

SUSAN L. CARLSON
SUPREME COURT CLERK

ERIN L. LENNON
DEPUTY CLERK/
CHIEF STAFF ATTORNEY

THE SUPREME COURT
STATE OF WASHINGTON



TEMPLE OF JUSTICE
P.O. BOX 40929
OLYMPIA, WA 98504-0929

(360) 357-2077
e-mail: supreme@courts.wa.gov
www.courts.wa.gov

October 1, 2020

LETTER SENT BY E-MAIL ONLY

Justice Charles W. Johnson
Supreme Court Rules Committee
PO Box 40929
Olympia, WA 98504-0929
supreme@courts.wa.gov

Re: Response to Rule Comments on Proposed Word Count Rule
Order Number 25700-A-1268

Dear Justice Johnson and Supreme Court Rules Committee:

I write to you as a co-chair for the ad hoc committee that formed to research and draft the proposed word count rule for the appellate courts (Order Number 25700-A-1268).

The committee has reviewed the edits proposed by Roger Wynne and we have no objections. The edits are stylistic in nature based on Mr. Wynne's lengthy experience with drafting rules. His edits make no changes to the substance of the rule or the policy changes proposed by the committee. His suggested edits make the rule clearer and more consistent. They are well-taken by the committee.

I also note that the Committee is considering a different proposed rule that affects two provisions of the RAP that are also part of our proposal. Specifically, retired Chief Justice Mary Fairhurst has proposed removing rules related to death penalty cases (Order Number 25700-A-1265), which will result in removing RAP 16.21 and 16.22. While our rule contains proposed edits to both RAP 16.21 and 16.22, I do not see any conflict between the two proposals. The goal of our proposal is to change any rules that provide for a specific page limit for an appellate court filing. If the Committee adopts retired Justice Fairhurst's proposal, the rules regarding death penalty briefing will be removed, making our changes to those provisions moot.

Please do not hesitate to contact me with any questions or concerns at
Erin.Lennon@courts.wa.gov.

Sincerely,

Erin L. Lennon
Supreme Court Deputy Clerk

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Cc: [Tracy, Mary](#)
Subject: FW: response to rule comments (Order Number 25700-A-1268)
Date: Thursday, October 1, 2020 4:31:18 PM
Attachments: [Word Count Workgroup Letter Rule Comments.pdf](#)

From: Lennon, Erin
Sent: Thursday, October 1, 2020 4:26 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Hinchcliffe, Shannon <Shannon.Hinchcliffe@courts.wa.gov>
Subject: response to rule comments (Order Number 25700-A-1268)

Attached please find a letter to the Rules Committee from the sponsor of the proposed word count rule (Order Number 25700-A-1268) responding to the comments that have been filed.

Thank you,
Erin

Erin L. Lennon
Deputy Clerk
Washington State Supreme Court
Erin.Lennon@courts.wa.gov