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Subject: FW: Comment Regarding CrRLJ 3.3 and 3.4 Proposed Changes
Date: Friday, February 11, 2022 1:35:42 PM

From: Blake Wessinger [mailto:bwessinger@snocopda.org]
Sent: Friday, February 11, 2022 1:03 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
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Good Afternoon. My name is Blake Wessinger, and I am a public defender in Snohomish County, WA. I would like to submit a comment regarding the proposal to change CrRLJ 3.3 and 3.4.

Refocusing the rules in such a way that presumes defendants must appear physically present in court will impose new burdens on people accused of misdemeanors, especially those with serious concerns about COVID-19 exposure and those who do not have access to reliable transportation. Struggles arranging time off work or school, breaks from childcare, and other commitments of that nature have only become more acute in the era of the pandemic. People are more stretched than ever for time and money, and the situation is not improving.

This change will result in additional bench warrants for these individuals, further throwing their lives into turmoil about cases that are not sufficiently serious to impose such punitive and restrictive conditions. Zoom appearances work quite well overall, and provide a necessary option to keep people out of jail and limit arrests. Jails are hotbeds of COVID-19 transmission, as well, and that should not go unmentioned.

Finally, asking defense attorneys to make a record of client contacts with respect to court dates create conflicts regarding RPC 1.6. Defense attorneys cannot and should not be required to disclose any contacts with their clients – sharing that information is discretionary for a reason.

Thank you for considering the comments of attorneys practicing in this jurisdiction.

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