

OKANOGAN COUNTY LOCAL RULES

INTRODUCTORY

LR 1. TITLE AND SCOPE

(a) Preface. These rules shall take effect on September 1, 2013, and supersede all prior rules of this court. The previous rules which were adopted effective January 2, 1995, September 1, 2000 and September 1, 2010 are hereby replaced. Forms listed in Appendix A shall be effective September 1, 2013. These rules shall be known as the Local Rules of the Superior Court of the State of Washington for Okanogan County. These rules may be cited in the following form: "LR", "LGALR", "LMAR" and "LSPR".

(b) Scope. These rules apply to all matters now pending and hereafter filed in the Okanogan County Superior Court. To the extent these rules conflict with statewide rules, the statewide rules apply. Okanogan County Superior Court will follow Washington State Court Rules and only promulgate local rules as deemed necessary.

(c) Waiver and Construction. Any provision of these rules may be waived or modified by order of the court for good cause shown, or as required in the interest of justice. These rules should be construed to promote the fair, just and expeditious resolution of disputes.

Amended Effective September 1, 2014

LR 1A. JUDICIAL POSITIONS

(a) Judicial Positions. RCW 2.08.065 provides that there shall be two superior court judges for Okanogan County.

(b) Commissioners. The court may appoint up to three Court Commissioners and such pro tem Commissioners and pro tem Judges as are necessary, in the judgment of the court, to complete the business of the court.

(c) Authority of Commissioners. Court Commissioners shall perform duties as assigned by the court and shall have all powers conferred by law, including the authority to accept pleas in criminal matters. Commissioners may perform other duties as stipulated by the parties if authorized by the court.

Amended Effective September 1, 2013

**COMMENCEMENT OF ACTION; SERVICE OF PROCESS; PLEADINGS, MOTIONS
AND ORDERS**

LR 4.3 PRO SE APPEARANCE

Pro Se. All *Pro Se* litigants (*being those individuals representing themselves*) shall be required to file a *Pro Se* Notice of Appearance (Form *WPF DRPSCU 01.0320*).

The form must include that party's full name, signature, mailing address, email addresses (if available) and telephone number. A new form must be filed in the event of a change in address or phone number. Parties who fail to comply with this order may have sanctions imposed by the court, including their pleadings stricken, or other court action without notice. A copy of the *Pro Se* Notice of Appearance should be attached to any request for trial setting submitted to the court's Judicial Assistant. A form for this purpose may be obtained from the court's website, Judicial Assistant or family law facilitator. Petitioners in domestic violence or civil harassment cases may provide alternate address and contact information where their physical address is confidential.

Amended Effective September 1, 2014

LR 5 SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS

All attorneys and pro se litigants having matters in the Okanogan County Superior Court shall accept service via email of pleadings and other papers, except where parties or their attorney does not have email; and for filings requiring personal service. Email addresses to be used will be specified on the attorney's and the pro se litigant's initial filing in a case. Any changes of email addresses will be filed in the case as a change of address with all parties and the court being notified.

Amended Effective September 1, 2019

PLEADINGS, MOTIONS AND SPECIAL SETTINGS

LR 7. CIVIL MOTIONS

(a) **Scope of Rules.** Except when specifically provided in another rule, this rule governs all motions in civil cases.

(b) **Dates of Filing, Hearing and Consideration.**

(1) **Filing.** The moving party shall serve and file the motion and supporting documents no less than eight days before the date and time specified for the hearing [unless a motion to shorten time has been filed and order granting motion to shorten time has been approved].

(2) **Opposing Documents.** Any party opposing a motion shall file and serve the original responsive papers in opposition to a motion with the clerk, serve copies on parties, and deliver working copies to the hearing judge no less than forty-eight hours [or two (2) judicial day] before the date and time prior to the scheduled hearing.

(3) **Reply to Opposing Documents.** Any party replying to Opposing Documents shall file and serve the Reply Documents, and deliver working copies to the hearing judge, no later than twenty-four hours or one (1) judicial day before the date and time the motion is to be heard by the court.

(4) **Opposing/Supplemental Documents.** IF PLEADINGS ARE FILED WITHIN FORTY-EIGHT (48) HOURS OF THE HEARING DATE, COUNSEL MUST NOTIFY THE CLERK'S OFFICE AND ENSURE THE DOCUMENTS ARE SCANNED INTO THE ELECTRONIC FILE FOR THAT CASE.

(5) **Scheduling Oral Argument.** Contested motions shall be scheduled on the Superior Court's regularly scheduled Law & Motion Calendar unless otherwise specified in (b)(5).

(6) **Limitation of Arguments.** Oral arguments on the Law & Motion Calendar shall be limited to ten (10) minutes per side. If it is anticipated by either party that oral arguments will be more than ten (10) minutes per side, that party shall contact the Judicial Assistant to request a special setting.

(7) Working Copies. Any Working copies of the motion and all documents in support or opposition, as herein required, shall be delivered to the Judicial Assistant as set forth in section (d).

(c) Motions for Revision of a Commissioner's Order. For all cases except juvenile and involuntary treatment proceedings:

(1) Motion for Revision. A motion for revision of a commissioner's order or judgment shall be served and filed within ten (10) calendar days of entry of the written order, as provided in RCW 2.24.050, along with a written notice of hearing that gives the other party at least five (5) Judicial days' notice of the time, date and place of the hearing on the motion for revision. The motion shall identify the error(s) claimed.

(2) Hearing. A hearing on a motion for revision of a commissioner's order shall be scheduled within a reasonable time of entry of the commissioner's order.

(3) Materials Submitted. All motions for revision of a commissioner's order shall be based on the written materials and evidence submitted to the commissioner, including documents and pleadings in the court file. The moving party shall provide the assigned judge a working copy of all materials submitted to the commissioner in support of and in opposition to the motion, as well as a copy of the electronic recording, if the party wishes the electronic recording to be considered. Oral arguments on motions to revise shall be limited to ten (10) minutes per side.

(4) Pending Order Effective. The Commissioner's written order shall remain in effect pending the hearing on revision unless ordered otherwise by a Judge.

(d) Judge's Working Copies. Working copies for the judge's use shall be provided as follows: all summary judgment materials including briefs and supporting materials; all briefs and supporting materials for any specially set matter; trial briefs, motions in limine, witness lists and similar material. Working copies of exhibits should be provided to the court during all civil trials. WORKING COPIES SHALL BE DELIVERED TO THE JUDICIAL

ASSISTANT AT OKANOGAN SUPERIOR COURT OR MAILED TO OKANOGAN SUPERIOR COURT AT P.O. BOX 112 OKANOGAN, WA 98840 NO LATER THAN FIVE DAYS PRIOR TO THE COURT HEARING DATE. ALL WORKING COPIES MUST HAVE THE HEARING DATE AND TIME ON THEM.

(e) Telephonic hearings. Telephonic hearings are authorized for most matters other than trial upon stipulation by the parties and upon court approval or upon the court's own action. The record of such hearings will be electronically recorded. (No cellphones or in-office conferencing equipment shall be used by either party.) If authorized for regular motion calendars, arrangements shall be made through the County Clerk's Office. For all other hearings, arrangements shall be made through the Judicial Assistants.

(f) Cancellation or Continuance. When the parties wish to cancel or continue special set matters or law and motion matters, the party who originally set the hearing must notify the Superior Court Clerk (509)422-7275 at least twenty-four (24) hours before the scheduled hearing. **Notice must also be provided to** the Judicial Assistant at (509)422-7093 and/or an email addressed to the superiorcourt@co.okanogan.wa.us

When the parties wish to cancel or continue matters that require Interpreter Services, the party who originally set the hearing must notify the Interpreter Coordinator at (509)422-7198 or by email at superiorcourt@co.okanogan.wa.us at least forty-eight (48) hours before the scheduled hearing. **Notice must also be provided to** the Judicial Assistant at (509)422-7093.

