SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KITTITAS COUNTY

RE: LOCAL RULES OF THE SUPERIOR COURT
OF WASHINGTON FOR KITTITAS COUNTY

Pursuant to CR 83(a) this Court hereby repeals the Local Rules of the Superior Court of Washington for Kittitas County heretofore adopted and hereby adopts new Local Rules of the Superior Court of Washington for Kittitas County as set forth below.

I. LOCAL GENERAL RULES (LGR)

GLR 1 APPLICABILITY IN GENERAL

A. Authority. These rules are made pursuant to CR 83.

B. Suspension of Rules. The court may modify or suspend any of these Rules, in any given case, upon good cause being shown therefore or upon the court's own motion.

Amended effective September 1, 2019

GLR 2 SUPERIOR COURT RULE MAKING PROCEDURE

A. Initiation of Rules Changes. All suggestions for rules changes shall be sent to the members of the Kittitas County Bar Association and to other interested parties as determined by the presiding judge.

B. Consideration of Proposed Rules Changes. All suggested rules changes shall be considered by the judges of the Superior Court of Kittitas County in consultation with the Kittitas County Bar Association. If a proposed rule or rule change is approved, it will be published for comment as follows:

(1) By transmitting the proposed rule(s) to the Kittitas County Bar Association, which shall publish the same to its members.

C. Consideration of Comments. All comments on proposed rules should be directed to the presiding judge. The court shall consider all comments, criticisms, objections and suggestions submitted within 20 days of the date for publishing for comment.

D. Final Adoption, Publication, and Effective Date. After the comment period, the court shall publish the rule changes as finally approved.

E. Limitation of Amendments; Exceptions. The court shall make rule changes only in accordance with this rule, except in cases of emergency or other circumstances justifying immediate changes.

Amended effective September 1, 2019

GLR 3 INDIGENT DEFENSE

By this rule the Kittitas County Superior Court hereby adopts standards for the delivery of public defender services consistent with RCW 10.101.030 and Kittitas County Code 2.09 *et. seq.*

Amended effective September 1, 2019

II. LOCAL CIVIL RULES (LCR)

LCR 6 TIME

The moving party shall serve and file all motion documents no later than six court days before the date the party wishes the motion to be considered. Any party opposing a motion shall file and serve the original responsive papers in opposition to a motion, serve copies on parties, and deliver working copies to the hearing judge no later than 12:00 pm (noon) two court days before the date the motion is to be considered. All documents in strict reply shall be similarly filed and served no later than 12:00 pm (noon) on the court day before the hearing.

LCR 7 MOTIONS PRACTICE

(1) Filing and Noting Motion for Hearing. A note for motion substantially in the form found in Exhibit A shall be filed with the Clerk at the time the motion is filed and served on the parties in accordance with CR 6(d). To assure that timely and complete delivery of the court file to the court, notes for motion calendars should be filed with the Clerk's office by noon on the Thursday preceding the Monday calendar on which hearing is requested.

(2) Failure of Party to Appear. If no one appears in opposition to a duly noted motion, the court may grant the relief requested upon proper proof of notice. If no one appears for a motion, it will be stricken.

(3) Continuances of Motions. Counsel, by agreement, may continue any motion by executing a stipulation of continuance or by orally stipulating on the record in court to a continuance. Upon agreement of counsel to continue or strike a hearing, counsel for the moving party shall advise the court of the agreement to continue or strike the hearing at the time of the agreement and no later than one day prior to the hearing.

(4) Time Allowed for Argument. Each side shall be limited to 10 minutes unless granted leave by the court. Parties anticipating argument that will require longer than 20 minutes total time shall obtain a special hearing date and time from the Court Administrator.

(5) Hearing of Ex Parte Matters.

(a) Scope. This rule applies to all temporary restraining orders, orders to show cause, and all other *ex parte* matters.

(b) Notice to Opposing Counsel. Unless notice is specifically excluded by statute, no *ex parte* order shall be presented without notice to opposing counsel. If counsel for any party has appeared either formally or informally, notice is required. If necessary, notice may be by telephone.

(c) Court File. Counsel is required to obtain the court file when presenting *ex parte* matters, except for agreed orders other than domestic relations decrees.

(6) Working Copies Are Required.

(a) When filing a motion or a response, provide a conformed working copy to the judge. Designate the judicial department and the date and time of your hearing on your copies.

