

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Martinez, Jacquelynn](#)
Subject: FW: SCJA Public Comment Letters
Date: Monday, April 15, 2024 3:36:16 PM
Attachments: [SCJA Public Comment APR 11.pdf](#)
[SCJA Public Comment GALRs.pdf](#)
[SCJA Public Comment RAP 18.25.pdf](#)
[SCJA Public Comment CrR 4.7.pdf](#)
[SCJA Public Comment CrR 8.3.pdf](#)
[SCJA Public Comment CR 26.pdf](#)
[SCJA Public Comment CR 28 CR 30.pdf](#)
[SCJA Public Comment BJA Remote Proceedings WG Rules.pdf](#)

From: Valdez, Andrea <Andrea.Valdez@courts.wa.gov>
Sent: Monday, April 15, 2024 3:22 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: 'Chung, Samuel' <Samuel.Chung@kingcounty.gov>; Lee Muller, Allison <Allison.LeeMuller@courts.wa.gov>; Ireland, Shelley <Shelley.Ireland@courts.wa.gov>; Green, Heidi <Heidi.Green@courts.wa.gov>
Subject: SCJA Public Comment Letters

Good afternoon.

Please see the attached comment letters on behalf of the Superior Court Judges' Association. The proposed rules we are commenting at this time are:

- APR 11
- GALR 1, 2, 4, 5, 6, and 7
- RAP 18.25
- CrR 4.7
- CrR 8.3
- CR 26
- CR 28 & 30
- CrR 3.4, CR 1, CR 7, CR 26, CR 30, CR 39, CR 43, CR 45, GR 11.3, and JuCR 11.23 (Remote Proceedings)

Thank you,
Andrea Valdez, MPA (she/her/hers)
Senior Policy Analyst
Superior Court Judges' Association
Administrative Office of the Courts
Andrea.valdez@courts.wa.gov



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April 15, 2024

Honorable Charles W. Johnson, Chair

Honorable Mary I. Yu, Chair

Supreme Court Rules Committee

c/o Clerk of the Supreme Court

Temple of Justice

P.O. Box 40929

Olympia, WA 98504-0929

Dear Justice Johnson and Justice Yu:

Re: Proposed Changes to CrR 8.3

The Superior Court Judges' Association's (SCJA) Criminal Law and Rules Committee reviewed the proposed changes to Criminal Rule (CrR) 8.3. This proposed rule change would permit judges to dismiss any criminal case without demonstrated prejudice to the rights of the accused. While the SCJA appreciates opportunities for broader judicial discretion, we believe there should be more parameters in place for a dismissal to be granted. The SCJA is also unclear as to how this rule change would work within the context of existing caselaw on this matter.

For these reasons, the SCJA opposes the proposed changes to CrR 8.3. Thank you for consideration of our comments.

Sincerely,

A handwritten signature in blue ink that reads "Samuel S. Chung".

Samuel Chung, President
Superior Court Judges' Association

cc: SCJA Board of Trustees
Allison Lee Muller, AOC