

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: Proposed Amendments to CrR 3.4 and CrRLJ 3.4
Date: Monday, April 13, 2020 10:29:07 AM

From: Andy Miller [mailto:Andy.Miller@co.benton.wa.us]
Sent: Monday, April 13, 2020 9:55 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Andy Miller <Andy.Miller@co.benton.wa.us>
Subject: Proposed Amendments to CrR 3.4 and CrRLJ 3.4

I am writing to oppose the proposed amendments to CrR 3.4. and CrRLJ 3.4

Its main effect is to further disenfranchise the criminal defendant, especially indigent defendants, from their case. Many public defenders say that the only time they see their client is immediately before or during a court hearing. Much of the reasoning by the proponents of the amendments supports the conclusion that defense lawyers would have greater challenges in getting their clients to meet with them without the motivation of attending court. This is important for prosecutors because we often use information given to us during pretrial hearings to consider referral to a therapeutic court, diversion program, or an amendment to a lesser charge.

Conversely, while the majority of criminal defense attorneys are hard working and professional, there are the few that only make themselves available to their clients on the day of the hearing. Adoption of the amendment could lead to a Kafkaesque feeling by the defendant of feeling completely forgotten and left out during the pendency of their case.

Adoption of the amendments would also hurt victims of crime. The main complaint I have heard from them over the years is the time a case takes and having to schedule to take time off from work for a trial date and then having to reschedule, often too late to be able to work they had already taken off. Adoption of the amendments would decrease plea agreements and agreed continuances and cause more Failures to Appear at trials, thereby increasing additional harm to victims of crime

Thank you for considering my input in opposing adoption the amendments to CrR 3.4 and CrRLJ 3.4