

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED)
AMENDMENT TO CrRLJ 3.3—TIME FOR TRIAL)
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ORDER

NO. 25700-A-1377

The District and Municipal Court Judges' Association, having recommended the suggested amendment to CrRLJ 3.3—Time for Trial, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as attached hereto is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in November 2021.

(b) The purpose statement as required by GR 9(e), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than February 28, 2022. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

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ORDER

IN THE MATTER OF THE SUGGESTED AMENDMENT TO CrRLJ 3.3—TIME FOR TRIAL

DATED at Olympia, Washington this 5th day of October, 2021.

For the Court


González, C.J.

GR 9 COVER SHEET
Suggested Amendment to
WASHINGTON STATE COURT RULES:
CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION

RULE 3.3
TIME FOR TRIAL

- A. **Name of Proponent:** District & Municipal Courts Judges' Association (DMCJA)
- B. **Spokesperson:** Judge Charles Short, President, DMCJA
- C. **Purpose:** The DMCJA recommends amending CrRLJ 3.3, Time for Trial, to allow defense counsel to enter into agreements for continuance on behalf of their clients. The amendment will make the rule more congruent with recent amendments to CrRLJ 3.4 pertaining to the presence of the defendant. It also clarifies that defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance, and that the court's notice to defense counsel of new hearing dates constitutes notice to the defendant. For these reasons, the DMCJA requests adoption of the proposed amendment.
- D. **Hearing:** A hearing is not recommended.
- E. **Expedited Consideration:** Expedited consideration is requested to address current practice and to make the rule congruent with the current CrRLJ 3.4.

Proposed Amendment:

**CrRLJ 3.3
TIME FOR TRAIL**

(a)-(e) [Unchanged.]

(f) Continuances. Continuances. Continuances or other delays may be granted as follows:

(1) *Written Agreement.* Upon written agreement of the parties which must be signed by defense counsel or the defendant or all defendants, the court may continue the trial to a specified date. Defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance. The Court's notice to defense counsel of new hearing dates constitutes notice to the defendant.

(2) [Unchanged.]

(g)-(h) [Unchanged.]