

Supreme Court Issues
Cases Not Yet Set & September Term 2025
October 10, 2025

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- *Criminal Law—Trial—Misconduct of Prosecutor—Race-Based Misconduct—Appeal to Racial or Ethnic Bias—Black Defendant—Examination of Defendant About Photograph of Defendant Holding Firearm

and Cash—Right to Counsel—Effective Assistance of Counsel—Failure to Object to Questioning About Photograph.

- Criminal Law—Unlawful Possession of a Controlled Substance—Obstructing a Public Servant—Motion to Withdraw Guilty Plea—Invalidation of Possession Conviction.
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- Environment—Climate Commitment Act—Greenhouse Gas Emissions Cap—Covered Entities—Fuel Suppliers—Agricultural Exemptions—Voluntary Emissions Reporting—Validity.
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- Judgment—Foreign Judgment—Foreign Money Judgments Act—Necessity of Proof of Personal Jurisdiction.
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- Jury—Selection—Peremptory Challenges—GR 37—Applicability to White Prospective Juror—Proper Basis for Objection—Preservation.
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- Weapons—Possession—Second Degree Unlawful Possession of Firearms—Prior Convictions—Multiple DUI Convictions Within Seven Years—Validity—Right to Bear Arms.

Cases Not Yet Set

Attorneys and Legal Services—Involuntary Treatment Act—Indigent Defense—Appointment of Attorney—Caseload Limits—Mandatory Representation—Exceeding Caseload Limits—Separation of Powers—Powers of County Executive Under County Charter—Scope

Whether in this case involving the appointment of counsel for indigent individuals subject to commitment petitions under the Involuntary Treatment Act (ITA), the superior court exceeded its authority and violated separation of powers principles by ordering the King County Executive to ensure the appointment of indigent defense counsel in ITA cases in King County.

No. 103312-5, *In re the Det. of R.S.* (petitioner).

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Criminal Law—Aggravated First Degree Murder—Punishment—Sentence—Life Imprisonment Without Parole—Youthful Offender—Resentencing—Sentencing Authority—Community Custody as Exceptional Sentence

Whether in resentencing a 20-year-old offender pursuant to *In re Personal Restraint of Monschke*, 197 Wn.2d 305, 482 P.3d 276 (2021), on a conviction for aggravated first degree murder for which the original sentence was mandatory life without release, the trial court had authority to impose a determinate sentence, and whether it could impose community custody as an exceptional sentence.

No. 101859-2, *State* (appellant) v. *Reite* (respondent).

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Criminal Law—Crimes—Alternative Means of Committing Offense—Domestic Violence—Interference With Reporting

Whether the crime of interference with a report of domestic violence is an alternative means offense, such that the jury must unanimously agree on the same means if the evidence does not support all the charged means.

No. 104170-5, *State* (respondent) v. *Buck* (petitioner).

34 Wn. App. 2d 188 (2025).

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***Criminal Law—Evidence—Preservation—Due Process—Failure of State to Preserve—Potentially Useful Evidence—Bad Faith**

Whether, in this prosecution for felony harassment of jail officers by an inmate, the State acted in bad faith warranting dismissal of the charges when jail personnel destroyed a security videorecording of the incident believing that it lacked exculpatory value, though the defendant had timely requested that the recording be preserved and the prosecutor had reason to believe that it was potentially useful to the defense.

No. 104310-4, *State* (respondent) v. *Yeager* (petitioner).

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Criminal Law—Right to Counsel—Commencement—Critical Stage—Presentence Motion to Withdraw Guilty Plea

Whether, in this prosecution for domestic violence violation of a court order with aggravating circumstances, the defendant was deprived of his right to counsel at a critical stage when his attorney declined to argue his presentence motion to withdraw his guilty plea, leaving him to argue the motion himself.

No. *State* (respondent) *v. Korsakas* (petitioner).

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Criminal Law—Right to Remain Silent—Accrual of Right—Custody—Before Warning or Arrest

Whether a defendant was in custody for purposes of *Miranda v. Arizona*, [384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694 \(1966\)](#), when officers parked in front of and behind the sleeping defendant's vehicle before waking and questioning him.

No. 103530-6, *State* (respondent) *v. Wasuge* (petitioner). (*See also*: [Criminal Law—Evidence—Opinion Evidence—Expert Testimony—Intoxication—Ultimate Issue—Harmless Error—Standard of Review](#)).

