

RAP 16.22
FILING OF BRIEFS IN CAPITAL CASES

(a) The brief of an appellant shall be filed in the Supreme Court within 120 days after the report of proceedings is settled or the last date for filing any objections pursuant to Rule 16.19(f). The brief of a respondent shall be filed within 120 days after service of the brief of appellant.

(b) The personal restraint petition shall be filed within 180 days after the appointment of counsel or the court's determination that counsel will not be appointed. The response to a personal restraint petition shall be filed within 120 days after service of the petition.

(c) A brief of appellant or respondent, or a brief in support of or opposition to a personal restraint petition, a reply brief, a pro se supplemental brief, or the response to a pro se supplemental brief, shall comply with the length limitations in RAP 18.17.

(d) If legal arguments are included in a personal restraint petition or in the response to a personal restraint petition, no separate brief may be filed. A petition or response that contains legal arguments may not exceed the length limitations of RAP 18.17. The petition or response shall comply with RAP 10.4(a) and 18.17.

(e) The clerk will retain but not formally file a brief, petition, or response that exceeds the length limitations of RAP 18.17, except on prior order of the court. Such an order will only be granted for compelling reasons. The clerk will not file a brief, petition, or response that violates the format requirements of RAP 10.4(a) and 18.17, if a properly formatted brief would violate the length limitations. The clerk shall direct the party whose document has been rejected for formal filing to correct the deficiencies within a specified time period.

[Adopted effective December 30, 1997; Amended effective March 9, 1999; September 1, 2021.]