(b) Any pleading filed with the Clerk of Court requiring affirmative action by the Clerk shall indicate the need for said action by placing under the caption of the pleading "(Clerk's Action Required.)"

Amended effective September 1, 2019

LCR 40 TRIAL SETTING

A. Trial Setting. Civil cases may be noted for trial setting after the issues are joined. Criminal cases will be assigned a trial date at the time of arraignment.

1. Note for Trial Setting.

a. Anyone desiring to bring any issue to trial shall note the matter on the trial setting calendar. (Use Exhibit B for civil cases and Exhibit C for domestic relation cases.)

b. Counsel are also required to inform the Court Administrator of their available and unavailable dates.

c. Counsel must estimate the length of time needed for trial. Because the court trial calendar is preset, cases will not be permitted to continue beyond the time estimated for trial. If the non-setting parties do not agree with the estimate in the note up notice, they must file their own estimate before the trial setting date. Estimates shall include the total time for trial, not just one side.

2. Presence of Counsel. All trial dates will be assigned by the Court Administrator or the Court. If counsel previously have provided the Court Administrator with available and unavailable dates as required above and are otherwise agreeable to a setting on any particular date, then counsel's presence at the trial setting is not required.

3. Visiting Judge Required. The Court shall be notified at the time of trial setting if an attorney is a party or a witness in any matter before the Court or of any other matter needing a visiting judge. If such notification is not provided, the case will lose any priority it may otherwise have had.

4. Continuances. Continuances of trial may not be granted by the Court except for good cause shown after hearing on the motion filed by the party seeking the continuance, or by motion of the Court. In the event good cause is shown and the court grants a motion for continuance, the case will be rescheduled by the Court Administrator and given the priority of a new case (in other words, the case loses any priority it had). In the event the Court strikes the trial date on its own motion due to calendar congestion, the case shall receive a priority trial setting.

B. Special Settings. Any civil motions or other matters requiring a special setting will be set by the Court Administrator.

C. Change of Judge; Notice of Disqualification of Judge. Cases will be assigned to a judicial department under the direction of the presiding judge for the county. The presiding judge shall notify the local bar when changes in judicial assignments occur.

D. Notice to Court of Calendar and Jury Trial Changes. Whenever a cause has been set for trial and thereafter is settled or will not be tried for any reason, or if a jury is thereafter waived, notice shall immediately be given to the Court Administrator so the case may be removed from the Court's calendar.

E. Domestic Relations-Case Management.

1. Settlement Conference. Settlement conferences shall be mandatory in domestic relations cases with the exception of a petition to modify child support. At the time the Court Administrator sets the case for trial, the Administrator shall also set a date and time for a settlement conference which shall not be earlier than 10 days from the date of notification and not later than 10 days prior to trial. After

the settlement conference has been set, the parties, through written agreement or the Court, after a motion made by one of the parties, may strike the settlement conference.

a. Excused Attendance. A party may be excused from attendance or a settlement conference may be stricken when compelling attendance would be unduly burdensome. Request for non-attendance should be made at least 24 hours in advance to the Court and opposing counsel.

b. Proceedings Confidential. Proceedings of said settlement conference shall, in all respects, be confidential. No party shall be bound unless a settlement is reached. When a settlement has been reached, the judge may in his discretion, order any agreement to be placed on the record.

c. Disqualification of Judge. A judge presiding over a settlement conference is presumed to be disqualified from hearing any other matter regarding the action, but this presumption may be overcome by stipulation of the parties.

d. Preparation Required. Prior to said conference, each party shall have submitted to the other party and to the court a completed position statement.

2. Support Modifications. All support modifications will be noted for hearing on the regular motion day. The support modification hearing will be heard by affidavit only, 10 minutes per side for argument. If a party desires live testimony, the request shall be made by motion and allowed by the court in its discretion. After the affidavits and/or financial information have been provided in accordance with the state statutes on child support modification, either party may note the matter for hearing on the regular motion docket. Settlement conferences are not required for support modification.

Amended effective September 1, 2019

LCR 47 PEREMPTORY CHALLENGES

Unless good cause is shown, all peremptory challenges shall be exercised in open Court at the side bar by marking the challenged juror's name on a form to be provided by the Court.

