

RAP 5.2
TIME ALLOWED TO FILE NOTICE

(a) Notice of Appeal. Except as provided in rules 3.2(e) and 5.2(d) and (f), a notice of appeal must be filed in the trial court within the longer of (1) 30 days after the entry of the decision of the trial court that the party filing the notice wants reviewed, or (2) the time provided in section (e).

(b) Notice for Discretionary Review. Except as provided in rules 3.2(e) and 5.2(d) and (f), a notice for discretionary review must be filed in the trial court within the longer of (1) 30 days after the act of the trial court that the party filing the notice wants reviewed, or (2) 30 days after entry of an order deciding a timely motion for reconsideration of that act under CR 59.

(c) Date Time Begins To Run. The date of entry of a trial court decision is determined by CR 5(e) and 58.

(d) Time Requirements Set by Statute Govern. If a statute provides that a notice of appeal, a petition for extraordinary writ, or a notice for discretionary review must be filed within a time period other than 30 days after entry of the decision, the notice required by these rules must be filed within the time period established by the statute.

(e) Effect of Certain Motions Decided After Entry of Appealable Order. A notice of appeal of orders deciding certain timely motions designated in this section must be filed in the trial court within (1) 30 days after the entry of the order, or (2) if a statute provides that a notice of appeal, a petition for extraordinary writ, or a notice for discretionary review must be filed within a time period other than 30 days after entry of the decision to which the motion is directed, the number of days after the entry of the order deciding the motion established by the statute for initiating review. The motions to which this rule applies are a motion for arrest of judgment under CrR 7.4, a motion for new trial under CrR 7.5, a motion for judgment as a matter of law under CR 50(b), a motion to amend findings under CR 52(b), a motion for reconsideration or new trial under CR 59, and a motion for amendment of judgment under CR 59.

(f) Subsequent Notice by Other Parties. If a timely notice of appeal or a timely notice for discretionary review is filed by a party, any other party who wants relief from the decision must file a notice of appeal or notice for discretionary review with the trial court clerk within the later of (1) 14 days after service of the notice filed by the other party, or (2) the time within which notice must be given as provided in sections (a), (b), (d) or (e).

(g) Effect of Premature Notice. A notice of appeal or notice for discretionary review filed after the announcement of a decision but before entry of the decision will be treated as filed on the day following the entry of the decision.

References

Rule 2.2, Decisions of the Superior Court Which May Be Appealed, (d) Multiple parties or multiple claims or counts; Rule 15.2, Determination of Indigency and Rights of Indigent Party, (a) Motion for order of indigency; Rule 18.8, Waiver of Rules and Extension and Reduction of Time, (b) Restriction on extension of time; CR 5, Service and Filing of Pleadings and Other Papers; CR 58, Entry of Judgment.

[Adopted effective July 1, 1976; Amended effective July 2, 1976; September 1, 1985; September 1, 1994; September 1, 1998; September 1, 2006; September 1, 2010.]