

WSR 22-15-072  
 RULES OF COURT  
 STATE SUPREME COURT  
 [July 15, 2022]

IN THE MATTER OF THE	)	ORDER
SUGGESTED AMENDMENTS TO	)	NO. 27500-A-1464
RAP 18.7—SIGNING AND DATING	)	
PAPERS, AND RAP FORMS 1, 2, 3, 4,	)	
5, 6, 9, 10, 11, 13, 16, 17, 18, 19, 20,	)	
AND 21	)	

A Consortium's (Beverly K. Tsai; Erin L. Lennon, Supreme Court Clerk; Justice Raquel Montoya-Lewis, Supreme Court Justice; Danny Waxwing; Dana Savage, President Elect, QLaw Association of Washington; Ada Danelo, Vice President, QLaw Association of Washington; J. Denise Diskin, Executive Director, QLaw Foundation; Riley Hewko, Esq.; Adrien Leavitt), having recommended the suggested amendments to RAP 18.7—Signing and Dating Papers, and RAP Forms 1, 2, 3, 4, 5, 6, 9, 10, 11, 13, 16, 17, 18, 19, 20, and 21, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are 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 2023.

(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, 2023. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov). Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 15th day of July, 2022.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

**GR 9 Cover Sheet**

**Proponents:** Beverly K. Tsai (she/they)

Erin L. Lennon, Supreme Court Clerk

Justice Raquel Montoya-Lewis, Supreme Court Justice Danny Waxwing

Dana Savage, President Elect, QLaw Association of Washington

Ada Danelo, Vice President, QLaw Association of Washington

J. Denise Diskin, Executive Director, QLaw Foundation Riley Hewko, Esq., (They/Them/Theirs)

Adrien Leavitt

**Spokesperson:** Beverly K. Tsai (she/they)

**Purpose:**

Our courts and court filing practices should establish rules and procedures that strive to be inclusive. This proposed rule change is

intended to provide a signing attorney or party with the option to identify their personal pronouns<sup>1</sup> in the signature block of filed documents. Giving people the opportunity to self-identify their personal pronouns in court filings will help our courts be more inclusive by aiming to minimize misgendering, transphobia, trans-exclusion, and anti-LGBTQIA+ experiences in our courts.

<sup>1</sup> In this cover sheet, we call them "personal pronouns" to reflect the fact that they refer to a unique and individual person. MYPRONOUNS.ORG, *What and Why*, [www.mypronouns.org/what-and-why](http://www.mypronouns.org/what-and-why). We do not call them "gender pronouns" because they do not necessarily reflect or indicate a person's gender, and we also do not call them "preferred pronouns" because pronouns are part of a person's identity, not a preference. GLSEN, *Pronoun Guide*, <https://www.glsen.org/activity/pronouns-guide-glsen>.

Personal pronouns are related to the person's gender identity. Gender identity is a person's internal sense of their own gender. While a person's sex is a biological identity assigned at birth, gender identity is unique. A person's gender identity may be male, female, both, or neither.<sup>2</sup> Some people are "cisgender," meaning their gender identity matches the sex they were assigned at birth, male or female.<sup>3</sup> Some people are "transgender," meaning their gender identity is different than what they were assigned at birth. Some people's gender identity may be "gender-expansive," meaning they do not identify as exclusively male or female. For example, a person may be "gender-fluid" or "genderqueer" if they do not identify with one gender or the other and instead have an unfixed gender identity. A "non-binary" or "gender nonconforming" person may identify as neither male nor female, both male and female, as a third gender, or something else. In some Native American cultures, people may identify as "two-spirit," meaning they identify as neither male nor female but as a different gender and fulfill a different gender role in their communities.<sup>4</sup>

<sup>2</sup> HUMAN RIGHTS CAMPAIGN, *Sexual Orientation and Gender Identity Definitions*, [https://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions?utm\\_source=GS&utm\\_medium=AD&utm\\_campaign=BPI-HRC-Grant&utm\\_content=454887071989&utm\\_term=gender%20identity&gclid=EA1aIqobChMI7seHg\\_2z8gIVAz6tBh0v8wolEAAYASAAEgKHM\\_D\\_BwE](https://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions?utm_source=GS&utm_medium=AD&utm_campaign=BPI-HRC-Grant&utm_content=454887071989&utm_term=gender%20identity&gclid=EA1aIqobChMI7seHg_2z8gIVAz6tBh0v8wolEAAYASAAEgKHM_D_BwE).

<sup>3</sup> HUMAN RIGHTS CAMPAIGN, *Glossary of Terms*, <https://www.hrc.org/resources/glossary-of-terms>.

<sup>4</sup> INDIAN HEALTH SERVICE, *Two-Spirit*, <https://www.ihs.gov/lgbt/health/twospirit/>.

Gender expression is the external appearance of a person's gender identity.<sup>5</sup> This includes, among many other characteristics, their appearance, mannerisms, clothing, hair, makeup, and voice. A person's gender expression may be described using words such as masculine, feminine, or androgynous. A person's gender expression may or may not conform to expressions that are typically associated with a certain gender identity or sexual orientation.

<sup>5</sup> HUMAN RIGHTS CAMPAIGN, *supra* note 2.

