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2026 Supplemental Budget Agency Requests

To promote justice, protect due process, and ensure constitutional and statutory rights to effective counsel, OPD asks the Legislature to fund the following:

Implement Supreme Court Orders

- Order #25700-B-732 increases OPD's cost to purchase case transcripts \$496K
OPD must obtain trial transcripts in order to prepare appeals for indigent clients.
- Order #25700-A-1656 updates caseload standards for dependencies \$6.16M
Full-time attorney contracts can't exceed 45 clients in FY 27 and 35 clients in FY 28.
- Placeholder for updated caseload standards for indigent appeals \$TBD
Final Court Order limiting appellate caseload is anticipated by the end of the calendar year.

Make Technical Adjustments

- Correct drafting error to align base appropriation and proviso obligations \$0
Budget chairs identified this error and asked OPD to submit a correction, net \$0 appropriation change.
- Streamline authority to accept re-occurring grant from a private funder \$40K
OPD receives an annual ABA grant to participate in the national Family Justice Initiative.

Maintain Right-to-Counsel Services

- *Blake* response and Simple Possession Advocacy Representation (SPAR) \$1.9M
Partial restoration of 2025-27 funding cuts will support ongoing vacatur of unconstitutional felony convictions and will help ensure counsel is available for new misdemeanor drug charges.

Respond to *State v. Lewis*

- Provide counsel for persons eligible to be resentenced under new case law \$100K
The Supreme Court has determined that criminal history may not include foreign convictions.

Complete Decision Packages are available at: <https://opd.wa.gov/budget-information>

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