

EDMONDS MUNICIPAL COURT
SNOHOMISH COUNTY, STATE OF WASHINGTON

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EDM-CrRLJ 3.2(b) (7)
Local Bail Schedule

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

(1) Any case designated as a domestic violence offense as defined in RCW 10.99. In these cases bail shall be set at \$100,000 subject to judicial review under CrRLJ 3.2.1.

(2) Any driving under the influence or physical control cases cited under RCW 46.61.502 or .504. In these cases bail shall be set at \$2500 subject to judicial review under CrRLJ 3.2.1.

[Adopted Effective September 1, 2010]

EDM-CrRLJ 3.2(o) (2)
Domestic Violence Cases Held Without Bail

[Rescinded September 1, 2010]

EDM-CrRLJ 3.4(d)
VIDEO CONFERENCE PROCEEDINGS

(1) Authorization. Preliminary appearances held pursuant to CrRLJ 3.2.1(d), arraignments held pursuant to CrRLJ 3.4 and 4.1, bail hearings held pursuant to CrRLJ 3.2, and trial settings held pursuant to CrRLJ 3.3(f), may be conducted by video conference in which all participants can simultaneously see, hear and speak with each other. Such proceedings shall be deemed held in open court and in the defendant's presence for the purpose of any statute, court rule or policy. All video conference hearings conducted pursuant to this rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the judge, judge pro tem or court commissioner. Any party may request an in-person hearing which may be granted at the discretion of the judge, judge pro tem or court commissioner.

(2) Agreement. Other trial court proceedings, including entry of a Statement of Defendant on Plea of Guilty as provided for by CrRLJ 4.2, may be conducted by video conference only by agreement of the parties, either in writing or on the record, and upon the approval of the judge, judge pro tem or court commissioner.

(3) Standards. The standards for video conference proceedings shall be as specified in CrRLJ 3.4(d) (3).

[Effective September 1, 2008]

EDM-CrRLJ 4.1(a)
MANDATORY APPEARANCE AT ARRAIGNMENT

A defendant charged with a domestic violence offense (as defined in RCW 10.99), driving under the influence (RCW 46.61.502), physical control (RCW 46.61.504) or minor driving after consuming alcohol (RCW 46.61.503) must appear personally for arraignment on the next arraignment calendar following arrest.

[Effective September 1, 2008]

EDM-CrRLJ 4.1(c)
WAIVER OF ARRAIGNMENT

An attorney may enter an appearance and/or plea of not guilty on behalf of a client in any criminal or criminal traffic offense. Said appearance or plea shall be made in writing or in open court. In all cases not listed in EDM-CrRLJ 4.1(a) an attorney may waive arraignment. A written appearance and waiver of arraignment shall commence the running of the time periods established in CrRLJ 3.3 from the date of receipt by the Court. A written appearance and waiver of arraignment without a plea shall be considered a plea of not guilty and waives any defect in the complaint other than failure to state a crime. The Court does not accept telephonic notices or requests.

[Effective September 1, 2008]

EDM-CrRLJ 4.5(a)
READINESS HEARING

Within ten (10) days prior to an assigned jury trial date there shall be held a readiness hearing. All parties must be present and the following matters will be concluded: plea bargaining, exchange of witness lists, exchange of discovery, and motions on any newly discovered evidence creating legal issues.

Following conclusion of the readiness hearing the court will set conditions for the confirmation of the jury trial pursuant to EDM-CrRLJ 4.5(b). Conditions may include the defendant calling and/or meeting with their attorney prior to the scheduled trial date. Failure to comply with the conditions may result in the jury trial being stricken and sanctions imposed pursuant to EDM-CrRLJ 4.5(b).

[Effective September 1, 2008]

EDM-CrRLJ 4.5(b)
JURY CONFIRMATION

(i) Confirmation Required. No later than two (2) days prior to the date of the assigned jury trial, the defendant, if appearing pro se, or the defendant's attorney, if represented by legal counsel, and the City Prosecutor shall contact the Court Clerk between 9:00 AM and 4:00 PM and confirm that the case will proceed to jury trial.

(ii) Failure to Confirm. Failure of a party to confirm the jury trial or to advise the Court Clerk that another disposition has been reached may cause the case to be stricken from the jury trial calendar. Failure of the defendant, if appearing pro se, or the defendant's attorney, if represented by legal counsel, to confirm the jury trial or to advise the Court Clerk that another disposition has been reached shall constitute an excluded period of the defendant's speedy trial right pursuant to CrRLJ 3.3(e)(3). Likewise, failure to comply with any conditions set at the readiness hearing pursuant to EDM-CrRLJ 4.5(a) may result in the jury trial being stricken and the finding of an excluded period pursuant to CrRLJ 3.3(e)(3).

(iii) Failure to Appear. Failure of the defendant to appear on the jury trial date may result in the issuance of a bench warrant and the forfeiture of any posted bail unless a disposition has been confirmed by all parties. Any disposition will be heard on the next regularly scheduled court day unless an alternative date is set by the parties and is approved by the judge, judge pro tem or court commissioner.

(iv) Sanctions. Failure to comply with this rule or EDM-CrRLJ 4.5(a) may result in the imposition of sanctions. If a failure of a party to comply with this rule results in a jury pool actually appearing at the court unnecessarily, sanctions of not less than \$250 plus jury costs will be assessed against the offending party.

[Effective September 1, 2008]

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.

[Effective September 1, 2008]

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.

[Effective September 1, 2008]

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.

[Effective September 1, 2008]

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.

[Effective September 1, 2008]

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.

[Effective September 1, 2008]

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.

[Effective September 1, 2008]

