Napavine Municipal Court
Local Court Rules

Table of Rules

Preface

NMLARLJ 1 Scope Of Local Court Rules
NMLARLJ 2 Decorum
NMLARLJ 3.1 Hearings on Written Statements
NMLARLJ 3.2 Decision on Written Statements
NMLARLJ 4 Schedule of Fees

PREFACE

1. Promulgation. These rules shall been known as the Local Rules for Municipal Court of Napavine, County of Lewis, State of Washington. Copies of these rules will be filed with the Office of the Administrator of the Courts, and the Clerk of the Municipal Court of Napavine. Copies of these rules will be distributed to the county Law Library for public reference. These rules will be effective on September 1, 2006.

2. Numbering. Consistent with GR 7 Washington Court Rules, these rules to the extent possible, conform in numbering system and in format to those rules adopted by the Supreme Court of the State of Washington for courts of limited jurisdiction and facilitate the use of the same. The number of each rule is preceded by abbreviation "NML" designation the rule as Napavine Municipal Local Rule and being supplemental to the corresponding Washington Court Rule for the Courts of Limited Jurisdiction.

3. Revisions and Additions (reserved).

NMLARLJ 1.
SCOPE OF LOCAL COURT RULES

These rules govern the procedures in the Municipal Court of Napavine, County of Lewis, State of Washington. These rules are supplemental to the rules enacted by limited jurisdiction as specifically authorized by GR 7, CRLJ 83, CrRLJ 1.7, and IRLJ 1.3 of the Washington Court Rules. The court may modify or suspend any of these local rules in any given case upon good cause being shown or upon the court's own motion.

1. Appearance following arrest.

   (a) Defendant having been arrested for Driving Under the Influence, RCW 46.61.50571, must appear in court on the earliest practicable day as defined herein.

   (b) Earliest practicable day is defined as the next regularly scheduled court session.

(Effective September 1, 2006)

NMLARLJ 2.

DECORUM

1. Courtroom Decorum. All attorneys and other individuals in the courtroom shall abide by the following rules of conduct.

   (a) Always be Prompt. Be in the courtroom ready to proceed at the appointed time.

   (b) Dress appropriately to the serious Nature of the Matter before the Court. Shorts and other kinds of beach apparel are not appropriate. Clothing advertising alcoholic beverages or illegal drugs are not appropriate. Hats are not to be worn in the courtroom.

(Effective September 1, 2006)

NMLARLJ 3.1.
HEARINGS ON WRITTEN STATEMENTS

1. The court authorizes mitigation hearings and contested hearings on written statements in lieu of a defendant's personal appearance.

   (a) 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 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.

   (b) A written statement that does not clearly request to contest a notice of infraction will be treated as a request to explain mitigating circumstances.

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

   Address: Napavine Municipal Court
   PO Box 810
   Napavine, WA 98565

   Facsimile: (360) 262-9885

   (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:

   Name of Defendant: _____

   Address: _____

   Infraction Number: _____ (Located in the upper right hand corner of citation)

   I wish to mitigate infraction [ ]

   I wish to contest infraction [ ]

   Statement:_____

   _____

   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.

   Executed this _____day of _____, 20__ at _____, _____. (City/State)

_____ _____
(Print Name) (Signature)

(Effective September 1, 2006)

NMLARLJ 3.2.
DECISION ON WRITTEN STATEMENTS

1. The court is authorized to enter decisions based upon written statements on infraction cased involving contested and mitigation hearings and request for deferred findings.

   (a) In infraction cases where the respondent has requested, the court will conduct a mitigation hearing as authorized under RCW 46.63.100 as now enacted or hereafter amended, or consider a petition to defer the finding, or conduct a contested hearing based upon the written statements of the City's witness(es), if provided, and the Respondent, pursuant to IRLJ 3.5.

   The examination shall take place within 120 days after the respondent filed the response to the notice of infraction. The examination may be held in chambers and shall not be governed by the Rules of Evidence.

   (b) Factual Determination. In contested cases, the court shall determine whether the plaintiff has provided preponderance of all evidence submitted that defendant has committed the infraction.

   (c) 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.

   (d) Disposition. If the court determines that the infraction has been committed, or the review was based upon a request for mitigation or a deferred finding, the court may assess a penalty and any appropriate and permitted costs.

   (e) Notice to Parties. The court shall notify the parties in writing whether an infraction was found to have been committed and the amount of the penalty imposed, if any.

   (f) No Appeal Permitted. There shall be no appeal from a decision on written statements.

(Effective September 1, 2006)

NMLARLJ 4.
SCHEDULE OF FEES

The following shall be the schedule of fees charged for certain official services provided by the Municipal Court. These amounts are consistent with RCW 3.62.060.

Duplication of Electronic Records	$ 10.00	per Tape
Paper Copy Expense	$ .25	per page
Certified Copy	$ 5.00	document
Postage		Actual Cost
Appeals (Preparation & Tape)	$ 40.00	

(Effective September 2006)