

How to Resolve Problems with your Public Defender

As a client of Benton County Office of Public Defense, you have the absolute right to quality legal representation. Among other things, this means the right to:

- Understand the charges against you and the evidence the prosecution has gathered.
- Communicate with your public defender about your case before court appearances.
- Receive details of plea offers from the prosecution and advice on the risks and benefits from accepting or declining such offers.
- Decide whether or not to accept plea offers and whether or not to go to trial.

Before Filing a Complaint

- **Communicate.** Give your public defender the opportunity to meet with you and explain things to you. Let your public defender know you are frustrated. In addition to calling your public defender, you can also send them an email. Often public defenders find themselves in situations where they **can respond to emails** but are **unable to make calls**.
- **We can help with communication.** Sometimes for reasons you may not know about, a public defender is hard for you to reach. Let us know you are having a hard time reaching your public defender and **we can contact them** and **make sure they get back to you**.

Filing a Complaint

Step 1 - Send us your complaint in writing

Any formal complaint you have against your public defender must be provided to us in writing.

- Email – opd@co.benton.wa.us
- Fax - (509) 222-3717
- Mail - Benton County OPD, 7122 W Okanogan PL, Ste #A220, Kennewick, WA 99336

Step 2 - We will investigate your complaint

We will take the necessary steps to investigate your complaint. This may include reviewing court notes, speaking with judges or contacting you for further information. The written complaint will be shared with your public defender, and he/she **will be required to provide a written response**.

Step 3 - We will make written findings

Once we have investigated your complaint, then we will provide you with a notice of our findings and a determination of the disposition of your complaint. You will also **receive a copy of the written response** provided by your public defender.

If you want a new public defender

Our office is unable to assign a new public defender. To have a new public defender assigned to your case, go to your next court appearance and ask the Judge. He/she will make that determination.