A person's personal pronouns are how that person wishes to be addressed aside from their name, and personal pronouns are as expansive and unique as gender identity. While they are sometimes related to gender identity, personal pronouns do not necessarily indicate a person's gender identity, nor does a person's gender expression necessarily indicate their personal pronouns. Personal pronouns are unique to each individual person and they are often very important to their personal identity. "Using someone's correct personal pronouns is a way to respect them and create an inclusive environment, just as using a person's name can be a way to respect them."<sup>6</sup> "She/her/hers" and "he/him/his" are some commonly used pronouns that are often associated with the female or male gender, respectively. "They/them/theirs"<sup>7</sup> are gender-neutral pronouns that some people use, and they are also often used if someone's personal pronouns are not known. Some people may use more than one personal pronoun,<sup>8</sup> and some may not use pronouns at

all.<sup>9</sup> There are no rules about "right" or "wrong" personal pronouns except for what a person decides for themselves.

<sup>6</sup> MYPRONOUNS.ORG, *supra* note 1.

<sup>7</sup> Other examples of personal pronouns are "ze/zem/zir," and "xe/xem/xer." These are known as "neopronouns." Shige Sajurai, *Neopronouns*, MYPRONOUNS.ORG, [www.mypronouns.org/neopronouns](http://www.mypronouns.org/neopronouns).

<sup>8</sup> Paige Cohen, *My Pronouns Are She/They. What Are Yours?* HARVARD BUSINESS REVIEW (June 15, 2021), <https://hbr.org/2021/06/my-pronouns-are-she-they-what-are-yours>.

<sup>9</sup> Sam Krauss, *What do you do when someone doesn't use any pronouns?* PFLAG, <https://pflag.org/blog/what-do-you-do-when-someone-doesn%E2%80%99t-use-any-pronouns>.

As a society, people often make assumptions about a person's gender identity and personal pronouns based on their appearance, name, or gender expression. These assumptions are often based on gender stereotypes and gender norms. Gender identity is an internal sense of self, and we cannot know a person's personal pronouns just by looking at them. Therefore, guessing a person's personal pronouns based on assumptions can be very harmful and can create unsafe environments. Even if it is unintentional, using the wrong personal pronoun to refer to somebody can make them feel disrespected, invalidated, and dismissed, and it alienates people for not conforming to the gender-binary and expectations based on stereotypes. This results in bias and discrimination.

This proposed rule change creates an opportunity for a person to offer their personal pronouns and also provides an opportunity for others to learn how to respectfully address them. Providing opportunities for people to identify how they wished to be addressed in addition to their name will help prevent others from acting on assumptions and using incorrect pronouns. It will also help minimize the burden of having to correct someone after they use the wrong pronouns to address someone. This proposed rule change will allow court staff, clerks, justices and judges, and other parties and attorneys to be aware of and use the correct personal pronouns in communication, documents, discussions, and oral argument. It will improve our courts by helping to create an environment that is welcoming and respectful of people and their identities.

The proposed rule change would provide a signing attorney or party the option to indicate their personal pronouns in the signature block of filed documents. Specifically, the following rules and forms would be amended:

- RAP 18.7
- RAP Form 1
- RAP Form 2
- RAP Form 3
- RAP Form 4
- RAP Form 5
- RAP Form 6
- RAP Form 9
- RAP Form 10
- RAP Form 11
- RAP Form 13
- RAP Form 16
- RAP Form 17
- RAP Form 18
- RAP Form 19
- RAP Form 20
- RAP Form 21

Under this proposed rule change, providing personal pronouns is not mandatory, but merely optional. A permissive rule such as this

will provide opportunities for those who wish to disclose their personal pronouns without pressuring those who may be uncomfortable or not ready to disclose their personal pronouns. It also allows the person to write in their personal pronouns and does not limit a person to the more commonly used pronouns. If the person so chooses, they can list their personal pronouns along with their name, address, telephone number, and Washington State Bar Association membership number in the signature block of filed documents.

**Hearing:** The proponent does not believe a public hearing is necessary.

**Expedited Consideration:** The proponent does not believe that expedited consideration is necessary.

**Proposed Amendments to:**

- RAP 18.7
- RAP Form 1
- RAP Form 2
- RAP Form 3
- RAP Form 4
- RAP Form 5
- RAP Form 6
- RAP Form 9
- RAP Form 10
- RAP Form 11
- RAP Form 13
- RAP Form 16
- RAP Form 17
- RAP Form 18
- RAP Form 19
- RAP Form 20
- RAP Form 21

**RAP RULE 18.7  
SIGNING AND DATING PAPERS**

Each paper filed pursuant to these rules should be dated and signed by an attorney (with the attorney's Washington State Bar Association membership number in the signature block) or party, except papers prepared by a judge, commissioner or clerk of court, bonds, papers comprising a record on review, papers that are verified on oath or by certificate, and exhibits. The signing attorney or party may also indicate their personal pronouns in the signature block.

**RAP FORM 1. Notice of Appeal (Trial Court Decision)**  
(Rule 5.3(a))

SUPERIOR COURT OF WASHINGTON  
FOR (\_\_\_\_\_) COUNTY

_____ )	
(Name of plaintiff), )	
Plaintiff, )	No. (trial court)
v. )	
)	
_____ )	NOTICE OF APPEAL TO
(Name of defendant), )	COURT OF APPEALS or
Defendant. )	SUPREME COURT

(Name of party seeking review), (plaintiff or defendant), seeks review by the designated appellate court of the (Describe the decision or part of decision which the party wants reviewed: for example, "Judgment", "Paragraph 4 of the Marriage Dissolution Decree".) entered on (date of entry.)

