

**BENTON & FRANKLIN COUNTIES SUPERIOR COURT
JUDICIAL RESOLUTION NO. 23-005
ADULT FELONY INDIGENCY SCREENING**

WHEREAS, RCW 10.101.020 requires that defendants in, among other types of proceedings, Superior Court adult criminal cases, who seek court appointed counsel, to be screened for indigency by the Superior Court or its designee; and

WHEREAS, in order to increase and improve the efficiency of criminal proceedings, the Benton & Franklin Counties Superior Court wishes to designate the Benton County Office of Public Defense to complete the indigency forms given information obtained from the defendant and to keep and maintain records thereof as authorized under RCW 10.101.020, for Superior Court cases filed in Benton County and as set forth herein; and

WHEREAS, it is still desirable, effective, and efficient for the Superior Court to make the indigency determination;

NOW THEREFORE, BE IT RESOLVED, that effective immediately, indigency screening to determine the eligibility of individual adult criminal defendants in Benton County Superior Court Cases shall be accomplished as follows:

1. Whenever a defendant requests counsel, the Court shall remain the ISF completed and signed by the defendant. If, based on this information, the Court believes that the defendant is incapable of retaining private counsel, then the Court shall find the defendant indigent and complete, date and sign the form accordingly.
2. The Court, if defendant is indigent, will complete the court ordering Indigent Defense. The form will then be returned to the OPD attorney who shall provide it to OPD.
3. The Benton County Office of Public Defense may utilize whatever system it sees fit to retain the completed Indigency Screening Forms received from the Court.
4. In cases where a defendant, who has been able to afford, whether utilizing personal funds or funds provided by another, the services of an attorney but not the necessary services of an investigator, expert, or other professional person, to assist in his/her defense, then such a defendant shall make an application directly to the Benton County Office of Public Defense for funding for such an investigator, expert or other professional person, subject to judicial review at the request of the defendant, if such an application is denied.
5. The designation shall remain in effect until modified or terminated by further resolution of the Court.

BE IT FURTHER RESOLVED, that Judicial Resolution 16-003 is hereby rescinded.



HONORABLE JACKIE SHEA-BROWN
PRESIDING JUDGE

Dated: 11-28-23



HONORABLE JAQUELINE I. STAM
ASSISTANT PRESIDING JUDGE

Dated: 11-28-2023



HONORABLE JOSEPH M. BURROWES

Dated: 11/28/23



HONORABLE DIANA N. RUFF

Dated: 11-28-23



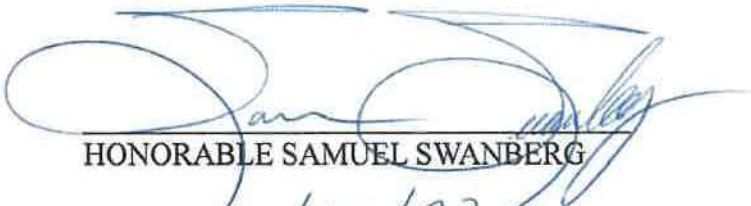
HONORABLE DAVID L. PETERSEN

Dated: 11/28/23



HONORABLE NORMA RODRIGUEZ

Dated: 11-28-2023



HONORABLE SAMUEL SWANBERG

Dated: 11/29/23