

WAC 456-10-415 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 x 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 typed in 12-point or larger type in one of the following fonts or their equivalent: Times New Roman, Courier, CG Times, or Arial. They must also be double-spaced and printed only on one side of the page. Footnotes may be single spaced in 10-point or larger type. If it is not possible to type a document, it may be legibly handwritten in blue or black ink. 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 account number information - Redact to the last four digits; and

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

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

(a) Trial briefs may not exceed 6,000 words (approximately 12 pages).

(b) Motions *in limine* and any brief in opposition may not exceed 4,500 words (approximately nine pages).

(c) Dispositive motions; including motions for summary judgment and motions to dismiss, must not exceed 6,000 words (approximately 12 pages). Responses must not exceed 6,000 words, and replies 3,000 words (approximately six 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;

(b) The motion must clearly explain why the party requesting the over-length brief cannot comply with the board's word limit; and

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

If the board allows a party 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 22-13-111, § 456-10-415, filed 6/15/22, effective 7/16/22.]