

LMSCR 1.
SETTLEMENT CONFERENCES IN FAMILY LAW CASES

(A) Requirement. Unless otherwise ordered by the Court, all family law cases, including those brought pursuant to RCW 26.09, 26.10, 26.26 or 26.60, in which the parties are not in agreement as to the terms of any parenting plan, order for placement of or visitation with a child, the determination of child support as part of a parenting plan or order for placement of or visitation with a child, the division of property, division of debts and liabilities, or a claim by any party for post decree maintenance or spousal support, shall, prior to being assigned a trial date, be set for a settlement conference. Prior to setting for a settlement conference, the case shall be "at issue," with all interested parties having filed answers or responses. Upon filing a notice for a settlement conference, the Court Administrator shall assign the soonest available date.

(B) Scheduling.

(1) To obtain a date for a settlement conference, the moving party must file a notice of issue for a settlement conference and certify that the respondent and all other interested parties have filed responses to the petition or complaint, that mediation as required has been attended or waived by the court, and note the matter on the Court Administrator's assignment calendar. The notice of issue must be filed and served at least seven (7) court days prior to the date scheduled for the assignment to be made.

(2) All interested parties or their counsel shall attend the assignment meeting with the Court Administrator, and shall provide a list of unavailable dates. Once a date for settlement conference has been assigned, the date may be changed or continued only by the court for good cause shown.

(C) Attendance and Preparation Required. All parties and their counsel shall personally attend the settlement conference unless other arrangements have been made with the court in advance of the settlement conference date. At the settlement conference, all parties shall make a good faith effort to fully discuss and settle all unresolved issues in dispute and negotiate in good faith. Failure to do so shall be grounds for imposition of terms.

(D) Settlement Conference Statement. The parties or their counsel shall deliver to the court and any opposing parties a settlement conference statement no later than fourteen (14) days prior to the settlement conference date. The settlement conference statement shall be in such form as required by the court and shall be available from the Court Administrator in electronic format or hard copy. Every party shall attach to the settlement conference statement or include with it the following information in hard copy:

(1) Complete individual (or joint) tax returns for the past two calendar years with all schedules, IRS form 1099's, W-2's, and similar statements of income.

(2) Complete partnership and/or corporate tax returns for the past two years, including all schedules and attachments for any entity by whom any of the parties may be employed as an officer or director, be a member of or in which any party has an interest of 5% or more of the capital stock.

(3) All pay stubs for the past six months or since January 1 or the current calendar year, whichever period is longer.

(4) Copies of the most recent statement and copies of the statements current as of the date of separation of balances due upon any mortgages, real estate purchase or sale contracts, deeds of trust and the underlying obligation secured by them, installment purchases contracts, time payment agreements or accounts, credit card accounts and all other debt owed by or to the parties.

(5) The most recent employers' ERISA or other retirement statement, together with a statement of contributions since the date of that statement of any pension or retirement plan of any party, the most recent statement together with a list of contributions since the date of that statement for any IRA, SEP, deferred compensation account or other defined contribution "retirement" account.

(6) A written appraisal or its equivalent for any and all real property and all personal property of special, unusual or extraordinary value, or a detailed summary of the evidence to be relied upon as to the value of such items. The parties may stipulate to a comparative market analysis for any real estate, provided there is no disagreement as to the value of the real property.

(7) The most recent NADA Official Used Car Guide or other similar vehicle appraisal guide showing both average loan or wholesale and retail values for any automobiles.

(8) A summary of the source and tracing of any property asserted or claimed to be the separate property of any party.

(9) A statement from each life insurance company issuing a policy of the insurance on the life of any party showing the cash surrender value of the policy and any outstanding loans against its cash value.

(10) A written appraisal or business evaluation of any proprietorship, partnership or closely held corporation of any party, or a summary of the evidence to be relied upon as to value of the same.

(11) A list of expert witnesses to be called at trial, a summary of their qualifications or C.V. as well as a summary of their anticipated testimony.

(12) Any other documents which any party believes to be relevant or material to the issues remaining in dispute between the parties, together with a written explanation of the relevance and materiality of the documents.

(13) If the issues in dispute concern a parenting plan or order of placement of or for visitation with any child, a copy of a proposed parenting plan or order for such placement or visitation.

(E) Sanctions for noncompliance. Failure of any party to comply with the settlement conference rules described above may result in the imposition of sanctions in the sum of not more than \$500.00 upon the non-complying party.

(F) Other issues and Documents. If child support is an issue of a dispute pertaining to a parenting plan, order of placement or visitation for a child, proposed child support worksheets in the form required, together with any required forms for determination of a deviation from the scheduled amount of child support.

(G) Negotiations Prior to Settlement Conference. After settlement conference statements are served, the parties are encouraged to negotiate and exchange additional documents. Any party may file and serve supplemental settlement conference statements prior to the scheduled settlement conference if the party's analysis or proposal to resolve the issues has changed after reviewing another party's settlement conference statement. If the parties resolve all issues prior to the settlement conference, they should appear at the settlement conference prepared to place the settlement on the record and/or enter final orders completing the action. If the parties resolve some of the issues in dispute, they should be prepared to discuss the issues remaining at the settlement conference.

(H) Completion. At the conclusion of the settlement conference, if the parties reach a settlement, the court shall schedule a hearing for presentment of final orders. If the parties desire to continue discussing the issues, the court may schedule a continuance of the settlement conference if warranted and

time is available.

(I) Proceedings after Settlement Conference. If the parties do not reach a complete settlement of all issues in dispute, the matter shall proceed to trial as to the issues remaining in dispute. Any party may submit to any other party proposals for resolution of the remaining issues in dispute up the date of trial.

[Adopted effective September 1, 2010.]
