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Subject: FW: Proposed GR 42
Date: Monday, January 31, 2022 3:13:33 PM

From: Clarke, Harold [mailto:HDCLARKE@spokanecounty.org]
Sent: Monday, January 31, 2022 3:12 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed GR 42

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I am writing to comment on proposed GR 42.

I have no comment on the policy expressed by the rule or the language itself. I write to draw the Courts attention to RCW 36.26.030. That Statute provides for a selection committee for the public defender position (presumably the director of the office). The committee includes a Superior Court Judge. This creates a question whether the Statute would need to be removed or modified to accommodate the proposed rule.

Left unanswered in the proposed rule is who would be the appointing authority for public defender administrators. The issue of independence might still be present, particularly with local governmental entities having control over the process.

Thank you for considering my comment.