

Local Rules

Columbia County District Court
State Of Washington

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INTRODUCTION

These local rules have been adopted under the provisions of General Rule 7 promulgated by the Washington State Supreme Court and conform in numbering and format to GR 7. These rules supplement ARLJ, CRLJ, RALJ, CrRLJ, IRLJ and RALJ in accordance with RCW 3.30.080 and GR 7. Insofar as practicable the Washington Court Rules are not repeated and the user of these Local Rules should refer to the pertinent rule as adopted by the Supreme Court.

LARLJ 1
Jury Administrative Reimbursement Fee

A party demanding a jury trial shall, before 1:30 p.m. three business days prior to the scheduled trial date, contact the Columbia County District Court Administrator or designee and confirm that the jury is still required. When a cause assigned a date for trial as a jury case is settled, or will not be tried by a jury for any reason, notice of that fact shall be given immediately to the Court Administrator or designee. In the event the notice is given to the Court Administrator or designee less than three days prior to the scheduled trial date, the party electing not to have their case heard by a jury (Criminal Cases: Defendant who waives jury; or State if jury waiver follows Jury Demand by State; Civil Cases: jury waiver by party after demand) shall pay a jury administrative reimbursement fee equal to the actual costs incurred by the Court for jury fee payments and mileage reimbursements, unless the Judge determines that those costs and fees shall not be paid.

LARLJ 2
NEXT JUDICIAL DAY

[Rescinded September 1, 2023]

LARLJ 3
DISCLOSURE OF PUBLIC RECORDS

A. The following records and files of this Court are declared confidential:

- (a) Affidavits for probable cause for arrest warrants before the warrant has been served and returned.

- (b) Mental health, psychiatric, and medical reports.
- (c) Alcohol and drug evaluations and follow up reports.
- (d) Unless admitted into evidence, certified copies of driving records, abstracts of driving records, and compiled reports of arrests and convictions;
- (e) Judges notes and work sheets.

B. Access to confidential records is limited to persons authorized by statute or who obtain a Court order.

LARLJ 4
DOCKET DAYS

Tuesdays are docket days as scheduled by the Court.

[Amended September 1, 2023]

LCRLJ 1
FILING OF PLEADINGS AND OTHER PAPERS

A. Documents to Be Filed. [Reserved]

B. Documents Not to Be Filed

- (a) Interrogatories and depositions without written permission of Columbia County District Court unless necessary for the disposition of a motion or objection.
- (b) Unanswered request for admissions unless necessary for the disposition of the motion or objection.
- (c) Total copies of reported cases, statutes or texts appended to a brief, or otherwise, may only be filed with a copy marked "bench copy" furnished directly to the judge hearing the matter; and

C. An offer of settlement made pursuant to RCW chapter 4.84 shall not be filed or communicated to the trier of fact in violation of RCW 4.84.280 of the Revised Code of Washington prior to the completion of trial. A violation of this order may result in denial of the reasonable attorney fee.

LCRLJ 2
PRE-TRIAL HEARING

When matters of fact are put in issue by responsive pleadings served and filed with the court and if one of the parties has noted the case for pre-trial hearing, a pre-trial will be set. If both parties stipulate and the Court agrees, the pre-trial hearing may be specially set on the docket. Five (5) days notice must be given to the Administrator or designee for approval by the Judge and scheduling. At the pre-trial hearing all parties must appear in person. If a party does not appear at the pre-trial hearing, the non-appearing party's pleadings shall be stricken, unless good cause is shown, and the court may grant a judgment of default or dismissal against the non-appearing party. If no parties appear, the court may dismiss all pending claims without prejudice.

At the pre-trial hearing, the court will also perform the following functions:

1. Determine any pre-trial motions.
2. Assign trial and/or further motion dates.
3. Acknowledge and approve settlement agreements.
4. Enter default or judgments on pleadings.
5. Pre-admit exhibits for trial.
6. Enter discovery order and completion dates.

Counsel shall appear at the pre-trial hearing with a schedule of dates of availability for trial or any other necessary proceeding.

The pre-trial hearing procedure shall not preclude the entry of default judgments, judgments on pleadings, or any other orders not inconsistent with these rules or the Civil Rules for Courts of Limited Jurisdiction (CRLJ) prior to the date of the pre-trial hearing.

[Amended September 1, 2023]

LCRLJ 3
DISMISSAL ON ADMINISTRATOR OR DESIGNEE'S MOTION

In all cases where there has been no action of record during the 12 months just past, the Columbia County District Court Administrator or designee shall mail notice to the parties or the attorneys of record that such case will be dismissed by the court for want of prosecution unless within thirty (30) days following said mailing, written application of action of record is made to the court and good cause shown why the case should be continued as a pending case. If such application is not made or good cause is not shown, the court shall dismiss each such case without prejudice. The cost of filing such order of dismissal with an Administrator or designee shall not be assessed against either party.

LCRLJ 4
PAYMENT OF MONIES ON JUDGMENTS

After payments of monies on judgments are paid to the receiving party, or the receiving party's attorney, a satisfaction of judgment shall be filed within the following thirty (30) days of receipt of the funds and a satisfaction of judgment shall be filed within said thirty (30) days in the amount received.

LCRLJ 5
CIVIL JURY

Pre-trial Procedure. All cases, set for jury trial shall be set for a pre-trial conference which shall be held at least two weeks prior to trial. The attorneys who are to conduct the trial and all parties shall be present (parties may be excused by the court for good cause) to consider such matters as will promote a fair and expeditious trial. All discovery shall be completed on or before the pre-trial conference. Opposing counsel or party, and the Court must be given ten (10) days' notice prior to the pre-trial conference. Opposing counsel or party must be given ten (10) days prior written notice of any pre-trial motions to be heard at the pre-trial conference. Any motions not made at the pre-trial conference shall be deemed waived.

