicant’s jurisdiction please describe:****a) the type of alternative;****b) whether it occurs pre-charge or post-charge;****c) how a defendant learns of the alternative;****d) who makes the decision to allow the defendant to participate in the alternative;****e) what is expected of the defendant in the alternative;****f) what events or conditions may cause the alternative to be rescinded or revoked;****g) what process, if any, is followed to rescind or revoke the alternative; and****h) the role of defense counsel if any, in the alternative.** |
|       |
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| 1. **Please describe how representation on post-disposition matters, such as probation reviews and revocation hearings, currently takes place.** Please address assignment of attorney for hearings as well as representation during the probationary period.
 |
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| **Section IV: Public Defense Expenditures & Award Request** |
| 1. **In calendar year 2024, the applicant paid indigent defense expenses as follows:**
 |
|  | City/County Funds | State OPD Chapter 10.101 RCW Grant Funds (if applicable) | Other Funds(if applicable) |
| Attorney salaries and benefits, contract and conflict attorney compensation |       |       |       |
| Investigators, experts, interpreters, social workers, and other professional services |       |       |       |
| Other public defense expenses |       |       |       |
| **Total** |       |       |       |
|  |
| 1. **For calendar year 2025, the applicant *budgeted* indigent defense expenses as follows:**
 |
|  | City/County Funds | State OPD Chapter 10.101 RCW Grant Funds (if applicable) | Other Funds(if applicable) |
| Attorney salaries and benefits, contract and conflict attorney compensation |       |       |       |
| Investigators, experts, interpreters, social workers, and other professional services |       |       |       |
| Other public defense expenses |       |       |       |
| **Total** |       |       |       |
|   |
| 1. **What percentage of the jurisdiction’s general fund goes to public defense?**
 |      % |
|  |  |
| 1. **Has public defense funding at the local level changed over the past three years?**
 |  |
| **Please describe:**      |
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| 1. **How much total SPAR funding is the applicant requesting for FY26 (July 1, 2025 through June 30, 2026)?**
 | $      |
|  |
| 1. **From the list of common allowed uses below, please indicate how the applicant intends to utilize award funding.**
 |
| **Yes/No** | **Funding Uses** | **Yes/No** | **Funding Uses** |
|  | Defense Attorney Compensation |  | Defense Social Service Worker Compensation |
|  | Defense Support Staff Compensation\* |  | Defense Expert Service Costs |
|  | Defense Investigation Costs |  | Out-of-Court Interpreter Costs |
|  | Other (please describe) |  | Training Costs |
|  |       |
|  \*Defense support staff costs are only reimbursable if they are paid separate and apart from attorney compensation.  |
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| 1. **Please briefly describe your plan to implement use of these funds for any of the uses you selected**.
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| 1. **Is a fee ordered or assessed against indigent clients, or clients deemed indigent but able to contribute, for the cost of their representation?**
 |  |
| 1. **If yes, how much is ordered?** (If attorney costs are imposed, the amount will be deducted from any reimbursement paid to the award recipient under SPAR.)
 |  | **$** |
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| 1. **Pursuant to RCW 2.70.200, these funds will be disbursed only on a reimbursement basis. This requires the award recipient to first expend funds, then submit an invoice for reimbursement. Is the applicant able to track expenditures, including case numbers for qualifying cases, and regularly invoice State OPD for reimbursement?**
 |  |
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| **Section V: Washington State Bar Association Standards for Indigent Defense Services** |
| [*RCW 10.101.060*](http://app.leg.wa.gov/RCW/default.aspx?cite=10.101.060) *requires each city or county that receives state funds to document to the Washington State Office of Public Defense that it is meeting the* [*WSBA Standards for Indigent Defense Services*](https://www.wsba.org/docs/default-source/legal-community/committees/council-on-public-defense/standards-for-indigent-defense-services-approved-by-bog-revised-september-2021.pdf?sfvrsn=b40d17f1_8)*, or that the funds are being used to make “appreciable, demonstrable improvements in the delivery of public defense services.” The following questions address many of the provisions set forth in statute and the WSBA Standards for Indigent Defense Services.* |
| **Standard One: Compensation** |
| 1. **Do the applicant’s public defense contracts (including sub-contracts and assigned counsel policies) require the attorneys to compensate conflict counsel, investigators or experts?**
 |  |
| If yes, please explain the situation: |
|       |
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| 1. **If public defense is primarily provided by attorneys employed by a public defense agency, are job classifications, compensation and benefit levels comparable to local prosecuting attorneys?**
 |  |
| If no, please explain: |
|       |
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| 1. **What is the average salary of the prosecuting attorney(s) providing prosecutorial services in the jurisdiction?** If prosecuting attorneys are compensated according to a salary schedule/grid, please provide a copy.
 | $      |
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| 1. **Are compensation amounts for contracted, sub-contracted, and assigned counsel attorneys sufficient to cover administrative costs such as travel, telephone, technology, office space, supplies, and training?**
 |  |
| If no, please explain: |
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| 1. **Does the applicant provide for extra compensation in cases of extraordinary complexity?**
 |  |
| If no, please explain. |
