From: OFFICE RECEPTIONIST, CLERK
To: Farino, Amber
Subject: FW: Proposed Changes to CrR 4.1
Date: Monday, April 28, 2025 1:31:54 PM
Attachments: image001.png

From: Willetts, Elizabeth <ewilletts@kingcounty.gov>
Sent: Monday, April 28, 2025 1:18 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Proposed Changes to CrR 4.1

Position: Opposed

Concerns: 1) Victim Notice; 2) Adequate time for Defense assignments and Preparation; 3) Court Volume/Schedule

1. Notifying Victims of Arraignment is predominately done, per Rule ____, via USPS. The flow-time from filing decision to a Notice being received by impacted victims can take, reasonably, 5 business days to traverse through creation to the hands of the Victim(s). An individual in receipt of this Notice, wishing to attend the Arraignment, most likely will need to arrange for any number of things including: transportation, child/eldercare, time off work, or even a willing (friend/family member) escort to be able to comfortably attend this very important step (for which they did not have any control in preventing this situation in the first place) in the criminal justice process. Victims need to be provided the full 14 days, as currently allowed, to be able to sufficiently prepare for attending the Arraignment of the Criminal who harmed them.
2. Defense Attorney's at first & second appearances are rarely the Assigned or Hired Counsel for defense. Once the filing decision has been made, the defendant would then screen for an Attorney (or hire one). The 14 days to Arraignment provides adequate time for an assigned or hired attorney to fully review the evidence and best position their defense and argument for Bail or Release reconsideration at Arraignment. With the recent concerns brought forward from Defense bar regarding Public Defense attorney's being overworked and not having enough time to effectively manage their numerous clients, it should be a major concern with the rules committee here that shortening the available hours between filing charges and bail reconsideration argument at Arraignment; if defense is not fully prepared to present their bail argument at arraignment, a separate hearing for reconsideration must be set, adding even more to the assigned attorney's AND Court's workload.
3. The Court scheduling for hearings moving forward on any given day, calendars are set at least a week or more in advance. The volume of cases currently managed by the Court are

a rolling cacophony of moving parts where the communications to all parties and personnel necessary must be completed in an efficient and timely manner. With a severely shortened time between the filing decision and formal arraignment, perfection must be a proven and consistent expectation on notice and scheduling. 3 days for a felony arraignment docket set would most certainly stress administrative processes where available resources are not provided to support such an exigent response; and if the defendant is not in custody at the time of filing decision, the Notice is sent via USPS – defendant who were released at 1st appearance on conditions would not be provided proper Notice of the Arraignment and duty to appear in time. In King County, a suspect's first appearance is in front of the district court (either in Kent or Seattle, Monday-Saturday) where the Court will review the overnight Superforms and make their finding on Probable Cause the crime(s) have occurred. With the swift efficiency of the District Court 1st appearance operations, individuals being accused of committing crime(s), staffing to process is a team (within the court and parties) effort. All personnel managing these dockets are working at the highest level of operations, where the daily rotation of suspects moving through the docket are many in numbers and the ebb and flow of the volume rarely dipping to a level that is easily manageable. The current daily influx of individuals needing to be seen by a Judge, and Counsel, is not slowing down. Every single individual accused of a crime, and booked, needs to be seen by a Judge within 48 hours of arrest – and this is happening; however, resources within each entity of this (finding of probable cause) process is clearly, as any participant knows and any casual observer should be able to glean, overworked and unable to expend any further energy in the direction of this/these tasks. Once a suspect has been seen by the Judge at 1st appearance, and conditions of release have been addressed, the matter is moved to a Filing Decision queue where the 72 hour total hold is set and a decision must be made on that filing at this time. If the arraignment were mandated to also occur at the 72 hour endpoint, the docket of 'to be arraigned' individuals would need to be immediately transferred to the Superior Court and then immediately managed as is for completion of this phase. To move a matter from the incoming District Court docket to the managing Superior Court docket for all felonies is not a small task. There are bail transfers that need to be confirmed (as initiated at the District Court level and then moved over to the applicable case under Superior Court); Defense Counsel to assign (or hire); Discovery to obtain and review; and proper calendaring (Seattle, Kent, and which docket based on type of crime {Sexual Assault, Domestic Violence, Violent, Felony Traffic, etc…}). The Court manages their dockets with the utmost efficiency and to have the roll of matters populate the daily docket based on the current influx of crimes as they come into the court will throw all manageable measures and consistent practices to the wind and possibly causing the defendant a level of uncertain angst when not being able to have their bail confirmed with Superior Court under such an extremely short transition time period.

I strongly oppose the proposed changes to CrR 4.1.

Thank you very much,
Liz

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