



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

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.

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SUPREME COURT
STATE OF WASHINGTON
08 MAY -5 AM 8:15
BY RONALD R. CARPENTER
CLERK

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 "Kevin J. Yamamoto".

For Cheryl F. Carlson
Interim City Attorney

c: file