

WSR 21-23-027
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENT TO) NO. 25700-A-1388
RALJ 10.3—EXTENSION AND)
REDUCTION OF TIME)

The Washington State Bar Association Court Rules Committee, having recommended the suggested amendment to RALJ 10.3—Extension and Reduction of Time, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2022.

(b) The purpose statement as required by GR 9(e), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2022. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 5th day of November, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET
Suggested Amendment
RALJ 10.3 - EXTENSION AND REDUCTION OF TIME

- A. Proponent: WSBA Court Rules and Procedures Committee
B. Spokesperson: Isham Reavis, Chair - WSBA Court Rules and Procedures Committee
C. Purpose: Make capitalization consistent. Enhance readability and clarity.
D. Hearing: The proponent does not believe that a public hearing is necessary.
E. Expedited Consideration: Not requested.

SUGGESTED AMENDMENT
RULE 10.3 Extension and Reduction of Time.

(a) Generally. The superior court may, on its own initiative or on motion of a party, enlarge or shorten the time within which an act must be done in a particular case in order to serve the ends of justice, subject to the restrictions in section (c).

(b) Procedure for Motion. A party moving to extend or reduce time shall file a written motion with the superior court and serve it upon all non-moving parties. The motion shall state (1) the date the act is scheduled or required to occur; (2) the new date requested; and

(3) the specific reasons for the motion. The motion shall be considered without oral argument unless ~~called for~~ ordered by the superior court. A non-moving party may respond to the motion in writing. A response must be filed with the superior court and served upon the moving party within five days after service of the motion to extend or reduce time.

(c) Restrictions on Extension of Time.

(1) The superior court will ~~only in extraordinary circumstances and to prevent a gross miscarriage of justice~~ extend the time within which a party must file a notice of appeal only in extraordinary circumstances and to prevent a gross miscarriage of justice. The superior court will ordinarily hold that the desirability of finality of decisions outweighs the privilege of a litigant to obtain an extension of time under this section. A motion to extend time is determined by the superior court to which the untimely notice of appeal is directed.

(2) The superior court will not enlarge the time provided in rule 9.2 (a) and (c). ~~within which the superior court enters and transmits its decision.~~

(d) Terms. The remedy for violation of these rules is set forth in rule 10.1. The superior court may condition the exercise of its authority under this rule by imposing terms as provided in rule 10.1.