Amended effective September 1, 2019

LCR 54 ATTORNEY FEES, TERMS AND IMPOSITION OF COSTS

If attorney fees or costs have been awarded, the prevailing party must itemize via affidavit the time expended, services rendered, or other detailed bases for the fees and costs requested and attach a copy thereof to the proposed order granting fees and costs.

Amended effective September 1, 2019

LCR 56 SUMMARY JUDGMENTS

Summary judgments require special settings and should be noted to be heard before the judge who is assigned to hear the trial. Motions and affidavits, and reply and response affidavits, must be filed in the manner and within the time limitations of CR 56. Working copies shall be provided to the judge. On any motion for summary judgment, counsel for movant is required to call the Court Administrator two business days prior to the date set for hearing to confirm that the motion will be heard.

Amended effective September 1, 2019

LCR 59 MOTIONS FOR NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS

A motion for new trial, reconsideration, or amendment/alteration of judgment shall be submitted on briefs and affidavits of the moving party only, without response or oral argument to the trial judge by the opposing party. The trial judge shall, within 10 days, either deny the motion or advise both counsel of desired further proceedings pursuant to CR 59 and this rule. A motion under this rule shall be filed with the Clerk and a working copy shall be served on the trial judge at the Superior Court office at the time of the filing of the motion. A copy shall also be served on opposing counsel.

Amended effective September 1, 2019

LCR 77 SESSIONS/COURT HOURS, HEARING DAYS

(1) There shall be one continuous session of court from January 1 through December 31 of each year. Court will be in session, unless otherwise ordered, on all judicial days, except Saturday and Sunday. Court hours will be from 08:30 a.m. to 12:00 p.m. and from 1:30 p.m. to 4:30 p.m.

(2) Hearing times and days as well as Department assignments are subject to change to accommodate holidays, availability of judges and courtrooms, judicial conflicts and calendar size, but shall generally be as follows:

A. Civil Matters. Probate, guardianship and civil motions will be heard on Monday beginning
at 9:00 a.m.

B. Criminal Matters. Arraignments, omnibus hearings, sentencing pursuant to guilty pleas, probation violations, bail hearings, and preliminary appearances will be heard on Mondays at 1:30 p.m. Pretrial hearings pursuant to CrR 3.5 and 3.6 will be heard on Fridays at 9:00 a.m. Status conferences will be heard on Fridays at 9:00 a.m. Criminal trials will be held Tuesday through Friday and will be set by the Court at the time of arraignment.

C. Ex Parte Matters. *Ex parte* matters shall be heard Monday through Friday 9:00 a.m. to 12:00 p.m. and from 1:30 p.m. to 4:30 p.m. Contact Court Administrator to confirm availability of judge.

D. Domestic Relation Matters

(1) Settlement Conferences. Settlement Conferences will be heard on Friday beginning at 1:30 p.m.

(2) Show Cause and Temporary Relief. Show cause hearings and motions for temporary relief, including URESA contempt hearings will be heard on Mondays at 9:00 a.m.

(3) Uncontested Dissolutions. Uncontested dissolutions in which one or both parties are represented by counsel will be heard at 9:00 a.m. on Mondays. Uncontested dissolutions in which both parties are not represented by counsel will be heard on Mondays at 10:30 a.m. Regardless of representation, jurisdictional testimony may be submitted by affidavit and is encouraged.

D. Protection Orders. Domestic Violence and Protection Orders not otherwise filed under a related case between the parties shall be heard on Mondays at 10:30 a.m.

E. Adoptions. Any adoptions requiring notice, including pro se adoptions, will be heard on Monday at 8:45 a.m.

F. Civil Trial Settings. Trial setting dockets shall be every Monday at 9:00 a.m. (See also LCR 6.)

H. Juvenile Matters.

(1) Offenders. Arraignments, pleas, dispositions and probation violations will be heard on Monday at 3:00 p.m. Offender trials will be heard on Thursdays and scheduled by the court at the time of arraignment.

(2) Dependencies. Stipulated fact-finding hearings and review hearings will be heard on the 2nd and 4th Thursday of each month. Contested fact-finding hearings and shelter care hearings will be scheduled by the Court Administrator.

(3) Truancy/At-Risk Youth. Adequate cause, show cause, review hearings and fact-findings will be heard on Monday afternoons at 4:00 p.m.