|       |
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| 1. **How does the applicant compensate for calendar representation? Please describe.**
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| **Standard Two: Duties and Responsibilities** |
| 1. **Are defense attorneys present and representing defendants at:**
 |
| * 1. In-custody first appearance hearings where bail is addressed (as defined by [CrRLJ 3.2.1](http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=clj&set=CrRLJ&ruleid=cljcrrlj3.2.1))?
 |  |
| If no, please describe when and how defendants have access to counsel: |
|       |
| * 1. Out-of-custody first appearance hearings?
 |  |
| If no, please describe when and how defendants have access to counsel: |
|       |
|  |
| 1. **Are public defense attorneys made available to consult with clients prior to first appearance or arraignment hearings?**
 |  |
|  |  |
| 1. **How long on average does it take for an defense counsel to be appointed to an indigent defendant’s case?**
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| **Standard Three: Caseload Limits** |
| 1. **Does the applicant use a case-weighting policy as allowed for in Standard 3 of the Standards adopted by the WSBA and the Washington State Supreme Court (**[**CrRLJ 3.1**](http://www.courts.wa.gov/court_rules/?fa=court_rules.list&group=clj&set=CrRLJ)**)?**
 |  |
| 1. **If yes, what is the applicant’s method of counting probation violations and other post-sentencing hearings? Please attach the case-weighting policy.**
 |
|       |
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| 1. **Do the applicant’s public defense contracts (and subcontracts, if applicable) specify the maximum number of cases each attorney shall be expected to handle?**
 |  |
| If no, please explain: |
|       |
|  |
| 1. **Are the caseloads of the public defense attorneys (including private cases and public defense cases from other jurisdictions) within the limits set by the Washington Supreme Court (**[**CrRLJ 3.1**](http://www.courts.wa.gov/court_rules/?fa=court_rules.list&group=clj&set=CrRLJ)**)?**
 |  |
| If yes was not selected, please explain: |
|       |
|  |
| 1. **If the Washington State Supreme Court were to adopt the recommendations put forth by the Washington State Bar Association reducing caseload limits, would the applicant be able to maintain public defense caseloads for individual attorneys within the limits set forth by the WSBA?**
 |  |
| **Please describe:**      |
|  |
| **Standard Four: Responsibility for Expert Witnesses** |
| 1. **Did public defense attorneys use experts on misdemeanor cases in the prior calendar year?**
 |  |
|  |  |
| 1. **Does the applicant pay for the cost of defense experts?**
 |  |
| If no, please explain the situation:      |
|  |
| **Standards Six and Seven: Investigators and Support Services** |
| 1. **Did public defense attorneys use investigators on misdemeanor cases in the prior calendar year?**
 |  |
|  |  |
| 1. **Does the applicant pay for defense investigators?**
 |  |
| If no, please explain the situation:      |
|  |
| 1. **Did public defense attorneys and service providers use interpreters for out-of-court meetings with clients and for document translation on misdemeanor cases in the prior calendar year?**
 |  |
|  |  |
| 1. **Does the applicant pay for out-of-court interpretation when needed?**
 |  |
| If no, please explain the situation:      |
|  |
| 1. **Did public defense attorneys use social workers or social service workers on misdemeanor cases in the prior calendar year?**
 |  |
| **Please describe:**      |
|  |
| 1. **Does the applicant pay for social workers or social service workers when needed?**
 |  |
| If no, please explain the situation:      |
|  |
| **Standards Ten and Eleven: Supervision, Monitoring and Evaluation of Attorneys** |
| 1. **Has someone verified that all attorneys that provide public defense representation for the applicant have filed Certifications for the most recent quarter?**
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| **Standard Thirteen: Limitations on Private Practice** |
| 1. **Does the applicant require contract and subcontract public defense attorneys to report on public defense caseloads from other jurisdictions, and “hours billed for nonpublic defense legal services including number and types of private cases?”** [**RCW 10.101.050**](http://app.leg.wa.gov/RCW/default.aspx?cite=10.101.050)
 |  |
| If no, please explain the situation:  |
|       |
|  |
| **Standard Fifteen: Disposition of Client Complaints** |
| 1. **Who does the city/county designate to receive and investigate complaints about public defense services?**
 |
| **Name:**      **Title:**       | **Email:**      **Phone:**       |
|  |
| 1. **How are indigent clients notified of the complaint policy and procedure?** Please provide a copy of the city/county’s complaint procedure, complaint form, or any other relevant documentation.
 |
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| **Section VI: Attachments** |
| 1. **Please include the following items with your application where applicable. Each required attachment must be labeled with the question number(s) to which it corresponds. If attachments are submitted as separate documents, please ensure the question number is referenced in the file name as well as inside on the document itself. Failure to include any of the required items could result in an incomplete application.**
 |
|  | Relevant current public defense contracts (Question 2.3) |
|  | City Ordinance/City Code used for charging drug possession and public use, if applicable (Question 3.1) |
|  | Case-weighting policy, if applicable (Question 3.4) |
|  | Prosecuting attorney(s) salary schedule/grid, if applicable (Question 5.3) |
|  | Other relevant information (applicant’s discretion) |
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| **Section VIII: Declaration** |
| **Declaration**  |
| *I declare under penalty of perjury under the laws of the State of Washington that the foregoing information is true and correct.* |
|  |  |       |
| Signature |  | Date |
|       |       |  |       |
| Printed Name | Title |  | Place |

