
Ruston Municipal Court

RUSTON MUNICIPAL COURT
LOCAL RULES

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RULE 1.1 ADOPTION

These rules are adopted pursuant to CrRLJ 1.7 and GR 7 and supersede any and all Local Court Rules heretofore adopted by the Ruston Municipal Court.

{ Adopted effective September 1, 2002 }

RULE 1.2 TITLE OF RULES

These rules may be known and cited as Ruston Municipal Court Local Rules, and shall be referred to as RUMCLR.

{ Adopted effective September 1, 2002 }

RULE 1.3 EFFECT OF LOCAL RULES

The provisions of the Local Rules are supplemental to the Rules for the Courts of Limited Jurisdiction, as adopted or

hereafter amended by the Supreme Court of the State of Washington, and shall not be construed in conflict with them.

{ Adopted effective September 1, 2002 }

RULE 1.4 RESERVATION OF DISCRETION

The Ruston Municipal Court reserves the authority to interpret and/or suspend or modify these rules in individual cases on motion of a party for good cause or on a motion of the Court in the interest of justice and/or the efficient operation of the Court.

{ Adopted effective September 1, 2002 }

RULE 1.5 ELECTRONIC FILING AND SERVICE

- (a) Definitions - See [GR 30\(a\)](#)
- (b) Electronic filing and service - See [GR 30\(b\) \(1-4\)](#)
- (c) Electronic filing ("eFile") authorization, charges, exceptions, waiver and non-compliance.
 - (1) *Mandatory Electronic Filing.* Effective thirty (30) days from implementation of case management system, attorneys shall electronically file (eFile) all documents using the court's designated eFiling service, eFile & Serve, unless this rule provides otherwise. Non-attorneys or *pro se* parties are not required to eFile, but are encouraged to do so.
 - (2) *Documents That Shall Not Be e-Filed.* The following documents may not be eFiled:
 - (a) A criminal case initiation document (e.g., complaint, citation, or notice of infraction) that is not submitted through the Statewide Electronic Collision & Traffic Online Records (SECTOR) application per GR 30(d)(ii);
 - (b) 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;
 - (c) Documents incapable of legible conversion to an electronic format by scanning, imaging, or any other means;
 - (d) Documents larger than permitted in the User Agreement.
 - (3) *Working Copies.* Attorneys and other eFilers are not required to provide duplicate paper pleadings as "working copies" for judicial officers.
 - (4) *Waiver of the Requirement to eFile for attorneys.*
 - (a) If an attorney is unable to eFile documents, 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.
 - (5) *Non-Compliance with this Rule.* If an attorney files a document in paper form and does not have an approved waiver from e-Filing, the court may assess a fee against the attorney for each paper document filed.
- (d) *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.

RULE 3.1 ARRAIGNMENT DATE

The arresting officer shall set the defendant's arraignment date and time when issuing a citation in all cases charging a criminal offense. The date set shall be the next regularly scheduled arraignment date, except as provided below.

For citations charging Driving Under the Influence, Driver Under Twenty-one Consuming Alcohol, Physical Control of Vehicle under the Influence or Minor Under the Influence, as defined in R.C.W. 46.61.502, 503 or 504 or any Domestic Violence offense as defined in R.C.W. 10.99.020 as enacted or hereinafter amended, the court date shall be the next regularly scheduled court session.

{ Adopted effective September 1, 2002 }

RULE 4.1 APPEARANCE OF DEFENDANT

Pursuant to CrRLJ 3 and 4, an attorney may enter an appearance and/or plea of not guilty on behalf of a client in any criminal or traffic offense, if said appearance or plea is made in writing or made in open court unless the defendant is charged with Driving Under the Influence, Driver Under Twenty-one Consuming Alcohol, Physical Control of Vehicle under the Influence or Minor Under the Influence, as defined in R.C.W. 46.61.502, 503 and 504 or any Domestic Violence offense as defined in R.C.W. 10.99.020 as enacted or hereinafter amended, in which instances the defendant must appear personally before the court for arraignment.

