

**CLALLAM COUNTY SUPERIOR COURT
LOCAL RULES FOR SUPERIOR COURT**

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APPEALS FROM COURTS OF LIMITED JURISDICTION

Pursuant to the provisions of RALJ 4, the Superior Court in and for Clallam County adopts the following mandatory procedures for appeals from Courts of Limited Jurisdiction:

I. LRALJ 4.1 AUTHORITY OF COURTS PENDING APPEAL

A. Notice of Appeal: Jurisdiction of Superior Court is invoked upon the filing of a Notice of Appeal with the Superior Court Clerk.

B. Court of Limited Jurisdiction. After a Notice of Appeal has been filed, and while the case is on appeal, authority to act in a case is limited to RALJ except as expanded by these rules.

C. Questions Relating to Indigency. The Court of Limited Jurisdiction shall decide questions relating to indigency concerning the appointment of counsel at public expense. The Superior Court shall decide questions relating to indigency concerning all other expenses the party wants waived or provided at public expense.

1. Motion for Order of Indigency and Appointment of Counsel at Public Expense.

a. Criminal cases. A party seeking review partially or wholly at public expense from a decision of a Court of Limited Jurisdiction must move in the lower court for an Order of Indigency and Appointment of Counsel at Public Expense. The motion must be supported by an affidavit setting forth the moving party's total assets; monthly income, expenses and liabilities of the party; and a statement of the amount, if any, the party can contribute toward the expense of counsel.

b. Civil cases. A party seeking review of a civil case partially or wholly at public expense must move in the lower court for an Order of Indigency and Appointment of counsel at Public Expense. The Motion must be supported by an affidavit meeting substantially the same requirements as set forth in subsection (a) above. In addition, the party must also demonstrate in the motion or the supporting affidavit that the party has a constitutional right to review partially or wholly at public expense.

2. Motion for Order of Payment of Costs at Public Expense. A party seeking review partially or wholly at public expense from a decision of a Court of Limited Jurisdiction must move in the Superior Court for an Order of Payment of Costs at Public Expense. The motion must be supported by a statement of the costs the party wants waived or provided at public expense.

3. Action by the District/Municipal Court. The lower court shall decide the motion for an Order of Indigency and Appointment of Counsel at Public Expense, after a hearing if the circumstances warrant, as follows:

a. Denial generally. The lower court shall deny the motion if a party has adequate means to pay all of the cost of a lawyer for appellant review. The order denying the motion for an Order of Indigency and Appointment of Counsel at Public Expense shall contain findings designating the funds or source of funds available to the party to pay the cost for a lawyer.

b. Approval generally (criminal). The lower court shall grant the motion and enter an Order of Indigency and Appointment of Counsel at Public Expense if the party seeking public funds is unable by reason of poverty to pay all or some of the costs of a lawyer for review.

c. Approval generally (civil). If the case is civil case, and the party is unable by reason of poverty to pay all or some of the costs of lawyer for review, and if the party has a constitutional right to review partially or wholly at public expense, the lower court shall enter findings of indigency.

d. The Motion, Affidavit and Order Re: Indigency and Appointment of Counsel at Public expense shall be transmitted to the Superior Court by the Lower Court Clerk as a part of the record on review.

4. Action by the Superior Court. The Superior Court shall decide the motion for Order of Payment of Costs at Public Expense, after a hearing if the circumstances warrant.

5. Order of Indigency and Order of Payment of Costs at Public Expense. The Order(s) shall designate the items of expense which are to be paid with public funds and, where appropriate, the items of expense to be paid by a

party or the amount which the party must contribute toward the expense of review. The Order shall designate the extent to which public funds are to be used for payment of the expense of the record on review, limited to those parts of the record reasonably necessary to review issues argued in good faith. Verbatim transcripts of Voir Dire and/or opening statements shall not be paid at public expense without specific court approval. The transcript, to be paid at public expense, shall contain only those portions of the electronic recording necessary to present the issues on appeal.

6. A party and counsel for the party who have been granted an Order pursuant to this rule must promptly bring to the attention of the Superior Court any significant improvement, during review, in the financial condition of the parties. The Superior court will give a party the benefit of an Order granted pursuant to this rule throughout the review unless the Superior Court finds that the party's financial condition has improved to the extent that the party is no longer indigent.

7. Appointment and Withdrawal of Counsel in Trial Court. The lower court shall determine questions relating to the appointment and withdrawal of counsel for an indigent party on review.

8. Conditions for Payment. The expenses for an indigent party which are necessarily incident to review by the Superior Court will be paid from public funds, by the Superior Court, only if an Order of Payment meets the requirements of paragraph 5 above and is included in the record on review.

[Adopted effective June 8, 2000.]

II. SMALL CLAIMS APPEAL:

Small Claims Court's judgments appealed to the Superior Court shall be subject to the mandatory arbitration requirements of Superior Court and shall follow the procedural rules relating to arbitration. A Trial De Novo on an appeal from Small Claims Court shall not be allowed unless the parties have participated in mandatory arbitration pursuant to the local rules.

[Adopted effective June 8, 2000.]

Rule 0.1 PRESIDING JUDGE; ASSISTANT PRESIDING JUDGE

The Presiding Judge and Assistant Presiding Judge shall be elected to serve for a two (2) year term commencing on January 1, 2002. The Presiding Judge shall manage administrative and policy matters of the court. The Assistant Presiding Judge shall serve as the Acting Presiding Judge during the absence of, or upon the request of, the Presiding Judge.

[Adopted effective September 1, 2002.]

Rule 0.2

SEALED REPORTS; ADULT CRIMINAL AND JUVENILE DELINQUENCY PROCEEDINGS;
PSYCHOLOGICAL, CHEMICAL DEPENDENCY, AND MENTAL EVALUATIONS AND REPORTS.
[Rescinded.]

[Rescinded effective September 1, 2015]

Rule 0.3

SEALED REPORTS; ADULT CRIMINAL PROCEEDINGS AND JUVENILE DELIQUENCY
PROCEEDINGS; PRESENTENCE INVESTIGATION REPORTS, BILLING STATEMENTS
[Rescinded.]

[Rescinded effective September 1, 2015]

Rule 0.4

SEALED REPORTS; DEFENDANT'S CASE HISTORY INFORMATION

The clerk of the court shall seal defendant's case history information obtained from the Judicial Information System whether filed separately or attached to a document as a schedule or exhibit.

[Adopted effective September 1, 2002.]

Rule 0.5

ADMINISTRATIVE RECORD, DISCOVERY DOCUMENTS OR COPIES

The clerk shall treat the administrative record as an exhibit. Exhibits in all cases shall be kept by the Clerk separate from the files or the case and returned or destroyed at the end of the case, once the appeal time has run.

Documents or copies produced during discovery or other items that should properly be received as exhibits shall not be included in the court file.

Rule 0.6
CLERK'S ACTION REQUIRED

Any order or document that is filed in the Clerk's Office requiring action by the Clerk must contain language on the first page of the document in the upper right hand side as follows: "Clerk's Action Required" and be properly marked/identified that action is required.

When the Clerk is to forward a copy of an order to law enforcement, the order must clearly state that the Clerk is to forward a copy of the order to law enforcement and include the name of the law enforcement agency where the order is to be sent.

