

Faulk, Camilla

From: Robert Schiffner [doublebogies@hotmail.com]
Sent: Wednesday, April 29, 2009 6:14 PM
To: Faulk, Camilla
Subject: Proposed Changes to CrR 3.1

Justice Sanders:

I have practiced law in Grant County for almost 20 years. I have served as both a prosecuting attorney and as a public defender. I am currently in private practice. I was a witness against Tom Earl in the recent federal trial held in Spokane. As such, I believe I am well qualified to speak to the issue at hand.

While I believe the proposed rule change is a step in the right direction, I do not believe that it goes far enough to protect indigent defendants. My specific objections deal with the discretion that it grants trial judges.

I want to remind you that Tom Earl appeared on 550 felony cases a year in Grant County without filing a single motion, yet not one Grant County judge ever voiced any concerns. In fact, our judges sent you and your fellow justices a joint letter of support asking that Mr. Earl not be suspended during his disbarment proceeding. And even after you suspended Mr. Earl, he was still allowed to appear in Superior Court on several matters (he still wanted to plead a few clients guilty as charged).

Notwithstanding what happened right in front of their own eyes, not one Grant County judge ever lifted a finger to put an end to this "conveyor belt of justice."

Even if this rule had been in effect 20 years ago it would not have changed a single thing here in Grant County.

Nevertheless, I applaud your efforts.

Robert I. Schiffner
WSBA #20048