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Subject: FW: Comments in support of on Proposed Rules CR 39 and New GR [41]
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From: Bresin-Clark, Casey [mailto:cbresin@kingcounty.gov]
Sent: Thursday, September 23, 2021 10:57 AM
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Subject: Comments in support of on Proposed Rules CR 39 and New GR [41]

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As a superior court clerk working in King County, I want to submit my support for proposed rules CR 39 - Trial by Jury or by the Court, and New GR [41] - Jury Selection by Videoconference.

Many of the changes made during the COVID pandemic to increase access to justice during these unprecedented times should be retained once concern for spread has reduced. As Judge O'Donnell and Judge Rogers have noted, the use of technology to hold remote procedures has provided a more accessible, affordable, and efficient method for the community to access the courts. The new virtual method of voir dire and the ability to hold entire civil/family law trials via ZOOM have improved a process that was desperately in need of an update.

The ability to access the court remotely has provided a more convenient and affordable method for jurors, parties, attorneys, witnesses, and even court staff to attend court proceedings. Parties save money by not having to commute and park downtown, and by no longer having to pay extraordinary costs to fly out-of-state witnesses to testify on their behalf. Jurors who are able to participate in voir dire remotely are no longer massively inconvenienced by long wait times and expensive downtown parking in order to fulfill their civic duty. Attorneys find convenience in the completely electronic procedure of uploading and sharing exhibits via Sharefile. Trials move faster and more efficiently, as the transition between witnesses and the ability to exclude the jury from party discussions is expedited using the ZOOM waiting room function.

As it relates to court staff, the increased ability to telecommute while clerking trials has led to happier, healthier, and more productive staff. I can testify to this on my behalf, and from anecdotes from my fellow court clerks. Additionally, the use of electronic exhibits during remote trials has created a new solution for the rapidly worsening problem of storage space in the Clerk's physical exhibit room.

We have learned during this pandemic that there is simply no need to hold all court proceedings in person, and the convenience to the community and increased accessibility to justice have both benefited from remote court procedures. I hope that remote voir dire and civil/family law trials held via ZOOM will be able to continue post-pandemic, in order to improve our criminal justice system as a whole.

Casey R. Bresin-Clark

She/Her

Legal Administrative Specialist III / CAS

King County Department of Judicial Administration

Court Clerk to Judge Sean P. O'Donnell / Dept. 29

☎ 206-263-2561 | ✉ cbresin@kingcounty.gov

