

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: Washinton Defender's Association proposed changes to CrR 3.4 and CrRLJ 3.4
Date: Monday, April 13, 2020 11:07:18 AM

From: Alan Chalfie [mailto:AChalfie@co.whatcom.wa.us]
Sent: Monday, April 13, 2020 11:06 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Washinton Defender's Association proposed changes to CrR 3.4 and CrRLJ 3.4

During this period of response to COVID-19, necessary changes in court procedures have been made to keep all of us apart to the extent possible.

I favor the changes proposed by WDA in respect to CrR 3.4 and CrRLJ 3.4 because these last several weeks have shown us how unnecessary it is to compel defendants in criminal cases to personally attend court for any hearings except arraignment, trial and sentencing.

Our court system is built on trust as much as anything else. I have practiced criminal law in Washington and California for nearly 40 years. I have always been trusted by the courts to state accurately whether or not I have had contact with my client. I believe generally that the defense bar can be trusted to convey honest information on this point.

If the prosecutor and I agree to continue a case, we have learned in this present crisis that the defendant does not need to come to court, or sign a trial setting order. All the court needs is our assurance that we have communicated with our client, and that he or she knows what the new dates are.

Alan Chalfie
Whatcom County Public Defender's Office