

Faulk, Camilla

From: Nave, Margaret [Margaret.Nave@kingcounty.gov]
Sent: Thursday, April 29, 2010 11:16 AM
To: Faulk, Camilla
Subject: Comment to Proposed Amended IRLJ 3.1

To the Clerk of the Supreme Court:

The King County Prosecutor supports the proposed amendment of IRLJ 3.1 to require production of videotapes and photographs in infraction discovery, when those items of evidence exist in an infraction case and when the prosecution intends to use those items of evidence in the infraction hearing. We are concerned, however about the elimination in the proposed amended rule of the sentence, "No other discovery shall be provided." Elimination of that sentence is not necessary to accomplish the purpose of the amendment, as stated in GR 9. Instead, eliminating the sentence, "No other discovery is required" will only serve to circumvent IRLJ 1.1. which requires that the rules be construed to ensure "the just, speedy and **inexpensive** determination of every infraction case."

Taking these words out of the rule will open the floodgates for frivolous discovery demands and will only serve to tie up proceedings and needlessly expend the limited resources of prosecutors who will be required to respond to these demands. The amended rule, with this limitation on discovery left intact, will ensure a fair discovery process and will accomplish the stated purpose of the amendment, while precluding unreasonable discovery requests. We urge the court keep this limitation in the rule.

Respectfully submitted,

For Daniel T. Satterberg, King County Prosecuting Attorney

Maggie Nave

Sr. Deputy Prosecutor,

Chair, District Court Unit