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To: [Martinez, Jacquelynn](#)
Subject: FW: Comment re Proposed Rule- SPR 98.24W UNLAWFUL DETAINERS-APPOINTMENT OF ATTORNEY
Date: Friday, August 4, 2023 9:36:06 AM

From: Kasey Burton <KBurton@ccsww.org>
Sent: Friday, August 4, 2023 9:36 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment re Proposed Rule- SPR 98.24W UNLAWFUL DETAINERS-APPOINTMENT OF ATTORNEY

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Good morning,

I am a Senior Staff Attorney with the Tenant Law Center, which provides eviction prevention advocacy for tenants living throughout King County. Part of our work involves representing tenants in show cause hearings.

I am in support of Proposed Rule 98.24W, though offer two suggestions regarding the language therein.

First, I ask that the Court consider amending the language in Section 2 that states, in relevant part, that “the tenant may file a motion requesting that the court appoint an attorney...” to allow a Right to Counsel attorney to file the motion, too. The Right to Counsel statute is based on the premise that tenants typically lack the sophistication to manage litigation on their own. Requiring the tenant themselves to file the motion undermines the intent of the law.

Second, the unlawful detainer dockets throughout the state have continued growing as landlords pursue evictions now that the COVID-19 tenant protections have lapsed. Limiting a stay of a Writ to just 10 days is rarely practical in this environment. The reality of the situation is that the soonest hearing date available may be more than 10 days away. I therefore ask the Court grant the right to a stay until the next available hearing date instead.

I thank the Court for their attention to this important matter and their efforts to ensure tenants have a meaningful right to counsel under the law.

Sincerely,

Kasey Burton
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