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Subject: FW: CrR / CrRLJ 3.4 comments
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From: Aaron Shields [mailto:aaron@theshieldslawfirm.net]
Sent: Tuesday, September 29, 2020 3:57 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: CrR / CrRLJ 3.4 comments

To Whom it May Concern:

I support the proposed amendments to 3.4. I have practiced in Washington since 1996. I have been a law clerk to a Superior Court Judge, a deputy prosecutor, a defense attorney and a pro tem Judge in District Court.

This rule will not impact the administration of justice in a negative way. Rather, it will allow for the orderly administration of justice and will allow people who have communicated with their attorneys in advance and have actually signed a waiver of their presence to allow the court and attorneys to quickly dispense with the kinds of hearings that generally appear to be perfunctory to clients/defendants. Many defendants must take time off of work, obtain child care or find public transportation to attend certain hearings despite the fact that they already have a representative to handle their criminal matter and they know what will be happening at the hearing. Additionally, many courts now set multiple pre trial appearances in cases EVEN when it is clear that the case is destined for a trial. In such cases why should a person have to personally appear 4 or 5 times prior to trial in order to have their case heard? It is a burdensome situation that, in some cases, forces a plea in order to allow a person to simply keep their job. Not many clients have the freedom to use up vacation or sick time to attend to 2 minute "hearings" on purely procedural matters such as an agreed continuance. It can be extremely frustrating and burdensome particularly for low income individuals.

I have reviewed a number of comments suggesting that this will result in defendant's having less confidence in the justice system. I can say with certainty that forcing people who are represented by counsel to come to cattle call type pre trial hearings that have virtually no meaning (to an outsider looking in) is far more damaging to the sense confidence in our justice system.

Respectfully,

Aaron L. Shields



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