

WSR 22-13-086
RULES OF COURT
STATE SUPREME COURT
[June 9, 2022]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENT TO RAP 2.5— ) NO. 25700-A-1432
CIRCUMSTANCES WHICH MAY )
AFFECT SCOPE OF REVIEW )

Senior Law Clerk Laura Anglin, having recommended the adoption of the proposed amendment to RAP 2.5—Circumstances Which May Affect Scope of Review, and the Court having considered the proposed amendment, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendment as shown below is adopted.

(b) That the proposed amendment will be published in the Washington Reports and will become effective September 1, 2022.

DATED at Olympia, Washington this 9th day of June, 2022.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Gordon McCloud, J.
Yu, J.
Whitener, J.

RAP 2.5
CIRCUMSTANCES WHICH MAY AFFECT SCOPE OF REVIEW

(a) [Unchanged.]

(b) Acceptance of Benefits.

(1) Generally. A party may accept the benefits of a trial court decision without losing the right to obtain review of that decision only (i) if the decision is one that is subject to modification by the court making the decision, or (ii) if the party gives security as provided in subsection (b)(2), or (iii) if, regardless of the result of the review based solely on the issues raised by the party accepting benefits, the party will be entitled to at least the benefits of the trial court decision or (iv) if the decision is one that divides property in connection with a dissolution of marriage, a legal separation, a declaration of invalidity of marriage, or the dissolution of a meretricious relationship committed intimate relationship.

(2)-(3) [Unchanged.]

(c) [Unchanged.]