

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: RAP 9.6 Proposed rule change
Date: Monday, April 29, 2024 3:06:37 PM

From: Josie Delvin <Josie.Delvin@co.benton.wa.us>
Sent: Monday, April 29, 2024 2:37 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: RAP 9.6 Proposed rule change

External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Honorable Erin Lennon
Clerk of the Supreme court

Honorable members of the Supreme Court,

I am writing this letter in response to the proposed changes to RAP 9.6 DESIGNATION OF CLERKS PAPERS AND EXHIBITS.

In reading the comments, it is clear there is a lack of understanding of how exhibits are handled. At least one comment states that the concern of copying a USB or CD that was presented as an exhibit is unfounded. The commentator states that there was not a concern when the item was played in court. This is a complete lack of understanding of how these items are played in court. These are typically played on a computer that either prosecution or defense brings to court with them and is not connected to the county network.

This rule change would require additional resources that would have to be provided by the county at county expense. The amount of work, additional expense, extensive equipment and staff time this rule change would require is great cause for concern. The lack of understanding and communication is disappointing and some of the comments are offensive and lack accuracy.

Trial counsel already has all the discovery, including copies of any exhibits and are required to assist appellant counsel.

The proposed changes to RAP 9.6 are complex and bring many challenges in how to implement the proposed changes.

Sincerely,

Josie Delvin
Benton County Clerk
7122 West Okanogan Place, Ste A210
Kennewick, WA 99336



CONFIDENTIALITY NOTICE: This electronic mail transmission may contain legally privileged, confidential information. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking any action based on the contents of this electronic mail is strictly prohibited. If you received this in error, please contact the sender and delete all copies.