

**PIERCE COUNTY DISTRICT COURT
LOCAL RULES**

TABLE OF RULES

ADMINISTRATIVE RULES (LARLJ)

- 1 Local Rules Suspension
- 2 [Reserved]
- 4 Cancellation of Calendared Cases
- 5 [Reserved]
- 6 Mandatory Electronic Filing

CIVIL RULES (LCRLJ)

- 4.1 Minor's Name Change Notice Requirements
- 5 Filing of Pleadings and Other Papers
- 10 [Reserved]
- 14 Removal of Small Claim to Civil Status
- 26 Discovery
- 38 Jury Demand
- 40 Civil Trial Settings
- 41 Non-Appearance of a Party or Parties on Trial Date
- 54a [Reserved]
- 54b Condition Precedent for Attorney's Fees on Dishonored Checks
- 55 Default Judgments

SMALL CLAIMS RULES (LSCRLJ)

- 1 Filing Form of Pleadings
- 2 Pretrial Hearing
- 3 Mediation
- 4 Continuance of Pretrial Hearing, Mediation or Trial
- 5 Failure to Appear
- 6 Evidence
- 6a [Reserved]
- 6b [Reserved]
- 7 Removing to Civil Status
- 8 Remote Hearings

CRIMINAL RULES (LCrRLJ)

- 3.2(o) Release of Accused – Domestic Violence
- 6.1 Criminal Jury Trial Readiness
- 6.3 [Reserved]
- 6.15 [Reserved]
- 8.2a [Reserved]
- 8.2b Motion to Continue
- 16 Mandatory Appearance and Pleadings by Attorneys

INFRACTION RULES (LIRLJ)

- 2.2 [Reserved]
- 3.5 [Reserved]
- 7a Infraction Witnesses
- 7b Infraction Discovery Requests

**PIERCE COUNTY DISTRICT COURT
LOCAL RULES**

ADMINISTRATIVE RULES (LARLJ)

LARLJ 1 - LOCAL RULES SUSPENSION

Any of these rules may be suspended or modified, upon good cause shown, by written stipulation of the parties approved by the Court, or by the Court upon its own motion.

LARLJ 2 - FORM OF PLEADINGS - STYLE AND FORM FACILITATING PROOF OF SERVICE AND FILING OF PAPERS

[Effective September 1, 2020, Amended September 1, 2023, Rescinded September 1, 2024]

LARLJ 4 – CANCELLATION AND NOTIFICATION OF CIVIL TRIALS.

Cancellation notification in writing or telephonically must be given to the Pierce County District Court Civil Section at least 48 hours prior to the date and time the hearing is scheduled to take place.

If cancellation notification is not received at least 48 hours prior to the date and time of the hearing, the following sanctions may be imposed:

Jury Trial, terms of up to \$50.00 may be assessed against each party.

[Amended effective September 1, 2020, Amended effective September 1, 2024]

LARLJ 5 -RETRIEVING CASE FILES FROM STATE ARCHIVE OR DISTRICT COURT STORAGE FACILITY

[September 1, 2023 Rescinded]

LARLJ 6 – MANDATORY ELECTRONIC FILING

A. Definitions – See GR 30(a)

B. Electronic filing and service – See GR 30(b)(1-4)

C. Electronic filing (“eFile”) authorization, charges, exceptions, and waiver.

(1) *Mandatory Electronic Filing.* Effective 30 days after go-live. All attorneys shall file (eFile) documents using the Court’s designated eFiling service, unless this rule provides otherwise. Non-attorneys or *pro se* parties are not required to eFile but are encouraged to do so.

(2) *Filing Fee.* Electronically filing documents through the Court’s designated eFiling service will be free for all users. Any statutorily imposed filing fee or surcharge, however, will need to be paid, unless the Court waives the filing fee or surcharge pursuant to GR 34.

(3) *Documents That Shall Not Be eFiled.* The following documents must be filed in paper form:

(a) Documents that are required by law to be filed in non-electronic format, for example: original wills, certified records of proceedings for purposes of appeal, negotiated instruments, and documents of foreign governments under official seal including foreign and out-of-state protection orders or judgements.

