

## Faulk, Camilla

---

**From:** Mike Fisher [MFisher@ci.everett.wa.us]  
**Sent:** Friday, April 30, 2010 4:52 PM  
**To:** Faulk, Camilla  
**Subject:** Comment to Proposed Amended IRLJ 3.1

I am responding on behalf of the City of Everett, requesting the Court retain the language "No other discovery shall be provided." Presently my city expends a substantial amount of scarce resources providing merely the amount of material now required – the front and back of the ticket. There will be no end to the "mischief" to come should my city be required to provide the proverbial "kitchen sink" of radar and lidar manuals, street measurements, stop light rotations - or whatever other information a defendant can think of. In the 12 years I have been prosecuting for my city, I have yet to encounter a defendant who could ask even one coherent question after demanding the "speed measuring device expert" at trial, always at substantial expense to my city. This is allowed under the Rules for Infraction, and yet routinely done solely in the hope the expert won't appear, requiring the case be dismissed. Valuable resources are wasted in these pointless requests. The proposed rule change will increase these mindless requests one hundred fold and grind the judicial system to a halt. Under the current rules, any defendant can make application to the court for any information that is ultimately found necessary and relevant. Necessity and relevance fulfill the dictate of IRLJ 1.1 for the "just, speedy and inexpensive determination of every infraction case."

Mike A. Fisher

Asst. City Attorney

City of Everett