

## Faulk, Camilla

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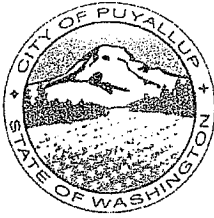
**From:** Kevin Yamamoto [KYamamoto@ci.puyallup.wa.us]  
**Sent:** Wednesday, April 30, 2008 4:10 PM  
**To:** Faulk, Camilla  
**Cc:** Cheryl Carlson; Steve Kirkelie  
**Subject:** CrRLJ 4.1 Comments, City of Puyallup  
**Attachments:** Ltr to Carpenter 043008.pdf

Ms. Faulk:

The City of Puyallup's comments to the proposed rule changes in CrRLJ 4.1 accompany this message in a letter. Please deliver the letter to Mr. Carpenter.

Kevin J. Yamamoto  
Senior Assistant City Attorney  
City of Puyallup  
330 Third Street, S.W.  
Puyallup, WA 98371  
Telephone: 253-435-3609  
[KYamamoto@ci.puyallup.wa.us](mailto:KYamamoto@ci.puyallup.wa.us)

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## CITY OF PUYALLUP

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April 30, 2008

Mr. Ronald Carpenter  
Clerk of the Supreme Court  
P.O. Box 40929  
Olympia, WA 98504-0929

Transmitted Via E-mail: [Camilla.Faulk@courts.wa.gov](mailto:Camilla.Faulk@courts.wa.gov)

RE: PROPOSED CHANGES TO CRRLJ 4.1

Mr. Carpenter:

On behalf of the City of Puyallup, I am writing to express our concerns with the proposed changes to CrRLJ 4.1 that would (1) require the court to provide a lawyer to a defendant that is not represented at arraignment, and (2) preclude arraignment unless a lawyer is present to assist the defendant. Our concern is not that a defendant will consult with a lawyer, or that a lawyer will represent a defendant. Rather we believe that the proposed rule changes will significantly lengthen the arraignment process, and correspondingly increase the City's costs for public defense, court staff, and other city personnel time.

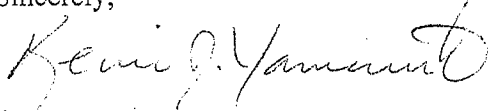
Currently, the Puyallup public defender appears at arraignments when defendants are detained in jail, but not at arraignments when defendants are not detained in jail (out of custody arraignments). We estimate that the Puyallup Municipal Court holds forty to seventy out of custody arraignments each week. Puyallup's out of custody arraignment calendars are typically at least four hours long.

The proposed rules would effectively require the Puyallup public defender to provide an additional four hours, and likely more, of legal services each week. We estimated that the direct cost increase to Puyallup for the increased level of public defense services will be at least \$20,000 per year. As noted above, we believe that Puyallup will also incur costs that arise from additional court staff time, and from other city personnel that are involved with the court, such as its bailiff.

Letter to Ronald Carpenter  
April 30, 2008  
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We respectfully ask that the Court refrain from implementing these rules unless there are specific revenues provided to cover the cost of what otherwise will be a significant new unfunded mandate.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl F. Carlson".

*for* Cheryl F. Carlson  
Interim City Attorney

c: file