

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Linford, Tera](#)  
**Subject:** FW: Comment: Proposed CrRLJ 3.4 changes  
**Date:** Tuesday, January 18, 2022 10:53:06 AM

---

---

**From:** yvonne [mailto:yvonneward2013@gmail.com]  
**Sent:** Tuesday, January 18, 2022 10:41 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment: Proposed CrRLJ 3.4 changes

**External Email Warning!** This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Dear Justices,

I comment regarding proposed changes to CrRLJ 3.4 from the perspective of an experienced criminal defense attorney who stopped accepting appointed and private District Court cases pre-COVID due to the plethora of needless hearings permeating that system.

I have a split practice that consists of half civil litigation and half felony defense. In the past I accepted public defense appointments for district court cases as a part of public service. But because the district courts had so many unnecessary hearings, I ceased accepting appointment for two reasons:

1. Other than arraignment and CrRLJ 3.5/3.6 hearings, the myriad of countless mandatory appearances in no way moved the case forward; in fact, they seemed more of a trap for the indigent accused without adequate resources to attend what were in effect *pro forma* hearings. Warrants would swiftly issue, thereby affecting release decisions in subsequent hearings. The post-COVID rules that went into effect in February of 2021 mitigate that unfair impact.
2. Attending numerous unproductive hearings at various district courts could not be sustained for private conflict attorneys in my position, i.e., not working full time in those district courts. This dynamic affects access to justice due to the shortage of private attorneys necessary to fill gaps in indigent representation. The public defense agencies continually recruit private attorneys for their conflict panels to ensure a robust supply of skilled counsel with sufficient time to diligently advocate for the accused. A return to pre-COVID rules will negatively impact this critical resource.

On a final note, I have great concern that the limited funds available to public defense agencies would be wasted on needless hearings rather than substantive criminal defense if

there is a return to pre-COVID appearance requirements. For that reason alone, I urge you to not change the current rules when no compelling need has been shown.

Thank you for considering my comments.

Yvonne Kinoshita Ward, WSBA # 20276

Trial Lawyer

128 – 14<sup>th</sup> St. SE

Auburn, WA 98002

(253) 887-8686

YvonneWardlaw.com

“I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.” *The Reverend Martin Luther King Jr., August 28, 1963*