

Tracy, Mary

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Sent: Tuesday, March 07, 2017 12:22 PM
To: Tracy, Mary
Subject: FW: comment on GR 30 amendment

Supreme Court Clerk's Office

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From: Lenard [mailto:lwlaw@my180.net]
Sent: Tuesday, March 07, 2017 12:18 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: comment on GR 30 amendment

Greetings,

Historically we have relied on the post office as being reliable enough so that the sender can simply swear it was sent and service is thereby accomplished. But there are important differences in the digital world.

Regarding the suggested amendment to GR 30 to remove "only by agreement", there are issues unique to the Internet that affect this method of service. One issue is the blacklisting of service providers which can block both incoming and outgoing email messages. The providers work hard to stay off of the blacklist and to get off once they are blacklisted, but in the hour or two that it may take them to get off of the blacklist I may miss a very important email. Digital information is uniquely vulnerable to third party miscreants such as hackers and spammers. Providers claim that email is archived and will eventually get through. Not in my experience. When a system gets flooded, information gets lost. I know from experience and from being a graduate student in computer science and a professor of computer information systems that digital systems introduce a whole new world of possibilities for manipulation.

Also, not all email providers are equal. Having used several different providers I know some are slower and some are less reliable.

I am concerned about reliability if this is mandated. The system generated receipts are too unreliable, too easy to manipulate. If you mandate email service without permission then you should also mandate sending an acknowledgement of some sort that the message was received. If an acknowledgement is not received within a short time then the sender should be obligated to re-send or otherwise follow-up.

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