

---

Klickitat County West District Court

---

LOCAL COURT RULES  
WEST DISTRICT COURT  
STATE OF WASHINGTON  
KLICKITAT COUNTY

Table of Rules

Local Criminal Rules (LCrRLJ)

LCrRLJ 3.4 Video Conference Proceedings  
LCrRLJ 3.7 Motions

Local Infraction Rules (LIRLJ)

LIRLJ 3.5 Decisions on Written Statement

Court Forms

Defendant's Request for Decision on Written Statements

---

---

**Klickitat County West District Court**

---

**ICrRLJ 3.4  
VIDEO CONFERENCE PROCEEDINGS**

Preliminary appearances, arraignments, bail hearings, and trial settings, conducted via video conference in which all participants can simultaneously see, hear, and speak as authorized by the Judge, shall be deemed held in open court and in the defendant's presence for the purposes of any statute, court rule, or policy. All video conference hearings conducted pursuant to this rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the Judge. Any party may request an in-person hearing which may, in the Judge's discretion, be granted. Other trial court proceedings may be conducted by video conference only by agreement of the parties either in writing or on the record and upon the approval of the Judge.

---

---

**Klickitat County West District Court**

---

**LCrRLJ 3.7  
MOTIONS**

Rules CrRLJ 3.5 and 3.6 shall govern suppression motions in criminal cases. Unless a motion is made during a hearing or trial, it shall be made in writing, shall state with particularity the grounds therefore, shall state the statute, case decision, or court rule that supports the motion, and set forth the relief or order requested. Timing and briefing requirements are governed by Klickitat County Local Superior Court local rule 10(VI).

---

---

**Klickitat County West District Court**

---

**IRLJ 3.5  
DECISIONS ON WRITTEN STATEMENT**

Mitigation and contested hearings based on written statement, given under penalty of perjury as provided for in IRLJ 2.4(b)(4) and IRLJ 2.6(c), are hereby authorized. The procedures authorized by IRLJ 3.5 are adopted by this court. A defendant requesting the court to decide the case on written statement shall do so by completing and submitting a statement in substantially the form provided by the Court staff for these matters.

---





## Local Rule GR 7. Electronic Filing

### A. Electronic filing ("eFile") authorization, charges, exceptions, waiver, and non-compliance.

- (1) **Mandatory Electronic Filing.** Effective November 17, 2021, attorneys shall electronically file (eFile) all documents except the initial criminal complaint, citation, or notice of infraction, using the court's designated eFiling service, Odyssey File and Serve, unless this rule provides otherwise. The attorney of record for a defendant in a criminal case, non-attorneys, or pro se parties are not required to eFile, but are encouraged to do so.
- (2) **eFiling Service Charges.** An eFiling charge will be assessed each time a group of documents (sometimes referred to as an "envelope") is filed on a case. This eFiling service charge will be waived for (a) persons who are indigent or their attorney of record; (b) government filers; (c) qualified legal services providers; and (d) protection orders or other matters for which filing fees may not be charged by law.
- (3) **Documents That Cannot Be eFiled.** The following documents must be filed in paper form rather than eFiled:
  - (a) A document that is required by law to be filed in non-electronic format, for example, original wills, certified records of proceedings for purposes of appeal, negotiable instruments, and documents of foreign governments under official seal;
  - (b) Documents incapable of legible conversion to an electronic format by scanning, imaging, or any other means;
  - (c) Documents larger than permitted in the User Agreement.
- (4) **Working Copies.** Persons who eFile documents under this rule are not required to provide duplicate paper copies of those documents as "working copies" for judicial officers. The court may require that a party provide working copies of documents that are not eFiled.
- (5) **Waiver of the Requirement to eFile for attorneys.**
  - (a) If an attorney is unable to eFile documents required by this rule, the attorney may request a waiver from the court. The attorney must make a showing of good cause and explain why paper document(s) must be filed in that particular case. The court will consider each application and provide a written approval or denial to the attorney. Attorneys who receive a waiver shall file a copy of the waiver in each case in which they file documents. Attorneys who receive a waiver shall place the words "Exempt from eFiling per waiver filed on (date)" in the caption of all paper documents filed for the duration of the waiver.

(b) Upon a showing of good cause the court may waive the requirement as to a specific document or documents on a case by case basis.

(6) **Non-Compliance with this Rule.** If an attorney files a document in paper form and does not have an approved waiver from eFiling, the court may assess a fee against the attorney for each paper document filed.

(7) **Electronic Service.** If a party serves another party electronically or via email, that party must likewise accept service from the other parties electronically or via email.

[Adopted May 26, 2021]



#### **LCrRLJ 3.4**

[Rescinded effective September 1, 2021]

#### **LCrRLJ 3.4 PRESENCE OF THE DEFENDANT**

##### **(a) Presence Defined.**

Unless a court order, CrRLJ 3.4 as now or hereafter amended, or this rule requires the physical presence of the defendant, the defendant may appear remotely or through counsel. Appearance through counsel requires the counsel either (i) present a waiver the defendant has signed indicating the defendant wishes to appear through counsel, or (ii) affirm in writing or in open court that this is the defendant's preference.

##### **(b) When Necessary.**

(1) In addition to those hearings listed in CrRLJ 3.4(b), as now or hereafter amended, there is good cause to require the defendant to be present physically or remotely (at the court's discretion) at the following hearings: (i) the defendant's motion to waive jury trial; (ii) the defendant's motion for continuance of trial date and waiver of speedy trial rights; (iii) any hearing where the court is required to conduct a colloquy with the defendant; (iv) evidentiary hearings conducted pursuant to CrRLJ 3.5 or CrRLJ 3.6; (v) status conference hearings, unless the defendant's counsel confirms, in writing or in open court (A) that the defendant has expressly chosen to appear through counsel, as allowed by CrRLJ 3.4(a), and (B) that counsel has affirmatively determined, through recent contact with the defendant, that the matter is ready to proceed to trial as scheduled or that a written motion for continuance approved by the defendant has been filed.

(2) When directed by the court, the defendant shall also be present physically or remotely (at the court's discretion) at any pre-trial readiness or review hearing, when the court determines that the personal appearance of the defendant is necessary to move the case toward resolution. Acceptable reasons for when a defendant's presence is necessary include, without limitation, case load management, review of existence and/or conditions of pre-trial release, and any hearing where a change in the case status could result.

##### **(e) Video Conference Proceedings.**

Klickitat County West District Court authorizes the use of video conference proceedings pursuant to CrRLJ 3.4(d) and (e), as now or hereafter amended.

[Amended effective September 1, 2021]