Amended effective September 1, 2019

LCR 79 BOOKS AND RECORDS

A. Files. No file shall be taken from the clerk's custody, except to the courtroom or to a judicial officer or official reporter unless written authority has first been obtained. All files which are in the hands of a person for the purposes of any trial or hearing must be returned to the Clerk at the close thereof. The Clerk may grant written authority to an applicant to withdraw one or more files for a period not exceeding two days.

B. Verbatim Report of Proceedings. Verbatim reports of proceedings, after having been settled and signed, shall not be withdrawn from the Clerk's office except by order of the court.

C. Disposition of Exhibits. After final disposition of a civil cause, the Court may order the clerk to dispose of physical evidence which cannot be retained in the case file provided that all parties of record are given 30 days written notice of any such hearing.

D. Return of Administrative Record. When a case for review of an administrative record is completed, the clerk shall return the administrative record to the officer or agency certifying the same to the court. The clerk shall treat the administrative record as an exhibit.

Amended effective September 1, 2019

LCR 80 COURT REPORTERS

A court reporter will not be provided for any matter heard in Kittitas County Superior Court. All matters will be digitally audio-recorded. If any party wishes any matter to be reported by a court reporter, that party is responsible to provide a court reporter.

Amended effective September 1, 2019

II. SPECIAL PROCEEDINGS RULES (LSPR)

LSPR 94.04 FAMILY LAW ACTIONS.

A. Proceedings Pending Trial.

(1) Court's Automatic Order. Upon the filing of a Summons and Petition for dissolution, legal separation or declaration of invalidity, the Court on its own motion shall automatically issue an Order on Restrictions consistent with Exhibit D. The petitioner is subject to this order from the date of filing. The petitioner shall serve a copy of this order on respondent and file proof of service. The respondent is subject to this order from the time it is served. The order shall remain in effect until further order or entry of final documents. This order shall not be entered in any law enforcement data base and shall not preclude any party from seeking any other restraining order as may be permitted by statute. If the order is violated, either party may seek a finding of contempt and/or request fees.

(2) Motions. Any party may file a motion pending trial, including motions for temporary orders, to compel discovery, to appoint a GAL, or presentation of final or temporary orders.

(a) Form of pleadings, basis and limitations.

(i) Form. Mandatory forms shall be used. All documents and copies provided shall be legible and conform to GR14. There is a strong preference they be typed. The format required, if typed, is: 11 point or larger, 1.5 line spacing or greater.

(ii) Basis. Evidence, including written evidence in affidavits and declarations by the parties and witnesses, must comply with the rules of evidence.

(iii) Children's Statements. Declarations by minors are disfavored.

(iv) Page Limitations. Absent prior authorization of the court, the entirety of all declarations and affidavits from the parties and non-expert witnesses in support of motions (except financial declarations, financial documents and sealed source documents), shall be limited to a sum total of twenty (20) pages.

The entirety of all declarations and affidavits submitted in response to motions shall not exceed twenty (20) pages.

The entirety of all declarations and affidavits submitted in reply to the response shall not exceed ten (10).

Exhibits to any declarations shall count toward the above page limits.

Declarations, affidavits and reports from the GAL, CPS or law enforcement shall not count toward the page limit. Declarations in

support of Parenting Plans shall not count toward the page limit but shall not exceed three (3) pages.

(v) Violations of this rule. If the Court finds that one or more of the parties violated this rule, the Court may, in its discretion, assess terms, strike or continue the matter, or refuse to consider the materials that violate this rule.

(b) Filing and Service. The moving party shall, no later than 14 calendar days prior to the hearing date file with the clerk and properly serve the motion, note for motion, and all supporting documents. Unless previously filed and still current, the moving party's supporting documents shall include these mandatory forms, fully completed and signed by the moving party:

(i) Residential Placement. A motion concerning temporary residential placement of children must be accompanied by a Proposed Parenting Plan and a Declaration in Support of Parenting Plan.

(ii) Temporary Child Support. A motion concerning temporary child support must be accompanied by a Child Support Worksheet, together with proof of income including the party's most recent paystub and tax return with all attachments.

(iii) Temporary Spousal Maintenance or Attorney Fees. A motion for temporary maintenance or attorney fees must be accompanied by a Financial Declaration.

