

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Comments re: Proposed RAP 10.10  
**Date:** Friday, March 17, 2023 9:01:35 AM

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**From:** Jill Reuter <Jill.Reuter@co.yakima.wa.us>  
**Sent:** Friday, March 17, 2023 8:58 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comments re: Proposed RAP 10.10

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To Whom it May Concern:

I would like to offer the following comment to the proposed changes to RAP 10.10.

Specifically, the portion requiring defense counsel to “promptly mail a copy of the record, including the verbatim report of proceedings, clerk’s papers, and exhibits transmitted to the Court of Appeals, to the defendant. . .”

I do not have a concern with the mailing of either the verbatim report of proceedings or the clerk’s papers. These can be easily copied and mailed.

I do have a concern with mailing a copy of the “exhibits transmitted to the Court of Appeals.” My concerns are as follows:

1. For incarcerated defendants, will the Department of Corrections (DOC) and/or jail facilities accept copies of all exhibits, such as video evidence? It seems DOC should be consulted if the rule is changed, about how they are required to accept exhibits and/or allow for viewing.  
If not, I would anticipate facilities rejecting copies of exhibits sent via the legal mail system.
2. How will defense counsel copy the exhibits? Will each county clerk be responsible for providing a copy? Or will the Court of Appeals have to release the exhibits to defense counsel to copy? There is often only a single original of the exhibits. And some (such as video evidence) are more difficult (and costly) to copy.

The physical process of copying and disseminating exhibits needs to be addressed further than a simple requirement to send each defendant a copy of the exhibits.

Thank you.

Sincerely,

Jill Reuter

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