Rule 0.7
FORMAT FOR PLEADINGS AND OTHER PAPERS

All Pleadings, motions, and other papers filed with the court shall comply with General Rule 14 and documents shall be in 12 point or larger type, double- spaced between the lines.

LMAR 1.1
APPLICATION OF RULES

The purpose of mandatory arbitration of civil actions under RCW 7.06 as implemented by the Mandatory Arbitration Rules is to provide a simplified and economical procedure for obtaining the prompt and equitable resolution of disputes involving claims of \$100,000 or less. The Mandatory Arbitration Rules as supplemented by these local rules are not designed to address every question which may arise during the arbitration process and the rules give considerable discretion to the arbitrator. The arbitrator should not hesitate to be informal and expeditious, consistent with the purpose of the statute and rules.

LMAR 1.2
MATTERS SUBJECT TO ARBITRATION

By implementation of these rules the Superior Court of Washington for Clallam County authorizes mandatory arbitration under RCW 7.06.010, and approves such arbitration in civil actions in which no party asserts, on the party's own behalf, a claim in excess of \$100,000.00 exclusive of interest, attorney's fees and costs under RCW 7.06.020 as amended.

LMAR 1.3
CLAIM LIMIT

The limit for claims subject to mandatory arbitration is \$100,000.00, exclusive of interest, attorney fees and costs. For the purpose of this rule, a "claim" is defined to be the net value of the claim, after all reductions for comparative negligence or setoffs.

[Adopted effective November 8, 1993; Amended Effective February 16, 1994; September 1, 2018.]

LMAR 2.1
TRANSFER TO ARBITRATION

- a) Statement of Arbitrability. In every civil case, the party filing the note for trial setting (Exhibit A) provided by CR 40 (a) (1) and LCR 40(B) (1), or any party prior to the time for trial setting, may upon the form prescribed by the court, complete a statement of arbitrability, which will be filed in the Superior Court Clerk's office and a duplicate copy delivered to the Court Administrator's office and the opposing party or parties. A party failing to file and serve a statement of arbitrability within the times prescribed shall be deemed to have waived arbitration, and may subject the matter to mandatory arbitration thereafter only upon leave of the court for good cause shown.
- b) Response to Statement of Arbitrability. Any party disagreeing with the statement of arbitrability shall serve and file a response on the form prescribed by the court (Exhibit B). A duplicate copy of the response shall be delivered to the Court Administrator. In the absence of such a response, the statement of arbitrability shall be deemed correct. Any response opposing the statement of arbitrability shall be filed within seven days after the

receipt of the statement of arbitrability. A notice of issue shall be filed with any response objecting to the statement of arbitrability, noting the matter for hearing on the issue of arbitrability within 14 days of filing the response.

- c) Failure to File - Amendments. A person failing to serve and file an original response within the times prescribed may later do so only upon leave of the court. A party may amend a statement of arbitrability or response at any time before assignment of an arbitrator or assignment of a trial date, and thereafter only upon leave of the court for good cause shown.
- d) By Stipulation. A case in which all parties file a stipulation to arbitrate under MAR 8.1(b) will be placed on the arbitration calendar regardless of the nature of the case or amount in controversy.
- e) When Transfer to Arbitration Occurs for Purposes of Application of Local Rules. The case is transferred to arbitration upon the filing of a statement of arbitrability indicating that the case is subject to arbitration, and the filing of a motion for appointment of arbitrator, unless an objection to arbitration of the case is received within the time limits found in LMAR 2.1(b). This transfer shall also trigger the restriction on discovery contained in MAR 4.2 and LMAR 4.2.

LMAR 2.2
ASSIGNMENT TO ARBITRATOR

- a) Generally; Stipulations. When a case is set for arbitration, a list of five proposed arbitrators will be furnished to the parties. A master list of arbitrators will be made available on request. The parties are encouraged to stipulate to an arbitrator. In the absence of a stipulation, the arbitrator will be chosen from among the five proposed arbitrators in the manner defined by this rule.
- b) Response by Parties. Each party may, within 14 days after a list of proposed arbitrators is furnished to the parties, nominate one or two arbitrators and strike two arbitrators from the list. If both parties respond, an arbitrator nominated by both parties will be appointed. If no arbitrator has been nominated by both parties, a superior court judge or commissioner will randomly appoint an arbitrator from among those not stricken by either party.
- c) Response by Only One Party. If only one party responds within 14 days, a superior court judge or commissioner will appoint an arbitrator nominated by that party.

- d) No Response. If neither party responds within 14 days, a superior court judge or commissioner will appoint one of the five proposed arbitrators.

LMAR 3.2
AUTHORITY OF ARBITRATORS

- a) An arbitrator has the authority to:
- 1) Determine the time, place and procedure to present a motion before the arbitrator.
 - 2) Require a party or attorney, advising such party, or both, to pay the reasonable expenses, including attorney fees, caused by the failure of such party or attorney, or both, to obey an order of the arbitrator unless the arbitrator finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. The arbitrator shall make a special award for such expenses and shall file such award with the clerk of the superior court, with proof of service on each party. The aggrieved party shall have 10 days thereafter to appeal the award of such expense in accordance with the procedure described in RCW 2.24.050. If, within 10 days after the award is filed no party appeals, a judgment shall be entered in manner described generally under MAR 6.3.
 - 3) Award attorney fees, as authorized by these rules, by a contract or by law.
 - 4) Decide the location for the arbitration hearing.
- b) Arbitrators shall have immunity to the same extent as provided for superior court judges in Washington State.

LMAR 4.2
DISCOVERY

- a) Additional Discovery. In determining when additional discovery beyond that directly authorized by MAR 4.2 is reasonably necessary, the arbitrator shall balance the benefits of discovery against the burdens and expenses. The arbitrator shall consider the nature and complexity of the case, the amount in controversy, values at stake, the discovery that has already occurred, the burdens on the

party from whom discovery is sought, and the possibility of unfair surprise which may result if discovery is restricted. Authorized discovery shall be conducted in accordance with the civil rules, except that motions concerning discovery shall be determined by the arbitrator.

- b) Notwithstanding the Foregoing. The following interrogatories may be submitted to any party:
- 1) State the amount of general damages being claimed;
 - 2) State each item of special damages being claimed and the amount thereof;
 - 3) List the name, address and phone number of each person having knowledge of any facts regarding liability;
 - 4) List the name, address and phone number of each person having knowledge of any facts regarding the damages claimed;
 - 5) List the name, address and phone number of each expert witness you intend to call at the arbitration. For each such expert, state the subject matter on which the expert is expected to testify; state the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion.

Only these interrogatories, with the exact language as set out above, are permitted.

LMAR 5.2
PREHEARING STATEMENT OF PROOF - DOCUMENT FILED WITH COURT

In addition to the requirements of MAR 5.2, each party shall also furnish the arbitrator with copies of pleadings and other documents contained in the court file which that party deems relevant. The court file shall remain with the county clerk.

LMAR 6.1
FORM AND CONTENT OF AWARD

- a) Exhibits. All exhibits offered during the hearing shall be returned to the offering parties.

