

RAP 6.2
DISCRETIONARY REVIEW

(a) Generally. The appellate court accepts discretionary review of a trial court decision by granting a motion for discretionary review.

(b) Time To Make Motion. The party seeking discretionary review must file in the appellate court a motion for discretionary review within 15 days after filing the notice for discretionary review, or, in cases where the appellate court has appointed counsel for a party entitled to seek discretionary review at public expense pursuant to rule 15.2, within 15 days after appointment. If a party files a notice of appeal from a decision which may not be subject to review as a matter of right, the clerk or a party may note for hearing the question whether the decision is reviewable as a matter of right and, if the decision is reviewable by discretion, the question whether review should be accepted.

(c) Regular Motion Procedure Governs. A motion for discretionary review is governed by the motion procedure established by Title 17. The motion and the response should append those portions of the record below to which the motion or response refer. The appendix should include a table of contents and the pages should be consecutively numbered.

(d) Notice of Decision on Motion. The clerk of the appellate court will promptly give written notice to the parties and the trial court of the appellate court's decision on the motion for discretionary review.

References

Form 3, Motion for Discretionary Review; Rule 2.3, Decisions of the Trial Court Which May Be Reviewed by Discretionary Review; Rule 17.3, Content of Motion, (b) Motion for discretionary review; Rule 17.6, Motion Decided by Ruling or Order.

[Adopted effective July 1, 1976; Amended effective September 1, 2010; September 1, 2014.]