Okanogan County Superior Court

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LR 1.
TITLE AND SCOPE

(a) Preface. These rules shall take effect on September 1, 2013, and supersede all prior rules of this court. The previous rules which were adopted effective January 2, 1995, September 1, 2000 and September 1, 2010 are hereby replaced. Forms listed in Appendix A shall be effective September 1, 2013. These rules shall be known as the Local Rules of the Superior Court of the State of Washington for Okanogan County. These rules may be cited in the following form: "LR", "LGALR", "LMAR" and "LSPR".

(b) Scope. These rules apply to all matters before the Okanogan County Superior Court. To the extent these rules conflict with statewide rules, the statewide rules apply. Okanogan County Superior Court will follow Washington State Court Rules and only promulgate local rules as deemed necessary.

(c) Waiver and Construction. Any provision of these rules may be waived or modified by order of the court for good cause shown, or as required in the interest of justice. These rules should be construed to promote the fair, just and expeditious resolution of disputes.

Amended Effective September 1, 2013

LR 1A.
JUDICIAL POSITIONS

(a) Judicial Positions. RCW 2.08.065 provides that there shall be two superior court judges for Okanogan County.

(b) Commissioners. The court may appoint up to three Court Commissioners and such pro tem Commissioners and pro tem Judges as are necessary, in the judgment of the court, to complete the business of the court.

(c) Authority of Commissioners. Court Commissioners shall perform duties as assigned by the court and shall have all powers conferred by law, including the authority to accept pleas in criminal matters. Commissioners may perform other duties as stipulated by the parties if authorized by the court.

Amended Effective September 1, 2013

LR 4.3
PRO SE APPEARANCE

Pro Se.

All Pro Se litigants (being those individuals representing themselves) shall be required to file a Pro Se Notice of Appearance (Form WPF DRPSCU 01.0320).

The form must include that party's full name, signature, mailing address and telephone number. A new form must be filed in the event of a change in address or phone number. Parties who fail to comply with this order may have sanctions imposed by the court, including their pleadings stricken, or other court action without notice. A copy of the Pro Se Notice of Appearance should be attached to any request for trial setting submitted to the court's Judicial Assistant. A form for this purpose may be obtained from the court's website, Judicial Assistant or family law facilitator. Petitioners in domestic violence or civil harassment cases may provide alternate address and contact information where their physical address is confidential.

Amended Effective September 1, 2013

LR 7.
CIVIL MOTIONS

(a) Scope of Rules. Except when specifically provided in another rule, this rule governs all motions in civil cases.

(b) Dates of Filing, Hearing and Consideration.

(1) Filing. The moving party shall serve and file the motion and supporting documents no later than five court days before the date the party wishes the motion to be considered.

(2) Opposing Documents. Any party opposing a motion shall file and serve the original responsive papers in opposition to a motion with the clerk, serve copies on parties, and deliver working copies to the hearing judge no later than 9:00am one (1) court day before the date the motion is to be considered.

(3) Scheduling Oral Argument. Contested motions shall be scheduled on the Superior Court's regularly scheduled Law & Motion Calendar unless otherwise specified in (b)(4).

(4) Limitation of Arguments. Oral arguments on the Law & Motion Calendar shall be limited to ten (10) minutes per side. If it is anticipated by either party that oral arguments will be more than ten (10) minutes per side, that party shall contact the Judicial Assistant to request a special setting.

(5) Working Copies. Any Working copies of the motion and all documents in support or opposition, as herein required, shall be delivered to the Judicial Assistant as set forth in section (d).

(c) Motions for Revision of a Commissioner's Order. For all cases except juvenile and involuntary treatment proceedings:

(1) Motion for Revision. A motion for revision of a commissioner's order or judgment shall be served and filed within ten (10) calendar days of entry of the written order, as provided in RCW 2.24.050, along with a written notice of hearing that gives the other party at least five (5) Judicial days' notice of the time, date and place of the hearing on the motion for revision. The motion shall identify the error(s) claimed.

(2) Hearing. A hearing on a motion for revision of a commissioner's order shall be scheduled within a reasonable time of entry of the commissioner's order.