(g) Interpreter Services. When there is an individual before the court who is limited English proficient (LEP) involved in litigation, it is the attorney's or individual's (if Pro Se), responsibility to make timely prior arrangements for an Interpreter thru the Office of the Interpreter Coordinator at (509)422-7198 or by email at superiorcourt@co.okanogan.wa.us

Amended Effective September 1, 2019

LR 10. FORM OF PLEADINGS AND OTHER PAPERS

Captions. Use of Mandatory Forms. Where the Administrative Office of the Court has prepared mandatory forms, the parties shall comply with the format and style rules for mandatory forms

as published by the Administrative Office of Courts, including use of SCOMIS codes. **See:**

<http://www.courts.wa.gov/forms/?fa=forms.static&staticID=4>

Amended Effective September 1, 2015

LR 16. PRETRIAL PROCEDURE AND FORMULATING ISSUES

(a) Pre-Trial Conferences. Pre-trial Conferences are required in all cases except family law cases. Any order for a pre-trial conference shall be in the form of and include the provisions as set forth in Appendix A Form A-6. The pre-trial conference shall be held not less than twenty-one (21) calendar days prior to the trial date.

(b) Pre-Trial Order. A pre-trial order as set forth in Appendix A Form A-7 shall be prepared by counsel within fourteen (14) calendar days after the conclusion of the pre-trial conference.

(c) Exhibits. Parties shall notify the trial judge and the opposing party by letter if that party anticipates offering twenty-five (25) exhibits or more at the time of trial. Said notice shall be given no less than fourteen (14) calendar days prior to the trial date.

(d) Settlement Conferences.

(1) On Motion by Party. Any party in any pending case may serve and file a motion for a settlement conference.

(2) On Court's Motion. The court to which a case is assigned for trial may, upon its own motion after a trial date has been set, order a settlement conference in any pending case, and a settlement conference shall be held unless all parties file objections thereto.

(3) Subsequent Motion by Party. Where a motion for a settlement conference has been defeated by the filing of an objection, any future motion must be made upon a showing of a significant change in circumstances.

(4) Order for Settlement Conference. Upon the entry of an order for a settlement conference, the judge shall fix a

specific date and hour for the conference. If either party has a limited ability to speak or understand the English Language then the order shall provide for an interpreter and identify the language needing interpreting. The party presenting such order for entry shall at the time of entry provide a copy to the Judicial Assistant.

(5) Preparation and Attendance. The attorney in charge of each party's case shall personally attend all settlement conferences and shall, not less than five (5) days prior to the date set for the settlement conference, serve on the settlement judge and the attorney for the opposing party a letter succinctly addressing the following:

- a. A brief factual summary;
- b. Issues regarding liability;
- c. Issues regarding damages, both special and general
- d. History of any settlement negotiations; and
- e. Current position on settlement.

In family law cases, counsel, Pro Se, or self-represented parties shall also serve, not less than five (5) days prior to the date set for the settlement conference, on the settlement judge and attorney for the opposing party the completed Asset & Debt Matrix (*Appendix A form A-1*) and financial declaration (*WPF DRPSCU 01.1550*)

Each attorney shall be prepared to discuss the foregoing in detail at the settlement conference.

(6) Attendance of Parties. The parties shall in all cases attend the settlement conference. Only parties and attorneys shall be present during the settlement conference unless unwise allowed by the court.

In subrogation cases, brought in the name of the insured party, an insurance company representative need not personally appear, provided that counsel appears and has settlement authority. Alternatively, the insurance company representative must be available by telephone or other means to authorize settlement.

Parties whose defense is provided by a liability insurance company need not personally attend said settlement conference, but a representative of the insurer of such party, if such a representative is available, shall attend with sufficient authority to bind the insurer to a settlement. In the event such a representative is not available, counsel representing the party whose defense is provided by the insurer shall make a good faith effort to obtain settlement authority to bind the insurer to a settlement prior to the settlement conference.

Upon timely request, attendance of any party may be excused by the court where by reason of health, or other good and sufficient reason, compelling their personal attendance would be unduly burdensome.

(7) Proceedings Privileged. Proceedings of said settlement conference shall, in all respects, be privileged and shall not be reported or recorded. When a settlement has been reached, the judge may, at the request of any party, order the settlement to be reported or recorded.

(8) Sanctions. Where a party has failed to comply with any of the provisions of this rule the court shall make such orders as are just, which shall include the award of reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. These sanctions may also include a court services assessment up to a sum of one thousand dollars (\$1,000.000) to cover judicial and court staff.

(e) Agreed Statement of the Case. In all civil jury trials the parties shall jointly prepare a neutral and agreed summary description of the case. The court will read that statement during the orientation phase of selection.

Amended Effective September 1, 2018

TRIALS

LR 38. JURY DEMAND

Civil Jury Demand. Any demand for a jury in a civil proceeding shall be submitted in writing to the Superior Court Clerk and the Judicial Assistant.

Amended Effective September 1, 2013

LR 40. TRIAL SETTING AND PRE-TRIAL PROCEDURES

(a) Trial Setting. Any party may request a trial setting by use of the Request for Trial Setting Form A-8 (Dissolution and Family Law) or Form A-9 (Civil, Non-domestic, and Arbitrability). A copy of a request for trial setting must be provided as follows:

1. Mailed to the Judicial Assistant at: Okanogan County Superior Court, P.O. Box 112, Okanogan, Washington 98840;

OR

2. Emailed to superiorcourt@co.okanogan.wa.us; **AND** delivered to the Judicial Assistant at the Okanogan County Courthouse At 149 3rd Ave N., Okanogan, WA 98840

NOTE:

THE TRIAL REQUEST WILL NOT BE SCHEDULED UNLESS RECEIVED BY THE JUDICIAL ASSISTANT. IF YOU FILE ONLY WITH THE CLERK'S OFFICE THE REQUEST MAY NOT BE SCHEDULED.

Opposing counsel and any Pro Se party shall prepare, serve and file any response to the request within fourteen (14) days. All counsel and Pro Se parties must provide unavailable dates on the form or by separate attachment. The listing of a date as unavailable is a request not to have trial set on that date. Such requests must be reasonable and should not result in unnecessary inconvenience or undue delay.

(b) Arbitration Setting. Matters subject to arbitration shall use the Form A-9 (Civil, Non-domestic, and Arbitrability) **Note: Arbitration section only.** A copy of a request for arbitration settings must be provided as follows:

1. Mailed to the Judicial Assistant at: Okanogan County Superior Court, P.O. Box 112, Okanogan, Washington 98840;

OR

2. Emailed to superiorcourt@co.okanogan.wa.us; **AND** delivered to the Judicial Assistant at the Okanogan County Courthouse At 149 3rd Ave N., Okanogan, WA 98840

(c) Multiple Settings and Priorities. The Judicial Assistant sets trial dates based upon the information provided in the Request for Trial Setting and Response. Because of scheduling difficulties, the Judicial Assistant may give cases multiple settings with some of those being second or third place settings. Counsel and parties should be prepared for trial regardless of the priority of a specific setting. Second and third set cases are often called for trial. Counsel and parties with second and third settings are required to maintain awareness of the status of their trial setting by contacting the Judicial Assistant who will endeavor to provide current information on the status of cases set with higher priority.