**Application Definitions**

**Alternatives to Prosecution** – An opportunity to depart from the traditional criminal case process of charge to plea of guilty, or conviction or acquittal at trial.Examples might be, but not limited to, stipulated continuances, deferrals, therapeutic courts, or a diversion program. See also, Diversion; Specialty Court; Therapeutic Court.

**Case** - The filing of a document with the court naming a person as defendant or respondent, to which an attorney is appointed to provide representation.

**Case Weighting** – A system for accounting for complexity, seriousness, or other extraordinary time commitments of certain types of cases and, therefore, adjusting the number of maximum case assignments. A weighting system may compensate for a case type by increasing or decreasing the weight given to a case type. Case weighting systems may only be used if the local government entity adopts and publishes written policies and procedures for implementing such a system.

**Consultation –** See Representation.

**Defendant** – The person answering or responding to a criminal charge. The state or city has accused these people of committing a crime, and they are defending themselves against the accusations. In certain cases, the defendant is referred to as the respondent.

**Diversion** – An agreement or non-specialty court program in which a defendant agrees to participate for some benefit. Typically, a defendant agrees to certain conditions (e.g., not commit any other crimes, abstain from alcohol, stay away from a particular person or place, engage in some sort of treatment evaluation and follow-through) with the understanding that the charge the defendant is facing will either be dismissed or reduced. See also, Pre-File Diversion; Pre-Trial Diversion; Statutory Pre-File Diversion; Statutory Pre-Trial Diversion Under RCW 69.50.4017.

**Pre-File Diversion –** A diversion from the criminal legal system by either law enforcement or the prosecutor that takes place before charges are filed against a defendant.

