

WSR 24-01-047
RULES OF COURT
STATE SUPREME COURT
[December 7, 2023]

IN THE MATTER OF THE) ORDER
59—NEW TRIAL,) NO. 25700-A-1555
RECONSIDERATION, AND)
AMENDMENT OF JUDGMENTS)

Mr. Robert Hill, having recommended the suggested amendments to CR 59—New Trial, Reconsideration, and Amendment of Judgments, 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 2024.

(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, 2024. 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 7th day of December, 2023.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

SUGGESTED RULE

Civil Rule (CR) 59 (amend)

"New Trial, Reconsideration, and Amendment of Judgments"

Proponent: Mr. Robert Jesse Hill
DOC #359-440
W.S.P.
1313 Thirteenth Ave.
Walla Walla, WA 99367-8817
Spokesperson: N/A

Purpose of Suggested Rule Amendment: This rule gives litigants who are temporarily incarcerated to effectively respond to final decisions of superior court. It can take up to five (5) calendar days to receive a filed order. Some orders could be issued but that has a "received" or "filed" stamp on them, creating doubt and confusion as to a hard deadline. Also, Washington Department of Corrections Law Library staff could also require five (5) business days to process a "Legal Copy" or "Indigent Postage" request. (SEE: Attachment, Doc #19-084). This leaves zero days to either: (1) perform substantial research; and

(2) prepare a responsive document. I submitted a rule like this last year, creating "GR 3.2."

Hearing: Yes

Expedited: No

SUGGESTED RULE

CR 59(b) amended

"A motion for a new trial or reconsideration shall be filed not later than 10 days after entry of judgment, order, or order decision; an incarcerated person shall have 21 days.

[No changes to rest of rule]

Reviser's note: The typographical errors in the above material occurred in the copy filed by the state supreme court and appear in the Register pursuant to the requirements of RCW 34.08.040.