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**To:** [Tracy, Mary](#)  
**Subject:** FW: Support for Suggested Changes to CrR 3.4 and CrRLJ 3.4  
**Date:** Tuesday, April 14, 2020 11:16:34 AM

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**From:** Kenneth Chadwick [mailto:kchadwick@waclawfirm.com]  
**Sent:** Tuesday, April 14, 2020 11:16 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Support for Suggested Changes to CrR 3.4 and CrRLJ 3.4

Your Honors,

I write as an attorney in Ephrata, Grant County to support the proposed changes to CrR 3.4 and CrRLJ 3.4 by the Washington Defenders Association (“WDA”). I practice both civil and criminal law and have always found it unusual that I cannot speak for my client, without my client’s presence, at non-essential criminal hearings when I regularly speak on behalf of clients, except at trial, in civil matters. While I understand a criminal defendant’s presence is needed at arraignment, during trial, and sentencing, it is seldom otherwise needed and is often overly burdensome to the defendant.

I practice in Grant County and often have clients from the Puget Sound area facing criminal charges in Grant County. Having those clients drive three hours each way to appear in person for three minutes to, for example, simply continue a hearing, or for some other pretrial hearing where the client will be saying nothing, is unduly burdensome on the client. Usually, the client has to miss a day’s income to attend the minutes long hearing. Even local clients have to lose time from work for such hearings. Where all defendants are presumed innocent until found guilty, this pecuniary loss is a sort of punishment that can be alleviated by the rule changes recommended. And while the proposed revisions allow for a court to demand the presence of a defendant at any hearing on good cause, no loss of control over difficult defendants is lost to the court.

I ask the court to strongly consider these proposed revisions, which help to lessen the economic impact on criminal defendants who are presumed innocent.

Sincerely,

Kenneth W. Chadwick

**SCHULTHEIS TABLER WALLACE, PLLC**

56 C Street NW

P.O. Box 876

Ephrata, WA 98823

Phone: 509-754-5264

Fax: 509-754-5835

E-mail: [kchadwick@waclawfirm.com](mailto:kchadwick@waclawfirm.com)

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