

[REDACTED]

From: [REDACTED]
Sent: Monday, April 21, 2014 4:47 PM
To: [REDACTED]
Subject: FW: Proposed amendment to WA RAP

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From: Cheryl Siler [REDACTED]
Sent: Wednesday, April 16, 2014 11:44 AM
To: [REDACTED]
Subject: Proposed amendment to WA RAP

Hello,

I am writing to submit my comments on the proposed amendments to the WA Rules of Appellate Procedure that are published for comment through 4/30/14.

My concern is with RAP 16.8, new section (c) which reads:

(c) Deficient Petitions. If the clerk of the appellate court determines that a petition submitted does not conform with this rule or with rule 16.7(a)(1), (3), (4), (5), (6), or (7), the petition should be filed and the clerk will direct the petitioner to correct the deficiency within 60 days.

My concern is with the deadline for the petitioner to correct the deficiency. The proposed rule gives a deadline of 60 days to make the correction, however, it does not indicate what triggers this 60-day period. Is it 60 days from the clerk's determination that the petition is deficient? Is it 60 days from the notification from the clerk to correct the deficiency? Is it 60 days from the receipt of the notice from the clerk?

I suggest the rule be amended to clearly indicate what exactly starts the 60-day period.

Thank you for your time .

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