

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Tracy, Mary](#)
Subject: FW: Comment on Proposed RAP 18.17
Date: Wednesday, February 12, 2020 1:10:33 PM

From: Ken Masters [mailto:ken@appeal-law.com]
Sent: Wednesday, February 12, 2020 1:09 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on Proposed RAP 18.17

Dear Justice Johnson, Chief Justice Stephens, and Associate Justices of the Supreme Court:

I have no concerns generally about the new word-count rule, RAP 18.17.

But in (a)(2), the proposal uses the phrase “comparable to”, as in

. . . must appear in 14 point text using a serif font *comparable to* Times New Roman or a sans serif font *comparable to* Arial,

The existing RAP 10.4(a)(2) uses the term “equivalent”, as in

. . . 12 point or larger type in the following fonts *or their equivalent*: ...

Under standard canons of construction applicable to this Court’s rules, a change in language is necessarily construed as significant.

The phrase “comparable to” generally means “capable of being compared.” Respectfully, *anything* is capable of being compared to a 14 point typeface: . *e.g.*, A tree is much greener than 14 pt. Arial.

“Equivalent to” means, in this context, equal in value or virtually identical. What the Court is seeking is a typeface equivalent to Times New Roman or Arial.

I would urge the Court to use equivalent to in place of comparable to.

Thank you for your consideration.

Ken Masters
WSBA 22278

Best,



Ken Masters 241 Madison Ave. No. Bainbridge Island, WA 98110 [206-780-5033](tel:206-780-5033) www.appeal-law.com