(c) Response to Temporary Motions. The opposing party's response must be filed and served no later than noon three (3) court days prior to the date scheduled for hearing; provided, however, if the response requests affirmative relief, it must be filed and served no later than five (5) court days prior to the hearing. Documents filed in strict reply to issues raised in the response must be filed and served the day prior to the hearing by noon. Responses filed and/or served later than the deadlines above will not be considered. If the disputed issues include residential placement, temporary child support or spousal maintenance, or attorney fees, the appropriate mandatory forms shall be completed and signed by the responding party (unless previously filed and still current). Working copies shall be provided to the court.

(e) Renotes. Matters which have been previously noted in conformance with this rule may be re-noted upon five (5) court days' notice.

(f) Hearings on Temporary Motions. All motions shall be determined on sworn declarations unless the court determines that testimony is necessary. Argument on temporary motions shall be limited to five minutes per side,

except that the court may in its discretion increase or reduce the time for argument. Argument shall be limited to matters contained in the record. By agreement of the parties or order of the court, the matter may be submitted solely on the record.

(g) Orders Shortening Time. Motions may be heard on shortened time only in the event of an emergency and where an Order Shortening Time has been signed by the court.

(3) Orders to Show Cause. Where required by statute or court rule, a party may obtain an Order to Show Cause requiring the other party to appear and show cause why certain relief should not be granted. The return date on the show cause order shall not be sooner than fourteen (14) days after filing and service.

(4) Status Hearings. At any time pending trial, the Court may order that a status hearing be held. The purpose of the status hearing shall be to set deadlines for the completion of discovery, set deadlines for the completion of the guardian ad litem's report, or address other matters necessary to the timely resolution of the case. A party may set a status hearing by following the procedures set forth in SPR 94.04(A)(2). Status hearings shall be heard on the motions calendar.

(B) Noncontested Dissolutions

(1) No testimony or declaration will be required in cases in which the parties have stipulated to entry of the Decree or in cases in which the relief requested is the same as the relief requested in the petition and the other party is in default.

(2) In cases in which the relief requested is different or more specific than the original petition and the respondent has defaulted, the party requesting relief must appear and present testimony in support of the request after notice to the other party.

(3) In default dissolution cases at the time of entry of the decree, the moving party or counsel shall immediately deliver to or mail to the other party, at their address if known, (or to their counsel), a conformed copy of the decree, with the date of filing indicated on each copy so delivered or mailed.

(C) Child Support

(1) Tax Exemption: In determining how to award exemptions, the court should look to the percentage of the basic child support obligation paid by each parent, as well as each parent's obligation for day care expenses. If neither party's proportional share of income (worksheets line 6) is greater than 60%, then the tax exemption is alternated every year. If either party's proportional share of income is between 61% and 80%, the party with the higher percentage would receive the exemption two years and the other party one year. If either party's proportional share of income is over 80%, the party with the higher percentage would receive the

exemption every year. These assumptions are guidelines only, and the Court reserves the authority to do equity based on individual circumstances, as well as consideration of changing federal tax regulations. In awarding the exemption, the court should also consider tax benefits available to either parent, for example, head of household status, child credits and day care credits.

(D) Temporary/Permanent Parenting Plans

(1) Alternate Residential Time Guidelines For Kittitas County

(a) Alternate Residential Time: The following schedule shall be used only as a guideline in setting alternate residential time, based on the child's age:

(i) 0 to 6 months: Two hours, twice per week.

(ii) 6 months to 1 year: Two hours, twice per week; and four hours, once per week.

(iii) 1 year to 3 years: Two hours, twice per week; and

a. eight hours, once per week.
b. These holidays alternated each year, for eight hours each: Easter, July 4th, Thanksgiving, Christmas Eve, and Christmas Day.
c. Overnight residential time is not usually recommended.

(iv) 3 years to 5 years: Two hours, twice per week; and

a. Alternating weekends from Saturday at 9:00 a.m. until Sunday at 6:00 p.m.
b. These holidays alternated each year: Easter, July 4th, Thanksgiving for 2 days; Christmas Eve and 2 days before and Christmas Day and 2 days thereafter.
c. Summer residential time: Two non-consecutive one week periods.

(v) 5 years and older: Every other weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m. If Friday is a school holiday, the weekend begins Thursday at 6:00 p.m. If Monday is a school holiday, the weekend ends Monday at 6:00 p.m.; and

a. One weekday from 5:30 p.m. until 7:30 p.m., once per week.
b. These holidays alternated each year: Thanksgiving for 4 days, the first half of Christmas school vacation the first

year and the second half of Christmas school vacation the next year, and spring vacation.

c. Summer residential time: 30 days, unless the parents agree to a shorter or longer period of time, or the Court finds that there are circumstances which would extend or shorten summer residential time. During this summer time, the primary residential parent shall have residential time with the child during one weekend (except during extended trips, etc.).

