

WAC 456-09-557 Requirements for briefs, motions, responses, replies, memorandum, and other documentary evidence. (1) All briefs, motions, responses, replies, and memorandum must:

(a) Be legibly printed on letter-size paper (8-1/2 by 11 inches). All margins must be a minimum of one inch. This rule also applies to attachments unless the nature of the attachment makes compliance impractical.

(b) Be double spaced and in 12 point or larger type in one of the following fonts or their equivalent: Times New Roman, Courier, CG Times, or Arial. Footnotes may be single spaced in 10 point or larger type. This rule also applies to attachments unless the nature of the attachment makes compliance impractical.

(c) Include a signature block that the signer certifies the number of words in the brief, motion, or memorandum that substantially states: "I certify that this memorandum contains words, in compliance with the board's rules."

(d) Refrain from including, or partially redact where inclusion is necessary, the following personal data identifiers from all documents filed or used as exhibits, unless otherwise ordered by the board:

(i) Dates of birth - Redact to the year of birth, unless deceased;

(ii) Social Security numbers and taxpayer-identification numbers - Redact in their entirety;

(iii) Financial accounting information - Redact identification numbers to the last four digits; and

(iv) Driver license numbers - Redact in their entirety.

(2) In the absence of a prehearing order, the following word limits will apply:

(a) Trial briefs may not exceed 12,000 words (approximately 24 pages).

(b) Motions *in limine* and any brief in opposition may not exceed 9,000 words (approximately 18 pages).

(c) Dispositive motions, including motions for summary judgment and motions to dismiss, must not exceed 12,000 words (approximately 24 pages). Responses must not exceed 12,000 words, and replies 6,000 words (approximately 12 pages).

(d) Exceptions and motions for reconsideration and any responses must not exceed 3,000 words (approximately six pages).

(e) All other motions must not exceed 3,000 words (approximately six pages), and responses 1,500 words (approximately three pages).

(3) The board may refuse to consider any text, including footnotes, which is beyond the word limit. Captions, tables of contents, tables of authorities, signature blocks, and certificates of service need not be included within the word limit.

(4) Motions to file over-length motions or briefs are disfavored, but may be filed subject to the following:

(a) The motion must be no more than 1,000 words (approximately two pages) in length, and must request a specific number of additional words; and

(b) No opposition to the motion may be filed unless requested by the board.

If the board grants leave to file an over-length motion, the brief in opposition will automatically be allowed an equal number of additional words. In all cases, the reply brief cannot exceed one-half the total length of the brief filed in opposition.

[Statutory Authority: RCW 82.03.170. WSR 22-05-051, § 456-09-557,
filed 2/9/22, effective 3/12/22.]