

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED)
AMENDMENT TO RAP 2.5—CIRCUMSTANCES)
WHICH MAY AFFECT SCOPE OF REVIEW)
)
)
_____)

ORDER

NO. 25700-A-1376

Law Clerk Laura Anglin, having recommended the suggested amendment to RAP 2.5—
Circumstances Which May Affect Scope of Review, and the Court having approved the
suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as attached
hereto is to be published for comment in the Washington Reports, Washington Register,
Washington State Bar Association and Administrative Office of the Court's websites in January
2022.

(b) The purpose statement as required by GR 9(e), is published solely for the
information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S.
Mail or Internet E-Mail by no later than April 30, 2022. Comments may be sent to the following
addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov.

Comments submitted by e-mail message must be limited to 1500 words.

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WHICH MAY AFFECT SCOPE OF REVIEW

DATED at Olympia, Washington this 5th day of October, 2021.

For the Court


González, C.J.

GR 9 COVER SHEET
Suggested Amendment to
WASHINGTON STATE COURT RULES:
Rules of Appellate Procedure

Amend RULE 2.5
Circumstances Which May Affect Scope of Review

- A. **Name of Proponent:** Laura Anglin
- B. **Spokesperson:** Laura Anglin, Chief Justice González’s Law Clerk
- C. **Purpose:** The rule uses the term “meretricious relationship.” The Washington State Supreme Court has specifically disapproved of that term because of its negative connotations and substituted the term “committed intimate relationship” in caselaw. *Olver v. Fowler*, 161 Wn.2d 655, 657 n.1, 168 P.3d 348 (2007). This amendment would conform the language of RAP 2.5 to *Olver*.
- D. **Hearing:** A hearing is not recommended.
- E. **Expedited Consideration:** Expedited consideration is requested given the technical nature of the amendment.

Proposed Amendment:

RULE 2.5
COMMISSIONER OF THE SUPREME COURT

(a) [no change]

(b) Acceptance of Benefits.

(1) Generally. A party may accept the benefits of a trial court decision without losing the right to obtain review of that decision only (i) if the decision is one which is subject to modification by the court making the decision or (ii) if the party gives security as provided in subsection (b)(2) or (iii) if, regardless of the result of the review based solely on the issues raised by the party accepting benefits, the party will be entitled to at least the benefits of the trial court decision or (iv) if the decision is one which divides property in connection with a dissolution of marriage, a legal separation, a declaration of invalidity of marriage, or the dissolution of a ~~meretricious relationship~~ committed intimate relationship.

[REMAINDER] [no change]

(c) [no change]