- b) Attorney Fees. Any motion for actual attorney fees, whether pursuant to contract, statute, or recognized ground in equity, must be presented to the arbitrator, as follows:
- 1) Any motion for an award of attorney fees must be submitted to the arbitrator and served on opposing counsel within seven calendar days of receipt of the award. There shall be no extension of this time - unless the moving party makes a request for an extension before the seven day period has expired, in writing, served on both the arbitrator and opposing counsel;
 - 2) Any response to the motion for fees, must be submitted to the arbitrator and served on opposing counsel within seven calendar days after receipt of the motion;
 - 3) The arbitrator shall render a decision on the motion, in writing, within 14 days after the motion is made;
 - 4) If the arbitrator awards fees, the arbitrator shall file an amended award. If fees are denied, the decision shall be filed and served on the parties;
 - 5) It is within the arbitrator's discretion to hold a hearing on the issue of fees;
 - 6) The time for appeal of the arbitrator's decision in any case where attorney fees have been timely requested, as set forth above, shall not run until the service and filing of the amended award, or the denial thereof.

LMAR 6.2
FILING OF AWARD

A request by an arbitrator for an extension of the time for the filing of an award under MAR 6.2 may be presented to a Superior Court judge or commissioner ex parte. The arbitrator shall give the parties notice of an extension granted.

LMAR 7.1
REQUEST FOR TRIAL DE NOVO - CALENDAR

- a) A written request for a trial de novo shall be accompanied by a note of issue noting the matter for trial setting. Failure to submit the note of issue is not grounds for dismissal; however,

the court may impose terms in its discretion.

- b) In any case in which a party makes a motion for attorney fees pursuant to LMAR 6.1 c, the 20 day period for appeal shall not commence until the arbitrator has either filed and served the amended award, or the written denial thereof.
- c) The appealing party may file and serve on the other party or parties a jury demand at the same time as the request for a trial de novo and note of issue are filed. The non-appealing party shall have until the time the case is set for trial to file a jury demand. If no jury demand is timely filed, it is waived.
- d) When a case is transferred to the arbitration calendar it will lose its trial date.

LMAR 8.3
EFFECTIVE DATE

These rules, as amended, become effective on the 1st day of January, 1994, subject to amendment thereafter. With respect to civil cases pending on that date, if the case has not at that time received a trial date, or if the trial date has been set for later than the 1st day of April, 1994, any party may serve and file a statement of arbitrability indicating that the case is subject to mandatory arbitration. If, within 14 days, no party files a response indicating that the case is not subject to arbitration, the case will be transferred to the arbitration calendar. A case set for trial earlier than the 1st day of April, 1994, will be transferred to arbitration only by stipulation of all parties.

LMAR 8.6
COMPENSATION OF ARBITRATOR

- a) Generally. Arbitrators shall be compensated in the same amount and manner as judges pro tempore of the superior court; provided, however, that said compensation shall not exceed \$500.00 for any case unless prior approval is granted by the presiding judge. Hearing time and reasonable preparation time are compensable. Arbitrators may be reimbursed a sum not to exceed \$25.00 for costs incurred.
- b) Form. When the award is filed, the arbitrator shall submit to the presiding court ex parte a request on a form prescribed by the court. The presiding judge shall

determine the amount of compensation and costs, if any are to be paid.

LMAR 8.7
ADMINISTRATION

- a) Court Administrator. The Court Administrator and Superior Court Clerk, under the supervision of the Superior Court Judges shall implement the procedures mandated by these rules and perform any additional duties which may be delegated by the judges.
- b) Administrative Committee. There shall be an administrative committee composed of both Superior Court judges, a Court commissioner, and three members of the Washington State Bar Association, chosen by the Clallam County Bar Association. The bar members of the committee shall serve for staggered three-year terms and may be reappointed. Terms of the initial committee shall be determined by lot.
- c) Administrative Committee - Duties. The administrative committee shall have the power and duty to:
 - 1) Select its chairperson and provide for its procedures;
 - 2) Select and appoint the panel of arbitrators;
 - 3) Remove a person from the panel of arbitrators;
 - 4) Establish procedures for selecting an arbitrator not inconsistent with the Mandatory Arbitration Rules or these rules;
 - 5) Review the administration and operation of the arbitration program periodically and make recommendations as it deems appropriate to improve the program.

LMAR 8.8
WANT OF PROSECUTION

The Superior Court Clerk shall file a clerk's motion to dismiss for want of prosecution in any case assigned for arbitration where there is no activity for a period of one year.

RULE 0.6
REAPPLICATION FOR ORDER

- (a) When an order has been applied for and refused in whole or in part or has been granted conditionally and the condition has not been performed, the same application for an order must not be presented to another Judge, without disclosure of the prior refusal.
- (b) If a subsequent application is made upon an alleged different state of facts, it must be shown by affidavit what application was made, when and to what Judge, what order or decision was made thereon, and what new facts are claimed to be shown.
- (c) Any order entered in violation of this rule may be set aside upon motion.

[Adopted effective June 30, 1993.]

RULE 0.7
COUNSEL FEES

Appointed counsel moving for the fixing or payment of fees, and counsel moving the court to fix fees in any other case, shall itemize time, services rendered, and other detailed basis for the fees requested in affidavit form. The affidavit submitted by appointed counsel shall be in the form of Exhibit A-1. The affidavit submitted by counsel who are not appointed by the court shall be substantially in the form of Exhibit A-2.

[Adopted effective June 30, 1993.]

RULE 1
PRIORITY TRIAL SETTING

To obtain a priority civil setting (including cases with statutory priority), the requesting party shall note the trial setting for hearing on the regular civil calendar and shall by motion and affidavit set forth the basis for the priority settings. The Court Administrator shall not set cases as "Priority" without written order of the court.

[Adopted effective June 30, 1993.]

RULE 2
REVISION OF COMMISSIONER'S RULING

- (a) A party moving for revision of a ruling by a Court Commissioner shall comply with RCW 2.24.050.
- (b) A motion for revision shall be based upon entry of written findings, conclusions and an order by the Court Commissioner. Oral rulings not reduced to written orders are not the proper subject for a motion for revision.
- (c) The original motion and supporting materials and proof of service upon all parties, along with a bench copy for the assigned judge, will be filed with the Superior Court clerk. If a non-moving party wishes to respond, that response is due ten days after being served with the initial motion.
- (d) At the judge's discretion the moving party may be required to provide a written transcript of part or all of the hearing held before the Court Commissioner.
- (e) The assigned judge shall review the pleadings and either rule on the motion or seek additional input from the parties.

[Adopted effective June 30, 1993; Revised effective April 1, 2020]

RULE 7(b)
NECESSARY PRIVISION IN PLEADINGS RELATED TO SUPPLEMENTAL
PROCEEDINGS AND SHOW CAUSE HEARINGS FOR CONTEMPT

- (1) In all supplemental proceedings wherein an order is to be issued requiring the personal attendance of a party to be examined in open court, and in orders to show cause for contempt, the order must include substantially the following words in capital letters:

YOUR FAILURE TO APPEAR AS ABOVE SET FORTH AT THE TIME, DATE
AND PLACE THEREOF WILL CAUSE THE COURT TO ISSUE A BENCH
WARRANT FOR YOUR APPREHENSION AND CONFINEMENT IN JAIL UNTIL
SUCH TIME AS THE MATTER CAN BE HEARD OR UNTIL BAIL IS POSTED.

No bench warrant will be issued in such cases for the apprehension of the cited person if such language has been omitted.

- (2) Orders to show cause for contempt shall be served on

the alleged contemnor in the manner of service of a summons and complaint.

