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**Subject:** FW: Order No. 25700-A-1356, proposed changes to CR 39 & Order No. 25700-A-1354, suggested new General Rule [41]  
**Date:** Wednesday, December 8, 2021 2:01:35 PM

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**From:** Cody Branstetter [mailto:Cody@hbjlaw.com]  
**Sent:** Wednesday, December 8, 2021 12:43 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Re: Order No. 25700-A-1356, proposed changes to CR 39 & Order No. 25700-A-1354, suggested new General Rule [41]

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Chris Van Vechten penned an article that was published in the November 2021 edition of Washington State Bar News (Vol. 75, No. 9) regarding the proposed changes to CR 39 and the new GR 41. I **strongly** endorse Chris's comments. As a first-generation college graduate hailing from the rural Midwest, I know from firsthand experience that it is a false premise that moving online leads to more equality. As much as we may wish to be at a point (either globally or locally) where accessing technology is as easy for everyone as opening a door, the reality is that we are not. And as legal professionals we are required to work within our realities, not our fantasies. The issues I have personally experienced are exclusive to the Midwest either. I have witnessed people facing the same struggles right here in Washington. Many families struggle to make ends meet, and the cost of accessing technology is frequently prohibitive. Moreover, once the technology is obtained, poor connections and speed make it difficult to use. Those difficulties are amplified by the fact that many users, having been unable to access technology at an early age, do not have sufficient familiarity with the devices or programs to be considered competent users. Virtual trials and hearings are a great benefit. They reduce the cost of appearing and benefit many attorneys in their practices by reducing required travel. However, the rule in its current form appears to lack sufficient safeguards to preserve the right to in-person trials for those that request one.

Sincerely,

**Cody Branstetter, Attorney**

Jack W. Hanemann, P.S.  
2120 State Ave. NE, Suite 101

Olympia, WA 98506

Phone: (360) 357-3501

Fax: (360) 357-2299

[www.hbjlaw.com](http://www.hbjlaw.com)

[cody@bjlaw.com](mailto:cody@bjlaw.com)

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