[32 Wn. App. 2d 226 \(2024\)](#).

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Criminal Law—Trial—Comment on Evidence—What Constitutes—Credibility of Witnesses—Reliability for Purposes of Hearsay Exception

Whether the trial court in this criminal prosecution improperly commented on the evidence by stating that the victim’s out-of-court statements, related by another witness, were reliable for purposes of admission under the excited utterance exception to the hearsay rule.

No. 103451-2, *State (respondent) v. Lee (petitioner)*. (See also: [Criminal Law—Former Jeopardy—Multiple Convictions—Same Offense—Assault—Separate and Distinct Criminal Conduct—Criminal Intent](#)).

[32 Wn. App. 137 \(2024\)](#).

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***Criminal Law—Trial—Misconduct of Prosecutor—Race-Based Misconduct—Appeal to Racial or Ethnic Bias—Black Defendant—Examination of Defendant About Photograph of Defendant Holding Firearm and Cash—Right to Counsel—Effective Assistance of Counsel—Failure to Object to Questioning About Photograph**

Whether, in this criminal prosecution the State committed reversible race-based misconduct in examining the defendant about a photograph, which was later withdrawn from evidence, depicting the defendant holding a firearm and large amount of cash, and whether defense counsel was ineffective in not objecting to this line of questioning.

No. 103571-3, *State (respondent) v. Posey (petitioner)*.

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Criminal Law—Unlawful Possession of a Controlled Substance—Obstructing a Public Servant—Motion to Withdraw Guilty Plea—Invalidation of Possession Conviction

Whether a defendant who pleaded guilty to two offenses under a single plea agreement is entitled to withdraw the plea to both offenses on the basis one of the offenses—unlawful possession of a controlled substance—was invalidated under *State v. Blake*, 197 Wn.2d 170, 481 P.3d 521 (2021).

No. 102326-0, *State* (respondent) *v. Willyard* (petitioner).

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***Divorce—Child Custody—Parenting Plan—Relocation of Residence of Child—Applicability of Rebuttable Presumption When Parents Share Substantially Equal Residential Time—Graduated Residential Schedule—Effect**

Whether, in this motion to relocate by a mother sharing residential time over her child with a former spouse, the mother was entitled to the presumption under [RCW 26.09.520](#) that her relocation with the child would be allowed on the basis that the child then resided with her a majority of the time, where the graduated residential schedule of the parenting plan provided that the father would eventually share equal residential time.

No. 104074-1, *In the Matter of the Marriage of Hauk* (petitioner) & *Wuesthoff* (respondent).

34 Wn. App. 2d 8 (2025).

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Financial Institutions—Checking Accounts—Customer Agreement—Overdraft Penalties—Breach of Contract—Consumer Protection—Unfair or Deceptive Conduct.

Whether a credit union member stated a claim for which relief could be granted in alleging that the credit union’s method of calculating overdraft fees under its optional checking account overdraft protection service violated the terms of the membership agreement or was unfair or deceptive for purposes of the Consumer Protection Act.

No. 101288-8, *Feyen (respondent) v. Spokane Teachers Credit Union (petitioner)*.

[23 Wn. App. 2d 264 \(2023\)](#).

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Judgment—Foreign Judgment—Foreign Money Judgments Act—Presence of Assets of Judgment Debtor in State—Necessity

Whether in this action under the Uniform Foreign-Country Money Judgment Recognition Act, chapter [6.40A RCW](#), the judgment creditor must show that the judgment debtor has assets in this state before obtaining recognition of a foreign country money judgment.

No. 103759-7, *AlternA Aircraft V.B., Ltd. (respondent) v. Spice Jet Ltd. (petitioners)*.
(See also: [Judgment—Foreign Judgment—Foreign Money Judgments Act—Necessity of Proof of Personal Jurisdiction](#)).

[33 Wn. App. 2d 246 \(2024\)](#).

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Medical Treatment—Malpractice—Discovery—Privileged Communications and Confidentiality—Physician-Patient Privilege—Ex Parte Contact—Treating Physicians—Negligent Physicians

Whether, in this medical malpractice action implicating *Loudon v. Mhyre*, [110 Wn.2d 675, 756 P.2d 138 \(1988\)](#), which generally prohibits defense counsel from engaging in ex parte communication with a plaintiff's treating physicians, the defendant hospital's counsel is prohibited from communicating ex parte with the nonparty physicians whose allegedly negligent care of the plaintiff gave rise to the hospital's liability.

