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April 11, 2025

VIA EMAIL

Honorable Mary I. Yu
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
PO Box 40929
Olympia, WA 98504-0929

RE: Comments on Proposed Amendments to CrRLJ 3.2 – Release of
Accused

Dear Honorable Justice Mary Yu and Members of the Rules
Committee:

On behalf of the District and Municipal Court Judges' Association, we
write in opposition of the proposed rule change to CrRLJ 3.2.

The proposed changes are not necessary.

Pursuant to GR 9(a)(4), the Supreme Court must ensure that a
proposed rule is "necessary statewide" before it should be adopted.
The proponents state that their goal is to "bring greater clarity to the
factors that the trial court may consider when imposing pretrial
conditions." However, the GR 9 cover sheet does not identify any
problem with the current standard as applied by courts.

In fact, the changes proposed significantly restrict the things that
courts may consider when deciding release conditions or bail. By
limiting the "administration of justice" to only whether a defendant
might intimidate or threaten witnesses, or tamper with evidence, trial
courts will not be able to consider other factors when deciding
whether to impose bail or other release conditions, such as whether a
defendant has previously violated conditions of release.

The current "administration of justice" standard is sufficient.

The administration of justice is a term defined by statute. RCW
10.97.030 defines "The administration of criminal justice" as
performance of any of the following activities: Detection,

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apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The term also includes criminal identification activities and the collection, storage, dissemination of criminal history record information, and the compensation of victims of crime.” Although that definition is specific to the Criminal Records Privacy Act, it is certainly notable for consideration of the proposed rule change.

Unlawful interference with the administration of justice is an appropriate standard that entrusts judges with the discretion necessary to ensure fair adjudication of criminal matters, while protecting the public and ensuring expeditious and efficient use of the court system. As proposed, the rule change should not be adopted.

Thank you for your consideration.

Sincerely,



Judge Karl Williams, DMCJA President

CC: Judge Catherine McDowall, DMCJA Rules Committee Co-Chair
Judge Wade Samuelson, DMCJA Rules Committee Co-Chair
Stephanie Oyler, DMCJA Primary Staff
Evan Walker, MPA, MJur, DMCJA Rules Committee Staff

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Farino, Amber](#)
Subject: FW: DMCJA Comments in Opposition of Proposed Amendments to CrRLJ 3.2 and 8.3
Date: Thursday, April 17, 2025 9:23:58 AM
Attachments: [DMCJA Comments in Opposition of Proposed Amendments to CrRLJ 3.2 04112025.pdf](#)
[DMCJA Comments in Opposition of Proposed Amendments to CrRLJ 8.3 04112025.pdf](#)
[image001.png](#)

From: Walker, Evan <Evan.Walker@courts.wa.gov>
Sent: Friday, April 11, 2025 4:59 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Karl Williams <karl.williams@piercecountywa.gov>; McDowall, Catherine <Catherine.McDowall@seattle.gov>; Wade Samuelson <Wade.Samuelson@lewiscountywa.gov>; Oyler, Stephanie <Stephanie.oyler@courts.wa.gov>
Subject: DMCJA Comments in Opposition of Proposed Amendments to CrRLJ 3.2 and 8.3

Greetings,

Please see attached comments in opposition of proposed amendments to CrRLJ 3.2 and 8.3, sent on behalf of DMCJA President Judge Karl Williams, and DMCJA Rules Committee Co-Chairs Judge Catherine McDowall and Judge Wade Samuelson.

Thank you,

Evan Walker, MPA, MJur (they/them)

Senior Court Program Analyst | Office of Judicial and Legislative Relations

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