

WSR 23-13-051
 RULES OF COURT
 STATE SUPREME COURT
 [June 8, 2023]

IN THE MATTER OF THE PROPOSED) ORDER
 AMENDMENTS TO RAP 18.7—) NO. 25700-A-1508
 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 (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 adoption of the proposed 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 considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the proposed amendments will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 8th day of June, 2023.

	Gonzalez, C.J.
Johnson, J.	Gordon McCloud, J.
Madsen, J.	Yu, J.
Owens, J.	Montoya-Lewis, J.
Stephens, J.	

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.

[Name of defendant],
Defendant. Notice of Appeal 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, "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, No. [trial court]

v.

[Name of defendant],
Defendant. Notice of Appeal 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. -Appendix
[Unchanged.]

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, 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)]

[Title Page] [Unchanged.]

TABLE OF CONTENTS
[Unchanged.]

TABLE OF AUTHORITIES
[Unchanged.]

I.-V. [Unchanged.]

VI. CONCLUSION

[Here state the precise relief sought.]

[If the petition is prepared using word processing software, include the following statement: This document contains _____ words, excluding the parts of the document exempted from the word count by RAP 18.17.]

[Date]

Respectfully submitted,

Signature

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

VII. Appendix

[Unchanged.]

RAP FORM 9. Petition for Review
[Rule 13.4(d)]

TABLE OF CONTENTS
[Unchanged.]

TABLE OF AUTHORITIES
[Unchanged.]

A.-E. [Unchanged.]

F. CONCLUSION

[State the relief sought if review is granted. See Part F of Form 3.]

[If the petition is prepared using word processing software, include the following statement: This document contains _____ words, excluding the parts of the document exempted from the word count by RAP 18.7.]

[Date]
Respectfully submitted,

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

Appendix

[Unchanged.]

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's 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 au-

thorizing 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
[Unchanged.]

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,

PETITION AGAINST STATE
OFFICER

v.

[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]

[Title and Caption] [Unchanged.]

A. STATUS OF PETITIONER

I, _____, (full name, personal pro- nouns (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 _____ pub- lished. (If the answer is that it was published, and I have this in- formation), 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.-E. [Unchanged.]

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

[Title Page] [Unchanged.]
1.-3. [Unchanged.]

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".]

[If the petition is prepared using word processing software, include the following statement: This document contains _____ words, excluding the parts of the document exempted from the word count by RAP 18.7.]

[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)]

No. [appellate court]

[SUPREME COURT or COURT OF APPEALS, DIVISION _____]
OF THE STATE OF WASHINGTON

[Title of trial court)
proceeding with parties) Notice of Motion
designated as in rule 3.4])

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]

1.-3. [Unchanged.]

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)]

[Caption and Header] [Unchanged.]

1.-12. [Unchanged.]

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.