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Lakewood Municipal Court

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LMCLR AR1.1  
APPEALS

Purpose: Certain statutes and ordinances vest the Municipal Court with the authority to hear appeals. This Rule sets forth the procedure for hearing and decision regarding such appeals. This Rule is intended to provide for the expeditious consideration of timely filed notices of appeal.

1) Timeliness. The appeal must be filed with the Court and a copy filed with the City Attorney within the timeframe set forth by statute or municipal code and accompanied by any applicable filing fee. An untimely appeal shall be dismissed summarily.

2) In addition to any other requirements imposed by applicable statutes or municipal code, the notice of appeal should

(1) be titled "Notice of Appeal"

(2) identify the party or parties appealing

(3) designate each decision which the party wants reviewed

(4) provide the name, address and telephone number of the appealing party or their lawyer.

If the decision for which review is sought is in writing, that decision should be attached to the notice of appeal.

3) Upon receipt of a properly filed notice of appeal, the Court will set the matter for hearing on an available. Documents, photographs, affidavits, and other offers of proof may be submitted if they are filed with the Court and served on the opposing party no less than five days before the appeal hearing. The provisions of ER 904 shall also apply. Upon a showing of good cause, the Court may set over the hearing.

4) The Court may make an oral ruling at the close of oral argument, or may take the matter under advisement. If the matter is taken under advisement, the Court will issue a written decision or set the matter for further hearing within 30 days.

5) Applicability of State Rules. To the extent not inconsistent with law, the Civil Rules for Courts of Limited Jurisdiction (CRLJ) shall apply to hearings under these rules. In addition, the provisions of Superior Court Civil Rule (CR) 16 shall apply.

6) Monetary Judgment. Where authorized by law, the Court will award monetary recoveries and costs upon timely application of a prevailing party. The parties shall note at the hearing whether they intend to seek a monetary recovery, and as part of its decision, the Court will make a determination whether such recoveries are allowed. In the event that such recoveries are awarded, and the prevailing party certifies that such recoveries have not been paid, the Court will certify the monetary award for enforcement as a civil judgment in accordance with RCW 3.66.020(10).

(Effective 09/01/14)

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