

Spokane County Court House

# **SUPERIOR COURT**

**FOR**

## **SPOKANE COUNTY**

April 24, 2025

Justices of the Washington Supreme Court  
PO Box 40929  
Olympia, Washington 98504-0929  
Via email: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov)

Re: Proposed Amendment to CrR 4.1

Dear Justices:

Spokane County Superior Court has significant concerns regarding the proposed amendments to CrR 4.1 – Arraignment. The current rule should not be changed.

Currently, incarcerated individuals receive an arraignment date at the preliminary appearance. If the information is not filed within 72 hours, the individual is released from jail but retains their arraignment date. Changing the triggering event for scheduling an arraignment date to the date the information is filed will significantly impact the Court's ability to provide the incarcerated individual with the date of their next court appearance. Providing a copy of someone's signed court order, which states their next court date, ensures actual notice. Courts would need to develop additional administrative processes to receive notice from the Prosecutor's Office when they filed an information so that the Court can schedule an arraignment immediately. Mailing a scheduling order for a court date three days later is not efficient or effective for providing an accused with notice, which will likely result in increased warrants for failing to appear.

Scheduling an arraignment within 3 days of the filing of information will further strain, if not break, an already overburdened and fragile indigent defense system. It would also require superior courts to hold arraignment dockets nearly five days per week. Courts like Spokane, which have limited resources, or courts with limited court days will face extreme logistical challenges.

Additionally, courts without a local public defense office already have considerable difficulty finding and appointing an attorney to provide indigent defense at a 14-day arraignment. Shortening the time to arraignment will only compound these challenges. Courts with a local public defense office like we have in Spokane will also face challenges. The proposed expedited hearing removes nearly 80% of time to get counsel appointed and will require courts to continue arraignments to allow for the appointment of counsel.

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1116 West Broadway Avenue

Spokane, Washington 99260-0350

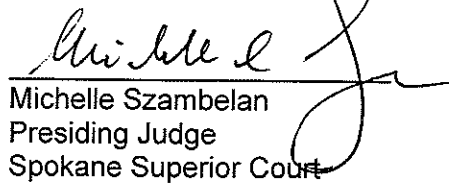
TEL: (509) 477-5790 FAX: (509) 477-5714

Moreover, crime victims have statutory and constitutional rights to be informed of and heard at hearings involving release decisions. Shortening the time required for an arraignment from the existing 14 days to three days will interfere with those rights.

Maintaining the existing rule provides a meaningful arraignment hearing with counsel assigned to their case does not sacrifice an accused's right to speedy due process. Here, incarcerated individuals have an attorney-of-the-day at their preliminary appearance where release and bail are argued and determined. The GR 9 cover sheet describes problems in one county. Drastically modifying a statewide rule in a way that creates significant logistical and legal challenges for the rest of the state does not make sense.

On behalf of the Spokane Superior Court Bench, I am respectfully requesting the Supreme Court reject the proposed amendments to CrR 4.1 – Arraignment.

Sincerely,

  
Michelle Szambelan  
Presiding Judge  
Spokane Superior Court

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1116 West Broadway Avenue

Spokane, Washington 99210-0350

TEL: (509) 477-5790 FAX: (509) 477-5714

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Farino, Amber](#)  
**Subject:** FW: CrR 4.1 Comment from Spokane Superior Court  
**Date:** Friday, April 25, 2025 1:20:24 PM  
**Attachments:** [Ltr to Supreme Court Re Proposed Amendments to CrR 4.1.pdf](#)

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**From:** Callan, Ashley <ACallan@SpokaneCounty.org>  
**Sent:** Friday, April 25, 2025 1:04 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Cc:** Szambelan, Shelley <MSZAMBELAN@spokanecounty.org>  
**Subject:** CrR 4.1 Comment from Spokane Superior Court

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Good afternoon –  
Please find the attached letter in response to the proposed amendments to CrR 4.1.

Thank you,

**Ashley Callan**  
Superior Court Administrator  
509-477-4401

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