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Subject: FW: Opposition to the Proposed CrRLJ 3.4
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From: Colin Patrick [mailto:cpatrick@snocopda.org]
Sent: Monday, February 28, 2022 5:41 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Opposition to the Proposed CrRLJ 3.4

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To those it may concern,

Our courts stand before an inflection point for equity. We can choose to embrace a problematic nostalgia and revert back to a world where indigent defendants face the impossible choices or we can continue to build a criminal justice system that recognizes the immense pressure on those less fortunate and use technological advances to alleviate their burden.

In the world before zoom court, indigent defendants are often required to sacrifice a day of work or pay for childcare or experience some other financial malady in order to guarantee their physical appearance at court. Moreover, when they arrive, they are immediately relegated to a second-class status as courts routinely work through private attorney cases first and those assigned to public defenders are expected to wait patiently. This is not simply inequitable, but actively works to undercut efforts to view everyone as equal before the law.

However, as has happened with how we orient ourselves to the workplace, COVID-19 has dramatically altered the way we understand the need to appear in court. Switching to an online platform has been dramatically successful in the courts where I have practiced. Hearings are quick and proceed smoothly. Prior to the pandemic, it was common for courts to run overtime, putting stress on court staff. Now, it is equally common for court to finish ahead of schedule. Moreover, zoom court has free indigent individuals from those impossible decisions and the financial pain that often comes from a court appearance.

I implore this Court to reject the invitation to return to how things used to be. That system was bereft with inequities and did not further the goals of equality and justice. There are better ways forward that ensure fairness, decrease stress for all involved, and still preserves the necessary functions of the court. As I wrote above, this is an inflection point for equity and I urge this Court to

progress forward and not retreat backwards.

Thank you,

Colin Patrick