(d) Settlement Confirmation. In the event parties and or their counsel reach a resolution and/ or settlement of their action, then the counsel and/or pro se party shall immediately, but not more than two (2) judicial days after executing a settlement document (i.e. decree, order or stipulation), shall notify and provide a copy to the Judicial Assistant by either email or in hand. Failure to provide this notification to the Judicial Assistants may result in sanctions, as provided hereinafter, against the parties and/ or counsel.

(e) Trial Confirmation. All counsel and Pro Se parties shall confirm by contacting the Judicial Assistant that the scheduled trial is ready to proceed. Confirmation should be made no later than noon (12:00pm) two (2) judicial days prior to the scheduled trial date. Failure to confirm may result in trial being stricken.

(f) Scheduling. Scheduling letters may be issued by the Judicial Assistant. However, they may not address issues such as discovery cutoff, disclosure of experts and any other scheduling issues except trial dates and pre-trial conference dates. The court may issue scheduling orders as appropriate for a case.

(g) Sanctions. Where a party has failed to comply with any of the provisions of this rule the court shall make such orders as are just, which shall include the award of reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. These sanctions may also include a court services assessment up

to a sum of one thousand dollars (\$1,000.00) to cover judicial and court staff.

Amended Effective September 1, 2019

LR 47. JURORS

(a) Jury Selection. Juries will be selected by the method commonly known as the "struck juror system." Before the process begins the clerk will randomly assign sequential numbers to all prospective jurors, who have appeared, and will seat them in the courtroom in that order. The judge and counsel will be provided with a seating chart or a roster of the panel as seated.

(b) Alternate Juror. In lieu of the procedure designated by statute, the parties may stipulate that the alternate juror be designated by random drawing to be announced after closing argument.

Amended Effective September 1, 2013

LR 51. INSTRUCTIONS TO JURY

(a) Jury Instructions and Note-Taking. The court allows jurors to take notes and provides written copies of instructions to each juror. Juror notes are destroyed at the end of trial. The copies of instructions provided to jurors are not preserved.

(b) Jury Instructions. Each party shall file one cited and numbered copy of proposed instructions with the clerk in order to preserve the record. Each party shall also provide one cited and numbered copy and one un-cited, un-numbered and un-stapled copy of instructions to the court's Judicial Assistant for the judge's use. The parties shall provide a copy of their instructions on disk to the court's Judicial Assistant at the beginning of the trial. Written instructions in civil cases shall be provided by the time of the pre-trial conference or five (5) judicial days prior to commencement of trial.

Amended Effective September 1, 2018

LR 56. SUMMARY JUDGMENT AND OTHER SPECIAL SETTINGS

(a) Summary Judgment/Special Settings. Summary Judgments as per CR 56 or hearings requiring more than ten minutes per side to argue must be specially set and arranged by contacting the Court Judicial Assistant (509)422-7093. No hearing will be set without the motion and notice of hearing filed with the Superior Court Clerk. Matters requiring less than ten minutes per side may generally be placed on the appropriate Law and Motion calendar. Upon filing with the clerk a copy of the notice shall be emailed to Superior Court email address superiorcourt@co.okanogan.wa.us Failure to do so shall result in the hearing being stricken.

(b) Summary Judgment Confirmation. Summary judgment hearings must be confirmed by calling/emailing superiorcourt@co.okanogan.wa.us to the Judicial Assistant forty-eight (48) hours before the scheduled hearing (509)422-7093. Failure to comply may result in cancellation.

Amended Effective September 1, 2014

LR 59. NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS

(a) Motion and Notice of Hearing. The form of motion and notice of hearing shall conform to LR 7(b). The motion will be considered without oral argument unless called for by the court.

(b) Response and Reply. No response to a motion for reconsideration shall be filed unless requested by the court. No motion for reconsideration will be granted without such a request. If a response is called for, a reply may be filed within two days of service of the response.

(c) Form of Proposed Order; Mailing Envelopes. The moving party and any party given leave to file a memorandum in opposition shall attach an original proposed order to the working copies submitted to the hearing judge. If the working copies are submitted in paper form, pre-addressed stamped envelopes for each party/counsel shall also be submitted to the hearing judge. Working copies shall be submitted pursuant to the requirements of LR 7(d) to the extent not inconsistent with this rule.

Amended Effective September 1, 2019

DOMESTIC PROCEEDINGS

**LSPR 94.04.01 FILINGS IN FAMILY LAW AND NON-MARITAL
RELATIONSHIPS**

(a) Application of Rule. This rule shall apply to all of the following types of cases that were filed after September 1, 2013:

(1) Family law. Petitions seeking dissolution of marriage, legal separation, or declaration of invalidity; and

(2) Non-marital. Actions brought by parties to non-marital relationships involving parenting or distribution of assets/liabilities.

(b) Court's Automatic Temporary Restraining Order. Upon the filing of a Summons and Petition in any of the actions specified above, the court shall issue an Automatic Temporary Restraining Order, for which no fees will be imposed, using the form set forth in Appendix A FORM A-3. The Petitioner is subject to this order from the time of filing the Petition. The Petitioner shall serve a copy of this order 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.

(c) Limitations on Declarations

(1) Application. This rule shall apply to all family law motions, motions in paternity actions and actions to establish residential schedule, and domestic violence and anti-harassment hearings.

(2) Formats.

(a) All motions and pleadings in support thereof, shall use mandatory forms where applicable, follow the format required by GR 14, and meet the requirements of GR 31.

(b) All declarations shall contain information that provides the court with foundational information such as the name of the declarant, relationship to one or both of the parties, age, education, city and state of residence, and occupation. This information shall be

provided in summary fashion at the beginning of each declaration.

(c) All filed documents shall be legible. If typed or computer printed, documents shall be in 11 point or larger type and double-spaced.

(3) Page limitations. Absent prior authorization from the court, the entirety of all declarations and affidavits from the parties and any non-expert witnesses in support of motions, including any reply, shall be limited to a total of 15 pages. The entirety of all declarations and affidavits submitted in response to motions shall be limited to a sum total of 10 pages. This rule shall be qualified as follows:

(a) Exhibits. Exhibits that consist of declarations, statements, affidavits or any narrative document of parties or witnesses shall count toward the above page limit. All other exhibits attached to a declaration or affidavit shall not be counted toward the page limit.

(b) Expert Reports and Evaluations. Declarations, affidavits, and reports from Guardians ad litem and similar expert witnesses shall not count toward the above page limit.

(c) Previously considered declarations. Copies of declarations or affidavits previously filed for a motion already ruled upon and supplied only as a convenience to the court in lieu of the court file shall not count toward the above page limit. Such declarations or affidavits shall be counted, however, if the court is expected or is being requested to read such prior declarations and affidavits as a part of a present motion.

(d) Basic pleadings and financial declarations. The above page limits shall not apply to basic pleadings and financial declarations.

(4) Children's Statements. Declarations by minors are disfavored and the court may in its discretion refuse to consider such declarations.

(5) Rules of Evidence apply. All submissions, including written materials in affidavits and declarations by the

parties and witnesses, must comply with the rules of evidence. All declarations shall be based upon personal knowledge. Violations of this subsection may result in sanctions as set forth hereinafter.

(6) Inappropriate submissions. Unless prior permission of the court is obtained, the parties shall not submit inappropriate or pornographic materials. If permission to submit or file such material is granted, it should be filed in the confidential section of the file.

(7) Consequences of Non-Compliance. The court, if it finds that one or both of the parties have violated this rule, may in its discretion assess terms, may require that the matter be stricken or continued, or may refuse to consider those materials that violate this rule.

