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February 27, 2022

Clerk of the Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Re: Proposed Amendments to GR 11.3 – Remote Interpretation

Dear Justices of the Supreme Court,

I write regarding the proposed amendments to GR 11.3 submitted for comment in December 2021, which would allow remote interpretation for all non-evidentiary hearings without a finding of good cause. This comment is my personal opinion, based on my experience as a prosecutor in Washington courts for 35 years.

In criminal cases, non-evidentiary proceedings include guilty pleas and sentencings. This court has recognized that in-person interpretation is preferable to remote interpretation. During the COVID-19 emergency, we all have become familiar with the additional technical problems that regularly arise when participants appear remotely. It is important to maintain respect for the criminal justice system and an important component of that goal is that defendants understand court proceedings as completely as possible. Requiring defendants to rely on remote interpretation for guilty pleas and sentencing hearings without a finding of good cause would be contrary to that goal.

I am also concerned that the proposed final sentence of subsection (a) is unclear. That sentence requires that the court make a preliminary determination on the record of the ability of the person utilizing the interpreter services to participate via remote interpretation. However, it is not clear whether the court must make that determination in every case where remote interpretation will be used or only when the court is also required to make a good cause finding. That ambiguity should be clarified.

Respectfully,



Donna Wise
Senior Deputy Prosecuting Attorney

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Subject: FW: Comment on proposed amendment to GR 11.3
Date: Monday, February 28, 2022 8:13:29 AM
Attachments: [Donna Wise comment to GR 11.3 proposal.pdf](#)

From: Wise, Donna [mailto:Donna.Wise@kingcounty.gov]
Sent: Sunday, February 27, 2022 6:22 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
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I have attached my comment on the December 2021 proposed amendments to GR 11.3.

Thank you.

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