(b) Father's/Mother's Day: Regardless of the residential times suggested above, the mother shall have residential time of at least 4 hours on Mother's Day, and the father shall have residential time of at least 4 hours on Father's Day.

(c) Birthdays: Each parent shall be allowed to spend at least 4 hours with the child to celebrate the child's birthday, and that parent's birthday, within two days of that birthday.

(d) Telephone Contact: Reasonable telephonic contact with the child is usually appropriate and should not be less that once per week for each parent during that parent's nonresidential time.

(e) Different Age Groups: When children of different age groups are involved, the preference shall be to follow the guideline for the oldest child, so that the children remain together.

(f) Cancellation: For weekend visits, the primary parent shall have the child available for one hour after the scheduled starting time if the exchange is happening at a parent's home. If the exchange is occurring at some location other than a parent's home, the primary parent shall have the child available for 30 minutes after the scheduled starting time. If the other parent does not pick up the child within these specified times, then the weekend visit shall be deemed canceled.

(g) These provisions are designed to encourage each parent to maintain a loving, stable, and nurturing relationship with the child. Each parent shall encourage the parent/child relationship of the other parent and shall make residential arrangement decisions which are in the best interest of the child.

Amended effective September 1, 2019

III. LOCAL GUARDIAN AD LITEM RULE FOR SUPERIOR COURT (LGALR)

LGALR 1 GUARDIAN AD LITEM.

The Court Administrator maintains and administers the Title 11 and 26 Guardian Ad Litem Registry. Contact the Superior Court Administrator for appointments.

Amended effective September 1, 2019

IV. LOCAL CRIMINAL RULES FOR SUPERIOR COURT (LCrR)

LCrR 1 MANDATORY APPEARANCES.

Each criminal defendant shall be required to attend all scheduled pretrial hearings, including the omnibus hearing, the 3.5/3/6 hearing and the status conference, unless excused by the court.

Amended effective September 1, 2019

LCrR 2 STATUS CONFERENCE.

Every criminal case shall be set for a status conference prior to trial to determine whether a scheduled case is still on track for trial.

Amended effective September 1, 2019

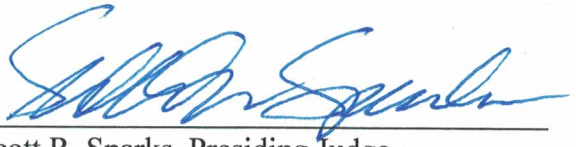
LCrR 3 MOTIONS IN LIMINE.

Motions in limine shall be filed and served at or before the date set for status conference. Motions in limine requiring extensive argument or testimony shall be heard on the date set for the pretrial hearing or by leave of the court through the Court Administrator.

Amended effective September 1, 2019

THESE LOCAL RULES SHALL BE EFFECTIVE ON SEPTEMBER 1, 2019.

SO ORDERED this 28th day of June, 2019.



Scott R. Sparks, Presiding Judge

IN THE SUPERIOR COURT OF WASHINGTON
KITTITAS COUNTY

_____, Plaintiff/Petitioner, vs. _____, Defendant/Respondent.	Cause No. _____ NOTE FOR MOTION DOCKET (Clerk's Action Required)

NATURE OF PROCEEDINGS: _____

TO: _____

AND TO THE CLERK OF THE ABOVE ENTITLED COURT:

PLEASE TAKE NOTICE that the above matter will be brought on for hearing/to be set on the __ day of _____, 20___, at _____a.m./p.m. in Department ____ (1 or 2) at 205 West 5th Avenue, Ellensburg, WA 98926, and the Clerk is requested to note this cause on the motion/trial docket for that date.

DATED: _____

_____
Signature

_____
Print Name

IN THE SUPERIOR COURT OF WASHINGTON
KITTITAS COUNTY

_____, Plaintiff(s),	Cause No. _____
vs.	NOTE FOR TRIAL SETTING AND INITIAL STATEMENT OF ARBITRABILITY - CIVIL
_____, Defendant(s).	(Clerk's Action Required)

TO THE CLERK OF COURT

AND TO: _____

PLEASE TAKE NOTE that this case will be brought on the trial setting docket for assignment for a trial date on the ____ day of _____, 20_____ , at 9:00 a.m. A list of your available trial dates must be filed with the court before the setting date.

