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**Subject:** FW: Comments re Proposed Changes to CrR 3.4  
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**From:** Nick Quijas [mailto:nquijas@cityoflakewood.us]  
**Sent:** Wednesday, September 16, 2020 8:23 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comments re Proposed Changes to CrR 3.4

Nick Quijas, Assistant City Prosecutor, in support of the proposed rule changes.

I have many cases that are drawn out needlessly because defendants, particularly those with limited means, are unable to make it to court consistently. They often lack transportation, lose their paperwork listing their court dates, or cannot afford to risk a job by taking off work for court. As a result, they end up in a cycle of missing a court date and having a warrant issue. Then months pass until they can get in to quash the warrant, at which time their case gets reset to a pretrial hearing... and then the cycle repeats. Years go by without resolution as a result of this.

However, I do want to point out one seeming contradiction in the proposed changes. Section (a) requires a waiver signed by the defendant to waive presence, while Section (d) says that a court must make a determination of good cause to require the defendant's presence. I believe clarification needs to be made in Section (d) that the requirement of good cause only applies where a defendant has signed a waiver of presence.

I think these rule changes may have unintended consequences; however, the current approach already has numerous issues that the changes seek to address. It is worth trying something new, looking for new issues that may crop up, and adaptively manage the processes by looking for ways to mitigate or resolve those new issues. We shouldn't remain stuck in a flawed process simply out of concern that a new approach might bring its own issues.

**Nick Quijas | Associate City Attorney**  
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