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September 30, 2020

VIA EMAIL

Honorable Charles W. Johnson
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

RE: Comment on Proposed CrRLJ 3.1 [WDA] Amendment

Dear Justice Johnson and Members of the Rules Committee:

On behalf of the District and Municipal Court Judges' Association (DMCJA), I am writing to oppose adoption of the Washington Defender Association-proposed amendments to CrRLJ 3.1.

In our view, it is unnecessary and potentially harmful to change the current rule. The concerns set out in the GR 9 cover sheet for the proposed amendment can all be addressed with a request from defense counsel for an ex parte review. Of greater concern is removing defense counsel's discretion in making the CrRLJ 3.1(f) request. For these reasons, the DMCJA requests that you reject the proposed amendments.

Thank you for your consideration.

Sincerely,

s/Judge Michelle K. Gehlsen
DMCJA President

cc: Judge Jeffrey Goodwin, DMCJA Rules Chair
Ms. Shannon Hinchcliffe, WSSC Rules Staff
Ms. J Benway, DMCJA Rules Staff

From: [Benway, Jennifer](#)
To: [Linford, Tera](#)
Cc: [Nicpon, Dory](#); [Goulet, Susan](#); [Hahn, Sondra](#)
Subject: FW: DMCJA Comment on CrRLJ 3.1 proposal
Date: Wednesday, September 30, 2020 5:06:32 PM
Attachments: [DMCJA Cmt Ltr re CrRLJ 3.1 proposal.docx](#)

FYI – thank you!

From: Benway, Jennifer
Sent: Wednesday, September 30, 2020 5:05 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: FW: DMCJA Comment on CrRLJ 3.1 proposal

Hello,
Below I state that this letter is from the DMCJA Rules Committee. It was actually, like the others, from the DMCJA Board.
Thank you!

From: Benway, Jennifer
Sent: Wednesday, September 30, 2020 5:03 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: DMCJA Comment on CrRLJ 3.1 proposal

Hello,
Attached please find attached District and Municipal Court Judges' Association (DMCJA) Rules Committee comments regarding the Washington Defenders Association [WDA] proposal to amend CrRLJ 3.1.

Please let me know if you have any questions or concerns. Thank you.

Sincerely,

J Benway

Legal Services Senior Analyst
Administrative Office of the Courts
360-357-2126

Get the most current information on the Courts' response to COVID-19 [here](#).