2026 JAN 15 AM
TULALIP TRIBAL C
CLERK mo

IN THE TULALIP TRIBAL COURT
TULALIP INDIAN RESERVATION
TULALIP, WASHINGTON

In re:	ADMINISTRATIVE ORDER: 2026-01
Criminal Procedures	**STANDING ORDER FOR THE ASSIGNMENT OF PUBLIC DEFENDERS**

1. **Rescission.** This order hereby rescinds Administrative Order 2023-06.

2. **Purpose.** This standing order is intended to effectuate a timely assignment of counsel to criminal defendants who qualify for a public defender by establishing initial assignments, screening protocols for conflicts of interest, and assignment of counsel in the event of a conflict of interest.

3. **Policy.** In all criminal proceedings, a defendant has the right to counsel at their own expense or to be represented by a public defender if eligible. If the defendant is being charged with a felony crime, with potential sentencing in excess of one year: (a) The defendant shall have the right be represented by an attorney who is a member of the Tulalip Tribal Bar and who is licensed to practice law by any jurisdiction in the United States that applies appropriate professional licensing standards and effectively ensures the competence and professional responsibility of its licensed attorneys; and (b) if the defendant is indigent, the Court shall, at the Tribes' expense, provide the defendant with an attorney meeting the foregoing qualifications at all critical stages of the criminal proceeding. TTC 2.25.070.

   The Court is responsible for safeguarding the defendant's right to counsel by providing a reliable system for the timely assignment of counsel.

4. **Conflicts of Interest.** Attorneys or spokespersons admitted to practice law before the Tulalip Court cannot accept representation in which there appears to be an actual conflict of interest or a likely conflict of interest. TTCR 1.17.8.

   For those attorneys licensed by the State of Washington, a lawyer shall not represent a client if the representation involves a concurrent conflict of interest unless certain conditions exist. WA RPC 1.7. Conflicts of interest must be imputed among public defenders within the same firm unless certain conditions exist. WA RPC 1.10.

5. **Initial Assignment.** Upon a determination that a defendant is eligible for assigned counsel:

   (a) For Class A-E offenses, defense counsel shall be assigned from the University of Washington Public Defense Clinic.

Tulalip Tribal Court
6332 31St Ave NE Suite B
Tulalip, WA 98271
Tel. (360)716-4773 Fax. (360)716-0657

(b) For Class F offenses, defense counsel shall be assigned by court order from the Tulalip Office of Public Defense.

6. **Conflict Screening.** The Tulalip Prosecutor has agreed to provide probable cause packets to the initially assigned defense counsel for conflict screening.

7. **Secondary Assignment.** When the initial assigned counsel determines it has a conflict of interest and cannot represent the defendant:

   (a) For Class A-E offenses, defense counsel shall be assigned by court order from the Tulalip Office of Public Defense.

   (b) For Class F offenses, defense counsel shall be assigned by court order from the Conflict Counsel list based on the schedule established by the Court. "Conflict Counsel" means an attorney licensed to practice law in the Tulalip Tribal Court who is contracted to provide public defense counsel in the event of a conflict of interest of assigned counsel.

8. **Conflict Counsel Assignments.** When the secondary assigned counsel determines it has a conflict of interest and cannot represent the defendant, defense counsel shall be assigned by court order from the Conflict Counsel list based on the scheduled established by the Court. In the event there are no available Conflict Counsel, the Court Director is authorized to secure Special Conflict Counsel.

9. **Assignment Responsibility.** For felony assignments, secondary assignments, and conflict counsel assignments, the Court Clerk shall request an order from the Court and take appropriate steps to notify the assigned counsel of the assignment.

10. **Effective Date.** This standing order is effective as of the date of signature below and remains in effect until specifically amended or withdrawn.

SO ORDERED January 15, 2026.

Christine Frausto, Interim Chief Judge

Tulalip Tribal Court
6332 31st Ave NE Suite B
Tulalip, WA 98271
Tel. (360)716-4773 Fax. (360)716-0657