

**WASHINGTON STATE
BAR ASSOCIATION**

To: Stakeholders and Interested Parties

From: Court Rules and Procedures Committee

Re: Draft proposal to amend CrRLJ 4.2, CrRLJ 4.4, and CrRLJ 7.3

Please find enclosed for your review and comment draft proposals to amend CrRLJ 4.2, CrRLJ 4.4, and CrRLJ 7.3. We'd like your input. You are receiving this notice because you are a member of an identified stakeholder group, an individual who has expressed interest in proposed rule changes in the past, or you have been identified as someone with an interest in this area.

These draft proposals comes from the subcommittee of the WSBA's Court Rules and Procedure Committee dedicated to review of the Criminal Rules for Courts of Limited Jurisdiction (CrRLJ Subcommittee). The CrRLJ Subcommittee was tasked with reviewing the CrRLJs for (1) conformity with case law, (2) simplification of language, (3) internal consistency, and (4) opportunities to harmonize the CrRLJs with the CrRs, where appropriate.

As part of the review process, the CrRLJ Subcommittee seeks feedback about these draft proposals. Stakeholder input is crucially important in the rulemaking process and assists the subcommittee in making an informed decision.

Please feel free to distribute these materials within your organization or firm, or to other people or groups who may have an interest in weighing in.

Please provide any comments to Jefferson Coulter at WSBACourtRules@wsba.org by **June 8, 2018**.

For more information about the Court Rules and Procedures Committee, please visit: <https://www.wsba.org/Legal-Community/Committees-Boards-and-Other-Groups/court-rules-and-procedures-committee>

SUGGESTED AMENDMENT
CRIMINAL RULES FOR COURTS OF LIMITED
JURISDICTION (CrRLJ)

CrRLJ 4.2 – PLEAS AND PRETRIAL DISPOSITION

1 (a)-(f) [unchanged]

2 (g) **Written Statement.** A written statement of the defendant in substantially the form
3 set forth below shall be filed on a plea of guilty:

4 1-5 [unchanged]

5 6. *In Considering the Consequence of My Guilty Plea, I understand That:*

6 (a)-(u) [unchanged]

7 [](v) If this case involves a conviction for operating a vehicle without an
8 ignition interlock device under RCW 46.20.750, then my sentence will run consecutive to any
9 sentences imposed under RCW 46.20.750, 46.61.502, 64.61.504, or 46.61.5055. RCW
10 ~~456.20.740(3)~~ 46.20.740(3).

11 (w)-(z) [unchanged]

SUGGESTED AMENDMENT
CRIMINAL RULES FOR COURTS OF LIMITED
JURISDICTION (CrRLJ)

CrRLJ 4.4 – SEVERANCE OF OFFENSES AND DEFENDANTS

1 (a)-(b) [unchanged]

2 (c) **Severance of Defendants.**

3 (1) [unchanged]

4 (2) The court, on application of the prosecuting authority, or on the application of the
5 defendant other than under ~~subsection (i)~~ subsection (c)(1), should grant a severance of
6 defendants whenever:

7 (i)-(ii) [unchanged]

8 (3) [unchanged]

SUGGESTED AMENDMENT
CRIMINAL RULES FOR COURTS OF LIMITED
JURISDICTION (CrRLJ)

CrRLJ 7.3 – JUDGEMENT

1 [unchanged]

2 (a)-(b) [unchanged]

3 (c) ~~Citation~~ Citation to the statute or ordinance, including subsections, ~~under~~ under
4 which the defendant was sentenced;

5 (d) ~~Identification of any charge to which the defendant pled guilty or was~~
6 ~~found guilty that is a crime of domestic violence under state law~~ Identification of any charge
7 to which the defendant pled guilty or was found guilty that is a crime of domestic violence under
8 state law;

9
10 (e)-(l) [unchanged]