

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: Comment Objecting to Proposed CrR 4.11
Date: Monday, May 1, 2023 8:35:25 AM

From: Smith, Tali <Tali.Smith@kingcounty.gov>
Sent: Sunday, April 30, 2023 11:21 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment Objecting to Proposed CrR 4.11

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This proposal not only gives court participants the incentive to not appear for their hearings but also would increase the length of time a case goes through the court system, and the cost of mailing notice every time. This court rule will be problematic for therapeutic courts where a defense attorney or case manager is requesting a hearing be set over on behalf of a defendant. Regular court hearings and accountability are crucial in therapeutic courts. This will result in more prosecution and court resources being utilized and ultimately will result in a bench warrant being issued most of the time. Many participants in the court system deal with housing instability and even access to technology issues. This proposed rule is inconsistent with other established court rules. Defense attorneys should be considered a reliable method of communication between the defendant and the court. Defense counsel can convey the defendant's agreement to a continuance to the court, and notice to defense counsel of a hearing date constitutes notice to the defendant in practice. Defense attorneys are crucial in communicating with their clients and agreed set overs is to the benefit of the defendant but if that individual does not appear at that next hearing this proposal would cause a detriment to the prosecution. It will also result in more burden on a defendant and the attorneys to have to come into court every time in order to set over a hearing. Mailing notice does not mean the person will actually receive it, read it, or appear.