(8) Procedure for Court Authorization to Exceed or Excuse Limitations. The court will not entertain any motion or objection with respect to a request to exceed or excuse the limitations of this rule unless counsel or the parties have first conferred with respect to the motion or objection. Counsel or the parties shall arrange for a mutually convenient conference in person or by telephone. If, after conferring, one or both of the parties believe that the limitations of this rule should be excused, then they shall arrange a telephone conference or appearance before the assigned Commissioner if they are reasonably available, or if the assigned Commissioner is not available then they shall arrange a telephone conference or appearance before the Ex Parte department to have the court determine if the rule should be excused.

(d) Service of Financial Declarations and Assets & Debt Matrix.

Within thirty (30) calendar days after the filing of an answer or other responsive pleading in any of the actions specified above, each party shall be required to serve the following documents on the opposing party:

(1) Petitioner's Obligation. Upon receipt of the answer or response, the Petitioner shall, within fifteen (15) calendar days serve their Verified Financial Declaration and Verified Statement of Assets & Debt Matrix upon the Respondent.

(2) Respondent's Obligation. Upon receipt of declaration and financial statements as per (c) (1) above from Petitioner, the Respondent shall, within fifteen (15) calendar days, serve Petitioner a Verified Financial Declaration and Verified Statement of Assets & Debt Matrix.

(3) Parties' Obligations. Each party shall then file with the court a Declaration of Mailing, attesting that the Financial Declaration and Verified Statement of Assets & Debt Matrix has been provided to the other party within the thirty (30) calendar day time limit. All parties have a duty to supplement the financial information when additional information becomes available.

(4) Final Statement. The parties final Verified Statement of Assets & Debt Matrix shall be filed with the court within fourteen (14) calendar days of any scheduled trial. The Verified Financial Declarations must be filed with the court in cases involving a request for child support, maintenance or attorney's fees.

(e) Pro Se Review. Any party representing themselves (Pro Se) shall have their pleadings (except petitions for domestic violence protection orders, anti-harassment protection orders or sexual assault protection orders) reviewed by the Court's Facilitator. This does not prevent anyone from filing or scheduling a hearing; however to avoid delays and in consideration of court efficiency their pleadings must be reviewed as follows:

(1) Temporary Motion/Orders. For temporary orders or motions at least two (2) judicial days prior to scheduled hearing

(2) Final Orders/Decrees. For trials parties shall see the facilitator at least forty-five (45) calendar days prior to scheduled trial.

The Court's Facilitator may review further pleadings as necessary however; any pleadings required for completion (finalization) of the action shall be reviewed. Any pleadings required to be reviewed may be reviewed by an attorney acting as a third-party neutral in accordance with RPC 2.4, or a Limited License Legal Technician as per APR 28 who shall certify the pleadings as reviewed using the form in Appendix A form A-2.

Amended Effective September 1, 2014

LSPR 94.04.02. PARENTING SEMINARS

(a) Applicable Cases. This rule shall apply to all cases under Chapter 26.09, 26.10, or 26.26 RCW which require a parenting plan or residential schedule for minor children, including major modifications and paternity actions in which paternity has been established.

(b) Mandatory Attendance. Except as provided in Section (e) below, within ninety (90) calendar days of filing an appearance, answer or other responsive pleading in this action, both parties shall attend, a court-approved parent education seminar on the effects of family transitions on children, unless the parties have previously attended such a course. The court may also accept any comparable class that has been approved by any other superior court. (Contact Superior Court at (509)422-7130 for a list of approved seminars/courses)

superiorcourt@co.okanogan.wa.us

(c) Certificate of Completion. Upon completion of the seminar or prior to presentment of final documents, each party shall file with the Superior Court Clerk the seminar completion certificate provided by the sponsoring agency or provider.

(d) Fees. Each party shall be responsible for paying any fees charged by the approved provider.

(e) Waiver/Special Consideration. Any waiver of attendance or special consideration may be made in accordance to RCW 26.12.172 or for good cause.

(f) Exchange of Parenting Plans. Within twenty-one (21) calendar days of completing the parenting seminar, each parent shall provide the other parent with a Proposed Parenting Plan, or may submit a mutually agreed proposed parenting, or a joinder.

(g) Failure to Comply. Willful refusal to participate in a parenting seminar or willful delay in completing or failure to exchange/ provide a proposed parenting plan may result in a finding of contempt and imposition of sanctions. The Court may decline to enter finalization documents until both parents have completed the seminar.

Amended Effective September 1, 2015

LSPR 94.04.03 MANDATORY MEDIATION

(a) Mediation in Contested Cases. Except as provided in Section (b) below, in all Family law petitions seeking dissolution of marriage, legal separation, or declaration of invalidity; and actions brought by parties to non-marital relationships involving parenting or distribution of assets/liabilities having unresolved issues, both parties shall in good faith engage in mediation with Okanogan County Dispute Resolution Center, licensed attorney, mediation service or individual trained(certificated)in this specialized area in an effort to resolve the case. In cases where parenting issues exist, the mediation shall not occur until both parties have completed the parenting seminar. Mediation shall be completed prior to any settlement conference except as per subsection (b).

(b) When Mediation may not be required. Mediation shall not be required, but is encouraged, as provided in Section (a) in the following cases:

(1) Good Cause. For good cause shown upon motion and approval by the court; or

(2) Indigent. Upon determination of a party's indigence through procedures under GR 34 as implemented by the court; or

(3) Domestic Violence. Where a Domestic Violence or Anti-Harassment order is currently in effect, involving the parties and/or their dependent children whether it exists pursuant to RCW 10.99 or RCW 26.50 or RCW 26.09.016.

(c) Requests for Mediation. If not required under subsection (b) above, either party may by motion seek a court order requiring mediation if that party can demonstrate that it can be accomplished in a safe and reasonable manner.

(d) Settlement Conference. If, after mediation in good faith or where mediation is not required, there remain unresolved issues, then a settlement conference may take place pursuant to LR 16(d).

(e) Effect on Court Proceedings. Mediation does not stay or otherwise affect the rights and duties of the parties established by statute, court rule, or court order. The court may enter temporary orders and the parties may conduct discovery prior to or during the mediation process.

(f) Cost of Mediation. Mediators shall be paid by the parties in accordance with the agreement of the parties, or in the absence of agreement, as determined in mediation.

(g) Responsibility for Compliance. The parties shall be responsible for arranging for and completing all mediation requirements established under this rule.

(h) Failure to Comply. Willful refusal to participate in mediation or willful delay in completing mediation or non-compliance may result in a finding of contempt and imposition of sanctions.

(i) Approval of Mediators. Mediators performing mediation services pursuant to this rule must fulfill the minimum qualifications set forth in Appendix B.

(j) Selection of Mediator. The parties shall agree on the mediator. If they cannot agree then each party shall submit a list of proposed mediators to the court. The court shall then select from the proposed mediators. A mediator has the right to decline to serve in a particular case. If a mediator declines to serve, the parties or the court shall select a different mediator, using the same selection process by which the preceding mediator was selected.

(k) Authority of Mediator. The mediator has the authority to determine the time, place, manner, and duration of mediation. In appropriate cases, the mediator shall have the authority to terminate the mediation prior to completion.

(l) Attendance at Mediation. The parties shall personally attend all mediation sessions, unless the mediator permits telephonic or other attendance. The mediator shall have the authority to require other persons to attend.

(m) Declaration of Completion. Within seven (7) days of completion of mediation, a declaration that mediation has been completed shall be filed with the court by the mediator. The mediator shall advise counsel and the parties of the results of mediation in writing. The mediator shall advise the court only whether an agreement has been reached on some or all of the issues.

