

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: CrR 3.4 and CrRLJ 3.4
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From: Boruchowitz, Robert [mailto:boruchor@seattleu.edu]
Sent: Tuesday, April 14, 2020 11:05 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: CrR 3.4 and CrRLJ 3.4

Dear Supreme Court Justices:

I write in support of the Washington Defender Association's proposed changes to CrR 3.4 and CrRLJ 3.4.

I cannot count how many court hearings I have attended, either as a participant or an observer, that last a minute or two, simply continuing the matter, with no real reason for the accused person to be present.

Often, the trip to and from the courthouse has taken hours for the accused person who may have no convenient way to travel there. And the multiple appearances can result in the accused person losing a job, which leads to losing housing. And if the person fails to appear, the court is likely to issue a bench warrant, which when served will result in incarceration and all the financial and personal costs that causes.

As WDA has written in its Cover Sheet:

For many low and moderate income defendants, attending multiple court hearings may cause them to miss work or school or to struggle to provide care for children or elderly family members. Travel and transportation to some courts may also be difficult or impossible for defendants without drivers licenses, cars or financial resources. Individuals who miss court dates are at risk for new criminal charges arising from missed court appearances. These proposed changes will help prevent indigent defendants from being unnecessarily pulled deeper into the criminal justice system. The proposed changes will help make the court process more effective and efficient for the court and all parties involved.

I urge the Court to adopt the proposed changes. The amended rule will still allow judges to order a personal appearance if there is cause to do so. And it will result in fairer and more efficient court proceedings.

Thank you for your consideration.

Sincerely,

Robert C. Boruchowitz

Professor from Practice

Director, The Defender Initiative

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