LCRLJ 6
NAME CHANGES

- A. Minors - Parental Consent. All applications for change of name of a person less than 18 years of age must be represented by a parent or legal guardian. The petitioner must file proof of service of petition and notice of hearing to either biological or legal parents or guardians if the applicant has not filed a written approval of change of name by both biological or legal parents and guardians. Said notices shall be served on other parties at least ten (10) days prior to the hearing.
- B. Each petition requesting a change of name must present a separate change of name order and pay a separate filing fee and a recording fee for each person whose name is being changed, unless waived.

LIRLJ 1
DECISIONS ON WRITTEN OR EMAIL STATEMENTS

- A. In place of the defendant's personal appearance at a mitigation infraction hearing, defendants may submit their statement in writing (including email submissions).

B. The court shall examine the citing officer's report and any statement(s) submitted by the defendant. The examination shall take place within 120 days after the defendant filed a response to the notice of infraction. The examination may be held in Chambers and shall not be governed by the rules of evidence.

LIRLJ 2

MANDATORY LIABILITY INSURANCE VIOLATIONS - PROOF OF INSURANCE

If a person who has been cited with a violation of RCW 46.30.020 presents to the Court Administrator or designee evidence that the person had in effect at the time of the citation liability insurance as required by RCW 46.30.020, then, upon payment of twenty-five (\$25.00), the case shall be dismissed and the court Administrator or designee shall be authorized to make appropriate notation of the dismissal in the court file.

LIRLJ 3

DEFERRED INFRACTIONS

If a defendant is granted a deferral on an infraction pursuant to the provisions of RCW 46.63.070, meeting the statutory qualifications, the Court shall charge an administrative fee of \$150.00, payable on or before a date designated by the court.

LCrRLJ 1

EXHIBITS

[Rescinded September 1, 2023]

LCrRLJ 2

OBLIGATION OF DEFENDANTS TO APPEAR IN COURT, AND CONSEQUENCES OF FAILURES TO APPEAR IN CASES WHERE A PUBLIC DEFENDER HAS BEEN APPOINTED AND THE APPEARANCE IS NECESSARY TO TIMELY MOVE THE CASE TO CONCLUSION

A. The appointment of a public defender attorney, for any defendant deemed to be indigent shall be conditioned upon the defendant appearing in court for all hearings where his/her appearance has been required by the court.

B. If any defendant for which a public defender has been appointed fails to appear in court when so required on two occasions without being excused in advance by the court, the order/appointment whereby the public defender was appointed for said defendant may be vacated immediately upon such second

failure to appear.

C. Upon such appointment being vacated the public defender shall be relieved from any requirements to appear in court with such defendant.

D. The provisions of this rule, however, do not preclude the defendant from reapplying to the court for the appointment of a public defender to represent him/her.

LCrRLJ 3.2
RELEASE OF ACCUSED

[Rescinded September 1, 2023]

LCrRLJ 4
READINESS HEARING

In order to efficiently schedule the calling of jurors, to avoid unnecessary disruptions of jurors lives, and to avoid the waste of public funds the following readiness hearing procedures have been adopted:

Not less than seven (7) days prior to an assigned jury trial date, there shall be held a readiness hearing. At the readiness hearing it shall be mandatory that the prosecuting attorney, the defense counsel, and the defendant be present. The requirements of this rule can be waived only by the Judge appointed to the case. In the event the defendant fails to appear, the jury trial setting shall be canceled, a bench warrant may be issued, bail or bond may be forfeited, and costs may be imposed at the discretion of the court. In the event the defendant waives the jury trial subsequent to the readiness hearing, costs may be imposed pursuant to LARLJ 1. At the readiness hearing, the following matters will be concluded:

1. All plea negotiations
2. Exchange of witness lists
3. Providing of any discovery not previously completed by the pretrial hearing held prior to the readiness hearing.
4. Motions on legal issues arising subsequent to the pretrial hearing or on issues arising due to new evidence.
5. Filing with the court proposed non-WPI (Washington Pattern Instructions) jury instructions and voire dire questions for the prospective jurors which either party requests to be asked by the court. Note ALL jury instructions will need to be filed 5 working days prior to a jury trial including WPI by the prosecution and 3 days

prior to trial by the defendant.

At the conclusion of the readiness hearing, the court will no longer grant any further motions to amend or motions to dismiss the charge(s) unless good cause is shown (involving unique and unexpected events/factors). Therefore, the case will be tried by jury, unless waived by the defendant, or concluded by a guilty plea to the original charge (s), See LARLJ 1 regarding administrative reimbursement of jury fees for those who do not give at least three (3) days notice of settlement to the Administrator or designee of the court.

LCrRLJ 5
BONDING COMPANIES

District Court accepts bonds that are justified with Columbia County Superior Court. Any bonding agencies wanting to become justified with Columbia County will need to take appropriate steps.

LRALJ 1
FAILURE TO DESIGNATE THE RECORD

The Court will advise Superior Court in writing if a party fails to designate the portions of the record necessary for review as provided in RALJ 6.2(a). Failure to designate the record may be considered a failure to diligently pursue the appeal and cause the Court to revoke any stay of enforcement of the judgment under RALJ 4.2 and RALJ 4.3. At the time notice of failure to designate the record is transmitted to Superior Court, the Administrator or designee shall also send notice to the parties of a hearing at which the Court shall consider revocation of the stay due to the failure to diligently pursue the appeal.

LRALJ 3
COPY OF RECORDING FOR PARTIES

Requests for duplicates of recorded tapes shall be in writing on a form prescribed by the Court. Duplicates of tapes and of the log for the record shall be delivered only after payment of the actual costs, unless the party is otherwise excused by statute or by the Constitution.