(n) Confidentiality. The work product of the mediator and all communications during the mediation shall be privileged and

confidential and not subject to compulsory disclosure. The mediator shall not appear to testify in any court proceedings. See RCW 5.60.070.

Amended Effective September 1, 2018

LSPR 94.04.04 PROCESS UNDER GR 34

Application process. Any individual, deemed indigent as defined under GR 34(a) (3), shall make an application to the Court's Judicial Assistant prior to submission of any pleadings or filings to the Okanogan County Clerk. The Judicial Assistant shall submit the application to the Judicial Officer for consideration as per GR 34(a) (2).

Amended Effective September 1, 2013

GUARDIAN AD LITEM RULES

LGALR 1. SCOPE AND DEFINITIONS

Scope and Purpose. This local rule covers the maintenance and administration of the Guardian ad Litem Registry by the Judicial Assistants.

Amended Effective September 1, 2013

LGALR 2. GENERAL RESPONSIBILITIES OF GUARDIAN AD LITEM

(a) Education and Experience Requirements.

(1) Attorneys.

(a) Member of the Washington State Bar Association in good standing; **and**

(b) For initial placement on registry, completion of any training as required by statute. For retention on

registry, completion of any continuing training, as may be required by statute or the court from time to time.

(2) Non-attorneys.

(a) For initial placement on registry, completion of any training as required by statute. An individual must have a Bachelor's Degree from a fully accredited college or university in social/behavioral sciences, criminal justice, counseling or other closely related field with a minimum of two years' work experience in the field. At the sole discretion of the Presiding Judge, or their designee, a combination of relevant education, training and experience may be accepted in lieu of, or as an equivalent to, the educational and/or experience requirements. For retention on registry, completion of any continuing training, as may be required by statute or the court from time to time.

(b) New registry GAL's shall complete observation hours as determined by the court.

(b) Application and Annual Renewal. Any application shall be submitted on a form provided by the court and shall be renewed annually by date specified by the court. The application shall include the following:

(1) The name, business address, and telephone number of the applicant.

(2) The level of formal education of the applicant and, if the applicant is an attorney, the year admitted to practice in Washington State and any other States in which the attorney is licensed to practice.

(3) A listing of training relating to the GAL's duties.

(4) The number of years' experience as a GAL.

(5) The number of appointments as a GAL, Counties of appointment and types of matters.

(6) The applicant's criminal history as defined by RCW 9.94A.030.

(7) The applicant shall be fingerprinted at the Okanogan County Sheriff's Department.

(8) Any additional evidence of applicant's education, knowledge, training, and experience.

(9) A statement describing the nature, status, and outcome of any complaints, investigations, disciplinary actions, lawsuits, or liability claims lodged against the GAL related to the person's duties as a GAL or their profession along with any orders for removal of the GAL entered prior to the completion of the GAL's duties for any reason other than a conflict of interest where the GAL had no prior knowledge that the conflict existed.

(10) A description of the fees to be charged by the applicant (hourly rate and any required retainer) and a statement of the applicant's willingness to accept cases on a reduced fee basis.

(11) Agreement to advise the court immediately in the event of any complaint, investigation, or action being commenced related to the applicant's duties as a GAL in the instant or any other case which could lead to:

(a) Discipline of the applicant;

(b) The suspension or revocation of the applicant's professional license(s).

(12) Agreement to advise the court immediately upon the filing of criminal charges for a felony or a crime involving allegations of theft, dishonesty, or moral turpitude.

(c) Retention on Registry.

(1) Persons on the registry shall promptly inform the court of any temporary unavailability to serve, or of their intent to resign from the registry.

(2) A person shall remain on the registry unless the person fails to maintain a current application with attachments or the person is removed or suspended as set forth in Section (g).

(3) A person may be denied listing on, or may be temporarily suspended from, the registry for any reason that places the suitability of the person to act as GAL in question.

(4) A GAL who ceases to be on the registry and who still has active or incomplete cases shall immediately report this circumstance to the Registry Administrator, who shall reassign such cases.

(5) A person's retention on the registry shall be reviewed upon the court's receipt of a complaint regarding performance in office or the court's receipt of adverse information regarding the suitability of a person to serve as a GAL. Complaints shall be reviewed in accordance with Section (g).

Amended Effective September 1, 2014

LGALR 5. APPOINTMENTS OF GUARDIAN AD LITEM

(a) Appointment of a Guardian ad Litem from Registry.

(1) For Title 26 cases only in cases where the parties agree, any GAL from the registry may be appointed.

(2) In Title 11 cases or in Title 26 cases where the parties cannot agree, a party needing an appointment from a GAL registry shall request the same from the Registry Administrator. If the requesting party is represented by counsel, the attorney shall then contact the proposed GAL to determine if he/she is available to serve. If the requesting party is pro se, the Registry Administrator shall contact the proposed GAL to determine if he/she is available to serve. The person whose name next appears on the registry on a rotational basis shall be appointed, subject to that person's acceptance of the appointment.

(3) The person appointed by the Registry Administrator shall serve upon the parties a notice of appointment.

(4) Any order providing for the appointment will then be submitted to the Registry Administrator within three days.

(5) Once an appointment has been made all GAL's shall have free access to appropriate documents through the Odyssey Portal Superior Court Case Management System.

(6) All parties shall serve on the GAL copies of everything they file once an appointment has been made.

(b) Registry Administration. The court shall maintain a GAL registry and appoint a registry administrator (Judicial Assistant). The registry is limited to RCW Titles 11.88, 13 and 26 GAL's. These requirements and procedures apply to persons whether listed or not listed on the registry who is appointed to serve as a Guardian ad Litem.

(1) The Court shall maintain an application form and background information records pertaining to each person. Persons shall reapply and update background information annually on a date specified by the court. All application and background information, with the exception of personal identifying information in family law cases and pending complaints, shall be available for public inspection.

(2) Persons shall be selected for appointment at the discretion of the Court giving due consideration to:

(a) Having a sufficient number of GAL's available to fulfill the requests for appointment;

(b) Achieving and maintaining diversity; and

(c) Retaining panels of persons with substantial experience and special knowledge within given fields. In some cases there may be more qualified applicants that will be needed or would benefit the program, so that not all persons applying will be selected.

(d) All Guardian Ad Litem shall comply with RCW 26.12.177

(3) The court may periodically sponsor or approve training programs which registry applicants shall be required to attend to maintain and improve their level of proficiency. Training programs may be co-sponsored or offered by the state or local bar association under the oversight of the court.

(4) The registry may be reconstituted as necessary. The court may allow additional applicants to be added to the registry upon approval of applicant.

(5) The court may impose an application processing fee and/or charge a fee for the training programs.

Amended Effective September 1, 2019

LGALR 7. GRIEVANCE PROCEDURE

Grievance Procedure.

(1) There shall be a grievance review committee consisting of the Superior Court Presiding Judge, the Court Administrator and a representative of the Okanogan County Bar Association as appointed by the then County Bar President. This attorney shall be compensated at an hourly rate of one hundred fifty dollars an hour not to exceed six hours unless otherwise authorized by the Presiding Judge.

(2) All grievances must be in writing and must be submitted to the Superior Court Presiding Judge or Administrator.