No. 104136-5, *Snyder (petitioner) v. Virginia Mason Med. Ctr. (respondent)*. (See also: [Medical Treatment—Malpractice—Discovery—Privileged Communications and Confidentiality—Physician-Patient Privilege—Sanction—Prejudice—Necessity; Medical Treatment—Malpractice—Discovery—Quality Improvement Statute—Failure to Screen—Waiver of Protection](#)).

[34 Wn. App. 2d 146 \(2025\)](#).

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Medical Treatment—Malpractice—Discovery—Privileged Communications and Confidentiality—Physician-Patient Privilege—Sanction—Prejudice—Necessity

Whether, in this medical malpractice action implicating *Loudon v. Mhyre*, [110 Wn.2d 675, 756 P.2d 138 \(1988\)](#), which generally prohibits defense counsel from engaging in ex parte communication with a plaintiff's treating physicians, a party seeking sanctions for a claimed *Loudon* violation must prove prejudice.

No. 104136-5, *Snyder (petitioner) v. Virginia Mason Med. Ctr. (respondent)*. (See also: [Medical Treatment—Malpractice—Discovery—Privileged Communications and Confidentiality—Physician-Patient Privilege—Ex Parte Contact—Treating Physicians—Negligent Physicians; Medical Treatment—Malpractice—Discovery—Quality Improvement Statute—Failure to Screen—Waiver of Protection](#)).

[34 Wn. App. 2d 146 \(2025\)](#).

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Medical Treatment—Malpractice—Discovery—Quality Improvement Statute—Failure to Screen—Waiver of Protection

Whether the protection of Washington’s hospital quality improvement (QI) statute, [RCW 70.41.200](#), which requires a hospital to collect information about its patients’ negative health care outcomes but protects the information from discovery, is waived if a hospital fails to screen a QI committee member from litigation against the hospital.

No. 104136-5, *Snyder (petitioner) v. Virginia Mason Med. Ctr. (respondent)*. (See also: [Medical Treatment—Malpractice—Discovery—Privileged Communications and Confidentiality—Physician-Patient Privilege—Ex Parte Contact—Treating Physicians—Negligent Physicians](#); [Medical Treatment—Malpractice—Discovery—Privileged Communications and Confidentiality—Physician-Patient Privilege—Sanction—Prejudice—Necessity](#)).

[34 Wn. App. 2d 146 \(2025\)](#).

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Mortgages and Deeds of Trust—Deed of Trust Act—Holder of Promissory Note or Other Obligation Secured by Deed of Trust—Home Equity Line of Credit Agreement—Declaration of Being Holder of Home Equity Line of Credit Agreement—Effect

Whether in this civil action involving consumer protection claims and a quiet title claim, an alleged beneficiary under the Deed of Trust Act satisfies the requirement to show that it is “the holder of any promissory note or other obligation secured by the deed of trust,” [RCW 61.24.030\(7\)\(a\)](#), by executing a declaration under penalty of perjury attesting that it is the holder of a home equity line of credit agreement.

No. 103735-0, *Vargas (plaintiff) v. RRA CP Opportunity Trust 1, et al. (defendants)*. (See also: [Mortgages and Deeds of Trust—Antitrust and Trade Regulation—Uniform Commercial Code—Negotiable Instrument—What Constitutes—Home Equity Line of Credit Agreement](#)).

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Statutes—Initiatives—Ballots—Initiative 2117—Initiative 2109—Initiative 2121—Public Investment Impact Disclosure—Validity

Whether Initiative 2117 (repealing the state’s cap and invest program), Initiative 2109 (repealing the capital gains tax), and Initiative 2121 (making participation in long-term care insurance program optional) would repeal or modify any “tax or fee” and have the effect of causing a net change in state revenue, making it appropriate for the attorney general to prepare public investment impact disclosure statements to appear on the ballots for those initiatives pursuant to [RCW 29A.72.027](#).

No. 103174-2, *Walsh, et al.* (appellant) v. *Hobbs, et al.* (respondents).