**Pre-Trial Diversion –** A diversion from the criminal legal system that takes place after charges are filed against a defendant but before a plea is entered, or before proceeding to trial.

**Statutory Pre-File Diversion** - A diversion from the criminal legal system by either law enforcement or the prosecutor to a program or service that takes place before charges are filed against a defendant as set forth in [RCW 69.50.4011(3)(c)](https://app.leg.wa.gov/RCW/default.aspx?cite=69.50.4011); [69.50.4013(2)(c)](https://app.leg.wa.gov/RCW/default.aspx?cite=69.50.4013); [69.50.4014(2)](https://app.leg.wa.gov/RCW/default.aspx?cite=69.50.4014); [69.41.030(2)(e)](https://app.leg.wa.gov/RCW/default.aspx?cite=69.41.030)

**Statutory Pre-Trial Diversion under RCW 69.50.4017** - A diversion from the criminal legal system under [RCW 69.50.4017](https://app.leg.wa.gov/RCW/default.aspx?cite=69.50.4017) that takes place after charges are filed against a defendant but before a plea is entered, or proceeding to trial.

**Indigent** – The definition of indigent is set forth in RCW 10.101.010(3). A legal determination of whether someone is indigent is made by a judicial officer in accordance with RCW 10.101.010. Generally, someone is indigent if they receive certain public assistance, is involuntarily committed to a public mental health facility, is receiving income 125% below the federal poverty level, or unable to pay the anticipated costs of defending themselves against the accusations.

**Judicial Officer** – Includes judges, court commissioners, and those acting in a temporary and limited judicial capacity (i.e., judges pro tem).

**Public Defense / Public Defense Services –** The entire system of providing legal representation and other services to indigent defendants/respondents. Public defense services encompass administration, investigation, social work, community support, as well as traditional trial defense representation. In Washington, public defense services also include non-criminal matters such as in dependency.

**Public Defender or Defense Attorney –** An attorney licensed in Washington who represents indigent persons in court proceedings at public expense. A public defender works in a government public defense agency, a non-profit public defense agency, a private firm or solo practice on a contractual basis, or by court appointment.

**Qualifying Offenses –** Pending charges of or charges of violations of RCW 69.50.4011(1)(b) or (c), 69.50.4013, 69.50.4014, or 69.41.030(2), (b), or (c), or pending charges of or charges of offenses involving allegations of possession or public use of a controlled substance, counterfeit substance, or legend drug.

**Representation –** Representation includes appointment to represent indigent defendants in courts of limited jurisdiction on cases involving qualifying offenses, including in therapeutic or specialty courts; consulting with or advising indigent defendants or potential defendants on pre-file or pre-trial diversion options; consulting with or advising indigent defendants during pre-trial diversion; representation on motions to terminate defendants from pre-trial diversion programs, or specialty or therapeutic courts, or other programs that offer alternatives to prosecution.

**SPAR Program –** State OPD’sSimple Possession Advocacy and Representation Program

**Specialty Court –** See “Therapeutic Court.”

**Therapeutic Court –** A court utilizing a program or programs structured to achieve both a reduction in recidivism and an increase in the likelihood of rehabilitation, or to reduce child abuse and neglect, out-of-home placements of children, termination of parental rights, and substance abuse and mental health symptoms among parents or guardians and their children through continuous and intense judicially supervised treatment and the appropriate use of services, sanctions, and incentives

**WSBA –** Washington State Bar Association.

**SPAR Program FY26 Application Evaluation Guidelines**

No award will be made to a city or county that exceeds the population threshold identified by the legislature in RCW 2.70.200. State OPD’s goal in awarding funding is to promote consistent, quality defense representation in courts of limited jurisdiction, and to maximize the number of jurisdictions that receive an award. In the event that funding requests exceed State OPD’s available funding, State OPD’s funding decisions will be guided by the [SPAR Program Funding Application Scoring Rubric and Evaluation Form](https://opd.wa.gov/sites/default/files/2025-06/000203_FY26_SPAR_ScoringRubric_0.pdf).