(3) Upon receipt of a written grievance, the Presiding Judge or Administrator shall convene the Grievance Review Committee within ten (10) business days to review the grievance. Upon review of the grievance, the Grievance Review Committee shall either:

(a) Make a finding that the grievance has no merit on its face, and decline to review the grievance and so inform the complainant; or

(b) Make a finding that the grievance does appear to have merit and request a written response from the GAL within ten (10) business days, detailing the specific issues in the grievance to which the Committee desires a response. The Committee shall provide the GAL with a copy of the original grievance. A GAL's failure to respond within the required ten (10) business days will result in the immediate suspension of the GAL from all registries.

(c) In considering whether the grievance has merit, the Grievance Review Committee shall consider whether the grievance alleges the GAL has:

- (1) Violated the code of conduct;
- (2) Misrepresented his or her qualifications to serve as GAL;
- (3) Not met the annual update requirements set forth in Section (d) of this policy;
- (4) Breached the confidentiality of the parties;
- (5) Falsified information in a report to the court or in testimony before the court;
- (6) Failed to report abuse of a child;
- (7) Communicated with a judicial officer ex-parte;
- (8) Represented the court in a public forum without prior approval of the court;
- (9) Violated state or local laws, rules, or this policy in the person's capacity as a GAL; or,
- (10) Taken or failed to take any other action which would reasonable place the suitability of the person to serve as GAL in question.

(4) Upon receipt of a written response to a complaint from the GAL, the Grievance Review Committee shall, within ten (10) business days, make a finding as to each of the issues delineated in the Committee's letter to the GAL that either there is no merit to the issues based upon the GAL's response or that there is merit to the issue. The Review Committee may, at their discretion, extend the time for entering findings to conduct additional investigation if necessary; however, in no case shall that extension be for more than twenty (20) business days and the GAL shall be notified.

(5) The Grievance Review Committee shall have the authority to issue a written admonishment, a written reprimand, refer the GAL to additional training or recommend to the court,

upon its own motion, to remove the GAL from the instant case, or suspend or remove the GAL from the registry. In considering a response, the Committee shall take into consideration any prior grievance which resulted in an admonishment, reprimand, referral to training, removal of the GAL from a particular case, or suspension or removal from a registry. If a GAL is listed on more than one registry, the suspension or removal may apply to each registry the GAL is listed on at the discretion of the Committee.

(6) The complainant and the GAL shall be notified in writing of the Committee's decision within 10 business days of receipt of the GAL response.

Amended Effective September 1, 2014

LGALR 8.COMPENSATION

Payment of Guardian ad Litem

(1) There shall be no payment of a GAL by anyone, except as authorized by order of the court.

(2) Each order appointing GAL shall set forth the hourly rate of compensation and/or a monetary limit for the investigative/legal work; source of payment, if determined; and unless waived, shall require the GAL to seek prior court authorization to provide services in excess of the time and/or amount previously authorized by court order including court appearances.

(3) The order appointing a GAL may include a provision for an advance payment on fees and proportionate responsibility for payment to the GAL.

(4) All fee requests by the GAL submitted to the court shall contain time records, which distinguish investigative/legal, administrative/clerical, and travel time and shall also be served upon the parties.

(5) GAL fees shall be the responsibility of a party or parties unless the court has entered an order authorizing payment at public expense. Any limitation shall be established by the court at the time of the initial appointment.

Amended Effective September 1, 2015

OKANOGAN COUNTY LOCAL RULES FOR MANDATORY ARBITRATION

LMAR 1.2 Mandatory Arbitration of Civil Actions

Scope and Purpose. The purpose of mandatory arbitration of civil actions under RCW 7.06 as implemented by the Mandatory Arbitration Rules is to provide a simplified and economical procedure for obtaining the prompt and equitable resolution of disputes involving claims up to \$100,000.00, or more if the parties so stipulate pursuant to Superior Court Mandatory Arbitration Rules (MAR) 1.2 and 8.1. The Mandatory Arbitration Rules as supplemented by these local rules are not designed to address every question which may arise during the arbitration process, and the rules give considerable discretion to the Arbitrator. The Arbitrator should not hesitate to exercise that discretion. Arbitration hearings should be informal and expeditious, consistent with the purpose of the statutes and rules.

LMAR 1.2.01 GENERAL RESPONSIBILITIES OF ARBITRATORS

Education, Application and Renewal Requirements

- (1) Must be in good standing with the Washington Bar Association.
- (2) Must provide the required documentation including but not limited to the Oath of an Arbitrator, W-9 tax form and Arbitrator information sheet. All required documentation must be submitted to the Judicial Assistant upon request. Once on the registry the Judicial Assistant will review annually as for compliance.
- (3) Any and all grievances regarding an arbitrator must be reported in a statement describing the nature, status, outcome of any complaints, investigations, disciplinary actions, and or lawsuits lodged against the arbitrator related to the person's duties as an

arbitrator or their profession along with any orders for removal as an arbitrator.

LMAR 7.2 Procedure after Request for Trial De Novo

The clerk shall automatically seal any award and any memorandum decision/award if a trial de novo is requested. If the trial de novo is not confirmed, the opposing party may move for entry of judgment on the arbitrator's award upon proper notice. If the trial de novo is confirmed and the party who requested the trial de novo fails to appear at trial, then the opposing party may move to strike the trial and obtain a judgment on the arbitrator's award without further notice. If the trial de novo is confirmed and the party opposing the request for trial de novo fails to appear at trial, then the trial shall proceed in the normal course.

Amended Effective September 1, 2019

LCrR 3.1 RIGHT TO AND ASSIGNMENT OF LAWYER

(d) ASSIGNMENT OF LAWYER

(5) Upon notification of assignment, the assigned attorney shall within five (5) judicial days file their Notice of Appearance or at the arraignment hearing whichever is earlier. Further any attorney substituting shall file their notice within five (5) judicial days of assignment and/or substitution whichever is sooner.

(6) Appointed and assigned counsel shall file quarterly, with the Okanogan County Clerk, on the form recommended by the Supreme Court, a certificate declaring that counsel is in compliance with the applicable Standards for Indigent Defense promulgated by the Supreme Court of Washington. An appointed or assigned attorney who is not in compliance with the applicable standards, or who has not filed a certificate prior to appearing or filing a notice of appearance, shall so advise the court at every hearing.

Amended Effective September 1, 2018

LCrR 6.15 Jury Instructions

Consistent with CrR 6.15, all parties shall file with the trial judge an original and one hard copy of their proposed instructions. The original shall not be numbered nor include any citations of authority. The hard copy shall contain a proposed number only and any citation of authority in support of the instruction. Authorities may include any number from any published book of instructions or case name and citation. Instructions must be provided to the trial judge not later than the day prior to commencement of trial in the following format:

- (a) Microsoft Word Format
- (b) 1" Page Margins
- (b) 12pt. Font
- (c) Calibri Style Font Theme

Amended Effective September 1, 2018

LCrR 8.9 CHANGE OF JUDGE

Affidavit of Prejudice. In addition to the procedures set out in CrR 8.9 the party or their counsel shall provide a copy of the motion and affidavit to the Judicial Assistant of Superior Court of Okanogan for proper assignment of the case.

Amended Effective September 1, 2015

[Appendices]

{Appendices were adopted effective September 1, 2018}

Appendix A

Local Form A-1: Asset & Debt Matrix

Superior Court of Washington
County of Okanogan

No. _____
Asset and Debt Matrix
(LIST)

In Re:		Petitioner		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
and		Respondent							
Item #	Name of Assets Only	Community or Separate Asset	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									

In Re:		Petitioner		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
and		Respondent							
Item #	Name of Assets Only	Community or Separate Asset	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife
13.									
14.									
15.									
16.									
17.									
18.									
19.									
20.									
21.									
22.									
23.									
24.									
25.									
Totals				0	0	0	0	0	0

In Re:		Petitioner		Respondent		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
Item #	Name of Debts Only	Community or Separate Debts	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife		
1.											
2.											
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											
11.											
12.											