(3) Materials Submitted. All motions for revision of a commissioner's order shall be based on the written materials and evidence submitted to the commissioner, including documents and pleadings in the court file. The moving party shall provide the assigned judge a working copy of all materials submitted to the commissioner in support of and in opposition to the motion, as well as a copy of the electronic recording, if the party wishes the electronic recording to be considered. Oral arguments on motions to revise shall be limited to ten (10) minutes per side. Working copies shall be submitted pursuant to the requirements of LR 4.

(4)Pending Order Effective. The Commissioner's written order shall remain in effect pending the hearing on revision unless ordered otherwise by a Judge.

(d) Judge's Working Copies. Working copies for the judge's use shall be provided as follows: all summary judgment materials including briefs and supporting materials; all briefs and supporting materials for any specially set matter; trial briefs, motions in limine, witness lists and similar material. Working copies of exhibits should be provided to the court during all civil trials.

WORKING COPIES SHALL BE DELIVERED TO THE JUDICIAL ASSISTANT AT OKANOGAN SUPERIOR COURT
OR MAILED TO OKANOGAN SUPERIOR COURT AT P.O. BOX 112 OKANOGAN, WA 98840
NO LATER THAN FIVE DAYS PRIOR TO THE COURT HEARING DATE.

(e) Telephonic hearings. Telephonic hearings are authorized for most matters other than trial upon stipulation by the parties and upon court approval or upon the court's own action. The record of such hearings will be electronically recorded. No cellphones or in-office conferencing equipment shall be used by either party.

(f) Cancellation or Continuance. When the parties wish to cancel or continue special set matters or law and motion matters, the party who originally set the hearing must notify the Superior Court Clerk (509)422-7275 at least twenty-four (24) hours before the scheduled hearing. Notice must also be provided to the Judicial Assistant at (509)422-7093.

Amended Effective September 1, 2013

LR 16.
PRETRIAL PROCEDURE AND FORMULATING ISSUES

(a) Pre-Trial Conferences. Pre-trial Conferences are required in all cases except family law cases. Any order for a pre-trial conference shall be in the form of and include the provisions as set forth in Appendix A Form A-6. The pre-trial conference shall be held not less than twenty-one (21) calendar days prior to the trial date.

(b) Pre-Trial Order. A pre-trial order as set forth in Appendix A Form A-7 shall be prepared by counsel within fourteen (14) calendar days after the conclusion of the pre-trial conference.

(c) Exhibits. Parties shall notify the trial judge and the opposing party by letter if that party anticipates offering twenty-five (25)exhibits or more at the time of trial. Said notice shall be given no less than

fourteen (14)calendar days prior to the trial date.

(d) Settlement Conferences

(1) On Motion by Party. Any party in any pending case may serve and file a motion for a settlement conference.

(2) On Court's Motion. The court to which a case is assigned for trial may, upon its own motion after a trial date has been set, order a settlement conference in any pending case, and a settlement conference shall be held unless all parties file objections thereto.

(3) Subsequent Motion by Party. Where a motion for a settlement conference has been defeated by the filing of an objection, any future motion must be made upon a showing of a significant change in circumstances.

(4) Order for Settlement Conference. Upon the entry of an order for a settlement conference, the judge shall fix a specific date and hour for the conference. If either party has a limited ability to speak or understand the English Language then the order shall provide for an interpreter and identify the language needing interpreting. The party presenting such order for entry shall at the time of entry provide a copy to the Judicial Assistant.

(5) Preparation and Attendance. The attorney in charge of each party's case shall personally attend all settlement conferences and shall, not less than five (5) days prior to the date set for the settlement conference, serve on the settlement judge and the attorney for the opposing party a letter succinctly addressing the following:

a. A brief factual summary;
b. Issues regarding liability;
c. Issues regarding damages,both special and general
d. History of any settlement negotiations; and
e. Current position on settlement.

In family law cases, counsel shall also serve on the settlement judge and attorney for the opposing party the completed Asset & Debt Matrix (Appendix A form A-1) and financial declaration (WPF DRPSCU 01.1550)

Each attorney shall be prepared to discuss the foregoing in detail at the settlement conference.

(6) Attendance of Parties. The parties shall in all cases attend the settlement conference.

