LCrR 4.5
OMNIBUS HEARING AND MOTIONS

(d) Criminal Motions. Criminal Motions under CrR 3.5 shall ordinarily be heard by the assigned trial judge. However, CrR 3.5 motions may be specially set prior to trial date by the Chief Criminal Judge upon a showing of good cause. Criminal motions under CrR 3.6 shall be noted with the Chief Criminal Judge, who will either schedule the matter before the Chief Criminal Judge or assign it to another judge. Motions under CrR 3.6 shall be heard at least 14 days before trial and shall be accompanied by all supporting materials required by CrR 3.6. The moving party will file and serve all memoranda, affidavits and certificates no later than the second Tuesday preceding the hearing date. The responding party shall file and serve all responsive memoranda, affidavits and certificates no later than 5:00 p.m. the Monday prior to the hearing date. Any reply memoranda must be served no later than 12:00 p.m. the Wednesday prior to the hearing. The judge who will hear the CrR 3.6 motion will, pursuant to that rule, determine if an evidentiary hearing is required. The time limit prescribed by this rule may be waived by the Chief Criminal Judge upon a showing of newly discovered evidence or a basis for the motion that could not have been developed by an exercise of due diligence.

Amended effective 9/1/06

(i) All criminal motions must be filed by using form CR-06.300 (a). Motions must be promptly served on the opposing party, and a copy shall be provided to the bailiff for the Chief Criminal Judge. A working copy of all memoranda, affidavits and certificates must be provided by the parties to the bailiff for the judge hearing the motion at least one working day prior to the hearing.

(ii) All criminal motions, other than those under CrR 3.5, will be heard on Thursday mornings unless specially set by the Court.

Amended effective 9/1/06

(iii) It is the duty of the moving party to notify the bailiff for the Chief Criminal Judge by noon of the Tuesday prior to the hearing to confirm the matter will be heard.

(iv) Any agreements to continue a hearing which had been confirmed as ready to be heard shall be presented to the Chief Criminal Judge and the judge assigned to hear the motion no later than 12:00 p.m. the Wednesday prior to the hearing.

Effective 9/1/06

(e) Restitution Hearings. Restitution hearings shall be scheduled before the Presiding Department on Thursdays at 3:30 p.m., unless specially set by the court. The party noting the hearing shall notify the judicial assistant for the Presiding Department by 12:00 noon of the previous day (Wednesday) to confirm that the matter will be heard. The parties will also advise the court if it is expected that multiple witnesses will be called. The assigned prosecutor will also advise if prisoner transport is required for the hearing.

Effective 9/1/03