

ORAP COMMITTEE 2026
SUMMARY OF MEETING RESULTS
FEBRUARY 12, 2026 MEETING
TENTATIVE -- FEBRUARY 12
SP Armitage

Next meeting: Wednesday, March 11, 2026, at 9 am.

Please check and notify of corrections or errors by close of business

Tuesday, February 17: The tentative draft is based on notes taken during the meeting and so may contain inaccuracies. Please let me know if you see any errors, and especially confirm that the workgroup memberships have been properly identified. I will prepare and post a final result summary.

Table of workgroups at end: At the end of this document is a table showing which members are on the workgroups for which proposals. This should make it easy for you to confirm at a glance which workgroups you are participating in.

Workgroups: Please submit materials by Friday, February 27!

Apologies for the short turnaround, but the materials have to be posted by Wednesday the following week.

- **Approved proposals:**

1. ORAP 1.32 etc, Temporary Rules -- Terminology -- Change OSB Member to Licensee
2. ORAP 1.35, Filing and Service -- Clarifications re Duplicative Filings and Service Requirements
4. ORAP 1.45, Filings -- Cannot Use Color Text or Highlighting
5. ORAP 2.35, SCT Summary Determination of Appealability -- Caption Requirement
7. ORAP 3.30, Transcript Preparation -- Service Requirements
9. ORAP 3.50, 4.20, Electronic Records Retention
10. ORAP 5.05, 7.10, Briefs and Motions -- Captions Must Note Impending Oral Argument Date

18. ORAP 6.25, COA Reconsideration of Orders -- 14 Days for Motion to Reconsider -- *approved with edit to change "decision" in ORAP 6.25(5) to "order"*

19. ORAP 8.45, Notice of Mootness -- Probable Mootness, Does Not Require Party to Argue for Dismissal

24. ORAP 12.25, SCT Bar Proceedings -- Correct Terminology and Cross References

25. ORAP 12.27, SCT Judicial Disability Proceedings -- Correct Limiting Term in Rule Subcaption

- **Rejected proposals:**

12. ORAP 5.35 etc, Terminology -- Use "Table" of Contents etc. Instead of "Index"

21. ORAP 10.15, COA Juvenile Dependency and Adoption -- Also Expedite Juvenile Delinquency Appeals

- **Proposals passed for next meeting:**

3. ORAP 1.40, 13.25, COA Verification and Sanctions -- Use of Fabricated Authorities from Artificial Intelligence

- **Workgroup:** Jeff Schick and/or Stacy Harrop, Kendra Matthews, Ernest Lannet, Julie Smith, Theresa Kidd

6. ORAP 3.30(6), 3.40(1)(b), 5.85(3)(a), etc., Response or Reply Times Run from Service Instead of Filing

- **Workgroup:** Daniel Parr, Theresa Kidd

8. ORAP 3.43, New Rule -- Process to Transfer Transcript Between Appeals

- S Armitage: Fix typographical issues, resubmit on technical agenda for March meeting

11. ORAP 5.15, Brief References -- Party Designation in Domestic Relations Cases

- S Armitage: Remove "or," resubmit on technical

agenda for March meeting

13. ORAP 5.45, Plain Error Rule -- Revisions and Explanations

- **Workgroup:** Ernest Lannet, Kendra Matthews, Julie Smith, Travis Eiva, Stacy Harrop

15. ORAP 5.50, Excerpts of Record -- Streamline Requirements

- **Workgroup:** Judge Kamins, Ernest Lannet, Ryan Kahn, Julie Smith, Travis Eiva

16. ORAP 6.05, COA Oral Argument Requests -- Time Runs from Reply Brief
and

14. ORAP 5.50, 6.05, 6.10, 6.15, and 6.30, Temporary Rules -- COA Argument

- Proposal 14 from technical agenda moved to join with proposal 16 from substantive agenda.
- Proposal 14 will be amended to include additional revision to ORAP 6.20
- **Workgroup:** Daniel Parr, Kendra Matthews, Ernest Lannet, Stacy Harrop

17. ORAP 6.25, COA Reconsideration -- Permit Requests to Reconsider En Banc

- **Passed for March meeting:** Ryan Kahn will discuss in Department of Justice and report back whether to pursue proposal or withdraw it.

20. ORAP 9.05 or 9.17, SCT Petitions or Briefs -- Use Same Sequence for Questions on Review and Facts

- **Passed for March meeting:** Justice Bushong and Kendra Matthews will discuss with Supreme Court and report back.

22. ORAP 10.30, COA Nonprecedential Opinions -- Expand When Opinions are Precedential

- ***Passed for March meeting:*** Judge Kamins will discuss with Court of Appeals and report back.

23. ORAP 11.10, new 11.12, 11.15, SCT Mandamus -- Consolidate and Clean Rules

- ***Workgroup:*** Kendra Matthews, Ryan Kahn or designee (Crystal Chase and Travis Eiva to submit comments)

26. ORAP 13.05, Costs -- Address SCT Remand to COA

- ***Workgroup:*** Kendra Matthews, Theresa Kidd, Stacy Harrop, Daniel Parr

27. ORAP 13.10, Attorney Fees -- Amount is Discretionary Even Absent Objection

- ***Passed for March meeting:*** Notify Kendra Matthews if you have concerns about the amendment.

WORKGROUPS FOR EACH PROPOSAL
February 12, 2026 Meeting

("W" is workgroup; "*" means other action; see results for details)

	3	6	8	11	13	15	16 & 14	17	20	22	23	26	27
Armitage			*	*									
Bushong									*				
Chase											*		
Eiva					W	W					*		
Harrop	W				W		W					W	
Kabeiseman													
Kahn						W		*			W		
Kamins						W				*			
Kidd	W	W										W	
Lannet	W				W	W	W						
Matthews	W				W		W		*		W	W	*
Parr		W					W					W	
Schick	W												
Smith	W				W	W							