A copy of the decision is attached to this notice.

(Date)

Signature
Attorney for (Plaintiff or Defendant)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney for appellant and the name and address of counsel for each other party should be listed here. In a criminal case, the name and address of the defendant should also be listed here. See rule 5.3(c).)

RAP FORM 2. Notice for Discretionary Review (Rule 5.3(b))

SUPERIOR COURT OF WASHINGTON FOR ( ) COUNTY

(Name of plaintiff), Plaintiff, v. (Name of defendant), Defendant. NOTICE OF DISCRETIONARY REVIEW TO (COURT OF APPEALS or SUPREME COURT)

(Name of party seeking review), (plaintiff or defendant), seeks review by the designated appellate court of the (Describe the decision or part of decision which the party wants reviewed: for example, "Order Denying Discovery", "Paragraph 4 of the Restraining Order".) entered on (date of entry).

A copy of the decision is attached to this notice.

(Date)

Signature
Attorney for (Plaintiff or Defendant)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney for appellant and the name and address of counsel for each other party should be listed here. In a criminal case, the name and address of the defendant should also be listed here.

See rule 5.3(c).)

RAP FORM 3. Motion for Discretionary Review

(Rule 6.2 (review of trial court decision); Rule 13.5 (review of Court of Appeals interlocutory decision); Rule 17.3(b) (content of motion))

No. (appellate court) (SUPREME COURT OR COURT OF APPEALS, DIVISION OF THE STATE OF WASHINGTON)

(Title of trial court proceeding with parties designated as in rule 3.4, for example:

JOHN DOE, Respondent,

v.

MARY DOE, Petitioner,

and

HENRY JONES, Defendant.)

MOTION FOR DISCRETIONARY REVIEW

(Name of petitioner's attorney) (personal pronouns (optional))  
Attorney for (Petitioner)

(Address, telephone number, and Washington State Bar Association membership number of petitioner's attorney)

A. IDENTITY OF PETITIONER

(Name) asks this court to accept review of the decision or parts of the decision designated in Part B of this motion.

B. DECISION

(Identify the decision or parts of decision which the party wants reviewed by the type of decision, the court entering or filing the decision, the date entered or filed, and the date and a description of any order granting or denying motions made after the decision such as a motion for reconsideration. The substance of the decision may also be described: for example, "The decision restrained defendant from using any of her assets for any purpose other than living expenses. Defendant is thus restrained from using her assets to pay fees and costs to defend against plaintiff's suit for a claimed conversion of funds from a joint bank account.") A copy of the decision (and the trial court memorandum opinion) is in the Appendix at pages A-\_\_\_\_\_ through \_\_\_\_\_.

C. ISSUES PRESENTED FOR REVIEW

(Define the issues which the court is asked to decide if review is granted. See Part II of Form 6 for suggestions for framing issues presented for review.)

D. STATEMENT OF THE CASE

(Write a statement of the procedure below and the facts. The statement should be brief and contain only material relevant to the motion. If the motion is directed to a Court of Appeals decision, the statement should contain appropriate references to the record on review. See Part III of Form 6. If the motion is directed to a trial court decision, reference should be made to portions of the trial court record. Portions of the trial court record may be placed in the Appendix. Certified copies are not necessary. If portions of the trial court record are placed in the Appendix, the portions should be identified here with reference to the pages in the Appendix where the portions of the record appear.)

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

(The argument should be short and concise and supported by authority. The argument should be directed to the considerations for accepting review set out in rule 2.3(b) for review of a trial court decision and rule 13.5(b) for review of a decision of the Court of Appeals.)

F. CONCLUSION

(State the relief sought if review is granted. For example: "This court should accept review for the reasons indicated in Part E and modify the restraining order to permit defendant to use her assets to

pay fees and costs incurred in defending plaintiff's suit for conversion.")

(Date)

Respectfully submitted,

\_\_\_\_\_  
Signature

(Name of petitioner's attorney)

**RAP FORM 4. Statement of Grounds for Direct Review**

(Rule 4.2(b))

No. (Supreme Court)

SUPREME COURT OF THE STATE OF WASHINGTON

(Title of trial court ) STATEMENT OF GROUNDS FOR  
proceeding with parties ) DIRECT REVIEW BY THE  
designated as in rule 3.4) SUPREME COURT

(Name of party) seeks direct review of the (describe the decision or part of the decision that the party wants reviewed) entered by the (name of court) on (date of entry.) The issues presented in the review are: (State issues presented for review. See Part II of Form 6 for suggestions for framing issues presented for review.)

The reasons for granting direct review are: (Briefly indicate and argue grounds for direct review. See rule 4.2.)

(Date)

Respectfully submitted,

\_\_\_\_\_  
Signature

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

**RAP FORM 5. Title Page for all Briefs and Petition for Review**

(Rule 10.3 (briefs); Rule 13.4(d) (petition for review))

No. (appellate court)

(SUPREME COURT OR COURT OF APPEALS, DIVISION \_\_\_\_\_)  
OF THE STATE OF WASHINGTON

\_\_\_\_\_  
(Title of trial court proceeding with parties designated as in rule 3.4, for example:

JOHN DOE, Respondent,

v.