Parties whose defense is provided by a liability insurance company need not personally attend said settlement conference, but a representative of the insurer of such party, if such a representative is available, shall attend with sufficient authority to bind the insurer to a settlement. In the event such a representative is not available, counsel representing the party whose defense is provided by the insurer shall make a good faith effort to obtain settlement authority to bind the insurer to a settlement prior to the settlement conference.

Upon timely request, attendance of any party may be excused by the court where by reason of health, or other good and sufficient reason, compelling their personal attendance would be unduly burdensome.

(7) Proceedings Privileged. Proceedings of said settlement conference shall, in all respects, be privileged and shall not be reported or recorded. When a settlement has been reached, the judge may, at the request of any party, order the settlement to be reported or recorded.

(8) Sanctions. Where a party has failed to comply with any of the provisions of this rule the court shall make such orders as are just, which shall include the award of reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust.

(e) Agreed Statement of the Case. In all civil jury trials the parties shall jointly prepare a neutral and agreed summary description of the case. The court will read that statement during the orientation phase of selection.

Amended Effective September 1, 2013

LR 38.
JURY DEMAND

Civil Jury Demand.

Any demand for a jury in a civil proceeding shall be submitted in writing to the Superior Court Clerk and the Judicial Assistant.

Amended Effective September 1, 2013

LR 40.
TRIAL SETTING AND PRE-TRIAL PROCEDURES

(a) Trial Setting. Any party may request a trial setting by use of the Request for Trial Setting form (Appendix A forms A-8 and A-9) which can be obtained from the Court's website or Judicial Assistant. The form must be served on all opposing counsel or Pro Se parties and delivered to: Office of the Judicial Assistant, PO Box 112, Okanogan, WA 98840 (509-422-7130). Opposing counsel and any Pro Se party shall prepare, serve and file any response to the request within fourteen (14) days. All counsel and Pro Se parties must provide unavailable dates on the form or by separate attachment. The listing of a date as unavailable is a request not to have trial set on that date. Such requests must be reasonable and should not result in unnecessary inconvenience or undue delay.

(b) Multiple Settings and Priorities. The Judicial Assistant sets trial dates based upon the information provided in the Request for Trial Setting and Response. Because of scheduling difficulties, the Judicial Assistant may give cases multiple settings with some of those being second or third place settings. Counsel and parties should be prepared for trial regardless of the priority of a specific setting. Second and third set cases are often called for trial. Counsel and parties with second and third settings are required to maintain awareness of the status of their trial setting by contacting the Judicial Assistant who will endeavor to provide current information on the status of cases set with higher priority.

(c) Trial Confirmation. All counsel and Pro Se parties shall confirm by contacting the Judicial Assistant that the scheduled trial is ready to proceed. Confirmation should be made no later than noon (12:00pm) two (2) judicial days prior to the scheduled trial date. Failure to confirm may result in trial being stricken.

(d) Scheduling. Scheduling letters may be issued by the Judicial Assistant. However, they may not address issues such as discovery cutoff, disclosure of experts and any other scheduling issues except trial dates and pre-trial conference dates. The court may issue scheduling orders as appropriate for a case.

Amended Effective September 1, 2013

LR 47.
JURORS

(a) Jury Selection. Juries will be selected by the method commonly known as the "struck juror system." Before the process begins the clerk will randomly assign sequential numbers to all prospective jurors, who have appeared, and will seat them in the courtroom in that order. The judge and counsel will be provided with a seating chart or a roster of the panel as seated.

(b) Alternate Juror. In lieu of the procedure designated by statute, the parties may stipulate that the alternate juror be designated by random drawing to be announced after closing argument.

LR 51.
INSTRUCTIONS TO JURY

(a) Jury Instructions and Note-Taking. The court allows jurors to take notes and provides written copies of instructions to each juror. Juror notes are destroyed at the end of trial. The copies of instructions provided to jurors are not preserved.

(b) Jury Instructions. Each party shall file one cited and numbered copy of proposed instructions with the clerk in order to preserve the record. Each party shall also provide one cited and numbered copy and one un-cited, un-numbered and un-stapled copy of instructions to the court's Judicial Assistant for the judge's use. The parties shall provide a copy of their instructions on disk to the court's Judicial Assistant at the beginning of the trial.

