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October 27, 2011

The Honorable Charles W. Johnson
Washington Supreme Court
PO Box 40929
Olympia, WA 98504-0929

Dear Justice Johnson:

I am writing in support of the WSBA alternative proposal submitted by comment to our original proposed rule change for RAP 18.13A, and to urge the Court to adopt the alternative version without further extending the comment period.

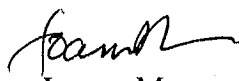
The Court originally published OPD's proposed rule change for comment on an expedited schedule in February of this year. The WSBA requested two extensions to the comment period deadline as its rules committee prepared an alternative proposal that incorporated the input of all identifiable stakeholders for approval by the Board of Governors. The extension requests contemplated that the Court could still consider the comments under expedited review. With this understanding, OPD did not oppose the requested extensions. OPD fully participated in the WSBA process.

The proposed rule has been thoroughly vetted by all interested parties through the WSBA Rules Committee. Therefore, further comment on the alternative version does not appear to be necessary. This version, approved by the WSBA and submitted in its comments, has been accepted by all stakeholders, including OPD, the Attorney General's Office, the private bar and Judge Craighead of the King County Superior Court. The Court of Appeals also decided it was not necessary to submit its own comments, after consultation with the WSBA Rules Committee.

We urge the adoption of the WSBA rule. A further comment period does not seem to be called for, due to the thorough process already directed by the WSBA Rules Committee. In addition, it is important to implement the much-needed remedy addressed by the alternative version of the rule.

Thank you for your consideration of OPD's comments.

Sincerely,


Joanne Moore
Director