I hereby represent to the Court that this case is at issue, that no affirmative pleadings remain unanswered, and all pleadings are on file; that to my knowledge no other parties will be served with summons and no further pleadings will be filed prior to trial; that the parties have completed all necessary oral and physical examinations and discovery proceedings or have had or will have opportunity to do so prior to trial; that the case is in all respects is ready for trial.

1. Nature of this Case: _____

2. Date Answer Filed: _____

3. Is a jury demanded? _____ 6 member ( ) 12 member ( )
Jury demand filed? _____
Jury demand fee paid? _____

4. Estimated trial time: _____.

THE COURT TRIAL CALENDAR IS PRESET. CASES WILL NOT BE PERMITTED TO CONTINUE BEYOND THE TIME ESTIMATED FOR TRIAL. IF THE NON-SETTING PARTIES DO NOT AGREE WITH THE ESTIMATE IN THIS NOTICE THEY MUST FILE THEIR OWN ESTIMATE BEFORE THE TRIAL SETTING DATE.

5. Interpreter Needed:
[ ] Spanish
[ ] ASL
[ ] Other: _____

6. A settlement conference is
[ ] requested in this case.
[ ] not requested

7. Unavailable dates for trial: _____

_____

_____

FAILURE TO PROVIDE THE COURT WITH A LIST OF UNAVAILABLE DATES COULD RESULT IN THE DENIAL OF ANY MOTION FOR CONTINUANCE BECAUSE OF CONFLICTS IN SCHEDULE

INITIAL STATEMENT OF ARBITRABILITY
LMAR 2.1

_____ This case is subject o arbitration because the sole relief sought is a money judgment and involves no claim in excess of $50,000 exclusive of attorney fees, interest and costs. (MAR 1.2)

_____ This case is not subject to mandatory arbitration because:

_____ Plaintiff's claim exceeds $50,000.

_____ Plaintiff seeks relief other than a money judgment.

_____ Defendant's counter or cross-claim exceeds $50,000.

_____ Defendant's counter or cross-claim seeks relief other than a money judgment.

_____ The undersigned contents that its claim exceeds $50,000, but hereby waives any claim in excess of $50,000 for purposes of arbitration. (MAR 1.2)

DATED: _____

Signed: _____
WSBA #: _____
Attorney for: _____
Address: _____
Telephone: _____
Email: _____

Serve on all parties and file with the County Clerk.
Also, a copy must be filed with the Court Administrator, 205 W 5th Ave, Ste 207, Ellensburg, WA 98926

IN THE SUPERIOR COURT OF WASHINGTON
KITTITAS COUNTY

_____, Petitioner,	Cause No. _____
vs.	NOTE FOR SETTLEMENT CONFERENCE AND TRIAL SETTING – DOMESTIC RELATIONS
_____, Respondent.	(Clerk's Action Required)

TO THE CLERK OF COURT
AND TO: _____

PLEASE TAKE NOTE that this case will be brought on the trial setting docket for assignment for a trial date on the ____ day of _____, 20____ , at 9:00 a.m. A list of your available trial dates must be filed with the court before the setting date.

I hereby represent to the Court that this case is at issue, that no affirmative pleadings remain unanswered, and all pleadings are on file; that to my knowledge no other parties will be served with summons and no further pleadings will be filed prior to trial; that the parties have completed all necessary oral and physical examinations and discovery proceedings or have had or will have opportunity to do so prior to trial; that the case is in all respects is ready for trial.

1. Date Response to Dissolution was filed. _____ (required).

2. Nature of Issues:
   ( ) Property Division ( ) Maintenance
   ( ) Custody ( ) Support Modification
   ( ) Other _____

Settlement conferences are mandatory in all domestic relations cases [except support modification] except through agreement of the parties or by order of the court after appropriate motion.