(1) Civil. Written instructions in civil cases shall be provided by the time of the pre-trial conference or five (5) judicial days prior to commencement of trial.

(2) Criminal. Written instructions in criminal cases shall be provided two (2) judicial days prior to commencement of trial.

Amended Effective September 1, 2013

LR 56.
SUMMARY JUDGMENT AND OTHER SPECIAL SETTINGS

(a) Summary Judgment/Special Settings. Summary Judgments as per CR 56 or hearings requiring more than ten minutes per side to argue must be specially set and arranged by contacting the Court Judicial Assistant (509)422-7093. No hearing will be set without the motion filed with the Superior Court Clerk. Matters requiring less than ten minutes per side may generally be placed on the appropriate Law and Motion calendar.

(b) Summary Judgment Confirmation. Summary judgment hearings must be confirmed by calling/ emailing to the Judicial Assistant forty-eight (48) hours before the scheduled hearing (509)422-7093. Failure to comply may result in cancellation.

Amended Effective September 1, 2013

LSPR 94.04.01
FILINGS IN FAMILY LAW AND NON-MARITAL RELATIONSHIPS

(a) Application of Rule. This rule shall apply to all of the following types of cases that were filed after September 1, 2013:

(1) Family law. Petitions seeking dissolution of marriage, legal separation, or declaration of invalidity; and

(2) Non-marital. Actions brought by parties to non-marital relationships involving parenting or distribution of assets/liabilities.

(b) Court's Automatic Temporary Restraining Order. Upon the filing of a Summons and Petition in any of the actions specified above, the court shall issue an Automatic Temporary Restraining Order, for which no fees will be imposed, using the form set forth in Appendix A FORM A-3. The Petitioner is subject to this order from the time of filing the Petition. The Petitioner shall serve a copy of this order on the Respondent and file a declaration of service in the court file. The Respondent is subject to this order from the time that the order is served.

(c) Service of Financial Declarations and Assets & Debt Matrix. Within thirty (30) calendar days after the filing of an answer or other responsive pleading in any of the actions specified above, each party shall be required to serve the following documents on the opposing party:

(1) Petitioner's Obligation. Upon receipt of the answer or response, the Petitioner shall, within fifteen (15) calendar days serve their Verified Financial Declaration and Verified Statement of Assets & Debt Matrix upon the Respondent.

(2) Respondent's Obligation. Upon receipt of declaration and financial statements as per (c)(1) above from Petitioner, the Respondent shall, within fifteen (15) calendar days, serve Petitioner a Verified Financial Declaration and Verified Statement of Assets & Debt Matrix.

(3) Parties' Obligations. Each party shall then file with the court a Declaration of Mailing, attesting that the Financial Declaration and Verified Statement of Assets & Debt Matrix has been provided to the other party within the thirty (30) calendar day time limit. All parties have a duty to supplement the financial information when additional information becomes available.

(4) Final Statement. The parties final Verified Statement of Assets & Debt Matrix shall be filed with the court within fourteen (14) calendar days of any scheduled trial. The Verified Financial Declarations must be filed with the court in cases involving a request for child support, maintenance or attorney's fees.

(d) Pro Se Review.
Any party representing themselves (Pro Se) shall have their pleadings (except petitions for domestic violence protection orders, anti-harassment protection orders or sexual assault protection orders) reviewed by the Court's Facilitator. This does not prevent anyone from filing or scheduling a hearing; however to avoid delays and in consideration of court efficiency their pleadings must be reviewed as follows:

(1) Temporary Motion/Orders. For temporary orders or motions at least two (2) judicial days prior to scheduled hearing

(2) Final Orders/Decrees. For trials parties shall see the facilitator at least forty-five (45) calendar days prior to scheduled trial.

The Court's Facilitator may review further pleadings as necessary however; any pleadings required for completion (finalization) of the action shall be reviewed. Any pleadings required to be reviewed may be reviewed by an attorney acting as a third-party neutral in accordance with RPC 2.4, or a Limited License Legal Technician as per APR 28 who shall certify the pleadings as reviewed using the form in Appendix A form A-2.

