

LCR 40.  
ASSIGNMENT OF CASES

(a) (No Local Rules)

(b) Methods.

(1) Note for Trial Assignment. All notes for trial assignment on contested cases shall, in addition to counsel's or a self-represented party's estimate of time needed for trial, indicate the issues which counsel or the self-represented party believe will be in dispute, and shall contain the names and addresses of all attorneys, guardians ad litem, or self-represented parties. Counsel and self-represented parties shall certify that the issues are joined. If opposing counsel or self-represented parties dispute that the issues are joined or disagree with the statement of issues, do not believe the case is yet ready for trial, or have any other objection to the information contained in the Notice of Trial Assignment, opposing counsel or the self-represented parties shall, prior to the trial assignment date, file and serve an Objection to the Notice of Trial Assignment and note the matter for hearing on the appropriate motion calendar. This will remove the matter from the Court Administrator's trial assignment docket. Counsel and self-represented parties are urged to request sufficient time for these matters. Overestimation is preferred to underestimation of time needed. The form of the Note for Trial Assignment is set forth in Appendix C. Time shall be computed as set forth in Civil Rule 6 and LCR 6 herein.

(2) Conflict Dates. Counsel shall file a Notice of Conflict Dates with the Clerk of the court and provide a copy to the Court Administrator on or before 9 a.m. of the date set for trial assignment. Conflict dates shall be limited to previously scheduled vacations and trial dates. The form of the Notice of Conflict Dates is set forth in Appendix D.

(3) Trial Date Assignment. The Court Administrator will assign cases a specific trial date and notify the parties by mail and/or e-mail of such date. Counsel and self-represented parties shall not appear for the trial assignment calendar. If more than one matter is set for trial for the same day, counsel and self-represented parties shall be prepared for trial on the date set regardless of the order in which the cases are set.

(c) Priority Settings. All matters are subject to the established rule that criminal cases, juvenile proceedings, and civil proceedings entitled to priority settings take precedence over all other matters and may at times cause postponement of lesser prioritized cases.

(d) (No Local Rules)

(e) Continuances. A trial date may be stricken or continued by agreement of the parties upon presentation of an order to the court.

(f) Settlement of Cases Set for Trial. Notice shall be given immediately to the Court Administrator if any case which has been assigned a trial date is settled or will not be tried for any reason whatsoever. If this rule is violated and the court incurs unnecessary expenses, such as jury expenses, the court may, in its discretion, assess such costs to the parties.

(g) Confirmation of Trials. It shall be the responsibility of the parties to confirm that their trial will proceed on the scheduled trial date. Confirmation shall be made by telephone to the Court Administrator's office (360) 370-7480 no earlier than seven (7) or later than two (2) court days prior to the scheduled trial date.

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