



**Washington Defender Association**  
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April 30, 2012

Justice Charles Johnson  
Washington Supreme Court  
Temple of Justice  
P. O. Box 40929  
Olympia, WA 98504-0929

Re: Standards for adoption for CrR 3.1, CrRLJ 3.1, and JuCR 9.2

Dear Justice Johnson and Supreme Court Rules Committee,

The Washington Defender Association (WDA) strongly supports the now-refined and updated standards approved and adopted by the Washington State Bar Association Board of Governors and sent to you to for approval and use in the certification rule adopted by the court in 2010 in CrR 3.1, CrRLJ 3.1, and JuCR 9.2.

WDA has been a partner in updating the standards and our members have worked hard to try to meet the concerns of defenders and others. The standards and CrR 3.1, CrRLJ 3.1, and JuCR 9.2 are stronger because of this work.

The process of public comment and review lead to one change, namely to Standard 5.2 (relating to physical office requirements), which was recently approved by the Washington State Bar Association Board of Governors on April 27, 2012 and which should be included in the standards approved by the court for purposes of the rule. We believe the amendment to the definition of office should clarify the intent of the standard and allay the concerns that have been expressed by those with home offices.

We urge the adoption of the standards as now amended into the proposed court rule. The implementation of the court rule is an important next step in fulfilling the promise of *Gideon* in Washington.

Sincerely,

Eileen Farley  
President

Christie Hedman  
Executive Director

cc: Board of Directors of Washington Defender Association:

Jodi Backlund, Division II Individual Member Representative  
Kevin Curtis, Division III Individual Member Representative  
Anne Daly, Society of Counsel for the Representation of Accused Persons  
L. Daniel Fessler, Yakima County Public Defender  
Jeremy Ford, Counsel for Defense of Chelan County  
Rachel Forde, Snohomish County Public Defender Association  
Harry Gasnick, Clallam Public Defender Association  
Robert Jimerson, Thurston County Office of Assigned Counsel  
Michael Kawamura, Pierce County Department of Assigned Counsel  
Linda Lillevik, Division I Individual Member Representative  
Greg Link, Washington Appellate Project  
Daniel McGreevy, Bellingham Assigned Counsel  
Floris Mikkelsen, The Defender Association  
Dennis Morgan, Division III Individual Member Representative  
Terry Mulligan, Cowlitz County Public Defender  
Jon Ostlund, Division I Individual Member Representative  
John Rodgers, Spokane County Public Defender/Division III Individual Member Representative  
Les Tolzin, Division II Individual Member Representative  
Keith Tyne, Skagit County Public Defender Association