Amended Effective September 1, 2013

LSPR 94.04.02.
PARENTING SEMINARS

(a) Applicable Cases. This rule shall apply to all cases under Chapter 26.09, 26.10, or 26.26 RCW which require a parenting plan or residential schedule for minor children, including major modifications and paternity actions in which paternity has been established.

(b) Mandatory Attendance. Except as provided in Section (f) below, within thirty (30)calendar days of filing an appearance, answer or other responsive pleading in this action, both parties shall register for a court-approved parent education seminar on the effects of family transitions on children, unless the parties have previously attended such a course. Each party shall attend the seminar within sixty (60) calendar days of registering. The court will also accept any comparable class that has been approved by any other superior court.

(c) Certificate of Completion. Upon completion of the seminar or prior to presentment of final documents, each party shall file with the Superior Court Clerk the seminar completion certificate provided by the sponsoring agency or provider.

(d) Fees. Each party shall be responsible for paying any fees charged by the approved provider.

(e) Waiver/Special Consideration. Any waiver of attendance or special consideration may be made in accordance to RCW 26.12.172 or for good cause.

(f) Exchange of Parenting Plans. Within twenty-one (21) calendar days of completing the parenting seminar, each parent shall provide the other parent with a Proposed Parenting Plan, or may submit a mutually agreed proposed parenting, or a joinder.

(g) Failure to Comply. Willful refusal to participate in a parenting seminar or willful delay in completing or failure to exchange/ provide a proposed parenting plan may result in a finding of contempt and imposition of sanctions. The Court may decline to enter finalization documents until both parents have completed the seminar.

Amended Effective September 1, 2013

LSPR 94.04.03
MANDATORY MEDIATION

(a) Mediation in Contested Cases. Except as provided in Section (b) below, in all Family law petitions seeking dissolution of marriage, legal separation, or declaration of invalidity; and actions brought by parties to non-marital relationships involving parenting or distribution of assets/liabilities having unresolved issues, both parties shall in good faith engage in mediation with a court-approved mediator, Okanogan County Dispute Resolution Center, or licensed attorney in an effort to resolve the case. In cases where parenting issues exist, the mediation shall not occur until both parties have completed the parenting seminar. Mediation shall be completed at least thirty (30) days prior to the scheduled trial date.

(b) When Mediation may not be required. Mediation shall not be required, but is encouraged, as provided in Section (a) in the following cases:

(1) Good Cause. For good cause shown upon motion and approval by the court; or

(2) Indigent. Upon determination of a party's indigence through procedures under GR 34 as implemented by the court; or

(3) Domestic Violence. Where a Domestic Violence or Anti-Harassment order is currently in effect, involving the parties and/or their dependent children whether it exists pursuant to RCW 10.99 or RCW 26.50 or RCW 26.09.016.

(c) Requests for Mediation. If not required under subsection (b) above, either party may by motion seek a court order requiring mediation if that party can demonstrate that it can be accomplished in a safe and reasonable manner.

(d) Settlement Conference. If, after mediation in good faith or where mediation is not required, there remain unresolved issues, then a settlement conference may take place pursuant to LR 16(d).

(e) Effect on Court Proceedings. Mediation does not stay or otherwise affect the rights and duties of the parties established by statute, court rule, or court order. The court may enter temporary orders and the parties may conduct discovery prior to or during the mediation process.

(f) Cost of Mediation. Mediators shall be paid by the parties in accordance with the agreement of the parties, or in the absence of agreement, as determined in mediation.

(g) Responsibility for Compliance. The parties shall be responsible for arranging for and completing all mediation requirements established under this rule.

(h) Failure to Comply. Willful refusal to participate in mediation or willful delay in completing mediation or non-compliance may result in a finding of contempt and imposition of sanctions.

(i) Approval of Mediators. Mediators performing mediation services pursuant to this rule must fulfill the minimum qualifications set forth in Appendix B.

(j) Selection of Mediator. The parties shall agree on the mediator. If they cannot agree then each party shall submit a list of proposed mediators to the court. The court shall then select from the proposed mediators. A mediator has the right to decline to serve in a particular case. If a mediator declines to serve, the parties or the court shall select a different mediator, using the same selection process by which the preceding mediator was selected.