(b) Documents incapable of legible conversion to an electronic format by scanning, imaging, or any other means;

(c) Documents presented for filing during a court hearing or trial including documents for in camera review pursuant to GR 15;

(d) Documents larger than permitted in the User Agreement. If a party files a document that is larger than 8 ½” x 11”, or files a color document, other parties can request a hard copy of those documents. When a request is received, the filing party shall provide a hard copy of the non-standard or color document within two (2) court days after receipt of the request.

(4) *Documents That May Be Filed in Paper Form Rather Than eFiled.* A criminal case initiation document (e.g., complaint, citation, or notice of infraction) that is not submitted through the Statewide Electronic Collision & Traffic Online Records (SECTOR) application per GR 30(d)(ii) may be filed in paper form.

(5) *Retention policy.* If eFiled, the filing party must retain the original document during the pendency of any appeal and sixty (60) days after resolution of the case. A party shall present the original document(s) if requested by the Court.

(6) *Time for Filing.* An eFiled document is considered filed with the Court when it is received by the Court’s e-filing system during regular business hours. Any document

electronically filed with the Court by 4:30 PM Pacific time on a business day shall be deemed filed on that date. A document filed after 4:30 PM Pacific time or on a non-business day shall be considered filed on the next business day.

(7) *Waiver of the Requirement to eFile.* If an attorney is unable to eFile documents, the attorney must request a waiver from the Court. The attorney must show good cause why paper document(s) must be filed. The Court will consider each application and provide a written approval or denial to the attorney. Attorneys who receive a waiver shall file a copy of the waiver in each case and shall place the words “Exempt from eFiling per waiver filed on (date)” in the caption of all paper documents filed for the duration of the waiver. Upon a showing of good cause, the Court may waive the requirement as to a specific document(s).

(8) *Electronic Service.*

- (a) When a party eFiles a document, the party must serve that document using the eServe function. E-Service under this subsection constitutes service under CRLJ 5 and is complete as stated in CRLJ 5(b)(7).
- (b) If a party serves another party electronically or via email, the receiving must accept service from the other party(ies) electronically or via email.
- (c) *Updating E-Mail Addresses.* It is the responsibility of attorneys and self-represented parties to keep their e-mail address updated. Attorneys must keep their e-mail address updated with the Washington State Bar Association. Self-represented parties must update their e-mail address with the Pierce County District Court Clerk’s Office by e-filing a notice of change of address. Attorneys and self-represented parties will be considered served if served using the e-mail address currently on file in the Court’s case management system.
- (d) *Exceptions to E-Service.* E-service does not apply:
 - (i) when a self-represented party has not registered for eService;
 - (ii) when a statute or rule requires personal service;
 - (iii) for documents not filed with the Court (e.g. discovery);
 - (iv) when a waiver has been obtained as set forth in this Rule.

(9) *Force and Effect.* Electronically filed court records have the same force and effect and are subject to the same right of public access as documents not eFiled.

(10) *Non-Compliance with this Rule.*

- (a) The Court may assess a fee of \$20.00 dollars per electronic document to a person whose signature is on an electronic document eFiled with the Court that requires special handling because of: (i) errors; (ii) failure to follow court rules or statutes; and/or files a document in paper form without an approved waiver.

- (b) If an attorney or self-represented party serves a document in a manner that does not comply with this section, the document shall be deemed to have not been served pursuant to CRLJ 5, and the Court in its discretion can refuse to consider the Document.

[Adopted effective September 1, 2022]

**PIERCE COUNTY DISTRICT COURT
LOCAL RULES**

CIVIL RULES (LCRLJ)

LCRLJ 1 – FORMS OF PLEADING – STYLE AND FORM
[Rescinded September 1, 2024]

LCRLJ 4.1 – MINOR’S NAME CHANGE NOTICE REQUIRED

Any petition for a change of name of a minor shall be made in accordance with RCW 4.24.130 and court rules.