[Adopted effective June 30, 1993.]

LCR 31
USE OF A CHILD'S COMPLETE NAME

- (1) Complete names of children, sealed case types: The complete names of children shall be used in cases that are deemed confidential pursuant to state or federal statutes, including cases filed pursuant to Chapter 13.32A RCW (family reconciliation), Chapter 13.34 RCW (dependency and termination), Chapter 4.24 RCW (special rights of action), Chapter 26.33 (adoption), Chapter 26.26 (parentage) and Chapter 71.34 (mental health services for minors).
- (2) Confidential Information Form: The complete names of children and other identifiers shall be included in the Confidential Information Form or similar document for cases filed under Title 26.
- (3) Domestic Relations Filings and Orders: Court orders concerning the financial support or the custody or residential schedule of a child (including temporary and permanent parenting plans and similar documents) and orders establishing or disestablishing paternity shall include the full name of the child. The date of birth of a child shall be included in court records only as authorized by GR 22.
- (4) Child who is alleged to be a victim of a crime: The complete name of a child who is alleged to be a victim of a crime may be included on subpoenas and in jury instructions. Nothing in this rule requires that subpoenas be routinely filed in the court file.
- (5) Child who is charged with a crime: The complete name of a child charged with a crime shall be included in any indictment or information filed with the court pursuant to CrR 2.1 or JuCR 7.2, as part of an affidavit or declaration of probable cause or for any other purpose deemed necessary for the prosecution or defense of the criminal or juvenile offender matter.
- (6) Orders issued for the protection of a child: If a child is a person protected by a criminal no contact order issued pursuant to 10.99 RCW, an anti-harassment order issued pursuant to 10.14 RCW, an order of protection under issued pursuant to 26.50 RCW or a restraining order or order of protection issued pursuant to 26.09 RCW, 26.10 RCW, 26.26 RCW, RCW 26.52.020, or any other court order entered for the protection of the child, the child's full name and other

identifiers shall be included on petitions and orders as necessary for entry of the order into the judicial Information System (JIS) and/or the Washington Crime Information Center (WACIC).

- (7) Conditions of release: If access to a child is restricted pursuant to CrR 3.2(d)(1), the court may include the full name of the child on the order if deemed necessary for effective enforcement of the order.
- (8) Orders restraining child from contacting or harassing others: Whenever a child is named as a respondent in an order listed in (3) or (6) above, the child's full name and other personal identifiers shall be included on the petition and order as necessary for entry of the order in the Judicial Information System (JIS) and/or the Washington Crime Information Center (WACIC).
- (9) Petitions and notices filed pursuant to Chapter 11.28, RCW (children as heirs to estate): The full names and ages of children and other information required by RCW 11.28.110 and RCW 11.28.330 shall be included, however the date of birth may be included only as authorized by GR 22.
- (10) General authority: Nothing in this rule shall prohibit a court from authorizing the use of a child's full name or date of birth when necessary for the orderly administration of justice, consistent with the requirements of GR 22.

RULE 40(b)
TRIAL SETTINGS AND CONTINUANCES

- (1) Counsel shall note cases for trial on forms substantially like that found in Exhibit B annexed hereto.
- (2) All contested motions for continuance shall be in writing to the court, giving detailed reasons for the request. The court may grant or deny the continuance, and if granted, may impose terms.

[Adopted effective June 30, 1993]

RULE 40(f)
AFFIDAVITS OF PREJUDICE

- (1) A party or counsel filing a motion and affidavit of prejudice shall comply with RCW 4.12.050.

- (2) A party or counsel filing a motion and affidavit of prejudice shall provide a copy to the Court Administrator.

[Adopted effective June 30, 1993.]

RULE 40.1
NOTICE TO COURT OF CALENDAR AND JURY TRIAL CHANGES

Whenever a case has been set for trial and thereafter is settled or will not be tried for any reason, or if a jury is thereafter waived, notice shall be immediately given to the Court Administrator. Upon violation of this rule, the court may assess actual costs. Actual costs shall include venire person mileage and per diem, bailiff wages, and witness fees paid by the court.

[Adopted effective June 30, 1993.]

RULE 51(c)
JURY INSTRUCTIONS

- (a) Assembling and Distribution. Proposed jury instructions shall be assembled and distributed as follows:

- (1) Original to trial Judge to be unnumbered without citations.
- (2) One copy numbered and with supporting citations to each of the following:

Clerk, for court file
Judge, for work copy
Counsel for each opposing party

- (b) Citations. Washington Pattern Jury Instructions are to be cited. On the copy of Proposed Jury Instructions delivered to the trial court, the Clerk, and opposing counsel, those Washington Pattern Jury Instructions proposed shall be so identified by WPI number. If the WPI is changed or modified in any way (except for the selection of alternate WPI wording), the citation shall include the word "modified".

[Adopted effective June 30, 1993.]

RULE 54
JUDGMENTS AND COSTS

- (f) Presentation.
- (3) Presentation by Mail. Counsel may present agreed orders and ex parte orders, based upon the record in the file, by use of the United States mail addressed either to the Court or to the Clerk. When signed, the Judge/Commissioner will file such order with the Clerk. when rejected, the Judge/Commissioner may return the papers by United States mail to the counsel sending them, without prejudice to presentation by counsel in person. An addressed stamped envelope shall be provided for return of any conformed materials and/or rejected orders. The clerk may charge an ex parte fee.
- (4) Presentation by Legal Assistant. Legal Assistants who are duly registered with the Clallam County Bar Association or any local bar association of this state may personally present agreed, ex parte and uncontested orders based solely upon the documents presented and the record in the file.

[Adopted effective September 1, 2002.]

RULE 59(e)
MOTION FOR RECONSIDERATION OR NEW TRIAL

- (1) A motion for reconsideration and any supporting documents shall be filed and served (with a copy delivered to the trial Judge at the time of filing) within ten (10) days of the entry of the order, judgment, oral opinion, memorandum opinion, or other action of the court that is sought to be reconsidered.
- (2) A motion for reconsideration or for new trial shall be submitted on briefs and affidavits only, without oral argument, unless the trial Judge orders otherwise.
- (3) The court shall review the motion and either deny the motion or request counsel for the non-moving party to respond to the motion within ten (10) days of the notice to respond. Thereafter, the court may request further information or oral argument, or may decide the motion following the ten (10) day period for

response. The court's decision may be in the form of a final order, in which case it shall be expressly entitled as such.

[Adopted effective June 30, 1993.]

