LR 7
PLEADINGS ALLOWED; FORM OF MOTIONS

(b) Motions and Other Papers.

(1) How Made.

(A) Reapplication on Same Facts. When a motion has been denied in whole or in part (unless without prejudice) or when a motion has been granted conditionally and the condition has not been performed, the same motion may not be presented to another judge. Reapplication shall be made in the same manner as a motion to reconsider. NOTE: SEE LR 56 FOR SUMMARY JUDGMENT MOTIONS.

(B) Subsequent Motion; Different Facts. If a subsequent motion is made upon alleged different facts, the moving party must show by affidavit what motion was previously made, when and to which judge, what order or decision was made on it, and what new facts are claimed to be shown.

(C) Notes for Motion Calendar; Time for Filing. Any party desiring to bring any motion prior to trial, other than a motion for summary judgment, must file with the Clerk and serve all parties and the Judge assigned to hear the motion or the Presiding Judge at least five (5) court days before the date fixed for such hearing. A BENCH COPY OF THE MOTION AND ALL SUPPORTING DOCUMENTS SHALL BE DELIVERED TO THE CHELAN COUNTY COURTHOUSE OR MAILED OT THE JUDGE. THE MAILING ADDRESS FOR ALL JUDGES IS P.O. BOX 880, WENATCHEE, WA 98807-0880. The documents should include a Note for Motion, the motion and supporting documents.

(i) Note for Motion - Dissolution Actions. See Washington Pattern Form.

(ii) Other Actions. The note must contain the title of the court; the date, the time when the same shall be heard; the words "Note for Motion", the names of the attorneys for all parties or parties pro se; the nature of the motion; and by whom the motion is made. Attached as Exhibit B to this Rule is an example form of a Note for Motion that may be used for Chelan County causes. Any sections of Exhibit B that do not apply to the particular motion may be deleted from the form prior to filing. This note for motion must be signed by the attorney or party pro se filing the same, with the designation of the party represented.

(iii) The note or other document shall provide a certificate of mailing of all documents relating to the motion. If a party noting the matter for hearing: (a) has a limited ability to speak or understand the English Language, or (b) knows or, after reasonable inquiry has reason to believe, that any other party to the action has limited ability to speak or understand the English Language, the party noting the matter for hearing shall indicate on the Note for Motion form that an interpreter is needed. If the matter being noted is other than a family law matter, or if the language for which the interpreter is needed is not Spanish, the party filing the Note for Motion shall simultaneously with such filing provide a copy of the Note for Motion to the Judicial Assistant. This paragraph shall not apply to State-initiated child support enforcement or modification actions or to State-initiated paternity actions so long as the State provides an interpreter for such proceedings.

Responding documents and briefs must be filed with the Clerk and copies served on all parties and the Judge scheduled to hear the motion, no later than noon two (2) court days prior to the hearing. Copies of any additional responding or reply documents must be filed with the Clerk and served on all parties no later than noon of the court day prior to the hearing.

(D) Late Filing; Terms. Any material offered at a time later than required by this rule, over objection of counsel, may be rejected by the Court, or the matter may be continued and the court may impose appropriate terms or sanctions.

(E) Telephonic Hearing. Any party may request to argue any motion by telephone conference call. The requesting party shall contact the judge or commissioner scheduled to hear the motion at least three (3) days before the hearing for permission under such conditions as ordered by the court. All parties retain the right to argue motions in person, even if the other party appears by telephone.

(F) Special Settings. To special set any matter before the assigned judge, contact the person responsible for scheduling that judge's calendar as follows:

Dept. No. 1 Judge Lesley A. Allan LuAnne Nelson 667-6212 E-mail: LuAnne.Nelson@co.chelan.wa.us

Dept. No. 2 Judge T.W. Small Karen Komoto 667-6212 E-mail: Karen.Komoto@co.chelan.wa.us

Dept No. 3 Judge Alicia H. Nakata Luanne Nelson 667-6209 E-mail: Luanne.Nelson@co.chelan.wa.us

If you are not certain which judge is assigned to the case contact Fona Sugg at 509 667-6210 or E-mail Fona.Sugg@co.chelan.wa.us.