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Statutes—Initiatives—I-2066—Validity—Single Subject—Subject in Title—Recitation of Amended Statute

Whether Initiative 2066, which repealed or prohibited statutes discouraging the use of natural gas and promoting electrification, violated the single subject and subject in title provisions of article II, section 19 of the Washington Constitution and the requirement of article II, section 37 that statutes being amended be set forth in full.

No. 104240-0, *State* (respondent-cross appellant) v. *Climate Solutions, et al.* (appellant-cross-respondent).

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Weapons—Possession—Prohibition—Felony Conviction—Vehicular Homicide—Disregard for Safety of Others—Validity—Right to Bear Arms

Whether [RCW 9.41.047\(1\)\(a\)](#), which prohibits a person convicted of a felony from possessing a firearm, violates the Second Amendment right to bear arms when applied to a person convicted of vehicular homicide committed in disregard for the safety of others. *See* [RCW 46.61.520\(1\)\(c\)](#).

No. 104072-5, *State (respondent) v. Hamilton (petitioner)*.

[33 Wn. App. 2d 859 \(2025\)](#).

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Weapons—Possession—Second Degree Unlawful Possession of Firearms—Prior Convictions—Multiple DUI Convictions Within Seven Years—Validity—Right to Bear Arms

Whether [RCW 9.41.040\(2\)\(a\)\(i\)\(D\)](#), which criminalizes the possession of a firearm by any person who has been convicted of two or more DUI or DUI-related offenses within seven years without any individualized determination of dangerousness, is an unlawful restriction on the right to bear arms.

No. 103799-6, *McClellan, et al. (petitioner) v. Ferguson (respondent)*.

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Cases Set for Oral Argument

Appeal—Briefs—Statement of Additional Authority—New Authority—Necessity

Whether a statement of additional authorities in an appeal is limited to citing decisions issued after the completion of briefing.

No. 103824-1, *State* (respondent) *v. Hogan* (petitioner). (See also: [Jury—Selection—Peremptory Challenges—GR 37—Applicability to White Prospective Juror—Proper Basis for Objection—Preservation](#)). (Oral argument 11/13/25).

[33 Wn. App. 2d 209 \(2024\)](#).

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Attorneys and Legal Services—Involuntary Treatment Act—Indigent Defense—Appointment of Attorney—Caseload Limits—Mandatory Representation—Exceeding Caseload Limits

Whether in this case involving the appointment of counsel for indigent individuals facing commitment petitions under the Involuntary Treatment Act (ITA), the superior court lawfully ordered the King County Department of Public Defense (DPD) to continue to appoint counsel in ITA cases even though doing so would exceed attorney caseload limits permitted by the Standards for Indigent Defense.

No. 103252-8, *In re Det. of M.E.* (petitioner). (See also: [Attorneys and Legal Services—Involuntary Treatment Act—Indigent Defense—Appointment of Counsel—Mandatory Representation—Responsibility to Ensure Appointment of Counsel—Separation of Powers—County Executive—Powers Under County Charter—Scope](#)). (Oral argument 11/13/25).

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Attorneys and Legal Services—Involuntary Treatment Act—Indigent Defense—Appointment of Counsel—Mandatory Representation—Responsibility to Ensure Appointment of Counsel—Separation of Powers—County Executive—Powers Under County Charter—Scope

Whether in this case involving the appointment of counsel for indigent individuals facing commitment petitions under the Involuntary Treatment Act (ITA), the superior court exceeded its authority and violated separation of powers principles by ordering the King County Executive to ensure the appointment of indigent defense counsel in ITA cases in King County.

No. 103252-8, *In re the Det. of M.E.* (petitioner). (See also: [Attorneys and Legal Services—Involuntary Treatment Act—Indigent Defense—Appointment of Attorney—Caseload Limits—Mandatory Representation—Exceeding Caseload Limits](#)). (Oral argument 11/13/25).

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Building Regulations—Land Use Regulations—Judicial Review—Commencement of 21-Day Limitation Period—Tolling Period for Mailed Land Use Decisions—Issuance of Decision by E-mail

Whether for the purposes of calculating the 21-day time limit for filing and serving a land use petition under the Land Use Petition Act, an e-mail transmitting a final land use decision qualifies as a “mailing” that triggers a three-day tolling period under [RCW 36.70C.040\(4\)\(a\)](#).

No. 103789-9, *City of Sammamish* (petitioner) *v. Chandrruangphen* (respondent). (See also: [Building Regulations—Land Use Regulations—Judicial Review—Petition for Review—Strict Compliance With Procedural Requirements—Process—Service—Personal Service—Secondhand Service—Validity](#)). (Oral argument 10/16/25).