RULE 77(K)
HEARING OF MOTION CALENDAR

- (1) Motion calendars shall be held on Friday.
- (2) All trial settings will be noted for 8:45 a.m.
- (3) Department I civil matters shall be noted for 9:00 a.m., and criminal matters shall be noted at 1:30 p.m.
- (4) Department II criminal matters shall be noted for 9:00 a.m., and civil matters shall be noted for 1:30 p.m.
- (5) All ex parte matters (both civil and criminal) will be held at 1:00 p.m. in the appropriate courtroom. Thursdays criminal ex parte held at 3:00 p.m.
- (6) Family law motions will be as set forth in LCR 94(a).
- (7) Unless otherwise specifically identified, all motions will be governed by the provisions of the applicable Superior Court Civil Rules. All matters noted for the calendar shall be confirmed with the Superior Court Clerk by noon of the second day before the motion is to be heard. If the matter is not confirmed, it shall be at the discretion of the court whether or not the motion is heard on the date noted.
- (8) All pleadings filed in support of a motion must be filed and served with the motion no later than five days before the scheduled hearing, unless a statute or court rule provides for different time frame (i.e. injunctions, summary judgment). All responsive pleadings shall be filed and served no later than 4:30 p.m. on the second court day preceding the date set for the hearing, i.e., for a Friday hearing, no later than 4:30 p.m., Wednesday. An extra bench copy of all such pleadings must be provided.
- (9) Any rebuttal pleadings filed by the moving party in response to pleadings received under LCR 77(k)(8) must be in strict reply to the response received, and must be filed by 12:00 noon the day before the hearing. A bench copy of all such pleadings must be provided.

[Adopted effective June 30, 1993; Amended effective January 1, 1996; July 1, 2009; Revised effective September 1, 2016; Revised effective June 26, 2020]

RULE 78
PROCEDURE FOR EMANCIPATION PETITIONS

Emancipation petitions filed on or after January 3, 1994 shall not be considered by the court until such time as a supplement (Exhibit G attached to these rules) is filed for the court's consideration.

After an emancipation petition is filed, the petitioner shall cause to be served upon his or her parent(s)/guardian(s) a copy of the petition and a blank copy of the response to the petition for emancipation (Exhibit H attached to these rules). Thereafter the petitioner shall file a declaration or affidavit of service with the court.

Emancipation petitions shall be heard contemporaneous with the juvenile dependency calendar by the Judge or Commissioner presiding on the date the hearing is scheduled.

[Adopted effective March 16, 1994.]

RULE 81
APPLICABILITY IN GENERAL

(a) Procedure in this court shall be in accordance with pertinent Washington Court Rules as heretofore or hereafter adopted by the Supreme Court of Washington. These Local Rules are only to supplement those rules and are numbered, insofar as possible, to conform in numbering with them.

(b) The court may modify or suspend any of these Rules, in any given case, upon good cause.

[Adopted effective June 30, 1993.]

LCR 94(a)
FAMILY COURT HEARINGS & MOTIONS

1. Time For Hearings: Unless adjusted by the court, hearings will be scheduled as followed:
 - a. All ex parte motions will be heard each day at 1:00 p.m. with notice to the clerk by 11:00 a.m.

- b. Hearings requested under RCW 26 will be held on Friday at 9:00 a.m. unless otherwise specifically listed below.
- c. Hearings requested under RCW 26.33 will be held on Friday at 8:30 a.m.
- d. Hearings requested under RCW 7.90; 7.92, 7.94, 10.14; 26.50; or 74.34 will be held on Friday at 1:30 p.m. if they involve parties who are married, in a domestic partnership, or have children in common. Otherwise, these hearings will be held on Friday at 10:30 a.m.
- e. Child support contempt and review hearings brought by the State will be held on the first and third Fridays of the month at 11:00 a.m.
- f. In cases where a party has filed separate actions for custody determinations and restraining orders are sought, the hearings on both actions will be held on Friday at 9:00 a.m.

2. Pleadings:

- a. All documents relied upon by the moving party shall be filed and served no later than 12:00 p.m. on the ninth day before the hearing (typically Wednesday).
- b. All documents to be relied upon by the responding party shall be filed and served no later than 12:00 p.m. on the second day before the hearing (typically Wednesday).
- c. If a response is filed under 2(b), the moving party under 2(a) may then supplement its original pleadings. The supplement will be in strict reply to the response received and shall be filed and served by 12:00 p.m. on the day before the hearing (typically Thursday).

3. Copies:

- a. Any pleading filed with the court within five business days of the scheduled hearing must include an additional copy for the judicial officer.
- b. Pleadings will be formatted as set forth in GR 14, and 12 point font shall be utilized for printed documents.

4. Page Limits:

- a. The page limits described in this section (4) do not apply to actions filed under 1(c) and 1(d) of this rule. They do apply to all other RCW 26 motions.
- b. A party's declarations, including any responses, shall not exceed a total of thirty pages. The court may impose sanctions for exceeding the limits.
- c. The following rules apply to this thirty page limit.
 - i. All declarations will be double spaced, using at least twelve point font.

- ii. A declaration which does not fill an entire page will be counted as one page toward the limit.
 - iii. Single spaced declarations and declarations with font smaller than twelve point will be counted as two pages for every page filed.
 - iv. Printouts of electronic media exchanges will count toward the thirty page limit.
 - v. The following documents will not count toward the thirty page limit:
 - 1. Non-narrative exhibits attached to declarations (i.e. bank statements, pay stubs, tax returns, treatment reports, property valuations, photographs, etc.).
 - 2. Financial declarations and child support worksheets.
 - 3. Proposed orders.
 - 4. Declarations or reports from guardian-ad-litem or other experts acting in their official capacity (i.e. medical doctor, accountant, counselor, appraiser, etc.).
 - 5. Depositions.
 - 6. Documents filed for a prior motion. These documents shall not be refiled for a current motion, but can be incorporated by reference.
 - 7. GR 17 affidavits of certification.
 - d. If a series of electronic exchanges are provided to the court (i.e. texts, emails, etc.), the following rules apply:
 - i. Each entry in the series must clearly identify the speaker. This identification may be written in by hand next to the entry.
 - ii. Each entry in the series must be sequentially numbered with #1 being the oldest entry. This numbering may be written in by hand next to the entry.
 - iii. The printed version of the exchanges must be in twelve point font.
 - iv. Narrative declarations should reference a specifically numbered entry if many entries are provided to the court.
5. Children's Statements: Statements from minors are disfavored.
6. Financial Requests: If a party is seeking child support, spousal maintenance, expert fees, or attorney fees, a financial declaration must be filed with the request.

7. Oral Arguments: Motions are determined by review of the declarations or affidavits filed prior to the hearing. The court, in its discretion, may take oral testimony. The court may impose time limits on oral arguments.

[Adopted effective June 26, 2002; Amended effective June 23, 2005; Revised effective September 1, 2018]

RULE 94(b)
DOMESTIC RELATIONS FINAL HEARING ON CONTESTED MATTERS

In all final hearings or trials in domestic relations matters, each party filing a written pretrial affidavit and personal property form shall file and serve the same by 1:30 p.m. of the judicial day prior to trial. The pretrial affidavit shall be substantially in the form set forth in Exhibit C attached to these rules.

[Adopted effective June 30, 1993.]

RULE 94(c)
DOMESTIC RELATIONS WAIVER OF AGE TO MARRY

Applications for waiver of minimum age to marry shall be made to the Superior Court. Before court hearing, applicants must give evidence of completion of a program of pre-marital counseling, together with such counselor's recommendation.

[Adopted effective June 30, 1993.]

RULE 94(d)
DOMESTIC RELATIONS NOTICE TO SUPERIOR COURT OF
JUVENILE PROCEEDINGS

All parties and their attorneys to a proceeding involving custody or adoption in the Superior Court are obligated to disclose to the Superior Court the pendency of any Juvenile Court proceedings of which they are aware regarding those minor children.

[Adopted effective June 30, 1993.]