MARY DOE, (Appellant or Petitioner),

and

HENRY JONES, Defendant.)

\_\_\_\_\_  
(PETITION FOR REVIEW or title of brief, for example:

BRIEF OF  
PETITIONER, REPLY BRIEF OF APPELLANT)

\_\_\_\_\_  
(Name of attorney for party filing brief) (personal pronouns (optional))

Attorney for (Identity of party, as Appellant)

(Address, telephone number, and Washington State Bar Association number of attorney for party filing brief or petition)

RAP FORM 6. Brief of Appellant
(Rule 10.3(a))

(See Form 5 for form of cover and title page. For useful discussions of appellate brief writing, see the latest edition of the Washington State Bar Association Appellate Practice Deskbook.)

TABLE OF CONTENTS

I. Introduction [Optional. See rule 10.3 (a) (3).]
II. ASSIGNMENTS OF ERROR.
Assignments of Error
No. 1.
No. 2.
No. 3.
Issues Pertaining to Assignments of Error No. 1.
No. 2.
III. Statement of the Case.
IV. Summary of Argument.
V. Argument.
[If the argument is divided into separate headings, list each separate heading and give the page where each begins.]
VI. Conclusion.
VII. Appendix. A-1
[List each separate item in the Appendix and give page where each item begins.]

TABLE OF AUTHORITIES

Table of Cases

[Here list cases, alphabetically arranged, with citations complying with rule 10.4(g), and page numbers where each case appears in the brief. Washington cases may be first listed alphabetically with other cases following and listed alphabetically.]

Constitutional Provisions

[Here list constitutional provisions in the order in which the provisions appear in the constitution with page numbers where each is referred to in the brief.]

Statutes

[Here list statutes in the order in which they appear in RCW, U.S.C., etc., with page numbers where each is referred to in the brief. Common names of statutes may be used in addition to code numbers.]

Regulations and Rules

[Here list regulations and court rules grouped in appropriate categories and listed in numerical order in each category with page numbers where each is referred to in the brief.]

Other Authorities

[Here list other authorities with page numbers where each is referred to in the brief.]

Note: For form of citations, see GR 14(d).

I. Introduction

[An introduction is optional and may be included as a separate section of the brief at the filing party's discretion. The introduction need not contain citations to the record or authority.]

II. Assignments of Error

Assignments of Error

[Here separately state and number each assignment of error as required by rule 10.3(a) and (g). For example:



"1. The trial court erred in entering the order of May 12, 1975, denying defendant's motion to vacate the judgment entered on May 1, 1975."

OR

"2. The trial court erred in denying the defendant's motion to suppress evidence by order entered on March 10, 1975."]

Issues Pertaining to Assignments of Error

[Concisely define the legal issues in question form which the appellate court is asked to decide and number each issue. List after each issue the Assignments of Error which pertain to the issue. Proper phrasing of the issues is important. Each issue should be phrased in the terms and circumstances of the case, but without unnecessary detail. The court should be able to determine what the case is about and what specific issues the court will be called upon to decide by merely reading the issues presented for review.]

[Examples of issues presented for review are: "Does an attorney, without express authority from his client, have implied authority to stipulate to the entry of judgment against his client as a part of a settlement which limits the satisfaction of the judgment to specific property of the client? (Assignment of Error 1.)"

OR

"Defendant was arrested for a traffic offense and held in jail for 2 days because of outstanding traffic warrants. The police impounded defendant's car and conducted a warrantless 'inventory' search of defendant's car and seized stolen property in the trunk. The impound was not authorized by any ordinance. Did the search and seizure violate defendant's rights under the fourth and fourteenth amendments to the Constitution of the United States and under article 1, section 7 of the Constitution of the State of Washington? (Assignment of Error 2.)"]

III. STATEMENT OF THE CASE

[Write a statement of the procedure below and the facts relevant to the issues presented for review. The statement should not be argumentative. Every factual statement should be supported by a reference to the record. See rule 10.4(f) for proper abbreviations for the record.]

IV. SUMMARY OF ARGUMENT

[This is optional.]

V. ARGUMENT

[The argument should ordinarily be separately stated under appropriate headings for each issue presented for review. Long arguments should be divided into subheadings. The argument should include citations to legal authority and references to relevant parts of the record. The court ordinarily encourages a concise statement of the standard of review as to each issue.]

VI. CONCLUSION

[Here state the precise relief sought.]

[Date]

Respectfully submitted,

\_\_\_\_\_  
Signature

[Name of Attorney] [*personal pronouns (optional)*]  
Attorney for [Appellant, Respondent, or Petitioner]  
Washington State Bar Association membership number

RAP FORM 9. Petition for Review

(Rule 13.4(d))

(See Form 5 for form of cover which is the title page.)

TABLE OF CONTENTS

(See Form 6, except modify names of parts of brief to correspond to names of parts of Petition for Review.)

TABLE OF AUTHORITIES

(See Form 6.)

A. IDENTITY OF PETITIONER

(Name) asks this court to accept review of the Court of Appeals decision terminating review designated in Part B of this petition.

