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Subject: FW: Comment on proposed RAP 18.17
Date: Wednesday, September 30, 2020 1:44:05 PM

From: Wise, Donna [mailto:Donna.Wise@kingcounty.gov]
Sent: Wednesday, September 30, 2020 1:44 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on proposed RAP 18.17

Re: Comment on proposed new RAP 18.17

My primary practice is in the Washington appellate courts. I have no objection to proposed new RAP 18.17 to the extent that it relies on word counts to limit the length of most briefs. I oppose the proposed requirement that briefs be in 14-point font.

The requirement of 14-point font will increase the length of appellate briefs by more than 30 percent. This conclusion is based on my own experiment of converting several of my longer briefs from 12-point to 14-point font. For example, in one case the conversion resulted in an 88-page brief (not including tables) becoming 121 pages. With tables, the brief filed was 100 pages; in 14-point font it would be 136 pages. In a second case, the original brief was 85 pages and becomes 115 pages in 14-point font. With tables, that brief was 97 pages and becomes 129 pages in 14-point font.

While I understand the need for readability, the resulting increase of more than 30 percent in the number of pages required when 14-point font is used seems unwarranted. If the judges read briefs electronically, it is easy enough to magnify the screen view. If all briefs are printed in hard copy for all appellate judges, and assuming that most parties print multiple copies for their own and their clients' review, this is a massive increase in the amount of paper consumed without a particularly compelling justification.

Respectfully,

Donna Wise
Senior Deputy Prosecuting Attorney
King County Prosecutor's Office