

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Linford, Tera](#)  
**Subject:** FW: Comment on proposed New CrR and CrRLJ Rule 4.11  
**Date:** Friday, April 1, 2022 3:38:46 PM  
**Attachments:** [image001.png](#)

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**From:** Callan Martinez (x6418) [mailto:cmartinez@co.douglas.wa.us]  
**Sent:** Friday, April 1, 2022 3:17 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comment on proposed New CrR and CrRLJ Rule 4.11

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Re: IN THE MATTER OF THE SUGGESTED NEW RULES CrR 4.11 -NOTICE OF COURT DATES TO DEFENDANT AND CrRLJ 4.11—NOTICE OF COURT DATES TO DEFENDANT, Order No. NO. 25700-A-1421

It seems a heavy burden on small courts with small staffs to send notice every time someone fails to appear on their own criminal charge. Sometimes people fail to appear 4, 5, 6 times on a single misdemeanor charge. Every time notice is sent by mail, the hearing would have to be pushed out a reasonable amount of time for clerks to prepare the mail and the mail to be delivered (e.g. 1 FTA pushes a case out a month or 2).

Having practiced before and after the adoption of CrR 3.4, defense attorneys are not put in the position of violating attorney-client privilege and not put in the position of becoming a witness or having a conflict.

After the adoption of CrR 3.4, a typical hearing when a motion for bench warrant is made for a failure to appear is – motion is made; defense can simply state a request that the court reserve on the motion for a warrant for 1 week. Defense can then get in touch with their client and get them into court, or not. Rather than 4 or 5 week continuances on a case that is simple and should settle one way or another in 1 or 2 hearings in a short time period.

If someone is charged with a crime and appointed an attorney or hired an attorney, they have actual notice they are charged, and they have actual notice they have an attorney, and in most conditions of release they are informed they need to make the initial contact with their attorney and be in regular contact with their attorney and given actual notice they need to appear for their necessary court hearings.

Thank you for your consideration.

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Callan Martinez  
Deputy Prosecuting Attorney  
Douglas County Prosecuting Attorney's Office  
[cmartinez@co.douglas.wa.us](mailto:cmartinez@co.douglas.wa.us)  
P.O. Box 360  
Waterville, WA 98858  
Phone: (509) 745-8535; Fax: (509) 745-8670



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