B. COURT OF APPEALS DECISION

(Identify the decision or parts of the decision of the Court of Appeals which the party wants reviewed, the date filed, and the date of any order granting or denying a motion for reconsideration.) A copy of the decision is in the Appendix at pages A-\_\_\_\_\_ through \_\_\_\_\_. A copy of the order denying petitioner's motion for reconsideration is in the Appendix at pages A-\_\_\_\_\_ through \_\_\_\_\_.

C. ISSUES PRESENTED FOR REVIEW

(Define the issues which the Supreme Court is asked to decide if review is granted. See the second portion of Part II of Form 6 for suggestions for framing issues presented for review.)

D. STATEMENT OF THE CASE (See Part III of Form 6.)

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

(The argument should be short and concise and directed to the considerations for accepting review set out in rule 13.4(b). For argument generally, see Part V of Form 6. The argument may be preceded by a summary.)

F. CONCLUSION

(State the relief sought if review is granted. See Part F of Form 3.)

(Date)

Respectfully submitted,

\_\_\_\_\_  
Signature

(Name of attorney) (personal pronouns (optional))

Attorney for (Petitioner or Respondent)

Washington State Bar Association

membership number

**RAP FORM 10. Cost Bill**

(Rule 14.4)

No. (appellate court)

(SUPREME COURT OR COURT OF APPEALS, DIVISION \_\_\_\_\_)

OF THE STATE OF WASHINGTON

(Title of trial court )  
proceeding with parties ) COST BILL  
designated as in rule 3.4 )

(Name of party asking for costs), (appellant, petitioner, or respondent), asks that the following costs be awarded:

- 1. Statutory attorney's fees \$
- 2. Preparation of original and one copy of report of proceedings \$
- 3. Copies of clerk's papers \$
- 4. Transmittal of record on review \$
- 5. Expenses incurred in superseding the decision of the trial court (Identify) \$

- 6. Charges of appellate court clerk for reproduction of briefs, petitions, and motions (Identify and separately state the charge for each.) \$
- 7. Preparing 50 pages of original documents \$
- 8. Filing fee \$ \_\_\_\_\_
- Total \$

The above items are expenses allowed as costs by rule 14.3, reasonable expenses actually incurred, and reasonably necessary for review. (Name of party) should pay the costs.  
 (Date)

\_\_\_\_\_  
 Signature  
 Attorney for (Appellant, Respondent, or Petitioner)  
 (Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

**RAP FORM 11. Objections to Cost Bill**  
 (Rule 14.5)

No. (appellate court)  
 (SUPREME COURT OR COURT OF APPEALS, DIVISION \_\_\_\_\_)  
 OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4) ) OBJECTIONS TO COST BILL )

(Name of party objecting), (appellant, petitioner or respondent), objects to the award of any costs to (name of party) because:  
 (Here state reasons. See rule 14.2.)

Alternate Form

(Name of party objecting), (appellant, petitioner, or respondent), objects to the following expenses listed on the Cost Bill of (name of party):

(List the items on the cost bill which are objectionable, by number of item on the cost bill with a description of the item and the amount claimed. State the objection after each item. For example:

2. Report of Proceedings \$320.00 Objection: The amount claimed is unreasonable. See RAP 14.3.

(a). The report of proceedings is double spaced and is \_\_\_\_\_ pages. The usual charge per page is \$ \_\_\_\_\_. Computed on the usual basis, the total charge should be \$220.00.

5. Bond \$10.00

Objection: The charge is for the premium on a cost bond. A cost bond is not required under the new rules. The charge was not reasonably necessary for review. See RAP 14.3(a.)

(Date)

\_\_\_\_\_  
 Signature  
 Attorney for (Appellant, Respondent, or Petitioner)  
 (Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

**RAP FORM 13. Motion for Order of Indigency**  
 [Rule 15.2(c)]

SUPERIOR COURT OF WASHINGTON
FOR ( ) COUNTY

[Name of plaintiff] )
Plaintiff, ) No. [trial court]
v. )
) Motion for Order of
) Indigency-(Criminal),
) (Juvenile Offense),
) (Dependency), (Termination),
) (Commitment), (Civil
) Contempt), (Habeas Corpus),
) (Appeal involving a
) Constitutional or Statutory
) Right to Counsel) Case
[Name of defendant] )
Defendant. )

\_\_\_\_\_, (defendant) (respondent) (petitioner), files a notice of appeal in the above-referenced (criminal), (juvenile offense), (dependency), (termination), (commitment), (civil contempt), (habeas corpus), (appeal involving a constitutional or statutory right to counsel) case, and moves the court for an Order of Indigency authorizing the expenditure of public funds to prosecute this appeal (wholly at public expense) (partially at public expense).

(Defendant) (Respondent) (Petitioner) was found indigent by order of this court on . There has been no change in (defendant) (respondent) (petitioner)'s financial status since that time, and (defendant) (respondent) (petitioner) continues to lack sufficient funds to seek review in this case.

(Defendant) (Respondent) (Petitioner) asks the court to order the following to be provided at public expense: all filing fees; attorney fees; preparation, reproduction, and distribution of briefs; preparation of verbatim report of proceedings; and preparation of necessary clerk's papers.

The following certificate is made in support of this motion.

