Steilacoom Municipal Court
Local Court Rules

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LR .01
COURTROOM SAFETY

No person (except for duly and regularly commissioned law enforcement officers of the State of Washington and other states of the United States of America not appearing on their own family law matter) shall be in the Steilacoom Town Hall (when being used for court purposes) while armed with ANY firearm or taser or explosive device or any knife having a blade length of more than three inches or any billyclub, blackjack, truncheon or bat, nor shall any such person be in the afore-mentioned area while possessing any gas gun or other device used for the spraying of tear gas, mace or other noxious chemical substance, nor any incendiary device.

Any person found having any of the articles or devices heretofore mentioned which are banned from the Steilacoom Town Hall (when being used for court purposes) is subject to having such articles or devices seized by law enforcement officers, bailiffs on court order, or as otherwise directed by the Court.

Any person violating this rule shall be subject to punishment for contempt of court and prosecuted under RCW 9.41.300.

[Adopted effective June 28, 2006, on an emergency basis pursuant to GR 7(e); adopted as a permanent rule effective September 1, 2006.]

LR .02
CELL PHONES, PAGERS, AND OTHER DEVICES

No person (except for duly and regularly commissioned law enforcement officers of the State of Washington and other states of the United States of America not appearing on their own family law matter) shall be in the Steilacoom Town Hall (when being used for court purposes) while in possession of a cell phone, pager, smart phone, hand held device, or other electronic device capable of producing a ring tone, beep, or other noise or signal unless such device is turned off or is in a "silent" or "vibrate" mode.

Any person found having any of the articles or devices heretofore mentioned which are not turned off or in a "silent" or "vibrate" mode while in the Steilacoom Town Hall (when being used for court purposes) is subject to having such devices seized by law enforcement officers, bailiffs on court order, or as otherwise directed by the Court.

In addition, any person violating this rule shall be subject to punishment for contempt of court.

[Adopted effective June 28, 2006, on an emergency basis pursuant to GR 7(e); adopted as a permanent rule effective September 1, 2006.]

SCMLR 1.1
ADOPTION OF LOCAL RULES

These rules are adopted pursuant to GR 7, CrRLJ 1.7, and IRLJ 1.3. The effective date of these rules shall be September 1, 2011.

SCMLR 1.2
TITLE OF RULES

These rules may be known and cited as Steilacoom Municipal Court Rules and referred to as SCMLR.

(Effective: September 1, 2011)

SCMLR 1.3
EFFECT OF LOCAL RULES

The provisions of the Local Rules are supplemental to the Rules for Courts of Limited Jurisdiction as adopted or hereafter amended by the Supreme Court of the State of Washington and shall not be construed to conflict with them.

(Effective: September 1, 2011)

SCMLR 1.4
RESERVATION OF DISCRETION

The Steilacoom Municipal Court reserves the authority to interpret and/or suspend or modify these rules in individual cases on motion of a party for good cause or on a motion of the Court in the interest of justice and/or the efficient operation of the Court.

(Effective: September 1, 2011)

SCMLR 2.1
INFRACTION AND ARRAIGNMENT CONTINUANCES

If made by the defendant or defendant's attorney at least the day prior to the scheduled hearing, the following hearings are eligible for a one-time continuance by the court clerk:

(1) Contested or mitigation infraction hearings

(2) Non-DV and Non-DUI/Physical Control/Driving Under 21 Consuming Alcohol arraignments

(Effective: September 1, 2011)

SCMLR 2.2
PRETRIAL CONTINUANCES

Pretrial conference continuances may be granted with consent of the prosecutor and with signed speedy trial waiver, if applicable, prior to and on the date of the scheduled pretrial hearing.

(Effective: September 1, 2011)

SCMLR 3.1
WARRANT COSTS

The maximum warrant preparation fee permitted under RCW 10.01.160(2) shall be assessed whenever the Court orders a warrant based on a defendant's failure to appear for any mandatory court appearance on a misdemeanor or gross misdemeanor offense.

(Effective: September 1, 2011)

SCMLR 3.2
PROCEDURE TO QUASH WARRANT

The Court may quash the warrant under the following circumstances:

(A) The defendant may personally appear at the clerk's office and pay the amount of the warrant fee in cash. The defendant shall then personally sign a promise to appear at a hearing set for the next judicial day with a criminal

case docket. The Court will determine the appropriate conditions for the defendant's continued release at that hearing.

(B) If the Court has ordered a second or subsequent warrant in a particular case, the defendant may appear at the clerk's office and sign a Request for Motion Hearing to Quash Active Warrant. The defendant will sign a promise to appear at a hearing set for the next judicial day with a criminal case docket. However, the warrant will not be stayed or quashed, and the defendant will still be subject to arrest on the warrant until the defendant has appeared in open court and the Judge has quashed the warrant.

(Effective: September 1, 2011)

SCMLR 4.1
BAIL FORFEITURES FOR SPECIFIC CRIMES

Rescinded effective September 1, 2012.

SCMLR 5.1
NVOL WITH ID

(A) If a person charged with violation of RCW 46.20.015 for No Valid Operator's License with Valid Identification (NVOL with ID) is able to acquire a valid operator's license and provide proof to the court within 14 days from the date of violation, or prior to a scheduled mitigation or contested hearing, then the penalty shall be reduced to $125.