RULE 94(e)
ENTRY OF DISSOLUTION DECREE BY DECLARATION OF
JURISDICTIONAL FACTS

The Court will enter an agreed or default decree of dissolution of marriage without a final hearing or oral testimony when at least one of the parties is represented by an attorney, the petitioner completes a Request for Entry of Decree and Declaration of Jurisdictional Facts in the form set forth in Exhibit F and:

- (1) the respondent or respondent's attorney approves all of the final papers including the Request for Entry of Decree and Declaration of Jurisdictional Facts, or
- (2) the respondent is in default, and the decree provides for only that relief requested in the petition,
- (3) the respondent or co-petitioner joined in the petition and is unavailable to sign the final papers, and the decree provides for only that relief requested in the petition.

[Adopted effective September 1, 2002.]

LCR 94(f)
DOMESTIC RELATIONS SETTLEMENT CONFERENCES

- (1) A settlement conference shall be held in all contested domestic relations cases, including dissolution, legal separation, paternity, 3rd party custody, domestic partnership, marriage-like relationships, or modification of any custody order. The settlement conference shall be held with a Court Commissioner or Judge.
- (2) Domestic relations cases shall not be set for trial under LCR 40(b) without a settlement conference, except in the following circumstances;
 - a. The requirement is waived, upon good cause shown, by a Judge or Court Commissioner; or
 - b. A settlement is not reached in an initial settlement conference because of a party's violation of one or more provisions of LCR 94(f). In such instances, a trial date may be set, but a second settlement conference will be scheduled to occur prior to the established trial date.
- (3) Once a response to the petition has been filed, a settlement conference is scheduled by noting the matter before the Court

Administrator on the Friday 8:45 a.m. trial setting calendar.

- (4) The personal appearance of the parties and their attorneys is mandatory at the settlement conference. In cases where domestic violence is at issue, or where a party no longer resides within the State of Washington, appearance may be by phone. In all other instances, or unless otherwise agreed by the parties, appearing by phone is not considered a personal appearance. If the parties do not agree, the requesting party may seek an exception to this rule by filing a motion, prior to the scheduled settlement conference, to waive the appearance requirement. Such motions will be filed pursuant to the terms of LCR 94(a). The Court shall impose a sanction in the amount of \$250 against a party who violates this provision.
- (5) If parties agree to reset a settlement conference, they will inform the Court Administrator of that agreement as soon as possible, but in no case later than the business day prior to the scheduled conference.
- (6) Parties will prepare for and participate in good faith in scheduled settlement conferences. One week prior to the scheduled settlement conference, each party shall file a Settlement Statement in form substantially similar to the pattern form set forth in Exhibit A. The Settlement Statement is intended to provide the narrative and documentary information necessary to inform the court and the opposing party of the submitting party's position on the major issues to be resolved. The Settlement Statement will not be filed in the Court file, but the original will be provided to the judicial officer conducting the settlement conference, with a copy provided to the opposing party or his/her attorney.
- (7) If both parties fail to provide the Settlement Statement one week prior to the scheduled settlement conference, the Court shall issue an order which:
 - a. Strikes the settlement conference; and
 - b. Directs the parties to appear before the Court Administrator to select a new settlement conference date.
- (8) If only one party fails to file the Settlement Statement one week prior to the scheduled settlement conference, the Court shall issue an order which imposes a sanction on the offending party in the amount of \$500, to be reduced to \$250 if the Settlement Statement is filed before the scheduled settlement conference. If, at the beginning of the settlement conference, the party that complied with the original deadline requests a continuance of the settlement conference, the conference will be reset to a new date.
- (9) If the Court finds that a Settlement Statement is materially deficient, or that a party's lack of preparation prohibits a meaningful settlement conference, the Court may impose additional sanctions or other remedies as the Court deems appropriate.
- (10) If the provisions of LCR 94(f) have been followed and a case fails to settle at the settlement conference, the parties will immediately appear before the Court Administrator following the settlement conference to select a trial date. Unless otherwise agreed, the trial

will not be scheduled to occur sooner than forty-five days, nor later than 120 days, following the unsuccessful settlement conference. Trials for the types of cases identified in LCR 94(f)(1) may be set to commence on either Monday or Tuesday.

[Adopted effective September 1, 2009; Revised July 1, 2009.]

RULE 95
MANDATORY PARENTING SEMINARS

(A) Definition of Applicable Cases. This rule applies to all cases filed under Ch. 26.09 or Ch. 26.26 of the RCW filed after January 1, 1996, including dissolutions, legal separations, major modifications and paternity actions (in which paternity has been established) where the parties are parents of children under the age of 18, and where a parenting plan or residential plan is required which involves more than purely financial issues.

(B) Parenting Seminars; Mandatory Attendance. In all cases referred to in Section (A) above, and in those additional cases arising under Title 26 RCW where a court makes a discretionary finding that a parenting seminar would be in the best interest of the children, both parents, and such nonparent parties as the court may direct, shall participate in, and successfully complete, an approved parenting seminar. Standards for an approved parenting seminar shall be established by Administrative Order of this court. Successful completion shall be evidenced by a certificate of attendance filed by the provider agency with the court.

(C) Special Considerations/Waiver.

- (1) In no case shall opposing parties be required to attend a seminar together.
- (2) Upon a showing of domestic violence or abuse which would not require mutual decision making pursuant to RCW 26.09.191, or that a parent's attendance at a seminar is not in the children's best interest, the court shall either:
 - (a) waive the requirement of completion of the seminar; or
 - (b) provide an alternative voluntary parenting seminar for battered spouses.
- (3) The Court may waive the seminar requirement for one or both parents in any case for good cause shown.

(D) Failure to Comply. Nonparticipation, or default, by one parent does not excuse participation by the other parent. Respondent's refusal, delay or default will not delay the progress of the case to a final decree; however, Respondent will not be allowed to seek affirmative relief in this or subsequent proceedings, except certain Temporary Orders, on parenting issues until the seminar has been successfully completed. Petitioner's refusal or

delay will prevent the case from being tried or any final order affecting the parenting/residential plan being entered in Petitioner's favor. Willful refusal or delay by either parent may constitute contempt of court and result in sanctions imposed by the court or may result in the imposition of monetary terms, default and/or striking of pleadings.

(E) Petitioners in all applicable cases as defined in subsection (A) above shall serve a notice as provided by the Clerk's Office upon Respondents notifying them of the requirements of this court rule. The notice shall be served with the initial pleadings.

[Adopted effective January 1, 1996.]

ADMINISTRATIVE ORDER OF JANUARY 1, 1996 ESTABLISHING
STANDARDS FOR PARENTING SEMINARS AS REQUIRED BY LCR 95

The Clallam County Superior Court hereby adopts the following standards for parenting seminars:

- (a) Mandatory Requirement. Where required by local court rule or by court order, parties shall participate in, and successfully complete, an approved parenting seminar within 60 days after service of a petition or initiating motion on the respondent.
- (b) Approved Parenting Seminar. An approved parenting seminar is one that complies with the seminar content and instructor qualifications standards set forth in paragraphs (d) and (e) of this Order and has received Court approval.
- (c) Fees. Each parent attending a seminar shall pay a fee charged by the approved provider agency. A sliding fee scale shall be available. The seminars shall be conducted at no cost to the County.
- (d) Seminar Content. The seminar content will be approved by the Court, and shall include, at a minimum:
 - (1) the developmental stages of childhood;
 - (2) stress indicators in children;
 - (3) age appropriate expectations of children;
 - (4) the impact of divorce on children;
 - (5) the grief process;
 - (6) reducing stress for children through an amicable divorce;
 - (7) the long term impact of parental conflict on children;
 - (8) visitation recommendations to enhance the child's relationship with both parents;
 - (9) financial obligations of child rearing;
 - (10) conflict management and dispute resolution;
 - (11) communication skills for divorced parents;
 - (12) practical skills for working together; and

(13) the impact on children when stepparents and blended families enter their lives.

