RULE 4.11
MISCELLANEOUS

(a) CRIMINAL TRIAL CALENDAR REVIEW

A review shall be held at 8:30 a.m. the Thursday before the week of trial to determine if the case is ready to proceed to trial. Counsel for all parties shall appear and advise the court of readiness for trial, the expected length of trial, and any restrictions as to particular days of the week or affidavits under RCW 4.12.050.

(b) RULING ON MOTION & AFFIDAVIT OF PREJUDICE

(1.) Review by Judge. Upon the filing of a motion and supporting affidavit of prejudice under RCW 4.12.050, the presiding judge will rule ex parte on the motion unless the presiding judge is the subject of the motion and affidavit or has previously recused himself or herself, in which case the assistant presiding judge will rule ex parte on the motion.

(2.) Consideration of RCW 4.12.050. The reviewing judge shall determine whether the judge subject of the affidavit has previously made a discretionary ruling in the case as defined by RCW 4.12.050 and whether the party filing the motion has previously made any other such motion.

(i.) If the reviewing judge finds that the judge subject of the motion has previously made a discretionary ruling in the case or that the party filing the motion has made any other such motion, the judge shall deny the motion and indicate in his/her ruling the specific basis for the denial. The reviewing judge shall forward the ruling to the clerk for copying and distribution to the parties.

(ii.) If the reviewing judge finds that the motion is timely and is not a subsequent motion by the same party, the trial judge shall grant the motion as a matter of right. The reviewing judge shall forward the ruling to the clerk for copying and distribution to the parties and to the judge who was the subject of the motion. Distribution to the judge who was the subject of the motion shall constitute a call to attention to such judge as required by RCW 4.12.050.

[Adopted effective September 1, 2012]