

**EDMONDS MUNICIPAL COURT**  
**SNOHOMISH COUNTY, STATE OF WASHINGTON**

COURT ADDRESS  
250 5<sup>th</sup> Avenue North  
Edmonds, WA 98020

**JUDGE**  
**WHITNEY RIVERA**

Administrator  
Uneek Maylor (425) 771-0210

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**Local General Rules (EDM-GR)**  
**EDM-GR 30**  
**Electronic Filing and Service**

**(a) Electronic filing (“eFile”).**

- (1) *Mandatory Electronic Filing.* All persons shall electronically file (eFile) all documents using the court’s designated eFiling service unless this rule provides otherwise or a document is filed through Sector.
- (2) *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.
- (3) *Waiver of the Requirement to eFile.* 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.

**(b) 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.

**(c) Speed Measuring Device Certifications.**

- (1) Speed Measuring Device Certifications will be deemed filed with the court pursuant to IRLJ 6.6(b) at the time the document is added by the prosecutor’s office to a secure website that allows the documents to be viewed by the public through a hyperlink on the court’s website.

(2) Nothing herein alters the ability of the prosecutor's office to file hard copies of the certifications with the court, which also would be deemed filed with the court pursuant to IRLJ 6.6(b).

**Dated this 30th day of June, 2021**



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**Whitney Rivera**

**Amended Effective September 1, 2021**

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**EDM-CrRLJ 2.5**  
**Quashing Warrants**

The parties may submit ex parte agreed orders to quash bench warrants. Otherwise, the defendant may note a quash warrant hearing no less than two court days prior to the hearing with notice to the prosecuting attorney. The hearing may also be set on shortened time by agreement of the parties.

Any defendant not represented by counsel may receive a hearing date to quash a warrant upon contacting the Court. The warrant will remain outstanding until the defendant appears at a hearing to quash the warrant.

Defendants may also quash warrants issued in an amount less than \$5,000 by paying a nonrefundable administrative fee of \$50 at another court previously approved by Edmonds Municipal Court. Warrants issued in an amount of \$5,000 or more are not subject to be quashed administratively by posting the administrative fee.

**Dated this 30th day of June, 2021**

  
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**Whitney Rivera**

**Amended Effective September 1, 2021**

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**SNOHOMISH COUNTY, STATE OF WASHINGTON**

COURT ADDRESS  
250 5<sup>th</sup> Avenue North  
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**JUDGE**  
**LINDA W.Y. COBURN**  
Administrator  
Joan Ferebee (425) 771-0210

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**EDM-CrRLJ 3.2(a)**

**Procedure Following Warrantless Arrest**

The court shall determine probable cause on evidence presented by a peace officer or prosecuting authority in the same manner as provided for a warrant of arrest in rule CrRLJ 2.2(a)(2). The evidence shall be preserved and may consist of an electronically recorded telephonic statement, facsimile machine document, or by electronic mail. If the court finds that release without bail should be denied or that conditions should attach to the release on personal recognizance, other than the promise to appear for trial, the court shall proceed to determine whether probable cause exists to believe that the accused committed the offense charged, unless this determination has previously been made by a court. Before making the determination, the court may consider an affidavit, a document as provided in RCW 9A.72.085 or any law amendatory thereto, or sworn testimony, and further may examine under oath the affiant and any witnesses the affiant may produce. Said documentation may be provided to the court by facsimile machine document or electronic mail. Sworn testimony shall be electronically or stenographically recorded. The evidence shall be preserved and shall be subject to constitutional limitations for probable cause determinations, and may be hearsay in whole or in part. Court authorization may be done by electronic mail using an electronic signature process.

**Dated this 26th day of June, 2015**

  
**Linda W.Y. Coburn** \_\_\_\_\_

**Adopted Effective September 1, 2015**

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**EDM-CrRLJ 3.2(b)**  
**Local Bail Schedule**

Edmonds Municipal Court adopts the uniform bail schedule as set forth in CrRLJ 3.2(o) with the following exceptions:

- (1) Defendants booked for any case designated as a domestic violence offense as defined in RCW 10.99 shall be held without bail until judicial review; and
- (2) Defendants booked for driving under the influence under RCW 46.61.502 or physical control under RCW 46.61.504 who have either a pending case for the same or similar offense or a prior offense as defined in RCW 46.61.5055 shall be held without bail until judicial review.

The Edmonds Municipal Court Judge or designated judge pro tempore shall review new bookings daily.

**Dated this 30th day of June, 2021**

  
\_\_\_\_\_  
**Whitney Rivera**

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**EDM-CrRLJ 3.4**  
**PRESENCE AT HEARINGS**

- a) Pursuant to CrRLJ 3.4(d), the Court finds good cause to require the defendant's presence as follows:
- (1) The defendant shall appear in person or remotely for CrRLJ 3.5 hearings, CrRLJ 3.6 hearings, motions in limine, pretrial reset hearings, and hearings to determine whether the defendant is in compliance with pretrial release, sentence, or diversion agreement conditions.
  - (2) The defendant shall appear in person for jury selection and every stage of trial.
  - (3) Any party may make a motion for the Court to find good cause to require a defendant to appear in person or remotely at a hearing.
- b) Remote Proceedings. During remote hearings, all participants should be able to simultaneously speak, see, and hear each other. When possible, participants shall appear by both audio and video. These proceedings shall be deemed held in open court and in the defendant's presence for the purpose of any statute, court rule, or policy. Remote hearings must provide for confidential communications between an attorney and their client.

