

RAP 1.1
SCOPE OF RULES

(a) Review of Trial Court Decision and of Administrative Adjudicative Order. These rules govern proceedings in the Supreme Court and the Court of Appeals for review of a trial court decision and for direct review in the Court of Appeals of an administrative adjudicative order under RCW 34.05.518.

(b) Review of Decision of Court of Appeals. These rules also establish the procedure for seeking review of a decision of the Court of Appeals by the Supreme Court. Review of a decision of the Court of Appeals is governed by Title 13 of these rules.

(c) Special Proceedings. These rules also establish the procedure for original actions in the Supreme Court and the Court of Appeals and the procedure for determining questions of law certified by a federal court, all called "special proceedings." Special proceedings are governed by Title 16 of these rules.

(d) Application to Both Appellate Courts. Each rule applies to proceedings both in the Supreme Court and in the Court of Appeals, unless a different application is indicated. Both the Supreme Court and the Court of Appeals are called "appellate court."

(e) Application to Civil and Criminal Proceedings and Juvenile Court Proceedings. Each rule applies to both civil and criminal proceedings, unless a different application is indicated. If different rules apply in civil and criminal proceedings, the criminal rule applies to review of a decision in a juvenile offense proceeding, and the civil rule applies to review of any other decision by a juvenile court.

(f) Action of Appellate Court. The appellate court clerk and commissioner are given authority by these rules to make some decisions, called rulings. An act performed on the authority of these rules is action taken by the appellate court whether that act is performed by the clerk or a commissioner or by the judges of the Supreme Court or the Court of Appeals.

(g) Superseding Effect of Rules. These rules supersede all statutes and rules covering procedure in the Supreme Court and the Court of Appeals, unless one of these rules specifically indicates to the contrary.

(h) Effect of Subsequent Legislation. If a statute in conflict with a rule is enacted after these rules become effective and that statute does not supersede the conflicting rule by direct reference to the rule by number, the rule applies unless the rule specifically indicates that statutes control. If a statute in conflict with a rule is enacted after these rules become effective and that statute does supersede the conflicting rule by direct reference to the rule by number, the statute applies until such time as the rule may be amended or changed by the Supreme Court through exercise of its rulemaking power.

(i) General Orders. The Court of Appeals, pursuant to RCW 2.06.040, may establish rules that are supplementary to and do not conflict with rules of the Supreme Court. These supplementary rules will be called General Orders. The General Orders for each division of the Court of Appeals can be obtained from the division's clerk's office or found at www.courts.wa.gov.

References

Rule 18.22, Statutes and Rules Superseded.

[Adopted effective July 1, 1976; Amended effective July 1, 1978; September 1, 1994; September 1, 2006.]