DATED: \_\_\_\_\_ Signature
(Defendant) (Respondent) (Petitioner)
(personal pronouns (optional))

Signature
Name of Attorney for (Defendant) (Respondent)
(Petitioner)
(personal pronouns (optional))
WSBA# \_\_\_\_\_

CERTIFICATE

I, \_\_\_\_\_, certify as follows:
1. That I have previously been found indigent by this court.
2. That the highest level of education I have completed is:
( ) Grade School ( ) High School ( ) College or greater
3. That I have held the following jobs:
4. That I: ( ) have not received job training
( ) have received the following job
training: \_\_\_\_\_.

5. That I: ( ) do not have a mental or physical disability that would affect my ability to work
( ) have the following mental or physical disability that would affect my ability to work:

6. That I: ( ) do not have children or family members that normally depend on me for financial support
( ) have the following children or family members that normally depend on me for support

7. That I: ( ) do not anticipate my financial condition improving in the foreseeable future through inheritance, sale of land, or similar.
( ) anticipate my financial condition improving in the foreseeable future as follows:

I, \_\_\_\_\_, certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signature

Date \_\_\_\_\_ Name of (Defendant) (Respondent) (Petitioner)
Place \_\_\_\_\_

RAP FORM 16. Petition Against State Officer
(Rule 16.2(b))

No. (appellate court)
SUPREME COURT OF THE STATE OF WASHINGTON

(Name of petitioner), )
Petitioner, )
v. ) PETITION AGAINST STATE
OFFICER
(Name of respondent), )
Respondent. )

Petitioner alleges:

(Set forth in numbered, descriptively titled paragraphs, as in a complaint in a civil action, a short and plain statement of the claim showing that petitioner is entitled to relief. Conclude with a demand for judgment for the relief sought. See CR 10.)

(Date)

Signature

Attorney for Petitioner

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 17. Personal Restraint Petition for Person Confined by State or Local Government

[Rule 16.7]

No. (appellate court)
[Put name of appellate court that you want to hear your case.]

OF THE STATE OF WASHINGTON

[Put your name here], )
) PERSONAL RESTRAINT
) PETITION
Petitioner. )

If there is not enough room on this form, use the back of these pages or use other paper. Fill out all of this form and other papers you are attaching before you sign this form in front of a notary.

A. STATUS OF PETITIONER

I, \_\_\_\_\_, (full name, personal pronouns (optional), and address) apply for relief from confinement. I am \_\_\_\_\_ am not \_\_\_\_\_ now in custody serving a sentence upon conviction of a crime. (If not serving a sentence upon conviction of a crime) I am now in custody because of the following type of court order:

\_\_\_\_\_ (identify type of order)
1. The court in which I was sentenced is \_\_\_\_\_.
2. I was convicted of the crime(s) of \_\_\_\_\_.

3. I was sentenced after trial \_\_\_\_\_, after plea of guilty on \_\_\_\_\_. The judge who imposed sentence was \_\_\_\_\_ (date of sentence)

\_\_\_\_\_ (name of trial court judge)
4. My lawyer at trial court was \_\_\_\_\_ name and address if known; if none, write "none")

5. I did \_\_\_\_\_ did not \_\_\_\_\_ appeal from the decision of the trial court. (If the answer is that I did), I appealed to \_\_\_\_\_

\_\_\_\_\_ (name of court or courts to which appeal was taken)
My lawyer on appeal was \_\_\_\_\_ (name and address if known; if none, write "none")
The decision of the appellate court was \_\_\_\_\_ was not \_\_\_\_\_ published. (If the answer is that it was published, and I have this information), the decision is published in \_\_\_\_\_

\_\_\_\_\_ (volume number, Washington Appellate Reports or Washington Reports, and page number)

6. Since my conviction I have \_\_\_\_\_ have not \_\_\_\_\_ asked a court for some relief from my sentence other than I have already written above. (If the answer is that I have asked), the court I asked was \_\_\_\_\_

\_\_\_\_\_ (name of court or courts in which relief was sought)
Relief was denied on \_\_\_\_\_ (date of decision or, if more than one, dates of all decisions)

7. (If I have answered in question 6 that I did ask for relief), the name of my lawyer in the proceeding mentioned in my answer to question 6 was \_\_\_\_\_

(name and address if known; if none, write "none")

8. If the answers to the above questions do not really tell about the proceedings and the courts, judges and attorneys involved in your case, tell about it here:

B. GROUNDS FOR RELIEF

(If I claim more than one reason for relief from confinement, I attach sheets for each reason separately, in the same way as the first one. The attached sheets should be numbered "First Ground", "Second Ground", "Third Ground", etc.). I claim that I have \_\_\_\_\_ (number) reason(s) for this court to grant me relief from the conviction and sentence described in Part A.

\_\_\_\_\_ Ground  
(First, Second, etc.)

1. I should be given a new trial or released from confinement because (Here state legal reasons why you think there was some error made in your case which gives you the right to a new trial or release from confinement.):

2. The following facts are important when considering my case (After each fact statement, put the name of the person or persons who know the fact and will support your statement of the fact. If the fact is already in the record of your case, indicate that, also.):

3. The following reported court decisions (include citations if possible) in cases similar to mine show the error I believe happened in my case (If none are known, state "None known".):

4. The following statutes and constitutional provisions should be considered by the court (If none are known, state "None known".):

5. This petition is the best way I know to get the relief I want, and no other way will work as well because \_\_\_\_\_

C. STATEMENT OF FINANCES

If you cannot afford to pay the filing fee or cannot afford to pay an attorney to help you, fill this out. If you have enough money for these things, do not fill out this part of the form.

