From: OFFICE RECEPTIONIST, CLERK
To: Farino, Amber
Subject: FW: Comment on proposed amendment to CrR/CrRLJ 4.1
Date: Monday, April 28, 2025 11:07:00 AM

From: Guthrie, Stephanie <Stephanie.Guthrie@kingcounty.gov>
Sent: Monday, April 28, 2025 10:54 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on proposed amendment to CrR/CrRLJ 4.1

I am writing to strongly urge the court to reject the proposed amendment to CrR/CrRLJ 4.1. While some reduction of the current 14-day deadline for arraignment is likely warranted, a reduction to three days is wildly unworkable and inconsistent with victims' statutory rights. If the Court is inclined to reduce the current deadline, it should be to no fewer than eight days. Additionally, any new rules for defendants detained in jail should not apply to defendants who have been released on conditions, as the time needed to communicate with those defendants is identical to the time needed to communicate with defendants released without conditions.

The proposed amendment does not provide sufficient time for victim notification. Victims have a statutory right to notice of all hearings and the right to attend. This is particularly important for arraignment, when bail will likely be discussed. In many cases, prosecutors must still rely on the postal system to provide victims with notice that a case has been filed and scheduled for arraignment. The proposed three-day window between filing and arraignment is insufficient to generate notice, submit it to the postal service, and have it delivered and received prior to the arraignment date. At best, the notice will arrive the day before arraignment, providing victims of crime with insufficient time to make work, childcare, or transportation arrangements to attend the arraignment and potential bond motion or provide input to an advocate or prosecutor to relay to the court. As a result, the proposed three-day timeline is not trauma-informed for victims on serious cases. Even eight days of notice would allow victims the opportunity to prepare for the stress of attending and participating in an arraignment hearing.

The proposed amendment is overbroad; defendants subject to conditions of release should not be included. While there may be a basis for reducing the time between filing and arraignment for those held in custody to eight days, the addition of all those subject to conditions of release would essentially include all defendants with a pending criminal charge, since very few defendants are released without any conditions. Even those defendants who are released on their personal recognizance are still generally subject to the baseline conditions of release requiring them to appear for future hearings and not commit new criminal law violations.

The proposed amendment does not allow courts to effectively manage their schedule. The courts and State require flexibility to manage the volume of cases set for arraignment on given days. Otherwise, circumstances like heavy arrest days, court holidays, and unexpected closures due to

weather will result in unmanageable arraignment calendars.

The proposed amendment does not provide sufficient time to mail notice to defendants subject to conditions of release. As drafted, the rule applies to people who are out-of-custody (either because no bail was imposed or because they posted bail), but subject to conditions. In many cases, the courts or prosecutors must still rely on the postal system to provide such defendants with notice that they have been charged with a crime and are scheduled for arraignment. The proposed three-day window between filing and arraignment is insufficient to generate notice, submit it to the postal service, and have it delivered and received prior to the arraignment date. At best, the notice will arrive the day before arraignment, providing defendants with insufficient time to make work, childcare, or transportation arrangements to attend their arraignment.

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