The attorney and client must have the ability to read all documents executed by the court. The Court shall provide a copy of the documents to the defendant through defense counsel. The Court will provide documents directly to pro se defendants by email or mail.

All hearings conducted pursuant to this rule shall be public. The public shall be able to simultaneously see and hear all participants. The public also will be given an opportunity to speak when permitted by the judge or judge pro tem.

- c) Appearance Through Counsel. For hearings that do not require the defendant to appear in person or remotely, the defendant may appear through counsel. Counsel must affirm in writing or on the record that the defendant wishes to appear through counsel. Counsel shall provide notice to defendants of the next hearing date.

If a continuance is requested, counsel must affirm the following in writing or on the record:

- (1) The defendant agrees to the continuance and understands that it will be an excluded period from the calculation of time for trial under CrRLJ 3.3;
  - (2) The defendant understands that time for trial under CrRLJ 3.3 shall not expire sooner than 30 days after an excluded period; and
  - (3) That Counsel will provide notice of the next hearing to the defendant.
- d) Interpreters. If a defendant intends to appear either remotely or in person for a hearing and an interpreter is necessary, defense counsel shall notify the Court at least one week in advance of the hearing.
- e) Persons Other than Defendant. A protected party who brings a motion to terminate or modify an existing pretrial or post-conviction no contact order shall appear in person unless the Court finds good cause for their remote appearance.

**Dated this 30th day of June, 2021**

  
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**Whitney Rivera**

**Amended Effective September 1, 2021**

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**EDM-CrRLJ 4.1**  
**MANDATORY APPEARANCE AT ARRAIGNMENT**

A defendant shall appear in person for arraignment if the applicable statute or code under which they are charged requires appearance in person. In addition to those crimes where an appearance in person is required by statute or code, any defendant charged with communicating with a minor for immoral purposes under RCW 9.68A.090 shall also appear in person.

Where the statute or code mandates the defendant's appearance in person within one judicial day following arrest, the hearing shall take place on the next regularly scheduled court calendar.

**Dated this 30th day of June, 2021**

  
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**Whitney Rivera**

**Amended Effective September 1, 2021**



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**EDM-CrRLJ 4.1(c)  
WAIVER OF ARRAIGNMENT - RESCINDED**

**Dated this 30th day of June, 2021**

  
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**Whitney Rivera**

**Rescinded Effective September 1, 2021**

**EDMONDS MUNICIPAL COURT**  
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**EDM-CrRLJ 4.5**  
**Jury Confirmation**

(a) Confirmation Required. The defendant, if appearing pro se, or the defendant's attorney, if represented by legal counsel, and the City Prosecutor shall contact the court by email between 9:00 a.m. and 12:00 p.m. the day before trial commences and confirm whether the case will proceed to jury trial. The email address is provided on the Court's website.

(b) Failure to Confirm. Failure of a party to confirm the jury trial may cause the case to be stricken from the jury trial calendar and shall constitute an excluded period of the defendant's time for trial under CrRLJ 3.3(e)(3).

**Dated this 30th day of June, 2021**

  
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**Amended Effective September 1, 2021**

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**EDM-CrRLJ 4.5(a)**  
**Confirmation Readiness Hearing - RESCINDED**

**Dated this 30th day of June, 2021**

  
\_\_\_\_\_  
**Whitney Rivera**

**Rescinded Effective September 1, 2021**

**EDMONDS MUNICIPAL COURT**  
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**EDM-CrRLJ 7.1**  
**Deferred Prosecution Petition and Order**

A Petition for Deferred Prosecution pursuant to RCW 10.05 must be filed with the Court's Probation Department and the prosecuting authority no later than seven (7) days prior to proposed entry unless good cause exists for delay.

An Order deferring prosecution will not be granted unless proof of compliance with the following is shown:

- (1) Petition for Deferred Prosecution is submitted on the form identified in CrRLJ 4.2;
- (2) Petitioner uses the Court's approved Order for Deferred Prosecution;
- (3) If the wrongful conduct is the result of or caused by a substance use disorder, Petitioner has completed at least 36 hours of Phase I Treatment. If the wrongful conduct is the result of or caused by any other reason listed in RCW 10.05.020, the Petitioner shall provide proof of enrollment and satisfactory progress in a treatment program.
- (4) If Petitioner is charged under RCW 46.61.502 or RCW 46.61.504, an ignition interlock device has been installed on every vehicle operated by Petitioner and has proof of insurance.
- (5) If Petitioner is charged under RCW 46.61.502 or RCW 46.61.504 and the Petitioner is not driving, then the Petitioner must complete the Court's declaration of non-driving form.

