Cowlitz County District Court

(Includes Castle Rock, Kelso, Longview, Kalama, and Woodland Municipal Courts.)

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Rule 29
Presiding Judge

Before January 1 of each odd numbered year, the judges shall by majority vote elect a presiding judge and an assistant presiding judge, to serve a two-year term starting January 1 of the year after the election. In the event of an interim vacancy, the judges shall by majority vote elect a replacement within 30 days after the vacancy occurs.

[Effective September 1, 2010.]

Rule 2.4
Hearings on Written Statements

(a) The court authorizes mitigation hearings and contested hearings on written statements in lieu of a defendant's personal appearance. A written statement that does not clearly request to contest a notice of infraction will be

treated as a request to explain mitigating circumstances.

(b) A defendant may submit a written statement as a response to a notice of infraction within 15 days of the date the notice is personally served or, if the notice is served by mail, within 18 days of the date the notice is mailed. Additionally, a defendant who has requested a mitigation hearing or a contested hearing may submit a written statement later in lieu of personally appearing at the hearing. The written statement must be received by the time of the hearing.

(c) A written statement may be delivered to the court in person, by United States mail or any other delivery service, by facsimile, or by email. The court's contact information is as follows:

Address: Cowlitz County District Court
312 SW 1st Avenue
Kelso WA 98626

Facsimile: (360) 577-3132

Email: dctcourt@co.cowlitz.wa.us

or through the court's web site:

www.co.cowlitz.wa.us/districtcourt

(d) A written statement shall contain the person's promise to pay the monetary penalty authorized by law if the infraction is found to be committed. The statement shall be executed in compliance with RCW 9A.72.085, in substantially the following form:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true. I promise that if it is determined that I committed the infraction for which I was cited, I will pay the monetary penalty authorized by law and assessed by the court.

_____ _____
(Date and Place) (Signature)

[Effective September 1, 2004.]

Rule 3.1
Request for Subpoena

Any request for a subpoena to be issued by the court must be filed in writing at least 14 days before the hearing, or

such lesser time as the court deems proper. The request cannot be combined with a notice of appearance or any other pleading.

[Effective September 1, 2004.]

Rule 6.6
Request for Speed Measuring Device Expert; Remote Testimony

Any request to produce a speed measuring device expert must be filed in accordance with IRLJ 6.6(b). The request cannot be combined with a notice of appearance or any other pleading. The court may allow the speed measuring device expert to testify from a location other than the courtroom, via speakerphone or other electronic means acceptable to the court.

[Effective September 1, 2005.]

Rule 3.2(o)
Defendants who Must be Seen Before Release

(1) A person subjected to custodial arrest for a domestic violence assault charge is to be held until the next judicial day if:

(a) The person has been convicted of or placed on deferred prosecution for any domestic violence assault charge in any jurisdiction occurring within the last seven years, and/or

(b) The person has a pending domestic violence assault charge in any jurisdiction. A pending charge means a charge with no final disposition, and includes but is not limited to a charge on deferred prosecution, stipulated continuance, or similar arrangement.

(2) A person subjected to custodial arrest for driving under the influence of alcohol and/or any drug ("DUI") or physical control under the influence of alcohol and/or any drug ("physical control") is to be held until the next judicial day if:

(a) The person has been convicted of or placed on deferred prosecution for any charge of DUI, physical control, vehicular homicide, or vehicular assault in any jurisdiction occurring within the last seven years, and/or

(b) The person has a pending DUI or physical control charge in any jurisdiction. A pending charge means a charge with no final disposition, and includes but is not limited to a charge on deferred prosecution, stipulated continuance, or similar arrangement; and/or

(c) The current case involved an accident that resulted in injury to a person other than the defendant.

[Effective September 1, 2007.]

Rule 3.4
Presence of the Defendant

Other trial court proceedings including the entry of a Statement of Defendant on Plea of Guilty may be conducted by video conference, in accordance with CrRLJ 3.4(d).

[Effective September 1, 2005.]

Rule 4.1
Arraignment

Appointment of counsel eliminates the need for a further arraignment. Upon the appointment of counsel, the court shall enter a plea of "not guilty" and set the appropriate hearing(s). Appointment of counsel shall commence the running of the time periods established in CrRLJ 3.3, unless the time periods have previously been commenced by an appearance in open court.

[Effective September 1, 2007.]