

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: Letter of support for CrRLJ 3.1 rule change
Date: Wednesday, April 1, 2020 2:02:37 PM

From: Jack Range [mailto:jackwrange@gmail.com]
Sent: Wednesday, April 1, 2020 1:14 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Letter of support for CrRLJ 3.1 rule change

Dear Supreme Court Rules Committee:

I am writing to express support for the Washington Defender Association's proposal that the Court amend CrRLJ 3.1 to require that trial courts consider defense requests for expert funds ex parte.

I am a public defender in Jefferson County. While the judge I currently appear in front of considers defense requests for expert funds ex parte, a judge I used to appear in front of did not. In part because that judge invited prosecutors to oppose our requests for expert funding, other public defenders and I had to fight especially hard when we requested the funds necessary to effectively represent our clients. Even then, we often did not get the money to pay experts we needed. This caused problems in DUI cases, where having an expert to explain problems with breath test results can be crucial. In one DUI case, I had to bring an interlocutory appeal to get appropriate expert funding. Expert funding should not depend on who is on the bench and whether the prosecutor argues that the defense does not need an expert.

Sincerely,

Jack Range