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Subject: FW: Comment re proposed changes to CrRLJ 3.3 - Time For Trial
Date: Tuesday, April 23, 2024 1:33:07 PM

From: Guthrie, Stephanie <Stephanie.Guthrie@kingcounty.gov>
Sent: Tuesday, April 23, 2024 1:33 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
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I am writing to oppose the proposed changes to CrRLJ 3.3(a)(3)(iii) and (c)(2)(ii), which would allow **an appearance through counsel to reset a commencement date for speedy trial**. If the defendant's failure to appear (for a hearing at which their appearance was required) has resulted in resetting the commencement date, it makes absolutely no sense to restart the time for trial without the defendant appearing in court. Even if a remote appearance could be considered, an appearance through counsel is effectively no appearance. The current proposal would amend only the rule for courts of limited jurisdiction but those cases should not be dismissed as inconsequential. Domestic violence, assault, and DUI prosecutions are all included. The proposed rule would allow a defendant to flee the state and then reset the commencement date without ever returning. Every time a case starts heading toward trial again, victims and witnesses are put at considerable inconvenience and perhaps re-living of trauma. It is deeply problematic to require the prosecution and the court to restart the criminal proceedings in anticipation of trial when there is no assurance that the defendant ever will appear.

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