LOCAL RULES, CITY OF FIRCREST
MUNICIPAL COURT

Effective September 1, 2004

Including Amendments Received Through
September 1, 2004

		Effective/Amended Date
Administrative Rules		
LAR 1.1	Judicial Days Defined	09/01/02
General Rules		
LGR 2.1	Repealed	09/01/04
LGR 2.2	Repealed	09/01/04
LGR 7.10	Repealed	09/01/03
Infraction Rules		
LIRLJ 2.6	Repealed	09/01/03
LIRLJ 3.1(a)	Contested Hearings - Costs and Witness Fees	09/01/03
LIRLJ 3.5	Decisions on Written Statements	09/01/03
LIRLJ 6.6(d)	Speed Measuring Device: Design and Construction Certification	09/01/02
Criminal Rules		
LCrRLJ 3.1.1	Repealed	09/01/03
LCrRLJ 3.2.2	Mandatory Appearances	09/01/02
LCrRLJ 4.2	Repealed	09/01/03
LCrRLJ 4.5	Readiness Trial Hearings	09/01/02
LCrRLJ 8.2	Written Motions and Briefs	09/01/02
LCrRLJ9(c)(5)	Deferred Prosecution	09/01/02

Court Rule LAR 1.1

JUDICIAL DAYS DEFINED

Regular judicial days shall be Mondays, Wednesday and Friday of every week, Holidays and Court Holidays excepted. In the event of holidays or other preemption, Court may be held the next weekday. Court sessions shall be at such times and places, as the Court may deem necessary for its proper administration.

(Adopted effective September 1, 2002)

Court Rule LGR 2.1

REQUIREMENTS FOR TIME PAYMENTS

(Repealed effective September 1, 2004)

Court Rule LGR 2.2
DELEGATING AUTHORITY TO QUASH WARRANTS AND FTA'S, AND RESCIND DELINQUENT CHARGES

(Repealed effective September 1, 2004)

Court Rule LGR 7.10
COMMUNITY SERVICE

(Repealed effective September 1, 2003)

Court Rule LIRLJ 2.6
MITIGATION HEARING ON WRITTEN STATEMENT

(Repealed effective September 1, 2003)

Court Rule LIRLJ 3.1(a)
CONTESTED HEARINGS - COSTS AND WITNESS FEES

(a) Costs and Witness Fees. Each party is responsible for costs incurred by that party as set forth in RCW 46.63.151. In cases where a party requests a witness to be subpoenaed,

the party requesting the witness shall pay the witness fees and mileage expenses due that witness.

(Adopted effective September 1, 2003)

Court Rule LIRLJ 3.5
DECISIONS ON WRITTEN STATEMENTS

Mitigation and contested hearings on alleged traffic infractions may be held upon written statements pursuant to IRLJ 2.4(b)(4), IRLJ 2.6(c) and IRLJ 3.5.

(Adopted effective September 1, 2003)

Court Rule LIRLJ 6.6(d)

SPEED MEASURING DEVICE: DESIGN AND CONSTRUCTION CERTIFICATION

Any person who requests production of an electronic speed measuring device (SMD) expert, and who is thereafter found by the Court to have committed the infraction, may be required to pay the fee charged by the expert as a cost incurred by that party, as provided in RCW 46.63.151.

(Adopted effective September 1, 2002)

Court Rule LCrRLJ 3.1.1
APPOINTMENT TO COUNSEL TO REPRESENT INDIGENT DEFENDANTS

(Repealed effective September 1, 2003)

Court Rule LCrRLJ 3.2.2

MANDATORY APPEARANCES

A defendant who is arrested for an offense involving driving while under the influence as defined in RCW 46.61.502, driving under twenty-one after consuming alcohol as defined in RCW 46.61.503, or being in physical control of a vehicle while under the influence as defined in RCW 46.61.504, shall be required to appear in person before a judge/commissioner on the Wednesday following arrest if the defendant is served with a citation or complaint at the time of the arrest. The following Wednesday shall be deemed the earliest practicable judicial day for the hearing. Appearances are mandatory and may not be waived. The requirements of the RCW 46.61.50571 shall be imposed at the hearing.

(Adopted effective September 1, 2002)

Court Rule LCrRLJ 4.2
COMMITMENT OF DEFENDANTS TO THE PIERCE COUNTY JAIL

(Repealed effective September 1, 2003)

Court Rule LCrRLJ 4.5

READINESS TRIAL HEARINGS

A Readiness Hearing shall be held before the Municipal Court Judge in every case in which a timely demand for jury is made. Notice shall be given in open Court by the Judge to all parties indicating the date and time for this hearing. At the hearing the city attorney, defendant and the defendant’s counsel (if any) must be present. By the Readiness Hearing date all discovery must be completed and all motions must have been timely filed. Furthermore, parties shall advise the Court if the case can be settled by other than a jury trial. The Readiness Hearing date shall be set no later than ten (10) judicial days before the date of trial. The Court will strike the scheduled Jury Trial and may issue a Bench Warrant for any party that does not appear at the Readiness Hearing.

(Adopted effective September 1, 2002)

Court Rule LCrRLJ 8.2

WRITTEN MOTIONS AND BRIEFS

Written motions and briefs other than those for continuances, shall be filed with the Court and served on the opposing party not less than ten (10) judicial days before trial. Responses thereto shall be filed and served not less than five (5) judicial days before the hearing date. Motions shall be heard on Wednesdays at 9:00am in open Court, and not later than five (5) judicial days before trial.

Failure to comply with this rule may result in the Court's refusal to hear such motion or in the imposition of terms, both to the adverse party or parties and to the City of Fircrest for the expense caused by resulting delays.

(Adopted effective September 1, 2002)

Court Rule LCrRLJ 9(c)(5)

DEFERRED PROSECUTION

(c) Quasi-Public Documents. The following are not subject to public review, but are subject to review by the defendant and the defendant's lawyer:

(5) Deferred Prosecution - the evaluation, and recommendation of chemical dependency agency, status reports from chemical dependency agency.

(Adopted effective September 1, 2002)