In Re:		Petitioner		Respondent		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
Item #	Name of Debts Only	Community or Separate Debts	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife		
13.											
14.											
15.											
16.											
17.											
18.											
19.											
20.											
21.											
22.											
23.											
24.											
25.											
Totals				0	0	0	0	0	0		
Court's Distribution of Assest Minus Debts Totals								0	0		

Local Form A-2: Attorney/Limited License Legal Tech Certification

**Superior Court of Washington
County of Okanogan**

In re:

Petitioner,

Case No.

Attorney Certification Form

Limited License Legal Tech (APR 28)

(As reviewer of pleading)

(CRT)

And

Respondent.

I _____ declare as follows:

I am over the age of 18 years; I am the third-party neutral in accordance with RPC 2.4 or APR 28 in the entitled action.

On the _____ of _____ 201____, I reviewed the following documents in this action:

I am in compliance with Okanogan County Local Rule LSPR 94.04.01.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing statement is true and correct.

Dated at _____, _____ this _____ day of _____ 201____.

Signature

Print

Local Form A-3: Automatic Temporary Restraining Order

**Superior Court of Washington
County of Okanogan**

<input type="checkbox"/> In re		No. Automatic Temporary Restraining Order (TMRO)
And	Petitioner,	
	Respondent.	

I. NOTICE TO PARTIES

- 1.1 An action has been started in this court that affects your rights. Both parties are now required to obey the following order unless the court changes it. Either of you may ask the court to change or clarify this order. The court has the power to punish violations of this order and to require the violator to pay attorneys' fees to the party for having to bring the violation before the court.
- 1.2 The financial restraints in section 2.1 below and the requirement to fill out the attached "Verified Statement of Assets and Liabilities" only apply in actions for (1) dissolution of marriage, legal separation, or marriages declared to be invalid, or (2) non-marital relationships involving distribution of assets and liabilities.

II. ORDER

IT IS ORDERED:

2.1 TEMPORARY ORDERS FOR ALL PARTIES

(a.) The petitioner respondent are mutually restrained and enjoined from transferring, removing, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life and requiring each party to notify the other of any extraordinary expenditures made after the order is issued.

(b.) The petitioner respondent are mutually restrained and enjoined from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties whether medical, health, life or auto insurance.

(c.) Each party shall be immediately responsible for their own future debts whether incurred by credit card or loan, security interest or mortgage.

(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.

(e.) Within 30 days after the filing of any general appearance, answer or other responsive pleading, each party shall provide the other party with a completed Financial Declaration (WPF DR 01.1550). In all cases involving a request for child support, maintenance or attorney fees, the Financial Declaration shall also be filed with the court. All parties have a duty to supplement the financial information when additional information becomes available.

2.2 TEMPORARY ORDERS FOR PARTIES WITH MINOR CHILD(REN)

(a.) The [x] petitioner [x] respondent are mutually restrained from changing the residence of the child(ren) until further order of the court or unless agreed upon in writing by the parties.

(b.) Neither parent shall make negative remarks about the other parent.

(c.) Each parent will take the parenting class as required by local court rule.

(d.) Both parents are entitled to any and all education and medical records unless otherwise ordered by the court.

2.3 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 Return of Service with the Okanogan County Superior Clerk's office. The Respondent is subject to this order from the time that the order is served. This shall be the order of the court until further order of the court.

This order shall not constitute a discretionary decision by the undersigned judge.

This General Order shall be effective for all Dissolution or related matters filed after the first day of September 2013.

Issued this ____ of ____ 20__.

Judge

Local Form A-4: Declaration of Compliance

**Superior Court of Washington
County of Okanogan**

[x] In re:

_____ Petitioner,

Case No.
Declaration of Compliance
(DCLR)

And

_____ Respondent.

I _____ the Petitioner/Respondent declare as follows:

I am over the age of 18 years. On the _____ day of _____ 201_, I deposited an envelope in the regular U.S. mail, postage prepaid, addressed as follows:

Name of Party (Petitioner/Respondent): _____

Mailing address (PO Box /Physical): _____
(City/ State/Zip) : _____

The envelope contained copies of the following: **Verified Financial Declaration, Verified Asset and Debt Matrix**

I am in compliance with Okanogan County Superior Court Local Rule LSPR 94.04.01.

I declaration under penalty of perjury, pursuant to the laws of the state of Washington, that the foregoing information and statement is true and correct.

Dated this _____ day of _____ 201_ at _____.

Signature

Print

Local Form A-5: Note For Hearing

Superior Court of Washington

County of Okanogan

And	Petitioner,	No.
	Respondent.	Note for Hearing
		Clerk's Action Required
		(NTHG)

To the Clerk of Court and to:

1. Please note that this case will be place on the hearing calendar regarding

Civil Law and Motion Calendar for hearing on _____ at 9:00 am
(date)

Agreed Orders Calendar on _____ at 11:00 am
(date)

Interpreter required _____
(language)

Place: Okanogan Superior Court (*Courtroom to be determined*)

149 3rd Ave N., Okanogan, WA 98840

Dated: _____

Signature of Requesting Party or Lawyer/WSBA No.

Local Form A-6: Order for Pretrial

**Superior Court of Washington
County of Okanogan**

And	Plaintiff(s) Defendant(s)	No. ORDER FOR PRETRIAL CONFERENCE (OR)
-----	----------------------------------	---

THIS CAUSE appearing to be at issue and ready for trial, it is

1. ORDERED AND ADJUDGED THAT a pretrial conference will be held in Chambers at ____m. at the Okanogan County Courthouse on the ____ day of _____, 20___. Total time allocated for the conference will be _____. The attorneys who will conduct the trial must attend this conference.

All discovery procedures shall be completed by the time of this conference.

2. ORDERED AND ADJUDGED THAT at least five working days prior to this conference, the attorneys shall submit to the trial judge and to opposing counsel a Pretrial Statement containing the following:

- (a) A list designating those pleadings upon which the case goes to trial;
- (b) A succinct statement of the cause of action in regard to each claim or defense;
- (c) A clear statement of the issues to be tried;
- (d) An itemized list of the claimed special damages;

- (e) A statement of the principles of law involved in the case, supported by citations of authority;
- (f) A statement of facts, which his client will admit;
- (g) A list of the names and addresses of all persons who have knowledge of relevant facts and the general nature of their testimony;
- (h) A list of all exhibits and documentary evidence, which may be used at the trial;
- (i) A complete set of written jury instructions, standard and special, which will be proposed for use at the trial, including verdict forms;
- (j) Any request for preliminary rulings on questions of law with citations in regard thereto;
- (k) Any trial brief that either party wishes the court to consider.

3. ORDERED AND ADJUDGED THAT at the time of the conference, the first thirty minutes of the conference will be set aside for a meeting between counsel to:

- (a) Inspect all documentary evidence and transportable exhibits listed in their Pretrial Statements. Exhibits not easily transportable will be made available for inspection at a time and place fixed at the conference.
- (b) Mark each document and exhibit using consecutive numerals for the plaintiff and the defendant.
- (c) Object to the admissibility of the evidence, reserving the appropriate objections.
- (d) Object to the jury instructions filed with the Pretrial Statements, reserving the appropriate objections.
- (e) Stipulate on all matters of fact and law upon which the parties are in agreement.

DONE AND ORDERED in Chambers in Okanogan County, Washington, this _____ day of _____ 20__.

