

**Tracy, Mary**

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**From:** OFFICE RECEPTIONIST, CLERK  
**Sent:** Tuesday, January 17, 2017 10:58 AM  
**To:** Tracy, Mary  
**Subject:** FW: Comments on proposed amendment to RAP 15.2(c)

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**From:** Carlson, Susan  
**Sent:** Friday, January 13, 2017 4:20 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Comments on proposed amendment to RAP 15.2(c)

TO: Supreme Court Rules Committee

Judge Stan Rumbaugh of the Pierce County Superior Court has proposed amendments to RAP 15.2(c).

From our experience in the Clerk's Office, superior court judges can be confused by the requirement in the rule that an indigent party's motion for findings of indigency demonstrate that the issues of which they seek review have probable merit and that they have a constitutional or statutory right to review partially or wholly at public expense. As a result, it is not unusual for us to receive a superior court order denying a request for findings of indigency on the basis that the indigent party's issue does not have probable merit, or that they do not have a constitutional or statutory right to review at public expense. This can cause delay in an appeal as either the party or this office must then contact the judge to request that they enter findings only as to indigency. Judge Rumbaugh's proposed amendments may help clarify for superior court judges the scope of what they are being asked to address when they consider a motion for findings of indigency.

Susan L. Carlson  
Supreme Court Clerk