(B) If a If a person charged with violation of RCW 46.20.015 for NVOL with ID fails to obtain a valid operator's license within 15 days from the date of violation, or prior to a scheduled mitigation or contested hearing, and the violation is the first NVOL offense in five years, the penalty shall be reduced to $150.

(C) If a person charged with violation of RCW 46.20.015 for NVOL with ID fails to obtain a valid operator's license within 15 days from the date of violation, or prior to a scheduled mitigation or contested hearing, and the violation is the second or subsequent violation within five years, the penalty shall be reduced to $250.

In each case, the clerk shall be authorized to enter a finding that the infraction was committed to make appropriate notations in the court record, and the person will be relieved of any further need to appear in court in connection with the infraction.

(Effective: September 1, 2011)

SCMLR 5.2
MANDATORY LIABILITY INSURANCE

(A) If a person charged with a violation of RCW 46.30.020, driving a motor vehicle without having proof of valid insurance, presents to the court clerk within 15 days of the date of violation, or prior to a scheduled mitigation or contested hearing, evidence that they had in effect at the time of the infraction liability insurance as required by RCW 46.30.020, then, upon payment of $25 administrative costs, the case shall be dismissed and the court clerk shall be authorized to make appropriate notation of the dismissal in the court file.

(B) If a person charged with a violation of RCW46.30.020, driving a motor vehicle without having proof of valid insurance, provides proof to the court clerk within 15 days of the violation, or prior to a scheduled mitigation or

contested hearing, that they subsequently obtained liability insurance in conformity with the requirements of RCW 46.30.020, then the penalty shall be reduced to $200. The clerk shall be authorized to enter a finding that the infraction was committed and make appropriate notations in the court record. The person will be relieved of any further need to appear in court in connection with this charge on the infraction.

(Effective: September 1, 2011)

SCMLR 5.3
EXPIRED VEHICLE REGISTRATION

If a person who has been cited with a violation of RCW 46.16A.030.5, provides proof to the court clerk within 15 days from the date of violation, or prior to any scheduled mitigation or contested hearing, that the vehicle registration was valid at the time of the violation, and that the person has had no previous violations of RCW 46.16A.030.5, then the case shall be dismissed with no costs.

If a person charged with the violation of RCW 46.16A.030.5.L (Expired Vehicle Registration Less than Two Months) is able to acquire valid registration and provide proof to the court within 15 days of the date of violation, or prior to any scheduled mitigation or contested hearing, then the penalty shall be reduced to $65.00 and a finding of committed entered.

If a person charged with the violation of RCW 46.16A.030.5.O (Expired Vehicle Registration Over Two Months) is able to acquire valid registration and provide proof to the court within 15 days from the date of violation, or prior to any scheduled mitigation or contested hearing, then the penalty shall be reduced to $100 and a finding of committed entered.

In each case, the clerk shall be authorized to enter the appropriate finding and to make appropriate notations in the court record, and the person will be relieved of any further need to appear in court in connection with the infraction.

(Effective: September 1, 2012.)

SCMLR 5.4
DECISIONS ON WRITTEN STATEMENTS

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

(A) If the defendant submits a timely request for a hearing to contest or mitigate an infraction, the defendant may elect to seek a decision on written statement pursuant to IRLJ 3.5. A person who elects to contest or mitigate an infraction by decision on written statement shall be deemed to have waived an in-court hearing to contest or mitigate the infraction in person.

(B) If a hearing date is set, a request for a decision by written statement in lieu of personal appearance may be submitted no less than the day prior to that set for the in-court hearing.

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

(D) A defendant wishing to proceed by decision on written statement shall provide a statement which sets forth the facts and/or defense(s) that the defendant would like the Court to consider. A written statement submitted pursuant to this rule shall be submitted by declaration containing substantially the following form:

> I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true;
>
> I agree to pay any penalty imposed within 60 days of a decision date.

(E) If the charges are contested, the Court shall review the officer's sworn statement and declarations submitted by the defendant. The examination may be held in Chambers and shall not be governed by the rules of evidence. The Court will then determine whether the plaintiff has proved by a preponderance of evidence whether it is more likely than not that the defendant has committed the infraction.

(F) The court shall notify the parties in writing whether an infraction was found to have been committed and what penalty, if any, was imposed, and the date by which such payment shall be made to the court.

(G) There shall be no appeal from a decision on written statements, and the decision of the Judge shall be final for all purposes.

(Effective: September 1, 2011)

SCMLR 5.6
DEFERRAL OF TRAFFIC INFRACTION

The defendant may enter a deferral of traffic infraction for up to one year pursuant to RCW 46.63.070(5).

(A) The defendant may enter a deferral of traffic infraction without court hearing upon appearing at the clerk's office, paying the administrative costs and signing the agreement to abide by the deferral conditions (no new moving/non-moving violations for six months). Alternatively, the Court may grant deferral at a scheduled mitigation or contested hearing, setting costs and conditions.

(B) The court will monitor the defendant's compliance for the stated period of time. If the defendant successfully completes the conditions, the charge(s) will be dismissed.

(C) The court may extend the jurisdiction up to a year if the defendant obtains a new pending violation and no disposition is shown. If the defendant obtains a new committed violation during the period of jurisdiction or fails to pay the administrative costs, the deferral will be revoked and the charge(s) found committed.

(Effective: September 1, 2011)