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**From:** Bill Hawkins [mailto:B.Hawkins@islandcountywa.gov]  
**Sent:** Friday, February 12, 2021 12:54 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment to Proposed GR 39

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Dear Clerk of the Supreme Court,

I write to offer two suggestions for improving proposed GR 39.

The statement in GR(c) that “indigence and ability to pay are not related to RCW 10.82.090” is at the very least confusing if not somewhat misleading. That statute governs interest on both restitution and non-restitution portions of judgments. It expressly allows interest on restitution, disallows interest on non-restitution LFOs as of June 7, 2018, allows waiver of previously imposed interest on non-restitution LFOs, and allows reduction of interest on restitution only if the principal has been paid in full and as an incentive for the offender to meet his or her other LFOs. My understanding is that not all of these possible reductions are mandatory, but that indigence and ability to pay remain factors to be considered in connection with reduction of previously imposed restitution and reduction of interest on restitution once the principal has been fully paid. Clarification of these categories of LFOs would be helpful to this court, for one.

The second point is that GR 39(g) permits hearings by telephone as a means of improving access to the courts. I have no quarrel with that concept at all. However, to expand upon the concept, for the trial courts –like mine- that offer video conferencing hearings in addition to telephonic hearings, that option should be expressly authorized by statute as well. Having lived with Zoom technology long enough to be familiar with it (notice I don’t claim to have mastered it yet), I am pleased to report that Zoom audio and video are noticeably higher quality and smoother than telephonic transmissions, in addition to permitting visual inspection of documents and so forth, and are popular with litigants for a variety of reasons. Based on these considerations, I respectfully request a video conferencing option be added to GR 39.

The opportunity for input is appreciated, as always. Thank you.

Bill Hawkins  
Island County District Court