

SUGGESTED AMENDMENT
CIVIL RULES FOR COURTS OF LIMITED JURISDICTION
(CRLJ)

CRLJ 11 – SIGNING AND DRAFTING OF PLEADINGS, MOTIONS,
AND LEGAL MEMORANDA: SANCTIONS

1 (a) Every pleading, motion, and legal memorandum of a party represented by an attorney
2 shall be dated and signed by at least one attorney of record in the attorney's individual name,
3 whose address and Washington State Bar Association membership number shall be stated. A
4 party who is not represented by an attorney shall sign and date the party's pleading, motion, or
5 legal memorandum and state the party's address. Pleadings need not, but may be, verified or
6 accompanied by affidavit. The signature of a party or of an attorney constitutes a certificate by
7 the party or attorney that the party or attorney has read the pleading, motion, or legal
8 memorandum, and that to the best of the party's or attorney's knowledge, information, and belief,
9 formed after an inquiry reasonable under the circumstances; (1) it is well grounded in fact; (2) is
10 warranted by existing law or a good faith argument for the extension, modification, or reversal of
11 existing law or the establishment of new law, (3) it is not interposed for any improper purpose,
12 such as to harass or to cause unnecessary delay or needless increase in the cost of litigation; and
13 (4) the denials of factual contentions are warranted on the evidence or, if specifically so
14 identified, are reasonably based on a lack of information or belief. If a pleading, motion, or legal
15 memorandum is not signed shall be stricken unless it is signed promptly after the omission is
16 called to the attention of the pleader or movant. If a pleading, motion, or legal memorandum is
17 signed in violation of this rule, the court upon motion or upon its own initiative may impose
18 upon the person who signed it, a represented party, or both, an appropriate sanction, which may
19 include an order to pay to the other party or parties the amount of the reasonable expenses
20 incurred because of the filing of the pleading, motion, or legal memorandum, including a
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1 reasonable attorney fee.

2 **(b)** In helping to draft a pleading, motion or document filed by the otherwise self-represented
3 person, the attorney certifies that the attorney has read the pleading , motion, or legal
4 memorandum, and that to the best of the attorney’s knowledge, information, and belief, formed
5 after an inquiry reasonable under the circumstances: (1) it is well grounded in fact, (2) it is
6 warranted by existing law or a good faith argument for the extension, modification, or reversal of
7 existing law or the establishment of new law, (3) it is not interposed for any improper purpose,
8 such as to harass or to cause unnecessary delay or needless increase in the cost of litigation, and
9 (4) the denials of factual contentions are warranted on the evidence or, if specifically so
10 identified, are reasonably based on a lack of information or belief. The attorney in providing
11 such drafting assistance may rely on the otherwise self-represented person’s representation of
12 facts, unless the attorney has reason to believe that such representations are false or materially
13 insufficient, in which instance the attorney shall make an independent reasonable inquiry into the
14 facts.
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17 **(c)** Consistent with the overall purpose of these rules as set forth in CRLJ 1, the court, upon
18 motion or upon its own initiative, may impose an appropriate sanction on any party or attorney
19 who violates the mandate of reasonable cooperation set forth in CRLJ 1, which sanction may
20 include an order to pay to the other party or parties the amount of the reasonable expenses
21 incurred because of the lack of cooperation, including a reasonable attorney fee. The court will
22 not entertain any motion with respect to this subsection unless the parties have conferred with
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1 respect to the motion. The moving party shall arrange for a mutually convenient conference in
2 person or by telephone. The court may apply sanctions if the court finds that any party or its
3 counsel, upon whom a motion with respect to matters covered by such rules has been served, has
4 willfully refused or failed to confer in good faith. Any motion seeking sanctions under this
5 subsection shall include a certification that the conference requirements of this rule have been
6 met.
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