

SERVICE AND FILING BY AN INCARCERATED PERSON

(a) If an incarcerated person files a document in any proceeding, the document is timely filed if deposited in the institution's internal mail system within the time permitted for filing.

(b) Whenever service of a document on a party is permitted to be made by mail, the document is deemed "mailed" at the time of deposit in the institution's internal mail system addressed to the parties on whom the document is being served.

(c) If an institution has a system designed for legal mail, the incarcerated person must use that system to receive the benefit of this rule. Timely filing or mailing may be shown by a declaration or notarized affidavit in a form substantially as follows:

DECLARATION

I, [*name of incarcerated person*], declare that, on [*date*], I deposited the foregoing [*name of document*], or a copy thereof, in the internal mail system of [*name of institution*] and made arrangements for postage, addressed to:

[*name and address of court or other place of filing*];

[*name and address of parties or attorneys to be served*].

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED at [*city, state*] on [*date*].

[*signature*]

(d) Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after filing or service of a document, and if an incarcerated person files or serves the document under this rule, that period shall begin to run on the date the document is received by the party.

[Adopted effective September 1, 2006; Amended effective January 1, 2023.]