(k) Authority of Mediator. The mediator has the authority to determine the time, place, manner, and duration of mediation. In appropriate cases, the mediator shall have the authority to terminate the mediation prior to completion.

(l) Attendance at Mediation. The parties shall personally attend all mediation sessions, unless the mediator permits telephonic or other attendance. The mediator shall have the authority to require other persons to attend.

(m) Declaration of Completion. Within seven (7) days of completion of mediation, a declaration that mediation has been completed shall be filed with the court by the mediator. The mediator shall advise counsel and the parties of the results of mediation in writing. The mediator shall advise the court only whether an agreement has been reached on some or all of the issues.

(n) Confidentiality. The work product of the mediator and all communications during the mediation shall be privileged and confidential and not subject to compulsory disclosure. The mediator shall not appear to testify in any court proceedings. See RCW 5.60.070.

Amended Effective September 1, 2013

LSPR 94.04.04
PROCESS UNDER GR 34

Application process.

Any individual, deemed indigent as defined under GR 34(a)(3), shall make an application to the Court's Judicial Assistant prior to submission of any pleadings or filings to the Okanogan County Clerk. The Judicial Assistant shall submit the application to the Judicial Officer for consideration as per GR 34(a)(2).

Amended Effective September 1, 2013

LGALR 1.
SCOPE AND DEFINITIONS

Scope and Purpose.

This local rule covers the maintenance and administration of the Guardian ad Litem Registry by the Judicial Assistants.

LGALR 2.
GENERAL RESPONSIBILITIES OF GUARDIAN AD LITEM

(a) Education and Experience Requirements.

(1) Attorneys

(a) Member of the Washington State Bar Association in good standing; and

(b) For initial placement on registry, completion of any training as required by statute. For retention on registry, completion of any continuing training, as may be required by statute or the court from time to time.

(2) Non-attorneys

(a) For initial placement on registry, completion of any training as required by statute. For retention on registry, completion of any continuing training, as may be required by statute or the court from time to time.

(b) Eligibility to be determined by the court.

(b) Application and Annual Renewal. Any application shall be submitted on a form provided by the court and shall be renewed annually by date specified by the court. The application shall include the following:

(1) The name, business address, and telephone number of the applicant.

(2) The level of formal education of the applicant and, if the applicant is an attorney, the year admitted to practice in Washington State and any other States in which the attorney is licensed to practice.

(3) A listing of training relating to the GAL's duties.

(4) The number of years' experience as a GAL.

(5) The number of appointments as a GAL, Counties of appointment and types of matters.

(6) The applicant's criminal history as defined by RCW 9.94A.030.

(7) Any additional evidence of applicant's education, knowledge, training, and experience.

(8) A statement describing the nature, status, and outcome of any complaints, investigations, disciplinary actions, lawsuits, or liability claims lodged against the GAL related to the person's duties as a GAL or their profession along with any orders for removal of the GAL entered prior to the completion of the GAL's duties for any reason other than a conflict of interest where the GAL had no prior knowledge that the conflict existed.

(9) A description of the fees to be charged by the applicant (hourly rate and any required retainer) and a statement of the applicant's willingness to accept cases on a reduced fee basis.

(10) Agreement to advise the court immediately in the event of any complaint, investigation, or action being commenced related to the applicant's duties as a GAL in the instant or any other case which could lead to:

(a) Discipline of the applicant;

(b) The suspension or revocation of the applicant's professional license(s).

(11) Agreement to advise the court immediately upon the filing of criminal charges for a felony or a crime involving allegations of theft, dishonesty, or moral turpitude.

(c) Retention on Registry.

(1) Persons on the registry shall promptly inform the court of any temporary unavailability to serve, or of their intent to resign from the registry.

(2) A person shall remain on the registry unless the person fails to maintain a current application with attachments or the person is removed or suspended as set forth in Section (g).

(3) A person may be denied listing on, or may be temporarily suspended from, the registry for any reason that places the suitability of the person to act as GAL in question.

(4) A GAL who ceases to be on the registry and who still has active or incomplete cases shall immediately report this circumstance to the Registry Administrator, who shall reassign such cases.