- (e) Qualifications of Instructors. Parenting seminars will be conducted by a team of two instructors, including one male and one female. In certain circumstances, where two instructors are unavailable, then one instructor may conduct the seminar. Instructors shall have the following minimum credentials and experience.
- (1) a bachelor's degree in social work, psychology or other related behavioral science;
 - (2) supervised experience in treatment of emotionally disturbed children, adolescents and their families;
 - (3) experience in providing a wide range of mental health services to children and families, with specific experience in the areas of separation/divorce, loss and grief, and blended families.
 - (4) extensive knowledge of child development, age appropriate expectations for children, and positive parenting;
 - (5) experience in group treatment and/or facilitating classes and seminars;
 - (6) an ability to work with other agencies as part of a collaborative program; and
 - (7) strong oral communication skills.

When parties choose to use agencies or religious organizations which are not already approved by the Court, the Court may modify or waive the foregoing qualifications for the instructors upon a showing of other indicia of competence and experience.

- (f) Length. The seminars shall, at a minimum, be three hours in length.
- (g) Referrals for Other Services. During the seminar, referral resources will be made available to the parents, and their children, including individual and family counseling drug/alcohol counseling, anger management counseling, parenting classes, mediation, etc. These services are optional, and the parties must seek their own funding resources.

[Adopted effective December 29, 1995; Revised effective December 20, 2019.]

LGALR 7
GUARDIAN AD LITEM GRIEVANCE PROCEDURES

I. Preamble: This rule is adopted pursuant to GALR 7(g) and sets forth the policies and procedures for investigating and adjudicating grievances made against guardians ad litem under Titles 11, 13 and 26 RCW. Nothing in this rule is meant to limit a party from litigating, within the underlying case, the merits of a guardian ad litem's conclusions.

II. Procedure: Only a party may file a grievance.

a. Court Appointed Special Advocate (CASA):

- i. All grievances involving CASA volunteers shall be handled as set forth by the CASA program as long as that program continues to be accredited. The CASA program, in conjunction with Clallam County Juvenile Services, will clearly set forth its grievance procedure.
- ii. If the party filing the grievance is not satisfied with the CASA determination, Superior Court review may be sought by filing, under seal, a copy of all documents provided to CASA regarding the grievance, and a copy of CASA's determination. A copy of the filing will be provided to the Superior Court Administrator. The judicial officer assigned to the case will resolve the grievance by utilizing the process set forth in II(c) and II(d) of this rule.

b. Non CASA Cases: Grievances shall be filed, under seal and with a copy to the Superior Court Administrator, and will include the following information:

- i. The cause number of the underlying action;
- ii. The name, address and phone number of the party filing the grievance;
- iii. The name of the guardian;
- iv. A statement which is signed under penalty of perjury and includes the following information:
 1. The specific court rule, statute, policy, or code of conduct that was violated (including but not limited to any violations of GALR 2);
 2. The date, time, and place of each alleged violation;
 3. For each violation, a narrative description of the facts which support the violation;
 4. Whether the violation was discussed with the guardian, and what was the result of that discussion;

5. The names and contact information of other individuals who observed the violation;
6. What specific remedy is requested;

c. Pending Cases: Upon the filing a grievance for a case that is pending, the judicial officer handling the underlying case will be assigned to resolve the grievance.

- i. Upon receipt of the grievance, within seven days the court administrator will forward a copy of the grievance to the guardian and seek the guardian's written response. That response is due within seven days of receipt. The written response will address each violation, and will be provided under penalty of perjury. The judicial officer will then rule on the grievance within twenty five days of the grievance being filed.
- ii. If the decision is that the grievance had merit, the court may impose dispositional remedies as set forth in II(e).

d. Concluded Cases: If a grievance is filed in a concluded case, the procedure for pending cases will be followed, but fifteen additional days shall be added to each deadline indicated in II(c). The judicial officer will rule within sixty days of the grievance being filed.

e. Disposition: The judicial officer shall have authority to take no action, to issue a written admonition or reprimand, refer the guardian ad litem to additional training, suspend, or remove the guardian from the registry, or impose other results as deemed appropriate.

f. Time: Any grievance must be filed within one year from the date of the alleged violation.

g. Confidentiality: The grievance and materials filed in relation to the grievance will be placed within the sealed portion of the file. The court will maintain a copy as provided in GALR 7(h). Requests to access sealed records will be addressed by motion filed with the court.

[Adopted January 1, 1994; Revised effective September 1, 2018]

RULE 0.6
REAPPLICATION FOR ORDER

(a) When an order has been applied for and refused in whole or in part or has been granted conditionally and the condition has not been performed, the same application for an order must not be presented to another Judge, without disclosure of the prior refusal.

(b) If a subsequent application is made upon an alleged different state of facts, it must be shown by affidavit what application was made, when and to what Judge, what order or decision was made thereon, and what new facts are claimed to be shown.

(c) Any order entered in violation of this rule may be set aside upon motion.

[Adopted effective June 30, 1993.]

RULE 0.7
COUNSEL FEES

Appointed counsel moving for the fixing or payment of fees, and counsel moving the court to fix fees in any other case, shall itemize time, services rendered, and other detailed basis for the fees requested in affidavit form. The affidavit submitted by appointed counsel shall be in the form of Exhibit A-1. The affidavit submitted by counsel who are not appointed by the court shall be substantially in the form of Exhibit A-2.

[Adopted effective June 30, 1993.]

RULE 1
JUSTIFICATION OF SURETIES

- (1) Any person or corporation desiring to post bail bonds in Clallam County Superior Court shall first obtain an Order of Justification.
- (2) All Petitions for an Order of justification shall be in writing to the Court and shall provide the following information:
 - (A) All Sureties
 1. Types of bonds 0 an outline of the types of bonds posted by the surety.
 2. Current suretyship obligations - a current list of all suretyship obligations to all courts within the geographical limits of Washington State, including the following:
 - a. The name of the court.
 - b. The name of the defendant.
 - c. The amount of the bond.
 - d. The date issued.
 3. Current bond foreclosures - a list of the current obligations to the courts in the way of bond forfeitures or other obligations incurred by the surety which have not been

paid, or a statement that there are none.

4. Presentation - identity of the names and addresses of all persons who will be delivering or presenting bonds on behalf of the bonding surety.
5. Jurisdictions where surety has previously been authorized to post bail bonds and jurisdictions denying such authorization.

(B) Corporations.

1. Power of Attorney.

- a. Names of the agents authorized to execute bonds on behalf of the surety.
- b. The maximum dollar amount of any single bond which each agent is authorized to execute.

2. A copy of the current Certificate of Authority issued by the Insurance Commissioner for the state of Washington.

3. Resident corporate agent.

- a. The name of the resident agent(s) for the corporate surety in the state of Washington authorized to appear and accept service on behalf of the corporate surety.
- b. A copy of the power of attorney appointing said person(s) as resident agent(s).

