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Subject: FW: Support for RAP 9.6 Proposed Amendment
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From: Jared Steed <SteedJ@nwattorney.net>
Sent: Thursday, April 4, 2024 10:23 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Support for RAP 9.6 Proposed Amendment

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To the Supreme Court Rules Committee:

I write in support of the RAP 9.6 amendment proposed by the Office of Public Defense. I have been practicing as an appellate public defender for over 15 years. Within the last few years, exhibits from multiple counties have been increasingly difficult to receive. I am routinely informed by large counties such as King and Spokane, that they are unable to provide me with electronic exhibits. The time it takes to obtain paper exhibits from many other counties has also increased dramatically. Still, other times county clerks have refused to provide counsel with any exhibits, mistakenly believing it is not their responsibility.

The inability and/or refusal of county clerks to provide exhibits, often creates additional hurdles to counsel's already overburdened workload. It necessitates that counsel make repeated exhibit requests, contact multiple parties in hopes of obtaining exhibit copies, and explain the delay to clients. Additionally, the delay or unavailability of exhibits also has the effect of also delaying the filing of briefs. Often, potentially meritorious issues cannot be identified or adequately addressed, until counsel has had an opportunity to review necessary exhibits.

The proposed changes to RAP 9.6 provides clear guidance that county clerks are responsible for providing counsel's access to trial exhibits. The proposed RAP 9.6 amendments should be adopted.

Sincerely,

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