- (1) A petition for a change of a minor’s name must be brought by a parent or legal guardian.
- (2) The petitioner must file with the Court:
 - (a) Written and notarized approval of the proposed name change from the non-petitioning legal parent or guardian; or
 - (b) Proof that the non-petitioning legal parent or guardian has had their parental rights terminated by a Court of Law; or
 - (c) Proof that, at least ten (10) days prior to the hearing, the non-petitioning legal parent or guardian was served with the name change petition and notice of the hearing (to include: date, time, and location of the hearing).

Service as contained in this rule must be actual notice or by publication as provided in CRLJ 4. See RCW 4.24.130.

[Adopted effective September 1, 2021]

LCRLJ 5 - FILING OF PLEADINGS AND OTHER PAPERS

[Amended effective September 1, 2020, Rescinded September 1, 2024]

LCRLJ 10 - PRO SE LITIGANTS

[Amended effective September 1, 2020, Rescinded September 1, 2024]

LCRLJ 14 – REMOVAL OF SMALL CLAIM TO CIVIL STATUS

(1) Cross claim or counter claim: Defendant or Counsel may file a Summons and Complaint by paying the filing fee and move the Court to consolidate the Small Claim action and the Civil action under the District Court number. A hearing date will be set and both parties notified.

(2) Either party may file a motion asking that the matter be moved to the District Court. If the motion is granted, Defense Counsel must, within fourteen (14) days of the granting

of the motion, an appearance and answer on behalf of the defendant(s) and pay the filing fee. The Small Claim action will then be transferred to the Civil docket and will proceed as a Civil case from thereon. If the defendant fails pay, the order transferring the matter to the District Court shall be vacated and the matter rescheduled as a Small Claim.

[Amended effective September 1, 2022]

LCRLJ 26 - DISCOVERY

Subject to the timelines established in ER 904, the written statement of any witness, including the written report of an expert witness (which includes statements of opinion which the witness would be allowed to express if testifying in person), is deemed admissible if it is made by affidavit or by declaration under penalty of perjury. Any party may subpoena the author or maker of the written statement admissible under this subsection, at the party's expense, and examine the author or maker as if under cross examination.

[Adopted effective September 1, 1993; Amended effective September 1, 2010; Amended effective September 1, 2018. Amended in part effective September 1, 2024.]

LCRLJ 38 – JURY DEMAND

(1) Demand. When a trial by jury is authorized by the Constitution, statutes or decisions of the Supreme Court, any party may file a written demand for jury by filing the original written demand with the Clerk of the Court and by paying the nonrefundable jury fee. A copy of the written demand for jury trial shall be served upon all opposing parties. The written demand for jury trial shall be filed at or prior to the time the case is assigned for trial or in any event no later than 21 days following the issuance of the Notice of Trial Assignment by the Clerk of the Court in accordance with LCRLJ 40.

(2) Waiver. Failure of a party to strictly comply with the requirements of this rule and LCRLJ 40 shall be deemed a waiver of the right to a jury trial, unless the Court finds good cause and absence of neglect in granting a party an extension of time to file and serve a demand for jury trial. A demand for jury trial once made may not be withdrawn without the consent of the parties.

[Adopted effective September 1, 2016.]

LCRLJ 40 - CIVIL TRIAL SETTINGS

(1) Case Information Sheet. Each new civil case filing involving a complaint for relief shall be accompanied by a Case Information Sheet prepared and submitted by the plaintiff.

(2) Request by Party. At any time when the pleadings are at issue a party may file a Request or Note for Civil Trial Setting with the Clerk to issue a Notice of Trial Assignment. The provisions of LCRLJ 38 and LCRLJ 40 shall govern the setting of

any bench or jury trial and the assignment of the cause for trial.

(3) Administrative Status Review. Civil case. On or before the ninetieth (90th) day following the filing of a complaint in a case, the Clerk shall conduct a status review of any non-collection case not yet set for trial to determine (1) whether proof of service is on file for all party defendants; and (2) whether an answer or reply has been filed by all named parties required to file an answer or reply to a complaint, cross-complaint, counterclaim or third party complaint. If all necessary proof of service and answers and replies are on file, then the Clerk shall, without prior notice to the parties, issue a written Notice of Trial Assignment to the parties of record as provided in paragraph 4 below.