[32 Wn. App. 2d 527 \(2024\)](#).

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Building Regulations—Land Use Regulations—Judicial Review—Petition for Review—Strict Compliance With Procedural Requirements—Process—Service—Personal Service—Secondhand Service—Validity

Whether in this action under the Land Use Petition Act, the statutory requirements for service on a local municipality set forth in [RCW 36.70C.040\(5\)](#) were satisfied by delivery of the summons and petition to an office assistant at the front desk of the city hall building, followed later by the city clerk's act of reviewing and initialing the documents.

No. 103789-9, *City of Sammamish* (petitioner) v. *Chandrruangphen* (respondent). (See also: [Building Regulations—Land Use Regulations—Judicial Review—Commencement of 21-Day Limitation Period—Tolling Period for Mailed Land Use Decisions—Issuance of Decision by E-mail](#)). (Oral argument 10/16/25).

[32 Wn. App. 2d 527 \(2024\)](#).

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Civil Procedure—Tort Action Against State for Child Sexual Abuse—Discovery—Child Welfare Records—RCW 13.50.100(7)—RCW 74.04.060—Privilege—Applicability

Whether, in a tort action against the State concerning child sex abuse, public assistance records maintained by state and local agencies are subject to discovery under [RCW 13.50.100](#) or are privileged and exempt from discovery under [RCW 74.04.060](#).

No. 104167-5, *J.M.I.* (respondent) v. *State* (appellant). (Oral argument 10/30/2025).

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Criminal Law—Evidence—Other Offenses or Acts—Common Scheme or Plan—Individual Manifestations—Admissibility

Whether, in this prosecution for felony murder with sexual motivation, the trial court permissibly admitted evidence of the defendant’s prior crimes involving sexual assault as evidence of a common scheme or plan or to rebut the defendant’s consent defense.

No. 103908-5, [State \(petitioner\) v. Stearns \(respondent\)](#). (Oral argument 10/21/25).

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Elections—Fair Campaign Practices Act—Disclosure Requirement—Commercial Advertisers—Metric for Assessment of Penalties

Whether under Washington’s Fair Campaign Practices Act, the metric for assessing penalties for violating the act is the publication of a political advertisement without a properly maintained record or the failure to fulfill a request for information.

No. 103748-1, [State \(respondent\) v. Meta Platforms, Inc. \(petitioners\)](#). (*See also*: [Whether Washington’s Fair Campaign Practices Act, which requires commercial advertisers to maintain records of political advertisements and disclose or permit inspection of such records upon request, violates the First Amendment; Elections—Fair Campaign Practices Act—Enforcement—Assessment of Penalties—Treble Damages—Excessive Fines—Eighth Amendment](#)). (Oral argument 10/28/25).

[33 Wn. App. 2d 138 \(2024\)](#).

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Elections—Fair Campaign Practices Act—Disclosure Requirement—Commercial Advertisers—Validity Under First Amendment

Whether Washington’s Fair Campaign Practices Act, which requires commercial advertisers to maintain records of political advertisements and disclose or permit inspection of such records upon request, violates the First Amendment.

No. 103748-1, *State* (respondent) *v. Meta Platforms, Inc.* (Petitioner). (See also: [Elections—Fair Campaign Practices Act—Disclosure Requirement—Commercial Advertisers—Metric for Assessment of Penalties](#); [Elections—Fair Campaign Practices Act—Enforcement—Assessment of Penalties—Treble Damages—Excessive Fines—Eighth Amendment](#)). (Oral argument 10/28/25).

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Elections—Fair Campaign Practices Act—Enforcement—Assessment of Penalties—Treble Damages—Excessive Fines—Eighth Amendment

Whether in this action for violation of Washington’s Fair Campaign Practices Act, the assessed treble damages penalty of \$35 million is an excessive fine under the Eighth Amendment.

No. 103748-1, *State* (respondent) *v. Meta Platforms, Inc.* (petitioner). (See also: [Elections—Fair Campaign Practices Act—Disclosure Requirement—Commercial Advertisers—Validity Under First Amendment](#); [Elections—Fair Campaign Practices Act—Disclosure Requirement—Commercial Advertisers—Metric for Assessment of Penalties](#)). (Oral argument 10/28/25).

