

Municipal Courts of Battle Ground,
Ridgefield, and La Center

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Local Rules for the Municipal Courts of Battle Ground,
Ridgefield, and La Center, Washington

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L CrRLJ 1.7

- (a) Pursuant to CrRLJ 1.7 and GR 7, the Local Rules of the combined Municipal Courts for the City of Battle Ground, Washington, and the towns of Ridgefield and La Center, Washington, should be the Criminal Rules for Courts of Limited Jurisdiction, together with any amendments or changes thereto approved by the Supreme Court of the State of Washington, and the Local Rules set forth below.
- (b) Where a conflict exists between the CrRLJ and these Local Rules, the Local Rules shall be read so as to conform to the CrRLJ as closely as possible, with the intent of protecting the Constitutional rights of each individual Defendant and the just and speedy adjudications of the matter before the Court.
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L CrRLJ 3.2.1

- (a) ...The Court hereby designates the judges of the Clark County Superior and District Courts to make the initial probable cause determination for any Defendant held in custody on a case filed in the Municipal Courts effected by these rules, given the limited meeting times of this Court.
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L CrRLJ 3.2.1

- (d) (1) The "next business day" of the Court is defined for the purposes of this rule as the Thursday next following the arrest and detention of the Defendant. The preliminary appearance shall be combined with the arraignment of the Defendant, given the limited number of court days per month of these Courts.
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L CrRLJ 3.3

- (h) Continuances.

- (3) Any requests for continuance, made orally in open court or in writing by Defendant's counsel or the Defendant, shall require the Court to reinform the Defendant of his or her speedy trial rights before the motion is granted or denied. The Court shall not grant a motion for continuance beyond the Defendant's originally calculated speedy trial time, unless the Defendant (or Defendant's counsel, upon counsel's representation that the Defendant has been informed of his or her speedy trial rights and has authorized counsel to waive them) signs a Waiver of Speedy Trial upon a form supplied by the Court. The Defendant or counsel must understand, before signing the waiver, that the Court will be waiving the Defendant's speedy trial rights to a date certain, upon which date the applicable 60 day or 90 day period will begin to run anew.

L CrRLJ 3.4

(a) (1) (present text)

(a) (2) An attorney licensed to practice law in the State of Washington may file a Notice of Appearance on behalf of a Defendant and waive the Defendant's presence at any hearing subsequent to arraignment; however, all Defendants charged with either Driving Under the Influence of Alcohol or Drugs, Physical Control, or any crime designated as a "domestic violence crime" are required to personally appear at their arraignment.

L CrRLJ 4.1

(e) Arraignments will normally be held on the next court day after the Defendant has been cited and released or, if in custody, on the next court day after their arrest. At arraignment, the Defendant will be provided with a "Statement of Rights/Plea Form" and, if they are requesting a court-appointed attorney, a "Financial Declaration" form to fill out and present to the Judge before entering a plea. The Court shall assure itself that the Defendant understands his/her rights and the charge(s) before taking a plea. If an interpreter is necessary for the Defendant to understand their rights, the Court may set over the arraignment until such interpretation services can be secured. At the arraignment, the Court shall set a pretrial hearing date approximately one month later and a trial date within the speedy trial time as determined by the Court.

L CrRLJ 4.5

- (a) (original text)
- (b) At the first pretrial hearing, either party may make pretrial motions, engage in settlement discussions, request modifications to any previous orders, or address any other issues between the parties.
- (c) At the first or subsequent pretrial hearings, the Court shall set a mandatory pretrial hearing at least two weeks prior to the scheduled trial date. The Defendant's presence at the mandatory pretrial hearing shall be required. At the mandatory pretrial hearing, the Court shall determine whether both parties are ready to proceed on the appointed trial date, make appropriate orders in aid of an expeditious resolution of the matter, and set a cut-off date for discovery and subpoenaing witnesses, unless those dates have already been set.

L CrRLJ 6.3

...Normally, the clerk will take the first eighteen names from the Elections Division list that personally appear for jury duty on the date set for trial. Should at least 18 qualified jurors fail to appear, the Court may either delay the trial date, after assuring itself that no prejudice will result to either party, or may go ahead with less than six jurors upon the Defendant's consent.

L IRLJ 1.3

These local rules are formulated pursuant to IRLJ 1.3 and shall become effective upon filing with the Office of the Administrator for the Courts, pursuant to GR7.

L IRLJ 2.4

(b) (4) In addition to the requirements of IRLJ 2.4(b) (4), the Defendant should be instructed that submitting a written statement will normally mean that they are giving up their right to an in-person hearing and its concomitant right to hear and question the plaintiff's witnesses, as well as giving up the right to have their own witnesses come to Court and testify on their behalf.

L IRLJ 2.6

(a) (1)

(iii) If the Defendant appears for a contested hearing and requests that subpoenas be issued for witnesses whom he/she was unable to obtain by voluntary attendance and the prosecuting authority would not be prejudiced, the Court may treat this hearing as a pretrial hearing under IRLJ 2.6(a) (1) (i) & (ii) and reschedule the contested hearing for a subsequent date.

L IRLJ 3.1

(a) A Defendant shall be informed of his or her right to have witnesses subpoenaed to testify on their behalf and, if not represented by a lawyer, that they should submit their list of witnesses to the clerk of the Court not later than 14 days prior to the scheduled hearing date. The list of witnesses should include at least the following:

- (i) the witnesses' true name;
- (ii) the witnesses' mailing or street address.

The Defendant should also be informed that the prosecuting authority may waive the officer's presence, unless the Defendant requests it.

L IRLJ 3.3

- (b) ...The prosecuting authority, if no witnesses have been subpoenaed, may waive the presence of a lawyer on its behalf and elect to proceed solely on the sworn statement of the citing officer. If the Defendant wants the citing officer available for cross-examination at the hearing, the Defendant shall be required to request the officer's presence at the hearing in writing pursuant to L IRLJ 3.1(a), supra.
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