

**Washington Defender Association  
110 Prefontaine Place S., Suite 610  
Seattle, Washington 98104**

Christie Hedman, *Executive Director*  
John Rodgers, *President*

Telephone: (206) 623-4321  
Fax: (206) 623-5420

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Mr. Ronald R. Carpenter  
Clerk, Washington Supreme Court  
Temple of Justice  
PO Box 40929  
Olympia, WA 98504-0929

**Re: Comments on Proposed Amendments to CrRLJ 7.3**

Dear Mr. Carpenter,

I am writing on behalf of the Washington Defender Association (WDA) to urge that the amendments to CrRLJ 7.3 not be adopted as presently proposed. We ask the court to continue to consider and refine the rule.

WDA is concerned that language in Section (d) requiring a Judgment & Sentence to include "Identification of any *charge* defined *under law* as a *domestic violence offense*" would be subject to confusion and inconsistent interpretations.

It would be inappropriate to record a mere charge or accusation on a Judgment & Sentence, if it did not result in a conviction.

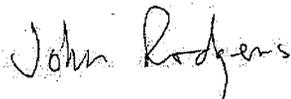
Further, Washington has neither a charge nor means to convict of "Domestic Violence" *per se*. After adversarial proceedings considering certain factors, a conviction in a given case may be "designated" as domestic violence. Many times, convictions that may be eligible "under law" for such a designation are in fact not designated.

The chance of confusion is especially great because (1) in courts of limited jurisdiction the Judgment & Sentence is frequently created by busy clerks not trained in the law, and (2) a Judgment and Sentence may not be interpreted until several years later, by individuals not familiar with the case or Washington law, and who represent a different agency resolving different issues.

This could work a particular injustice on non-citizen defendants facing subsequent proceedings before the Bureau of Immigration and Customs Enforcement.

We strongly urge that more consideration be given to this rule. Thank you for your consideration.

Sincerely,



John Rodgers  
President