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Subject: FW: Comment re proposed amendment to CrRLJ 3.4 - Appearance Of The Defendant
Date: Wednesday, April 24, 2024 8:29:14 AM

From: Guthrie, Stephanie <Stephanie.Guthrie@kingcounty.gov>
Sent: Tuesday, April 23, 2024 5:04 PM
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Subject: Comment re proposed amendment to CrRLJ 3.4 - Appearance Of The Defendant

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I am writing to oppose the addition to CrRLJ 3.4 of language stating “**(b) Appearance.** A defendant’s appearance through counsel requires that counsel affirm, in writing or in open court, that they have consulted with the defendant since the last appearance and that the defendant waives the right to be present at the instant hearing, unless the matter is stayed pursuant to proceedings under chapter 10.77 RCW.”

This Court should not eliminate the requirement that counsel be in communication with their client if the matter is stayed pursuant to chapter 10.77 RCW. Without some assurance that defense counsel is communicating with their client, there can be no appearance *through* counsel—it is simply an appearance *of* counsel. If a change is warranted in the rules for when defendants must appear while their matter is stayed pursuant to chapter 10.77 RCW, that should be considered directly and openly, rather than by cloaking such a change in the guise of a simple change to the rules for what constitutes an appearance through counsel.

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