LAKE FOREST PARK
MUNICIPAL COURT LOCAL RULES

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LFPMCLR 1.7
ADOPTION OF LOCAL RULES

These rules are adopted pursuant to CrRLJ 1.7 and IRLJ 1.3.
(September 1, 1994)

LFPMCLR 1.8
TITLE OF RULES

These rules may be known and cited as the Lake Forest Park Municipal Court Local Rules, and shall be referred to as LFPMCLR.
(September 1, 1994)

LFPMCLR 3.2
Release of Accused

A. Bail: Lake Forest Park Municipal Court will follow the bail schedule set forth in Washington Court Rule CrRLJ 3.2(o) except where the charges involve domestic violence offenses.

B. Domestic Violence Offenses: Bail shall not be set for a person arrested for a new domestic violence offense unless set by a judge telephonically at the time of arrest, or at a preliminary appearance, arraignment or subsequent court appearance. "Domestic violence" includes, but is not limited to any of the misdemeanor or gross misdemeanor offenses listed in RCW 10.99.020(5), or similar municipal ordinance, when committed by one family or household member against another. "Family or household members" are those persons listed in

RCW 10.99.020(3) or similar municipal ordinance.

Adopted this 28th day of June, 2012

LFPMCLR 4.2
PLEAS

[REPEALED 09/01/2011]

LFPMCLR 5.4
PRE-TRIAL HEARINGS

(a) Unless the defendant pleads guilty or submits on the record at an arraignment, a pre-trial hearing (PTH) shall be held. If the defendant or defendant's counsel appears at arraignment and enters a plea of "Not Guilty", then notice shall be provided by the court at the arraignment to the defendant or defendant's counsel of the date and time of the PTH. If an attorney, pursuant to CrRLJ 4.1(d), submits a written notice of appearance, waiving arraignment and entering a plea of "Not Guilty" on behalf of a defendant, then the court clerk shall issue notice of the date and time of the PTH to defendant's counsel.

(b) The defendant and all counsel must be present at the PTH. Failure of the defendant to appear at a PTH may result in the issuance of a bench warrant.

(c) The PTH shall be held no later than thirty (30) days after the date of arraignment, unless a later date for the PTH is approved by the court.
(September 1, 1994)

LFPMCLR 6.13
EVIDENCE

The court shall follow the provisions of CrRLJ 6.13 on Evidence subject to the following provisions:

(a) Return of Exhibits. Every exhibit in a criminal/traffic case in the court's custody, which is not contraband and for which ownership is not in dispute, shall be returned to the party who produced that exhibit upon motion of that party and expiration of the appeal period. In the event of a finding of guilty, for purpose of this rule, the appeal period shall begin on the day of sentencing or deferral of sentence by the court. Exhibits not withdrawn shall be delivered by the court clerk to the appropriate law enforcement agency for disposition as abandoned property; or if contraband, for destruction. No exhibit shall be released by the court without its being receipted for by the receiving person.

(b) Request for Speed Measuring Device Expert. The court shall follow the provisions of CrRLJ 6.13(d) concerning the request for a speed measuring device (SMD) expert, except that a request for such a SMD expert shall be in writing and must be received by the court clerk at least seven working days prior to trial.
(September 1, 1994)

LFPMCLR 7.2
SENTENCING

(a) The court shall follow the provisions of CrRLJ 7.2 on Sentencing, with the addition of the provisions of LFPMCLR 7.2(b) as set out below.

(b) Assessment of Court Costs Upon Dismissal of Insurance Charge. If a defendant is charged with the violation of RCW 46.30.020, "No Valid Insurance" and subsequently appears in person before the court and provides written evidence that at the time the person was cited, he or she was in compliance with the financial responsibility requirements of RCW 46.30.020, then pursuant to the provisions of RCW 46.30.020(2), the charge shall be dismissed and court administrative costs of $25 shall be assessed, unless the costs are specifically waived by the Court.
(September 1, 1994)

LFPMCLR 8.2.3 JURY TRIAL SETTINGS

a) The jury term will be the first week of the month unless otherwise set by the Court.

b) At the defendant's Pre-trial Hearing, the case will be set for the start of the jury term that falls within the defendant's speedy trial period. The case will also be set for a Readiness Hearing to be held the week before the start of the jury term, unless the court sets another date.

c) At the Readiness Hearing, each side will advise the Court whether or not the case will proceed to jury trial on the set jury date.

d) At the Readiness Hearing, the Judge will set a date and time for both parties to confirm to the Clerk of Court whether or not the case is going to be tried to a jury. This date and time will be set in open court and provided to the parties in writing. The date will be no later than 48 hours before the start of the jury term.

e) A party who fails to follow procedures set forth in sub-section (d) may be subject to court sanctions. A party who confirms a jury date and disposes of the case without a jury after the jury has reported may be subject to court sanctions.

LFPMCLR 8.11
DISCLOSURE OF RECORDS

The court clerk shall make available the public records of the court in accordance with the provisions of ARLJ 9, subject to the following provisions:

(a) The disclosure provisions of LFPMCLR 4.7 shall govern all material discoverable under that rule. The disclosure of all other public records of the court shall be governed by the provisions of this rule.