**Dated this 30th day of June, 2021**

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**Whitney Rivera**

**Amended Effective September 1, 2021**

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**EDM-CrRLJ 8.1**  
**BRIEFING SCHEDULE**

For any written motion, including hearings pursuant to CrRLJ 3.5 and CrRLJ 3.6, the initial motion or brief must be filed and served on the opposing party no later than five court days before the hearing.

Any response must be filed and served on the opposing party no later than two court days before the hearing. Any reply must be filed and served on the opposing party no later than noon the court day prior to the hearing. Upon agreement of the parties or for good cause shown, the Court may shorten the time necessary for filing written motions.

**Dated this 30th day of June, 2021**

  
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**EDM-CrRLJ 8.2**  
**MOTION CONFIRMATION**

When a motion has been noted, parties must confirm whether the motion is going forward by sending an email to the Court by 11:00 a.m. the court day prior to the motion hearing. The email address is provided on the Court's website. Failure to confirm a motion may cause the motion to be stricken from the calendar.

**Dated this 30th day of June, 2021**

  
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**EDM-IRLJ 2.6(a)**  
**SCHEDULING OF HEARINGS**

(1) Contested hearings will be scheduled upon the respondent's request within the time limits provided by IRLJ 2.6(a). If, at the same time the respondent requests a contested hearing, the respondent also requests that an electronic speed measuring device (SMD) expert be present at the contested hearing, the court will set such hearing on the third Wednesday of a calendar month. If such a request is made subsequent to the scheduling of the hearing on a day other than the third Wednesday of a calendar month, the court will continue the hearing from the date first set to a hearing on the third Wednesday in a calendar month and the period between the date of the hearing originally set and the new hearing will be excluded from the computation of the time-for-hearing requirements of IRLJ 2.6(a). If the third Wednesday of a calendar month falls on a non-judicial day, the court may direct that such hearings be set on another day in the same calendar month.

(2) There shall be no pre-hearing conferences unless properly noted and approved by the Court.

(3) If the respondent is also charged with a criminal offense arising out of the same incident as that which gives rise to an alleged civil infraction, the hearing on the infraction may be scheduled at the same time as any hearing set for the criminal matter.

**Adopted Effective September 1, 2008**



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**EDM-IRLJ 3.1(a)**  
**SERVICE & FILING SUBPOENAS**

The respondent, the plaintiff and respondent's attorney will subpoena witnesses in accordance with IRLJ 3.1(a). Service of subpoenas will be in accordance with IRLJ 3.1(a). Edmonds Municipal Court will not serve a subpoena on an officer or witness for the respondent, plaintiff or respondent's attorney. Each party must serve their own subpoenas.

**Adopted Effective September 1, 2008**

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**EDM-IRLJ 3.1(b)**  
**DISCOVERY**

(1) In any case where the City intends to call or to rely upon the sworn statement of a local law enforcement officer, the duty to provide a list of witnesses to the respondent may be met by providing a copy of the citing officer's sworn statement on which the officer is identified.

(2) No motion to dismiss or to suppress evidence will be granted for failure to provide discovery not required by IRLJ 3.1(b) unless the moving party has previously obtained an order from the Court compelling production of the additional discovery.

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**EDM-IRLJ 3.1(f)**  
**CONTESTED HEARINGS PRELIMINARY MOTIONS**

Motions challenging the authority of the Court, the constitutionality of the Court, the constitutionality of any statute, ordinance or court rule pertaining to an infraction, the authority of the prosecuting attorney prosecuting an infraction, and/or the authority of the law enforcement agency or officer filing an infraction must be made in writing. Such motions, together with citations to authority and argument, must be filed with the Court and served upon the opposing party no later than fourteen days prior to a contested infraction hearing. Such motions may be decided by the Court with or without oral argument, as the Court may determine.

**Adopted Effective September 1, 2008**

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**EDM-IRLJ 3.3(b)**  
**REPRESENTATION BY LAWYER**

Attorneys appearing on behalf of clients shall file a Notice of Appearance with the Court and Prosecutor no later than seven (7) days prior to the hearing. Failure to provide such notice shall be grounds for a continuance to the next available calendar when the Prosecutor will be present, even if the date is beyond speedy trial requirements.

**Adopted Effective September 1, 2008**

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**EDM-IRLJ 3.5**  
**DECISION ON WRITTEN STATEMENTS**

At the request of the respondent, the Court will conduct a mitigation hearing authorized by RCW 46.63.100 or consider a petition to defer a finding under RCW 46.63.070(5), or conduct a contested hearing authorized by RCW 46.63.090, upon the written statements of the City's witness(es) and the respondent, pursuant to IRLJ 3.5. A petition for a deferred finding which is denied by the Court will be treated as a request for a mitigation hearing on written statements.

**Adopted Effective September 1, 2008**