1. I do \_\_\_\_\_ do not \_\_\_\_\_ ask the court to file this without making me pay the filing fee because I am so poor I cannot pay the fee.

2. I have a spendable balance of \$ \_\_\_\_\_ in my prison or institution account.

3. I do \_\_\_\_\_ do not \_\_\_\_\_ ask the court to appoint a lawyer for me because I am so poor I cannot afford to pay a lawyer.

4. I am \_\_\_\_\_ am not \_\_\_\_\_ employed. My salary or wages amount to \$ \_\_\_\_\_ a month. My employer is \_\_\_\_\_

\_\_\_\_\_ (name and address)

5. During the past 12 months I did \_\_\_\_\_ did not \_\_\_\_\_ get any money from a business, profession or other form of self-employment. (If I did, it was and the total income I got was \$ \_\_\_\_\_.)

(kind of self-employment)

6. During the past 12 months, I did \_\_\_\_\_ did not \_\_\_\_\_ get any rent payments. If so, the total amount I got was \$ \_\_\_\_\_.

\_\_\_\_\_ get any interest. If so, the total amount I got was \$ \_\_\_\_\_.

\_\_\_\_\_ get any dividends. If so, the total amount I got was \$\_\_\_\_\_.

\_\_\_\_\_ get any other money. If so, the amount of money I got was \$\_\_\_\_\_.

7. \_\_\_\_\_ have any cash except as said in answer 2. If so, the total amount of cash I have is \$\_\_\_\_\_.

\_\_\_\_\_ have any savings accounts or checking accounts. If so, the amount in all accounts is \$\_\_\_\_\_.

\_\_\_\_\_ own stocks, bonds, or notes. If so, their total value is \$\_\_\_\_\_.

8. List all real estate and other property or things of value which belong to you or in which you have an interest. Tell what each item of property is worth and how much you owe on it. Do not list household furniture and furnishings and clothing which you or your family need.

Items Value

\_\_\_\_\_

9. I am \_\_\_\_\_ am not \_\_\_\_\_ married. If I am married, my wife or husband's name and address is \_\_\_\_\_.

\_\_\_\_\_

10. All of the persons who need me to support them are listed here.

Name and Address Relationship Age

\_\_\_\_\_

\_\_\_\_\_

11. All the bills I owe are listed here.

Name of creditor Address Amount you owe money to

\_\_\_\_\_

\_\_\_\_\_

D. REQUEST FOR RELIEF

I want this court to:

\_\_\_\_\_ vacate my conviction and give me a new trial

\_\_\_\_\_ vacate my conviction and dismiss the criminal charges against me without a new trial

\_\_\_\_\_ other (specify) \_\_\_\_\_

E. OATH OF PETITIONER

THE STATE OF WASHINGTON )

) ss.

County of \_\_\_\_\_ )

After being first duly sworn, on oath, I depose and say: That I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true.

[sign here]

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_.

Notary Public in and for the State of Washington, residing at \_\_\_\_\_



If a notary is not available, explain why none is available and indicate who can be contacted to help you find a notary:

Then sign below:

I declare that I have examined this petition and to the best of my knowledge and belief it is true and correct. [date].

[sign here]

RAP FORM 18. Motion (Rule 17.3(a))

No. (appellate court) (SUPREME COURT or COURT OF APPEALS, DIVISION OF THE STATE OF WASHINGTON)

(Title of trial court proceeding with parties designated as in rule 3.4) MOTION FOR (identity relief sought)

1. IDENTITY OF MOVING PARTY

(Name), (designation of moving party, for example: "Appellant" or "Assignee of Respondent's interest in the judgment being reviewed") asks for the relief designated in Part 2.

2. STATEMENT OF RELIEF SOUGHT

(State the relief sought, for example: "Substitution of John Doe as respondent in place of Alvin Jones".)

3. FACTS RELEVANT TO MOTION

(Here state facts relevant to motion with reference to or copies of parts of the record relevant to the motion. For example: "Alvin Jones, plaintiff, obtained a judgment against defendant, Henry Hope (Judgment, CP 17). Alvin Jones assigned the judgment to John Doe after defendant filed his Notice of Appeal. A true copy of the assignment is attached. Defendant did not assert a counterclaim against plaintiff in the trial court".)

4. GROUNDS FOR RELIEF AND ARGUMENT

(Here state the grounds for the relief sought with authority and supporting argument. For example: "RAP 3.2(a) authorizes substitution of parties when the interest of a party in the subject matter of the review has been transferred. Substitution should be granted here as defendant has no claim against plaintiff-respondent and respondent no longer has an interest in the judgment which is the subject matter of this appeal".)

(Date)

Respectfully submitted,

Signature

Attorney for (Appellant, Respondent, or Petitioner)

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

RAP FORM 19. Notice of Motion (RAP 17.4(a))

(SUPREME COURT or COURT OF APPEALS, DIVISION OF THE STATE OF WASHINGTON)

(Title of trial court proceeding with parties designated as in rule 3.4) No. (appellate court) NOTICE FOR MOTION

To: (Names of persons entitled to notice and their attorneys. See RAP 17.4(a).)