(5) A person's retention on the registry shall be reviewed upon the court's receipt of a complaint regarding performance in office or the court's receipt of adverse information regarding the suitability of a person to serve as a GAL. Complaints shall be reviewed in accordance with Section (g).

LGALR 5.
APPOINTMENTS OF GUARDIAN AD LITEM

(a) Appointment of a Guardian ad Litem from Registry.

(1) For Title 26 cases only in cases where the parties agree, any GAL from the registry may be appointed.

(2) In Title 11 cases or in Title 26 cases where the parties cannot agree, a party needing an appointment from a GAL registry shall request the same from the Registry Administrator. If the requesting party is represented by counsel, the attorney shall then contact the proposed GAL to determine if he/she is available to serve. If the requesting party is pro se, the Registry Administrator shall contact the proposed GAL to determine if he/she is

available to serve. The person whose name next appears on the registry on a rotational basis shall be appointed, subject to that person's acceptance of the appointment.

(3) The person appointed by the Registry Administrator shall serve upon the parties a notice of appointment.

(b) Registry Administration. The court shall maintain a GAL registry and appoint a registry administrator (Judicial Assistant). The registry is limited to RCW Titles 11.88, 13 and 26 GAL's. These requirements and procedures apply to persons whether listed or not listed on the registry who is appointed to serve as a Guardian ad Litem.

(1) The Court shall maintain an application form and background information records pertaining to each person. Persons shall reapply and update background information annually on a date specified by the court. All application and background information, with the exception of personal identifying information in family law cases and pending complaints, shall be available for public inspection.

(2) Persons shall be selected for appointment at the discretion of the Court giving due consideration to:

(a) Having a sufficient number of GAL's available to fulfill the requests for appointment;

(b) Achieving and maintaining diversity; and

(c) Retaining panels of persons with substantial experience and special knowledge within given fields. In some cases there may be more qualified applicants that will be needed or would benefit the program, so that not all persons applying will be selected.

(3) The court may periodically sponsor or approve training programs which registry applicants shall be required to attend to maintain and improve their level of proficiency. Training programs may be co-sponsored or offered by the state or local bar association under the oversight of the court.

(4) The registry may be reconstituted as necessary. The court may allow additional applicants to be added to the registry upon approval of applicant.

(5) The court may impose an application processing fee and/or charge a fee for the training programs.

LGALR 7.
GRIEVANCE PROCEDURE

Grievance Procedure.

(1) There shall be a grievance review committee consisting of the Superior Court Presiding Judge, the Court Administrator and a representative of the Okanogan County Bar Association as appointed by the then County Bar President.

(2) All grievances must be in writing and must be submitted to the Superior Court Presiding Judge.

(3) Upon receipt of a written grievance, the Presiding Judge shall convene the Grievance Review Committee within ten (10) business days to review the grievance. Upon review of the grievance, the Grievance Review Committee shall either:

(a) Make a finding that the grievance has no merit on its face, and decline to review the grievance and so inform the complainant; or

(b) Make a finding that the grievance does appear to have merit and request a written response from the GAL within ten (10) business days, detailing the specific issues in the grievance to which the Committee desires a response. The Committee shall provide the GAL with a copy of the original grievance. A GAL's failure to respond within the required ten (10) business days will result in the immediate suspension of the GAL from all registries.

(c) In considering whether the grievance has merit, the Grievance Review Committee shall consider whether the grievance alleges the GAL has:

(1) Violated the code of conduct;

(2) Misrepresented his or her qualifications to serve as GAL;

(3) Not met the annual update requirements set forth in Section (d) of this policy;

(4) Breached the confidentiality of the parties;

(5) Falsified information in a report to the court or in testimony before the court;

(6) Failed to report abuse of a child;

(7) Communicated with a judicial officer ex-parte;

(8) Represented the court in a public forum without prior approval of the court;

(9) Violated state or local laws, rules, or this policy in the person's capacity as a GAL; or,

(10) Taken or failed to take any other action which would reasonable place the suitability of the person to serve as GAL in question.

(4) Upon receipt of a written response to a complaint from the GAL, the Grievance Review Committee shall, within ten (10) business days, make a finding as to each of the issues delineated in the Committee's letter to the GAL that either there is no merit to the issues based upon the GAL's response or that there is merit to the issue. The Review Committee may, at their discretion, extend the time for entering findings to conduct additional investigation if necessary; however, in no case shall that extension be for more than twenty (20) business days and the GAL shall be notified.