(C) Individuals.

1. The individual name(s) of applicant(s).
2. All fictitious names used by the applicant(s).
3. Resident address of individual applicant(s).
4. Business address of all individual applicant(s).
5. Marital status of applicant(s) and, if applicable, names(s) of spouse(s).
6. Verified financial statement:

A. Assets

i. Real property:

- a. Legal description of property
- b. Current appraisal of property by a qualified real estate appraiser who is a member of the American Institute of Appraisers, or a statement of the appraiser that there has been no change in the value of the property since the last appraisal of the property.
- c. If the real estate is being purchased on contract or subject to mortgage, deed of trust, or other encumbrance, disclose:

1. How the property is being obtained.
 2. Amount of purchase price.
 3. Amount of unpaid balance.
 4. Notarized confirmation, etc.
 - d. Property tax statements and verification that real property taxes have been paid in full.
 - e. Verification that real property and structures thereon are insured against loss or damage.
 - ii. Personal Property:
 - a. Statement that the personal property is properly insured against loss, including a statement indicating the insurance coverage limits.
 - iii. Savings (bank deposits)
 - iv. Stocks and bonds:
 - a. Lists of individual stocks and bonds.
 - b. Statement of current value of stocks and bonds.
 - v. Cash (including checking accounts)
 - vi. Other investments
 - B. Liabilities, including unsatisfied judgments. If unsatisfied judgment(s) is included, list court, title of cause, cause number, judgment creditor, and amount of unsatisfied judgment.
 - C. Net worth.
7. Current Property Bond Obligations in the State of Washington.
- a. Name of Court
 - b. Name of defendant.
 - c. Amount of the bond.
 - d. Date of issuance of bond.
8. Driver's License.
- a. Driver's license number.
 - b. State of Issuance.
9. Criminal History - provide any criminal history conviction information for all persons identified in paragraph (C)1 and (C)5.
- a. Name of criminal offense convicted of committing.
 - b. Type of criminal offense (misdemeanor, gross misdemeanor, felony; exclude traffic infractions).
 - c. Name of Sentencing Court.

- d. Date of offense.
- e. Date of sentencing.

- (3) All petitions for an Order of Justification shall be verified under oath or certified under penalty of perjury as authorized by RCW 9A.72.085.
- (4) All initial Orders of Justification shall be effective until the 30th day of April, next following the entry of the Order of Justification.
- (5) All Orders of Justification, other than the initial Order for that surety, shall be effective from May 1 of one year until April 30 of the following year.
- (6) All Petitions for an Order of Justification shall be accompanied by a proposed Order of Justification in substantially the form set out in Exhibit D of these rules.

[Adopted effective June 30, 1993.]

RULE 1.1
APPLICABILITY IN GENERAL

(a) Procedure in this court shall be in accordance with pertinent Washington Court Rules as heretofore or hereafter adopted by the Supreme Court of Washington. These Local Rules are only to supplement those rules and are numbered, insofar as possible, to conform in numbering with them.

(b) The court may modify or suspend any of these Rules, in any given case, upon good cause.

[Adopted effective June 30, 1993.]

RULE 1.2
COURT COMMISSIONER AUTHORITY

In adult criminal cases, any Court Commissioner appointed to serve in the Clallam County Superior Court and qualified under Article 4, Section 23 of the Constitution of the State of Washington shall have the power, authority and jurisdiction, concurrent with the Superior Court Judges, to preside over arraignments, preliminary appearances, initial extradition hearings, and noncompliance proceedings pursuant to RCW 9.94A.200; to accept pleas; to appoint counsel; to make determinations of probable cause; to set, amend, and review conditions of pretrial release;

to set bail; to set trial and hearing dates; to authorize continuances and to accept waivers of the right to speedy trial.

[Adopted effective June 8, 2000.]

RULE 4.5(c)
STATUS HEARINGS

(1) A hearing shall be set at arraignment in every criminal case for approximately one month before trial at which time the status of the trial preparation will be disclosed to the court.

(2) The defendant must personally appear at the status hearing, unless otherwise ordered.

(3) A Status Report and Order will be filed at the conclusion of the status hearing and shall be in the form of Exhibit E.

[Adopted effective June 30, 1993.]

RULE 6.1
NOTICE TO COURT OF CALENDAR AND JURY TRIAL CHANGES

Whenever a case has been set for trial and thereafter is settled or will not be tried for any reason, or if a jury is thereafter waived, notice shall be immediately given to the Court Administrator. Upon violation of this rule, the court may assess actual costs. Actual costs shall include venire person mileage and per diem, bailiff wages, and witness fees paid by the court.

[Adopted effective June 30, 1993.]

RULE 6.11(c)
AFFIDAVITS OF PREJUDICE

(1) A party or counsel filing a motion and affidavit of prejudice shall comply with RCW 4.12.050.

(2) A party or counsel filing a motion and affidavit of prejudice

shall provide a copy to the Court Administrator.

[Adopted effective June 30, 1993.]

RULE 6.15
JURY INSTRUCTIONS

(a) Assembling and Distribution. Proposed jury instructions shall be assembled and distributed as follows:

- (1) Original to trial Judge to be unnumbered without citations.
- (2) One copy numbered and with supporting citations to each of the following:

Clerk, for court file
Judge, for work copy
Counsel for each opposing party

(b) Citations. Washington Pattern Jury Instructions are to be cited. One the copy of Proposed Jury Instructions delivered to the trial court, the Clerk, and opposing counsel, those Washington Pattern Jury Instructions proposed shall be so identified by WPI number. If the WPI is changed or modified in any way (except for the selection of alternate WPI wording), the citation shall include the word "modified".

[Adopted effective June 30, 1993.]

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NOTE - NOTE FOR ARBITRATION

The contents of this item are only available [on-line](#).

NOTICE - NOTICE FOR TRIAL SETTING

The contents of this item are only available [on-line](#).

EXHIBIT A-1 - AFFIDAVIT REGARDING ATTORNEY FEES

The contents of this item are only available [on-line](#).

EXHIBIT A-2 - AFFIDAVIT REGARDING ATTORNEY FEES

The contents of this item are only available [on-line](#).

EXHIBIT B - NOTICE FOR TRIAL SETTING

The contents of this item are only available [on-line](#).

EXHIBIT C - PRETRIAL AFFIDAVIT

The contents of this item are only available [on-line](#).

EXHIBIT D - ORDER OF JUSTIFICATION

The contents of this item are only available [on-line](#).

EXHIBIT E - STATUS REPORT AND ORDER

The contents of this item are only available [on-line](#).

EXHIBIT F - EXHIBIT F TO LCR 94(E) ENTRY OF DISSOLUTION DECREE
BY DECLARATION OF JURISDICTIONAL FACTS

The contents of this item are only available [on-line](#).

EXHIBIT G - SUPPLEMENT TO EMANCIPATION PETITION

The contents of this item are only available [on-line](#).

EXHIBIT H - RESPONSE TO PETITION FOR EMANCIPATION

The contents of this item are only available [on-line](#).

LCR 94(F)-A - EXHIBIT A - SETTLEMENT CONFERENCE STATEMENT

The contents of this item are only available [on-line](#).