

Ronald Carpenter, Clerk  
Washington Supreme Court  
415 12<sup>th</sup> Avenue S.W.  
P.O. Box 40929  
Olympia, WA 98504-0929

***Re: Proposed General Rule 34***

Dear Mr. Carpenter:

I write to express support for proposed General Rule 34 which is the rule that would waive court and clerk's fees in civil actions on behalf of indigent persons.

I am an attorney in private practice in Skagit County and have assisted indigent clients on a pro bono basis. I also worked at the Center for Law and Justice at Gonzaga Law School when I was a student. I generally enjoy the work very much.

To ensure access to the justice system, this is a very important proposed rule. On referral from the Skagit County Community Action Legal Aid Program, I recently filed a motion and an order to waive fees on behalf of an indigent Spanish-speaking client in Chelan County. A paralegal helped this same client complete a financial declaration in the hope that she would qualify. I am happy to report that the Honorable John Bridges signed the waiver.

Next, I would like to address a class of persons that would most likely qualify for indigent status and for whom I believe an exception from the rule should be made. Those persons are incarcerated prisoners excepting those persons who are appealing death penalty cases. Due to my belief that prisoners abuse the civil justice system, I cannot support inclusion of them under the proposed rule unless their life is in jeopardy.

I might also suggest that a carefully reading be done of subsection (b) to the Comments section of proposed GR 34. The wording is awkward and may tend to confuse the interpreter of the rule.

Thank you for this opportunity to comment on the proposed rule.

Sincerely,

Nancy Durell, Attorney at Law