(5) The Grievance Review Committee shall have the authority to issue a written admonishment, a written reprimand, refer the GAL to additional training or recommend to the court, upon its own motion, to remove the GAL from the instant case, or suspend or remove the GAL from the registry. In considering a response, the Committee shall take into consideration any prior grievance which resulted in an admonishment, reprimand, referral to training, removal of the GAL from a particular case, or suspension or removal from a registry. If a GAL is listed on more than one registry, the suspension or removal may apply to each registry the GAL is listed on at the discretion of the Committee.

(6) The complainant and the GAL shall be notified in writing of the Committee's decision within 10 business days of receipt of the GAL response.

LGALR 8.
COMPENSATION

Payment of Guardian ad Litem

(1) There shall be no payment of a GAL by anyone, except as authorized by order of the court.

(2) Each order appointing GAL shall set forth the hourly rate of compensation for the investigative/legal work; source of payment, if determined; and unless waived, shall require the GAL to seek court authorization to provide services in excess of fifty (50) hours per case, not including court appearances.

(3) The order appointing a GAL may include a provision for an advance payment on fees and proportionate

responsibility for payment to the GAL.

(4) All fee requests by the GAL submitted to the court shall contain time records, which distinguish investigative/legal, administrative/clerical, and travel time and shall also be served upon the parties.

(5) GAL fees shall be the responsibility of a party or parties unless the court has entered an order authorizing payment at public expense.

Amended Effective September 1, 2013

LMAR 1.2
Mandatory Arbitration of Civil Actions

Scope and Purpose.

The purpose of mandatory arbitration of civil actions under RCW 7.06 as implemented by the Mandatory Arbitration Rules is to provide a simplified and economical procedure for obtaining the prompt and equitable resolution of disputes involving claims of $75,000.00 or less. The Mandatory Arbitration Rules as supplemented by these local rules are not designed to address every question which may arise during the arbitration process, and the rules give considerable discretion to the Arbitrator. The Arbitrator should not hesitate to exercise that discretion. Arbitration hearings should be informal and expeditious, consistent with the purpose of the statutes and rules.

Amended Effective September 1, 2013

FORM A-1 ASSET AND DEBT MATRIX (IN EXCEL FORMAT)

The contents of this item are only available on-line.

FORM A-2 ATTORNEY/LIMITED LICENSE LEGAL TECH CERTIFICATION (IN WORD FORMAT)

The contents of this item are only available on-line.

FORM A-3 AUTOMATIC TEMPORARY RESTRAINING ORDER (IN WORD FORMAT)

The contents of this item are only available on-line.

FORM A-4 DECLARATION OF COMPLICANCE (IN WORD FORMAT)

The contents of this item are only available on-line.

FORM A-5 NOTE FOR HEARING (IN WORD FORMAT)

The contents of this item are only available on-line.

FORM A-6 ORDER FOR PRETRIAL CONFERENCE (IN WORD FORMAT)

The contents of this item are only available on-line.

FORM A-7 PRETRIAL ORDER (IN WORD FORMAT)

The contents of this item are only available on-line.

FORM A-8 REQUEST FOR TRIAL SETTING (DISSOLUTION AND FAMILY LAW) (IN WORD FORMAT)

The contents of this item are only available on-line.

FORM A-9 REQUEST FOR TRIAL SETTING CIVIL MATTERS (IN WORD FORMAT)

The contents of this item are only available on-line.

Appendix B
Minimum Qualifications for Superior Court Family Law Mediators

1. A Jurist Doctor Degree with extensive experience in family law related matter; or

2. A Bachelor's Degree or Master's Degree in Sociology, Psychology or other social or behavioral science plus completion of training in family law mediation upon approval of the court; or

3. A person who has completed a family law mediation training course offered by a law school in the State of Washington or the basic mediation training course and family mediation training offered by the Okanogan County Dispute Resolution Center or such other equivalent mediation training course(s)as shall be approved by the court; or

4. Such other education and experiential qualifications as shall be approved by the Superior Court judge on a case by case basis.