From: OFFICE RECEPTIONIST, CLERK
To: Linford, Tera
Subject: FW: CrR 3.4 video appearances
Date: Wednesday, June 30, 2021 2:07:15 PM

From: Olivia Irwin [mailto:atty@irwinfirm.com]
Sent: Wednesday, June 30, 2021 2:05 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: CrR 3.4 video appearances

I have no direct comment on this amendment(s) aside from the fact that all active participants, including and especially the judge should be required to have their camera on during all remote video proceedings both for better communication and accountability of demeanor, as well as generally get/stay as close to in-person, real-time proceedings as possible.

Respectfully,
C. Olivia Irwin, J.D.

From: OFFICE RECEPTIONIST, CLERK
To: Linford, Tera
Subject: FW: CrR 3.4/CR39
Date: Wednesday, June 30, 2021 4:07:24 PM

From: Olivia Irwin [mailto:atty@irwinfirm.com]
Sent: Wednesday, June 30, 2021 3:49 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Re: CrR 3.4/CR39

Thanks. PS on CR 3.4:
There are a lot of professionals out there taking advantage of COVID to "dial it in" but it arguably does not afford a full opportunity to be heard and greatly limits comprehension/nuance in communication (and often is not, in fact, audible). Telephonic hearings should be affirmatively discouraged when superior methods are available.

RE: CR 39: Video hearings make exhibit sharing or classic interactions with witnesses (impeachment, refreshment of memory) very difficult. I feel there really is a need here to be explicit about the functions of most video meeting applications being used by the court and provisions for availability/competency of judicial officers and court administrators as to the features which can include "break rooms" for confidential attorney/client conferences and documents/media sharing. On the other hand, there is the widening digital divide to consider. This trend toward the use of videoconferencing does place an extra burden on litigants that isn't there in "real-time" for the proper devices/isp service and competency that many litigants or even attorneys do not have access to.

Respectfully,
C. Olivia Irwin, J.D.

On Wed, Jun 30, 2021 at 2:04 PM Olivia Irwin <atty@irwinfirm.com> wrote:

> I have no direct comment on this amendment(s) aside from the fact that all active participants, including and especially the judge should be required to have their camera on during all remote video proceedings both for better communication and accountability of demeanor, as well as generally get/stay as close to in-person, real-time proceedings as possible.
>
> Respectfully,
> C. Olivia Irwin, J.D.