

WSR 22-21-116
RULES OF COURT
STATE SUPREME COURT
[October 13, 2022]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENT TO RAP) NO. 25700-A-1477
17.4—FILING AND SERVICE OF)
MOTION—ANSWER TO MOTION)

The Washington State Court of Appeals Rules Committee, having recommended the suggested amendment to RAP 17.4—Filing and Service of Motion—Answer to Motion, 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 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. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 13th day of October, 2022.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment

Rules of Appellate Procedure

Rule 17.4 - Filing and Service of Motion—Answer to Motion

A. Proponent: Washington State Court of Appeals Rules Committee

B. Spokesperson: Judge Bradley Maxa, Chair

C. Purpose: RAP 17.4 provides that appellate court commissioner or clerk "will" reproduce additional copies of all papers relating to motions or answers that may be necessary for the appellate court and charge the appropriate party as provided in RAP 10.5(a), which provides for the clerk's reproduction of briefs and reproduction charges.

In light of the current status of electronic filings, the proposed amendment to the rule will make the commissioner or clerk's reproduction discretionary by changing the word "will" to "may" and will thus eliminate unnecessary copying of paper documents and reproduction charges. A separate proposed change to RAP 10.5(a) will make the clerk's reproduction of briefs discretionary.

D. Hearing: Not requested.

E. Expedited Consideration: Not requested.

F. Supporting Material: Suggested rule amendment.

RAP 17.4 FILING AND SERVICE OF MOTION—ANSWER TO MOTION

(g) Length of Motion, Answer and Reply; Form of Papers and Number of Copies.

(1) A motion, and answer, or reply should not exceed the length limitations in RAP 18.17. For compelling reasons, the court may grant a motion to file an over-length motion, answer, or reply.

(2) All papers relating to motions or answers should comply with the formatting requirements of RAP 18.17, provided and original only and no copy should be filed. The appellate court commissioner or clerk ~~will~~ may reproduce additional copies that may be necessary for the appellate court and charge the appropriate party as provided in rule 10.5(a).

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