

WSR 21-23-026
RULES OF COURT
STATE SUPREME COURT
[November 5, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENT TO ) NO. 25700-A-1387
RALJ 6.2—TRANSMITTAL OF )
RECORD OF PROCEEDINGS )

The Washington State Bar Association Court Rules Committee, having recommended the suggested amendment to RALJ 6.2—Transmittal of Record of Proceedings, 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 6.2 - TRANSMITTAL OF RECORD OR PROCEEDINGS

- A. Proponent: WSBA Court Rules and Procedures Committee
B. Spokesperson: Isham Reavis, Chair - WSBA Court Rules and Procedures Committee
C. Purpose: Currently, when the record is transmitted from the Court of Limited Jurisdiction, there is no requirement that the clerk number the record. This leaves the parties to refer to individual documents which presents a challenge to the Superior Court Judge in review the record. Alternatively, the parties number the pages differently and provide their own copies to the court. These party-numbered pages are not the official record transmitted by the clerk. The Rules of Appellate Procedure [RAP 9.6(c)] currently requires this numbering by the Superior Court clerk before the clerk's papers are sent to the Court of Appeals. This proposal is to amend RALJ 6.2(a) to include a similar numbering requirement to assist the court and the parties.
D. Hearing: The proponent does not believe that a public hearing is necessary.
E. Expedited Consideration: Not requested.

SUGGESTED AMENDMENT

## RULE 6.2

**Transmittal of the Record of Proceedings**

(a) **Transmittal Generally.** The party seeking review shall, within 14 days of filing the notice of appeal, serve on all other parties and file with the clerk of the court of limited jurisdiction a designation of those portions of the record that the party wants the clerk to transmit to the superior court. Any party may supplement the designation of the record prior to or with the party's last brief. Thereafter, a party may supplement the designation only by order of the superior court, upon motion. Each party is encouraged to designate only documents and exhibits needed to review the issues presented to the superior court. Within 14 days after the designation is filed, the clerk of the court of limited jurisdiction shall prepare the record and notify each party that the record is ready to transmit and the amount to be paid by each party. The trial court clerk shall number the papers sequentially from beginning to end, including any supplemental clerk's papers, regardless of which party designated them. Each party shall pay the cost of preparing the portion of the record designated by that party within 10 days of the clerk's notification, unless the party has been excused from paying by the court. Promptly after receiving payment, or after preparing the record in cases where payment is excused, the clerk of the court of limited jurisdiction shall certify that the record is true and complete, and transmit it to the superior court, and notify the parties that the record has been transmitted.

(b) **Cumbersome Exhibits.** The clerk of the court of limited jurisdiction shall notify the superior court of exhibits which are difficult or unusually expensive to transmit. The exhibits shall be transmitted only if the superior court directs or if a party makes arrangements with the clerk to transmit the exhibits at the expense of the party requesting the transfer of exhibits.

**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.