(b) Requests for copies of the public records of the court must be in writing and must be received by the court clerk during the City's normal business hours prior to the commencement of court and a scheduled hearing on any matter for which copies are sought. The name, address and phone number of the person requesting copies of the public records of the court shall be in the written request for such records.

(c) Duplication Fees. The following fees are established for the duplication and preparation of documents, absent a judicial determination of indigency:

(1) Duplication of discoverable materials provided to the defendant or defendant's counsel per LFPMCLR 4.7	No Charge
(2) Duplication of materials provided to the defendant or defendant's counsel by court order above and beyond the material required to be disclosed by LFPMCLR 4.7 and duplication of all other public records of the court	

First page of any one document	$ 1.00
For each succeeding page	0.50
(3) Certification of files/documents	5.00
(4) Duplication of part/whole tape (per tape)	10.00
(5) Preparing record of appeal to Superior Court	40.00

(September 1, 1994)

LFPMCLIR 2.2
FILING OF NOTICE: PHOTO ENFORCEMENT

For purposes of IRLJ 2.2(d), a Notice of Infraction issued pursuant to RCW 46.63.170 and LFPMC 10.06.020 for an infraction detected through the use of an automated traffic safety camera is filed upon the date issued by the officer if the Notice is electronically transmitted or assigned to a third party, delegated administrative functions for traffic safety camera tickets.

LFPMCLIR 2.6
SCHEDULE OF HEARINGS: PHOTO ENFORCEMENT

The court may delegate administrative functions, docketing of cases, and collection of fines generated by Notices of Infraction issued under RCW 46.63.170 and LFPMC 10.06 pursuant to the terms of an agreement between the court and a third party.

Hearings for disposition of such offenses may be heard in open court under IRLJ 2.6 or as provided for in LFPMCLIR 3.5.

LFPMCLIR 3.1(a)
SERVICE AND FILING OF SUBPOENAS

The defendant, the plaintiff, and defendant's attorney will subpoena witnesses in accordance with IRLJ 3.1(a). Service of subpoenas will be in accordance with IRLJ 3.1(a). Lake Forest Park Municipal Court will not serve a subpoena on an officer or witness for either the defendant, the plaintiff or defendant's attorney. Each party must serve their own subpoenas in accordance with Lake Forest Park Municipal Court written procedures determined by the presiding judge. These procedures are available from the clerk of court or on the court website.

(Adopted Sept. 1, 2004)

LFPMCLIR 3.1(b)
CONTESTED HEARINGS-PRELIMINARY PROCEEDINGS-DISCOVERY

(1) Repealed

(2) Unchanged

(3) A request for discovery must be served, in accordance with IRLJ 3.1(b), on the city prosecuting attorney's office. Service must be made at the office where the prosecutor receives mail for Lake Forest Park Municipal Court cases. The defendant must provide proof of such timely service at the time of a motion to dismiss or suppress evidence for

failure to provide discovery. Service of a request for discovery on the court will not be considered service upon the prosecutor's office.

(Adopted Sept. 1, 2004)

LFPMCLIR 3.3 (1)
Continuance

A motion for a continuance in a scheduled contested or mitigation traffic hearing must be made in writing and filed 7 days prior to the date of the hearing. The motion shall show good cause for continuance and the defendant shall post $52 as a reschedule fee. This money is held in trust by the court until the next scheduled court date. Upon failure to appear, the $52 is forfeited. Upon a finding of committed, the money is applied toward any fine imposed. Upon a finding of not committed, the $52 is refunded.

LFPMCLIR 3.5
DECISION ON WRITTEN STATEMENTS

(1) The court shall follow the provisions of IRLJ 3.5, Decision on Written Statements.

(2) The court shall allow written statements through e-mail procedures as established by the presiding judge through administrative order. E-mail procedures shall meet the requirements of IRLJ 3.5.

(Adopted Sept. 1, 2004)

LFPMCLIR 6.6
SPEED MEASURING DEVICE

The court shall follow the provisions of IRLJ 6.6 concerning the request for a speed measuring device (SMD) expert, except that a request for such a SMD expert shall be in writing and must be received by the court clerk at least seven working days prior to trial.
(September 1, 1994)

LFPMCLIR 6.7
CHANGE OF JUDGE

A party to an infraction hearing in Lake Forest Municipal Court may file an affidavit of prejudice, but only in accordance with CRLJ 40(f). An affidavit of prejudice not filed in accordance with the time restrictions of CRLJ 40(f) will be denied.

(Adopted Sept. 1, 2004)

LFPMCLIR 6.8
DEFERRED FINDINGS

Lake Forest Park Municipal Court will grant deferred findings in a traffic infraction case in accordance with RCW 46.63.070. The presiding judge will create local requirements for the terms of the deferred finding by administrative order. Except for a deferred finding granted pursuant to this rule, no other types of deferred findings or orders will be allowed in any traffic infraction case. No person who has had a deferred finding in another court or participated in the Shorecrest Youth Traffic Court, within 7 years of the pending infraction, is entitled to another deferred finding or deferral of any kind.

(Adopted Sept. 1, 2004)