



Snohomish County Clerk

Ex Officio Clerk of Superior Court

"A Tradition of Service and Excellence"

Heidi Percy
County Clerk

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April 30, 2024

Dear Clerk of the Supreme Court,

The Snohomish County Clerk's Office submits the following response related to the proposed amendments submitted by Washington State Office of Public Defense to RAP 9.6 - Designation of Clerk's Papers.

I participated in a work group to address access to the court record and exhibits by appellate attorneys. The workgroup was formed due to the demands the State Office of Public Defense had to access the trial court record and exhibits remotely as well as their lack of desire to travel to Clerk's Office's to view the original exhibits.

Clerks have always provided access to the public court record and exhibits. And with the advancement of technology, most Clerks can now provide remote access to electronic court documents. However, remote access to court exhibits is very different as 95% of the exhibits received are not in an electronic form. And the solution for accessing records should not be to require Clerks to make copies of all documents in the court file as well as convert and copy all exhibits into an electronic format. The amount of work required to comply with this rule change would severely burden the Clerk's Office and impact our ability to timely respond to other mandated duties, including timely preparation and submission of appeals to the Court of Appeals.

The Snohomish County Clerk's Office respectfully request that proposed changes to the rule not be implemented. A better and more permanent solution to the problem is to implement a statewide exhibit management system in partnership with law and justice stakeholders.

Sincerely,

Heidi Percy
Snohomish County Clerk