

Preface to the 2025 Edition

The Washington Handbook on Civil Procedure became a solo project for me upon the retirement of my co-author, friend, and mentor, Karl B. Tegland, whose initiative as Washington's leading legal commentator led to the creation of the Handbook more than 20 years ago. I thank him for making me a co-author from its inception, for his guidance over the years, and for his trust in me to take on sole authorship. Karl's influence on this volume is indelible and will beneficially shape the author's commentary in perpetuity.

The Handbook was designed to create a convenient, one-volume guide to pretrial civil procedure that was both practical and up to date. The purpose of the Handbook remains to provide practitioners with a compact bridge between the multi-volume treatises on civil procedure and the bare text of the rules and statutes.

Because only a small fraction of any litigator's time is actually spent in trial, the Handbook de-emphasizes courtroom procedures and focuses instead on the most commonly encountered pretrial proceedings. For the same reason, the Handbook avoids the rule-by-rule analysis utilized in many other works. This format is designed to address pretrial matters in chronological order—as they appear in the life of a typical case, from commencing the action and compliance with the statute of limitations to settlement and dismissal of claims.

Other matters, such as mandatory arbitration, short-term injunctive relief, and commencement of appellate review arise with sufficient frequency to warrant coverage in the Handbook as well.

Chapter 1 of the Handbook is a table designed to serve as a quick reference guide to the time limits imposed by court rules and statutes.

The author's commentary in Chapter 2 represents a distillation of pertinent rules, statutes, and case law. Each part is divided into a number of sections, and the sections are further subdivided with descriptive headings to allow the reader to quickly locate the discussion most relevant to the task at hand. Rather than presenting an academic discussion of blackletter rules and doctrines, the commentary emphasizes a more practice-oriented approach, with abundant examples and practice tips. Each section ends with cross-references to other volumes for fur-

ther research, and for forms.

The Civil Rules and the Mandatory Arbitration Rules are reproduced in full in Chapters 4 and 5, and Chapter 7 contains the text of virtually all Washington statutes affecting pretrial procedures.

Everything is tied together by a master index at the back of the Handbook.

Of particular interest in this edition of the Handbook are the following.

- More than 100 new substantive entries covering Washington cases, rules, statutes, and more!
- New Supreme Court case law declaring medical malpractice statute of repose unconstitutional. (§ 1.2).
- New Supreme Court case law on requirements for equitable tolling of statute of limitations. (§ 4.12).
- New case law and revised commentary on trigger for statute of limitations under Public Records Act. (§ 5.1).
- New legislation abolishing statute of limitations for claims of childhood sexual abuse occurring after June, 6, 2024. (§ 5.13).
- New case law and commentary on basis for imposition of sanctions for meritless recall petitions. (§ 8.10).
- New case law and commentary on doctrine of forum non conveniens. (§ 9:7)
- New Supreme Court case law explaining application of priority of action rule when suit is commenced in multiple courts. (§ 14.14).
- New Supreme Court case law and commentary on circumstances when service of process on a corporate managing agent is effective. (§ 15.10).
- Significant amendments to CR 26 and CR 30 addressing responding to expert discovery, supplementation of discovery responses, the manner of making objections to discovery requests, and remote depositions. (§§ 38.2, 38.16, 39.3, 44.1, 44.10, 45.3, 45.5, 48.7, 48.9, 48.12, 48.13, 52.11 & 52.16).
- New Section on motions to stay proceedings. (§ 66).
- New Supreme Court case law confirming that signature requirement when requesting a trial de novo under the Civil Arbitration Rules requires strict compliance. (§ 79.7).
- New Supreme Court case law and commentary on prevailing party attorney fees under Civil Arbitration Rules when multiple statutes authorize attorney fees. (§ 79.19).

The case research in the Handbook is current through approximately December 2024 (West's Washington Reporter vol. 52 (Dec. 27, 2024)). Statutes are current through the 2024 Regular Session of the Legislature (2024 West's Washington Legislative Service vol. 3). Rules of court reflect all amendments published

PREFACE

through approximately December 2024. This Handbook will be revised periodically, with new editions published annually or as warranted by changes in the law.

I want the Handbook to be as useful as possible, and I welcome suggestions, observations, and criticisms from readers. If there is something you would like to see added or deleted, something I got wrong, or a way you think the Handbook could be improved, please let me know directly.

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