

## **Pierce County Criminal Protocols**

**By: Brett Purtzer, June 2008**

On March 31, 2008, the Pierce County Superior Court criminal practice underwent an overhaul from a case management standpoint. Because of a backlog of criminal cases, judges and attorneys developed protocols to attempt to reduce this backlog. The protocols are available online at: <http://www.co.pierce.wa.us/pc/abtus/ourorg/supct/crimlaw.htm> and those who practice in Pierce County must become familiar with the changes.

In addition to moving cases along toward resolution, one of the goals was to make all court dates meaningful. In the past, not much occurred at the pre-trial conference or omnibus hearing. This, in turn, caused cases to lag that should otherwise be resolved. To address these issues, omnibus hearings are now held on the record and obligations are required of both the prosecutor and the defense. Importantly, the new protocols require the prosecutor to provide all discovery under its control and make a meaningful offer to resolve the case. Concurrently, the defense must indicate that the attorney has met with the client, has received and reviewed a plea offer from the state, and that all discovery has been provided. The belief is that if required to go on the record regarding a case's status, cases will, indeed, move toward resolution on an expedited, although appropriate, pace. Additionally, the new plea policies require that all plea paperwork be submitted to the court before a plea date will be scheduled to make certain that all necessary parts of the plea paperwork are accurate, so as not to waste court time when a plea is scheduled to occur. In order to make trial dates meaningful, the court will continue to set trial dates at arraignment within speedy trial, but at the omnibus hearing, a firm trial date will be set with guidelines for A, B, and C class felonies. Finally, in order to complete this process, the superior court judges are increasing their availability to try criminal cases.

The stated goal is to reduce the backlog of criminal cases. As a result, the court is being very strict with respect to trial continuances that fall outside the protocols established as well as for older cases that have been lagging. Accordingly, please be advised that the new Pierce County Criminal Law Protocols are in effect, and one should become familiar with what is required so as not to run into any difficulties when scheduling hearings, and, more importantly, trial dates.

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