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Environment—Climate Commitment Act—Greenhouse Gas Emissions Cap—Covered Entities—Fuel Suppliers—Agricultural Exemptions—Voluntary Emissions Reporting—Validity

Whether the Department of Ecology exceeded its statutory authority or acted arbitrarily or capriciously in implementing a voluntary emissions exemption reporting system for fuel suppliers pursuant to the agricultural exemption provisions of the Climate Commitment Act, chapter [70A.65 RCW](#).

No. 103413-0, *Wash. Farm Bureau, et al.* (appellants) v. *Wash. State Dep’t of Ecology* (respondent). (Oral argument 10/16/25).

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Federal Certified Question—Antitrust and Trade Regulation—Washington Consumer Protection Act—Representation about Price of Product—Misrepresentation About Discount or Price History—Injury to Business or Property

Whether a seller that advertises a product’s price coupled with misrepresentations about the product’s discounted price, comparative price, or price history “injure[s]” a consumer in their “business or property” under the Washington Consumer Protection Act if the consumer purchases the product at the advertised price because of the misrepresentation.

No. 104162-4, *Montes* (plaintiff) v. *Sparc Grp., LLC* (defendant). (Oral argument: 10/28/25).

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Judgment—Foreign Judgment—Foreign Money Judgments Act—Necessity of Proof of Personal Jurisdiction

Whether in this action under the Uniform Foreign-Country Money Judgment Recognition Act, chapter [6.40A RCW](#), the judgment creditor must establish a basis for the exercise of personal jurisdiction in Washington over the judgment debtor before obtaining recognition of a foreign country money judgment.

No. 103759-7, *AlternA Aircraft V.B., Ltd. (respondent) v. Spice Jet Ltd. (petitioner)*. (See also: [Judgment—Foreign Judgment—Foreign Money Judgments Act—Presence of Assets of Judgment Debtor in State—Necessity](#)). (Oral argument 10/14/25).

[33 Wn. App. 2d 246 \(2024\)](#).

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Jury—Selection—Peremptory Challenges—GR 37—Applicability to White Prospective Juror—Proper Basis for Objection—Preservation

Whether in this criminal prosecution the trial court erred in denying the defendant’s GR 37 objection to the State’s peremptory challenge to a white prospective juror who had expressed misgivings about the justice system’s harsh treatment of underrepresented groups, when defense counsel only stated that the juror was transgender and the State justified its strike based on reasons that appear presumptively invalid under GR 37.

No. 103824-1, *State (respondent) v. Hogan (petitioner)*. (See also: [Appeal—Briefs—Statement of Additional Authority—New Authority—Necessity](#)). (Oral argument 11/13/25).

[33 Wn. App. 2d 209 \(2024\)](#).

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Negligence—Duty—Protection of Others Due to Special Relationship— University Students—Relationship Between University and Fraternities

Whether, in this wrongful death lawsuit, a special relationship exists between Washington State University (WSU) and its chapter of the Gamma Chi fraternity under *Restatement (Second) of Torts* section 315(a) (1965), such that WSU owed a duty to control its chapter of Gamma Chi to protect foreseeable student victims from hazing.

No. 104108-0, [Martinez & Houtz \(respondent\) v. Wash. State Univ. \(petitioner\)](#). (Oral argument 10/23/2025).

[33 Wn. App. 2d 431, 562 P.3d 802 \(2025\)](#).

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Products Liability—Asbestos—Limitation of Actions—Statute of Repose— Application—Improvement Upon Real Property

Whether the defendant's installation of asbestos-containing insulation on piping and machinery components in a refinery constituted construction of an improvement upon real property for purposes of the statute of repose in this products liability action, [RCW 4.16.300, .310](#).

No. 102782-6, *Polinder (respondent) v. Aecom Energy & Constr., Inc., et al.* (petitioner). (Oral argument 10/14/25).

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**Sexual Offenses—Rape—Multiple Charges—Multiple Victims—Trial—
Severance—Denial—Propriety—Cross Admissibility**

Whether the trial court in this prosecution on four rape charges involving multiple victims abused its discretion in denying the defendant's motion to sever the charges in light of the lack of cross-admissibility of the evidence supporting the charges.

No. 103835-6, *State (petitioner) v. Krause (respondent)*. (Oral argument 10/21/25).

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