(Name of moving party), (appellant, petitioner, or respondent), will bring on for hearing (name of motion, for example: "Motion To Substitute Appellant") on (date). The motion will be heard by the (Judges, Commissioner, or Clerk) at (hour), or as soon thereafter as the motion can be heard. The address of the place of hearing is (room number and address).

(Date)

\_\_\_\_\_  
Signature

(Name of attorney) (personal pronouns (optional))

Washington State Bar Association membership number Attorney for (Appellant, Respondent, or Petitioner)

**RAP FORM 20. Motion To Modify Ruling**  
(Rule 17.7)

No. (appellate court)  
(SUPREME COURT or COURT OF APPEALS, DIVISION \_\_\_\_\_)  
OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4) )  
) MOTION TO MODIFY RULING  
)

1. IDENTITY OF MOVING PARTY

(Name of moving party), (designation of moving party) asks for the relief designated in Part 2.

2. STATEMENT OF RELIEF SOUGHT

Modify ruling of the (Clerk or Commissioner) filed on (date). The ruling (state substance of ruling, for example: "denied the motion to be substituted as respondent in place of Alvin Jones") This court should (State relief requested, for example: "authorize the requested substitution".).

3. FACTS RELEVANT TO MOTION

(Here state facts relevant to original motion, with reference to or copies of parts of the record relevant to that motion. The facts set forth in the original motion may be incorporated by reference. For example: "The facts are set out in Part 3 of the original motion to the commissioner.")

4. GROUNDS FOR RELIEF AND ARGUMENT

(Here state the grounds for relief sought with authority and supporting argument. The grounds for relief set forth in the original motion may be incorporated by reference.)

(Date)

Respectfully submitted,

\_\_\_\_\_  
Signature

Attorney for (Appellant, Respondent or Petitioner)

(Name, (personal pronouns (optional))), address, telephone number, and Washington State Bar Association membership number of attorney)

**RAP FORM 21. Civil Appeal Statement**  
(Rule 5.5(c))

COURT OF APPEALS, DIVISION \_\_\_\_\_  
OF THE STATE OF WASHINGTON

(Title of trial court )
proceeding with parties ) CIVIL APPEAL STATEMENT
designated as in rule 3.4) )

1. NATURE OF THE CASE AND DECISION

(State the substance of the case below and the basis for the trial court decision. For example: "Defendant was driving his automobile when struck from the rear by a truck driven by Jones. An automobile coming from the opposite direction driven by an uninsured motorist crossed the center line into the lane occupied by defendant and collided with the defendant's car. Defendant settled his claim against Jones and executed a release without the consent of plaintiff insurance company. The policy issued by plaintiff contained a provision which excluded coverage under the uninsured motorist provisions for bodily injury to an insured who has made any settlement with any person without the written consent of the company. The trial court held that this exclusion violated public policy by restricting the uninsured motorist coverage required by RCW 48.22.030 and declared the exclusion void.")

2. ISSUES PRESENTED FOR REVIEW

(State the issues the party intends to present for review by the Court of Appeals. For example: "Whether a provision which excludes coverage when the insured does not secure the insurer's consent before settling with any person responsible for any injury violates public policy by restricting the uninsured motorist coverage required by RCW 48.22.030?" List under each issue the legal authority relevant to that issue.)

3. RELIEF SOUGHT IN COURT OF APPEALS

(State the relief the party seeks in the Court of Appeals. For example: "Reversal of trial court decision with directions to enter judgment declaring that defendant is not covered by the uninsured motorist provisions of the liability policy issued by plaintiff.")

4. TRIAL COURT

(Name of County) County Superior Court

5. JUDGE

(Name of Trial Court Judge)

6. DATE OF DECISION

(The date the decision was entered in the trial court)

7. POST-DECISION MOTIONS

(State each post-decision motion made in the trial court including the nature of the motion, the date the motion was made, the decision on the motion, and the date the decision was entered.)

8. NOTICE OF APPEAL

The notice of appeal was filed on date. A copy of the notice of appeal is attached to this statement.

9. COUNSEL

Counsel for appellant (name of appellant) is (name, address, and telephone number of attorney). Counsel for respondent (name of respondent) is (name, address, and telephone number of attorney).

10. METHOD OF DISPOSITION IN TRIAL COURT

(State the method used to decide the case in the trial court. For example: "summary judgment, order of dismissal, judgment after trial to the court, judgment after jury trial.")

11. RELIEF GRANTED BY TRIAL COURT

(State the relief granted by the trial court. For example: "The trial court entered a judgment declaring that defendant has coverage under the uninsured motorist provisions of the automobile liability policy issued by plaintiff.")

12. RELIEF DENIED BY TRIAL COURT

(State the relief sought by the party making the statement which was denied by the trial court. For example: "Plaintiff sought a judg-

ment declaring that the uninsured motorist provision of the automobile liability policy no longer provided coverage to defendant.")

13. CERTIFICATE OF COUNSEL

I, attorney for appellant (name of appellant), certify that this appeal is taken in good faith and not for purposes of delay.

I further certify that my client (is or is not) prepared to immediately take all steps to complete the appeal. (If the statement indicates the party is not prepared to immediately take all steps to complete the appeal, state here why the party is not prepared to immediately complete the appeal.)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

Attorney for Appellant

(Name, personal pronouns (optional), address, telephone number, and Washington State Bar Association membership number of attorney)

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.