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To: [Martinez, Jacquelynn](#)
Subject: FW: Proposed amendment to RAP 9.6
Date: Thursday, April 25, 2024 8:10:04 AM

From: Wise, Donna <Donna.Wise@kingcounty.gov>
Sent: Wednesday, April 24, 2024 8:12 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed amendment to RAP 9.6

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To: Supreme Court

Re: Proposed amendment to RAP 9.6 requiring clerk to provide copies

I write to oppose the proposed amendment to RAP 9.6, requiring the trial court clerk to provide the entire court file and copies of all exhibits to the parties, on request. The proposal imposes an unreasonable burden and expense on the clerk's office and is unnecessary.

Court files vary in size. Some are small, many are massive. I can only address criminal trials and appeals, with which I have almost 40 years of experience as a prosecutor. These days, most trials that involve violent crimes are lengthy and include many exhibits. Most convictions after a trial are appealed. I'd venture that every trial resulting in a conviction for a violent crime results in at least one appeal (often they are appealed a second time after a remand or resentencing). A look at the docket and a comparison of the exhibit list to the transcripts will reveal that most of the documents filed pretrial are routine administrative matters and many of the exhibits are reports or transcripts of interviews that are not admitted.

An attorney handling the appeal should review the record and may request documents that appear to be substantive and relevant. The burden of duplicating the record (at least twice) for the parties in every case is a burden that is beyond the capacity of the clerk's office.

Respectfully,

Donna Wise

Donna Wise

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