



Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON

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April 30, 2021

Sent via email to supreme@courts.wa.gov

Susan L. Carlson, Clerk
Washington State Supreme Court
415 12th Avenue SW
P.O. Box 40929
Olympia, WA 98504-0929

RE: Proposed General Rule (GR) 39

Dear Ms. Carlson:

I write in support of Proposed General Rule (GR) 39, concerning the remission of legal financial obligations (LFOs). I appreciate the court's consideration of this proposal, which is consistent with the Washington Judiciary's mission and dedicated work to ensure that Washington's judicial system is fair to all, regardless of their ability to pay LFOs.

As the state's chief legal officer, I direct more than 600 attorneys in 13 offices across the state. In addition to providing legal services to our state agencies, the Governor, and the legislature, my office routinely appears in courts in every corner of the state on matters as diverse as criminal prosecutions, urgent child welfare matters, workers' rights, lawsuits against state agencies, consumer protection actions, and civil rights enforcement. The ability of all Washingtonians—regardless of their financial circumstances—to receive equitable and just treatment under the law is critical to my office's success and the fundamental structure of our legal system. Trust that our legal system will deliver justice is diminished when Washingtonians are penalized because they cannot afford to pay LFOs.

Fines, fees, and court costs imposed on indigent individuals with criminal convictions who are unable to pay this debt create significant barriers. Moreover, they have disparate effects on youth, low-income and Black, Indigenous and People of Color (BIPOC) communities. People with money can pay their LFOs immediately without the added cost of interest or collection fees. However, people who are poor cannot do so and may remain tied to the criminal justice system for years solely because of court system debts.

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As you well know, the Washington State Minority and Justice Commission has collaborated with individuals who represent different parts of the LFO system in Washington to gather data about the current LFO system, including state and local laws, practices, costs, and the impact on those receiving LFOs, and to develop meaningful recommendations for change. In 2019, the Washington State Minority and Justice Commission Legal Financial Obligations Stakeholder Consortium completed more than two years of work researching LFOs and their impacts. This research confirmed that many indigent defendants shoulder significant LFO debt, which makes reintegration into the working community difficult.

Proposed General Rule 39 is both welcome and necessary. Proposed General Rule 39 would create a standard, streamlined, and relatively quick method for the remission or reduction of LFO's in every court throughout Washington.

Thank you for the opportunity to comment on Proposed General Rule 39 and for your consideration of this proposed rule to improve access to justice, strengthen trust in Washington's legal system, and ensure that Washingtonians — regardless of their financial circumstances — receive equitable and just treatment under the law.

Sincerely,



BOB FERGUSON

Attorney General

RWF/eg

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Subject: FW: Proposed General Rule (GR) 39
Date: Friday, April 30, 2021 10:07:22 AM
Attachments: [Carlson, Susan Re GR 39.pdf](#)

From: Ganga, Elaine L (ATG) [<mailto:elaine.ganga@atg.wa.gov>]
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Ms. Carlson,

Attached is a letter from Attorney General Bob Ferguson regarding Proposed General Rule (GR) 39.

Thank you,

Elaine Ganga

Executive Assistant

Office of the Attorney General

Administration Division

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