3. Preferred settlement conference dates: _____

4. Preferred trial date: _____

5. Dates unavailable for settlement conference, support modification hearing, and trial:

_____

_____

Estimated trial time: _____

THE COURT TRIAL CALENDAR IS PRESET. CASES WILL NOT BE PERMITTED TO CONTINUE BEYOND THE TIME ESTIMATED FOR TRIAL. IF THE NON-SETTING PARTIES DO NOT AGREE WITH THE ESTIMATE IN THIS NOTICE THEY MUST FILE THEIR OWN ESTIMATE <u>BEFORE</u> THE TRIAL SETTING DATE.

6. Interpretor Needed: _____
   [ ] Spanish
   [ ] Other language:
   [ ] ASL

Date: _____ Signed: _____

Attorney for: _____
Address: _____

Telephone: _____

IN THE SUPERIOR COURT OF WASHINGTON
KITTITAS COUNTY

_____, Petitioner,	Cause No. _____
vs.	ORDER ON RESTRICTIONS
_____, Respondent.	

I. NOTICE TO PARTIES

1.1 An action has been started in this court that affects your marriage. Both parties are now required to obey the following order unless the court changes it in writing. Either of you may ask the court to change or clarify this order. The court has the authority to punish violations of this order by a finding of contempt and to require the violator to pay attorney fees to the other party for having to bring the violation before the court. This order shall not be entered into any law enforcement system.

II. ORDER

IT IS ORDERED:

2.1 TEMPORARY ORDERS FOR ALL PARTIES

(a) Both parties are restrained from transferring, removing, encumbering, concealing, damaging or in any way disposing of any property except in the usual course of business or for the necessities of life or as agreed in writing by the parties. Each party shall notify the other of any extraordinary expenditure made after this order is issued.

(b) Both parties are restrained from assigning, transferring, borrowing, lapsing,

surrendering or changing entitlement of any insurance policies of either or both parties or of any dependent children, whether medical, health, life or auto insurance, except as agreed in writing by the parties.

(c) Unless the court orders otherwise, each party is responsible for his or her own future debts whether incurred by credit card, loan, security interest or mortgage, except as agreed in writing by the parties.

(d) Both parties shall have access to all tax, financial, legal, and household records. Reasonable access to records shall not be denied without order of the court.

2.2 TEMPORARY ORDERS FOR PARTIES WITH MINOR CHILD(REN)

(a) Both parents are restrained from changing the residence of the child(ren) from Kittitas County until further court order, except as agreed in writing by the parties.

(b) Each parent shall have full access to the child(ren)'s educational and medical records, unless otherwise ordered by the court.

(c) Each parent shall insure that the child(ren) are not exposed to negative comments about the other parent. Neither parent shall make negative comments about the other parent in the presence of the child(ren).

(d) Within 30 days of filing an appearance, answer or other responsive pleading in this action, both parties shall register for the Children Cope with Divorce seminar. Each party shall attend the seminar within 60 days of registering. Upon completion of the seminar, each party shall file with the court the seminar completion certificate provided by the sponsoring agency or provider. In no case shall opposing parties be required to attend a seminar together.

2.3 FILING AND SERVICE OF DOCUMENTS

In all cases involving issues of child support, spousal support, and/or property and debt division, and within 40 days after filing of any general appearance, answer or responsive pleading, each party shall file and serve on the other party the following documents:

(a) Complete tax returns for the last two calendar years together with all schedules, W-2 and 1099 forms;

(b) Most recent paystub with current and year-to-date information;

(c) Complete partnership and/or corporate tax returns for the past two years, together with all schedules and attachments;

(d) A copy of the most recent statement of balances due on mortgages, real estate purchase contracts, deeds of trust, installment purchase contracts, and time payment accounts owed by or to the parties;

(e) Statements showing the value, as of the date of separation, of any bank accounts, investment accounts, retirement and/or pension accounts;

(f) A copy of any appraisal of any real property owned by the parties conducted within the last two years which is intended to be used in the proceedings.

2.4 SETTLEMENT CONFERENCE

If the parties are not able to agree on the final terms of the Decree, they shall be required to participate in a settlement conference before their case may be set for trial.

2.5 EFFECTIVE DATE OF ORDER

The Petitioner is subject to this order from the time of filing the Petition. The Petitioner shall serve a copy of this on the Respondent and file a declaration of service in the court file. The Respondent is subject to this order from the time that the order is served. This order shall remain in effect until further court order.

Dated: _____ _____

JUDGE

By signing below, the Clerk hereby acknowledges that a copy of this Order was provided to the Petitioner on _____ (Date)

Clerk's Signature _____