

SEDRO-WOOLLEY MUNICIPAL COURT LOCAL RULES

ADMINISTRATIVE RULES

SWMARLJ 1 - Rescinded

SWMARLJ 2 - SCOPE OF RULES

1. Promulgation: These rules shall be known as the Local Rules for the Municipal Court of City of Sedro-Woolley. The provisions of these rules are supplemental to the rules adopted by the Supreme Court of the State of Washington for courts of limited jurisdiction and shall not be construed in conflict with them.
2. These rules are authorized by GR 7, CrRLJ 1.7 and IRLJ 1.3. They may be amended at the discretion of the Sedro-Woolley Municipal Court.
3. Numbering: The number of each rule is preceded by the abbreviation of “SWM” designating the rule as a Sedro-Woolley Municipal Local Court Rule and as being supplemental to the corresponding Washington Court Rule for Courts of Limited Jurisdiction.
4. These rules are effective September 1, 2021 and supersede all prior rules of the court.

SWMARLJ 3 - DEFINITIONS

1. “Court” means the Sedro-Woolley Municipal Court.

SWMARLJ 9 (g) - Rescinded

GENERAL RULES

SWMGRLJ 31(l) – RECORDING OF PROCEEDINGS

The recording or dissemination of the broadcast of any court proceedings via video conferencing is not permitted without written permission of the Judicial Officer conducting the hearing.

CRIMINAL RULES

SWMCrRLJ 3.1(e) - Rescinded

SWMCrRLJ 3.1(e)(1) - Rescinded

SWMCrRLJ 3.1(g) - Rescinded

SWMCrRLJ 3.1 (d)(5) - CERTIFICATES OF COMPLIANCE FOR INDIGENT DEFENDANTS

- (A) Certificates of Compliance with the Standards of indigent Defendants required by CrRLJ 3.1 shall be filed quarterly with the Sedro-Woolley Municipal Court Clerk's office.
- (B) All Notice of Appearance forms filed by counsel for indigent defendants shall indicate in a separate paragraph whether or not a current CrRLJ 3.1 Certificate of Compliance with the Standard for Indigent Defendants is on file with the Sedro-Woolley Municipal Court Clerk's office.

SWMCrRLJ 3.2 - Rescinded

SWMCrRLJ 3.6 – SUPPRESSION HEARING

- (a) **Pleadings; Determination Regarding Hearing.** Motion to suppress physical, oral or identification evidence other than motions pursuant to CrRLJ 3.5 shall be in writing supported by an affidavit or statement as provided in GR 13, setting forth the facts the moving party anticipates will be elicited at a hearing. If there are no disputed facts, the court shall determine whether an evidentiary hearing is required. If the court determines that no evidentiary hearing is required, the court shall set forth its reasons for not conducting an evidentiary hearing.
- (b) **Time for Motions and Responses.** A motion to suppress physical, oral or identification evidence other than motions pursuant to CrRLJ 3.5 shall be filed and served at least seven (7) calendar days prior to a pretrial hearing or by

the date set forth in an ORDER SETTING PRETRIAL CONFERENCE, EVIDENTIARY HEARING, READINESS CONFERENCE, AND JURY TRIAL DATES. Any response to the motion shall be filed and served at least one (1) calendar day prior a pretrial hearing or by the date set forth in an ORDER SETTING PRETRIAL CONFERENCE, EVIDENTIARY HEARING, READINESS CONFERENCE, AND JURY TRIAL DATES.

- (c) **Decision.** The court shall state findings of fact and conclusions of law.

SWMCrRLJ 4.1 (d) - Rescinded

SWMCrRLJ 4.2 (j) - DEFERRED PROSECUTIONS

- (1) All Petitions for Deferred Prosecution pursuant to chapter 10.05 RCW shall include the following requirements:

- (A) The Defendant petitioning for a Deferred Prosecution, prior to filing said petition, shall meet with Skagit County District Court Probation Officer for the purpose of evaluating whether or not the defendant is an appropriate candidate for a deferred prosecution and to ensure that the defendant understands the obligations required for successful completion of a deferred prosecution.

SWMCrRLJ 4.11 – DUTY TO NOTIFY COURT AND WITNESSES - Rescinded

SWMCrRLJ 4.11 – READINESS CONFERENCE

- (a) **Readiness Conference Set.** The Court shall, in its discretion, set a trial readiness conference in criminal cases set for trial. The readiness conference and jury trial dates, together with evidentiary hearing dates will be set at a pretrial hearing, unless the pre trial hearing is continued to another date, or the criminal case is resolved by a guilty plea or dismissal of the charge(s). To set the dates, the Court shall issue an ORDER SETTING PRETRIAL CONFERENCE, EVIDENTIARY HEARING, READINESS CONFERENCE, AND JURY TRIAL DATES.
- (b) **Procedure at Readiness Conference.** The parties will notify the court that they are ready or not ready for trial. If both parties state that they are ready for trial, the case will subsequently be tried by jury on the scheduled date.
- (c) **Failure to Appear at Readiness Conference.** The court will strike the jury trial for a defendant who fails to appear at the Readiness Conference, and shall set a mandatory pretrial conference in which the defendant must appear or a bench warrant will be issued.

SWMCrRLJ 6.13 (b) - Rescinded

SWMCrRLJ 7.2 (g) - Rescinded

SWMCrRLJ 8.2 - Rescinded

INFRACTION RULES

SWMIRLJ 2.4 - Rescinded

SWMIRLJ 3.2 (b) MOTION FOR VACATION OF DEFAULT JUDGMENT FOR FAILURE TO APPEAR/RESPOND

A defendant against whom a judgment for a traffic infraction has been entered by default for failure to appear or respond, may file a motion in writing, on forms provided by the court, requesting that said judgment be set aside. The motion will then be presented to a Judicial Officer ex parte for determination. If, upon review, the court

decides that a hearing upon the motion is necessary, the matter shall be set for hearing. The defendant must be present in the event the matter is set for hearing. The motion will be evaluated in conformity with CRLJ 60(b). If the court grants the motion, the matter will be set for hearing, either mitigation or contested as requested by the defendant, and a notice will be sent to the defendant. Mitigation hearings may be heard at the time of the motion hearing if the calendar allows.

SWMIRLJ 3.5(a) – DECISION ON WRITTEN STATEMENTS AND TELEPHONIC/VIDEO CONFERENCE APPEARANCES

1. Decisions on written statements are authorized pursuant to IRLJ 2.4(b)(4), 2.6(c), and 3.5 for infractions where the Defendant requests a contested or mitigation hearing.
2. Appearances by telephone and/or video conference of infraction mitigation hearings are authorized pursuant to IRLJ 3.5(b). Hearings shall be conducted on the record in open court, and the defendant shall be advised that the proceedings are being audio recorded.

SWMIRLJ 3.5(f) - Rescinded

[All local Rules effective September 1, 2021]