JUDGE

Local form A-7: Pretrial Order

**Superior Court of Washington
County of Okanogan**

And	Plaintiff(s)
	Defendant(s)
No. Pretrial Order (ORPTC)	

I. BASIS

1.1 The above matter has been noted for trial setting.

1.2 A pretrial conference was held and the following persons were present:

For Plaintiff(s):

For Defendant(s):

II. ORDER

2.1 Names and addresses of attendant lawyers who will try the case and are authorized to enter into binding stipulations:

For Plaintiff(s):

For Defendant(s):

2.2 Summary of plaintiff's case:

2.3 Summary of defense and counterclaim:

2.4 The following amendments are allowed to the pleadings:

2.5 Names and addresses of plaintiff's witnesses and summary of testimony expected from each:

2.6 Names and addresses of defendant's witnesses and summary of testimony expected from each:

Additional Witnesses: If additional witnesses are discovered, who by the use of reasonable diligence could not have been discovered before the Pretrial Conference, the party intending to use such witness shall immediately report the names, addresses and summary of the testimony of such witness to opposing counsel and the court.

2.7 Facts admitted by stipulation and agreement:

2.8 Exhibits produced for admission:

- a. The following exhibits were marked, identified and admitted without objection, no further identification or offers of admission shall be required at trial:
- b. The following exhibits were produced and offered but were objected to for competency, relevancy and materiality; they may be introduced at the trial without formal identification, their authenticity being agreed to:
- c. The admission of the following exhibits will be contested:
- d. The following exhibits will be sent to opposing counsel within ____ days and within five days of receipt forwarded to the court with any objections thereto; in the event no objections are raised the exhibits will be admitted in accordance with the provisions of (a) above.

Additional Exhibits: If additional exhibits or documents are discovered which could not have been discovered by reasonable diligence before the Pretrial Conference, the party intending to use them shall immediately exhibit them to opposing counsel and submit them to the court to be marked for identification. Opposing counsel shall immediately indicate to the court his or her position with respect to such exhibit, i.e., whether his or her position falls under (a), (b) or (c) above.

2.9 Unresolved issues:

2.10 Points of law passed upon by the court:

2.11 Estimated length of trial: Jury:

2.12 Other matters that may aid the trial:

Set for trial:

Approved, stipulated and agreed:

Attorney for Plaintiff

Attorney for Defendant

IT IS ORDERED that the stipulations be carried out as outlined above.

DATED: _____

JUDGE

Local Form A-8: Request for Trial (Dissolution and Family Law)

**Superior Court of Washington
County of Okanogan**

And	Petitioner, Respondent.	No. Request for Trial Setting (Dissolution of Marriage and Other Family Law Cases) (RQTH)
-----	--------------------------------	--

TO: Okanogan County Superior Court
P.O. Box 112
Okanogan, WA 98840

Clerk of the Court
P.O. Box 72
Okanogan, WA 98840

TO: List all Attorneys or Pro Se Parties (including yourself) with addresses and telephone numbers.

TRIAL SETTING

This case should be set for Non-Jury Trial.

Estimated length of trial _____ Day(s)

Dates unavailable for trial (see LR 40(a)):

_____ **Interpreter needed (make sure to specify language needed)**
Language _____

_____ **Notice to Support Enforcement Required** (If either party is receiving state benefits)

CERTIFICATION

1. I have served the opposite attorney or Pro Se party with this request on the following date: _____ and in the following manner: _____
2. I have reviewed the Okanogan County Superior Court Local rules relating to dissolution myself and with any party I represent.
3. I (or the party I represent) have satisfactorily completed the required class, Your Child and Divorce sponsored by the Okanogan County Dispute Resolution Center or will attend the next session and will have the requirement completed an certificate filed prior to the court date. (Any equivalent class approved by a court may be substituted).
4. I understand the requirement for 1) the mandatory use of the Court's Itemization form and 2) providing a complete and current financial declaration at the time of trial. **Further, I hereby certify that I have complied with LSPR 94.04.01(d) by serving and exchanging Financial Declarations and Asset and Debt Matrixes; and the parties have complied with 94.04.03 regarding mediation.**

 Exchange of Forms. Completed on _____

 Mediation was completed on _____ or scheduled on _____
5. If I am appearing Pro se, I understand that I am required to always have a Pro Se notice of appearance with my current address and phone number on file with the Superior Court Clerk's Office. Failure to comply may result in cancellation of my trial.

Dated: _____

Signature of Requesting Party or Lawyer/WSBA No.

Print or Type Name

Notice to Party: (you may list an address that is not your residential address where you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200 with the Court Clerk).

Address

Telephone Number

Email Address

Local Form A-9: Request for Trial (Civil, Non-domestic, Arbitrability)

Superior Court of Washington

County of Okanogan

And	Petitioner,	No.
		Request for Trial Setting-Civil
		(Civil Matters Other Than
		Dissolution of Marriage and
		Other Family Law Cases) and
		Statement of Arbitrability
	Respondent.	(RQTH)

TO: Okanogan County Superior Court
P.O. Box 112
Okanogan, WA 98840

Clerk of the Court
P.O. Box 72
Okanogan, WA 98840

TO: List all Attorneys or Pro Se Parties (including yourself) with addresses and telephone numbers.

I. TRIAL SETTING

This case should be set for Non-Jury Trial.

- Jury Trial * Six person
 Twelve person

*No Jury Trial will be set until Jury Demand Fee is paid.

Estimated length of trial _____ Day(s)

Dates unavailable for trial (see LR 40(a)):

Interpreter needed Yes or No (*please circle one*) Language _____

II. INITIAL STATEMENT OF ARBITRABILITY

_____ This case is subject to arbitration because the sole relief sought is a money involves
no claim in excess of \$100,000, exclusive of attorney fees, interest and costs (MAR 1.2)

_____ This case is NOT subject to mandatory arbitration because:

_____ Plaintiff's claim exceeds \$100,000.

_____ Plaintiff seeks relief other than a money judgement.

_____ Defendant's counter or cross-claim exceeds \$100,000.

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

_____ The undersigned contends that its claim exceeds \$100,000, but hereby waives any claim in the excess of \$100,000 for purposes of arbitration (MAR 1.2)

_____ This case is not subject to mandatory arbitration but the parties wish to stipulate to arbitration and will present a stipulation and order for that purpose.

SERVICE

Date of Service on opposing counsel (or parties): _____

DATED: _____ Signed _____

Attorney for _____

CERTIFICATION

1. I have served the opposing attorney or Pro Se party with this request on the following date: _____ and in the following manner: _____
2. I have reviewed the Okanogan County Superior Court Local rules myself and with any party I represent.
3. If I am appearing Pro Se, I understand that I am required to always have a Pro Se notice of appearance with my current address and phone number on file with the Superior Clerk's Office. Failure to comply may result in cancellation of my trial.

Dated: _____

Signature of Requesting Party or Lawyer/WSBA No.

Print or Type Name

Notice to party: (you may list an address that is not your residential address where you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing.)

Address

Telephone Number

Appendix B

Minimum Qualifications for Superior Court Family Law Mediators

1. A Jurist Doctor Degree with extensive experience in family law related matter; or
2. A Bachelor's Degree or Master's Degree in Sociology, Psychology or other social or behavioral science plus completion of training in family law mediation upon approval of the court; or
3. A person who has completed a family law mediation training course offered by a law school in the State of Washington or the basic mediation training course and family mediation training offered by the Okanogan County Dispute Resolution Center or such other equivalent mediation training course(s) as shall be approved by the court; or
4. Such other education and experiential qualifications as shall be approved by the Superior Court judge on a case by case basis.