{ Adopted effective September 1, 2002 }

RULE 4.2 CONTINUANCES

(a) All motions for continuance shall be in writing and must set forth the reason for the requested continuance and the dates of prior continuances indicating which party requested each.

(b) Requests for Continuance of Jury Trial must be received by the Court no less than 48 hours prior to jury trial.

Failure to comply with this rule may result in the imposition of terms relating to the expense incurred by the Court including, but not limited to, the costs of jury fee payments and mileage reimbursements.

{ Adopted effective September 1, 2002 }

RULE 4.3 PRETRIAL CONFERENCE

(a) Hearing to be set. In all cases in which a defendant has entered a plea of not guilty, a pretrial hearing shall be set. The hearing shall provide an opportunity for plea negotiations, resolutions of discovery issues, and trial setting. If a plea is not negotiated, an order shall be entered setting forth the following:

- (i) discovery schedule,
- (ii) date and nature of pretrial motions,
- (iii) date of readiness hearing, if set,
- (iv) date of trial and
- (v) time for filing witness lists.

(b) Presence Required. The prosecuting attorney, defense attorney and defendant shall be required to attend the pretrial hearing. Personal appearance of any of these parties shall not be waived

without prior court approval.

{ Adopted effective September 1, 2002 }

RULE 4.4 TRIAL READINESS HEARING

(a) Readiness Hearing Set. The Court shall, in its discretion, set trial readiness hearings in criminal cases set for trial.

(b) Appearance. Appearance by the attorneys and the defendant is required. Appearance by the attorneys who will be trying the case is preferred. For good cause, substitute counsel may attend on behalf of trial counsel so long as counsel is prepared to answer the inquiries of the court.

(c) Procedure at Hearing. At the trial readiness hearing, the Judge may inquire as to whether the case is expected to go to trial, whether the defendant expects to waive his/her right to jury, the number of witnesses expected to be called, the anticipated length of the trial, the number and nature of any motions and any other matter necessary to administer the trial efficiently. Any anticipated problems should be brought to the court's attention.

(d) Failure to Appear at Hearing. The Court will strike the jury trial and may issue a bench warrant for a party who fails to appear at the Readiness Hearing.

{ Adopted effective September 1, 2002 }

RULE 6.1 JURY INSTRUCTIONS

Jury instructions shall be filed with the Court and provided to the opposing party on the day of trial, unless otherwise ordered by the Court. Two sets of instructions shall be filed with the court, one with citations, and one without citations. The set with citations shall be assembled in numbered sequence and stapled together. The set without citations shall be submitted to the court in the same order as the cited set, and shall be paper clipped together. One copy of the set with citations shall be provided to the opposing counsel or party.

{ Adopted effective September 1, 2002 }

RULE 8.1 DECISION ON WRITTEN STATEMENTS

Mitigation and Contested hearings based on written statements, given under penalty of perjury as provided for in IRLJ 2.4 (b) (4) and IRLJ 2.6 (c) are authorized.

The procedures authorized by IRLJ 3.5 are adopted by this court. To be considered, the written statement (s) must be received by the court pursuant to written instructions provided to the Defendant.

{ Adopted effective February 8, 2002 }

RULE 9.1 SCHEDULE OF FEES

The following shall be the schedule of fees charged for certain official services provided by the Municipal Court. These amounts are consistent with R.C.W. 3.62.060.

Duplication of Electronic Records	\$ 10.00	Per Tape
Paper Copy Expense	\$ 1.00	1st page
Each Additional Page	.15	cents
Certified Copy	\$ 5.00	document
Postage		Actual Cost
Appeals (Preparation & Tapes)	\$ 40.00	

JIS Data dissemination charges will be set in accordance with the Administrative Office of the Courts.

This rules does not apply to law enforcement agencies, governmental agencies, or other departments within the Town of Ruston, or criminal cases involving indigence.

{ Adopted effective September 1, 2002 }
