

April 24, 2024

Justices of the Washington Supreme Court  
P.O. Box 40929  
Olympia, Washington 98504-0929

VIA E-MAIL: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov)

RE: Proposed New Rule GR 3.2

Dear Justice Yu,

The proposed new rule, GR 3.2, entitled Motion by An Incarcerated Person for New Trial or Reconsideration, seeks to provide incarcerated movants with 21 days to file motions for a new trial or reconsideration. This rule has been proposed by Robert Jesse Hill, a person currently incarcerated in the Department of Corrections.

As of this writing, there are no comments in support of, or in opposition to, this proposed rule. However, as Robert Hill is a person who has been impacted by the criminal legal system and is engaging, despite many barriers to access, in the structural administration of the criminal legal system in Washington, the proposed rule has inherent value and should be investigated further. The undersigned organizations have not had an opportunity to engage with Robert Hill, nor with other impacted individuals, regarding the concerns underlying this proposed rule, and its overall intent and import. But we believe that it is important to do so prior to making any decision, if the Court is so inclined, to reject this proposed rule.

Engaging with incarcerated people attempting to interact with the rules process will also ensure that the Court meets its own goals to address systemic inequities resulting in disproportionate numbers of BIPOC individuals being incarcerated in Washington prisons, at every layer of the judicial system. In keeping with the Court's mission to tackle longstanding racial disparities, we ask and encourage the Court to inquire further from Robert Hill, as well as other currently incarcerated people, as to the underlying basis of this requested rule change prior to any decision-making. Should the Court decide to move forward in this

direction, the undersigned organizations are willing partners in any future conversations.

Thank you for your time and attention.

Sincerely,

Civil Survival

Jason Schwarz

Magda Baker, Director of Legal Services  
Washington Defender Association

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Martinez, Jacquelynn](#)  
**Subject:** FW: Court Rule Comment on Proposed GR 3.2  
**Date:** Wednesday, April 24, 2024 10:37:35 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[2024. Comment proposed GR 3.2.pdf](#)

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**From:** Magda Baker <Magda@defensenet.org>  
**Sent:** Wednesday, April 24, 2024 10:21 AM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Cc:** Prachi Dave <prachi.dave@civilsurvival.org>; jason.schwarz@co.snohomish.wa.us  
**Subject:** Court Rule Comment on Proposed GR 3.2

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Civil Survival, Snohomish County Office of Public Defense, and Washington Defender Association submit the attached comment regarding proposed GR 3.2.

**Magda Baker**  
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