(4) Trial Assignment. If a written jury demand has been filed at the time of the issuance of a Notice of Trial Assignment (or the parties file a timely written demand for jury in accordance with LCRLJ 38), the parties will be notified in writing of the assigned Jury Trial date, the assigned Court and the date of the mandatory Pretrial Hearing before the assigned Court. If a written demand for jury trial has not been filed at the time of the issuance of the Notice of Trial Assignment, the parties shall be advised in writing of the deadline for filing any jury demand in accordance with LCRLJ 38. Failure to timely file a written jury demand in accordance with this rule and LCRLJ 38, shall result in the issuance of a Notice of Trial Assignment notifying the parties of the Bench trial date and the assigned Court. Unless otherwise ordered by the Court, any motion or application for relief shall be heard before the assigned Court.

(5) Objection/Continuance. Any objection to the scheduled trial date shall be made within thirty (30) days of the notification of the setting of the jury or bench trial date. A continuance of the trial date may be granted by the Court upon motion for good cause. Any continuance of the trial date must be approved by the Court.

(6) Pretrial Hearing. At the scheduled Pretrial Hearing, all parties may appear in person/telephonically/virtually or through counsel. If a party fails to appear at the Pretrial Hearing, the pleadings of the non-appearing party may be stricken, unless otherwise ordered by the Court.

(7) Settlement Conference. Whenever a trial has been set as provided in these rules, the Court shall set a mandatory Settlement Conference no later than thirty (30) days prior to the scheduled trial date. All attorneys and all parties or persons representing them with authority to consent to settlement shall be present for the Settlement Conference. The Court may in its discretion assess reasonable terms against any party or persons who fail to appear. Nothing in this Rule shall preclude the parties from conducting a private mediation at their own expense to resolve the issues in any case.

(8) Notification Requirements. Confirmation of Civil Jury or Bench Trial. Whenever a civil jury or bench trial has been demanded and scheduled in a case, the requesting party shall notify the Court at least two court days prior to the date the trial is set and confirm that the

trial is to remain scheduled. Failure to do so will result in the trial being stricken and may be deemed as a waiver of the jury trial demand. Failure to confirm a Civil Bench Trial in a case will result in the trial being struck from the Court's calendar, unless otherwise ordered by the Court.

Cancellation of Civil Jury or Bench Trial. Whenever a case set for trial is settled or will not be tried for any reason, the Court shall be notified immediately. If notice of cancellation is not received at least two (2) court days prior to the time of the scheduled trial date, the Court may impose terms and/or costs.

[Adopted effective August 15, 2000; amended effective September 1, 2016; Amended September 1, 2024.]

LCRLJ 41 - NON-APPEARANCE OF A PARTY OR PARTIES ON TRIAL DATE

[Rescinded September 1, 2024.]

LCRLJ 54A - GARNISHMENT JUDGMENT ON ANSWER

[Rescinded September 1, 2024.]

LCRLJ 54B - CONDITION PRECEDENT FOR ATTORNEY'S FEES ON DISHONORED CHECKS

[Rescinded September 1, 2024.]

LCRLJ 55 - DEFAULT JUDGMENTS

(1) All necessary papers required for entry of a default judgment shall be filed at the same time as the motion for default judgment, unless extended by court order to correct a clerical error or omission or for furnishing of any proof required by the court.

(2) No default judgment shall be granted except upon proof satisfactory to the Court. The Court shall require at least the following to be on file with the motion for default judgment, unless otherwise excused by the Court for good cause.

- (a) On assigned causes of action, the assignment instrument;
- (b) On causes of action based on a negotiable instrument, the original negotiable instrument.
- (c) On causes of action based on a retail sales contract, chattel mortgage, or conditional sales contract, the original contract (or a copy if the original has been filed with a government agency). Where applicable, an automobile title or bill of sale must be filed;
- (d) On causes of action based on open account where the complaint is not specific, a written statement of account setting forth all charges and credits and the dates thereof, the nature of merchandise or services furnished, and a statement of any interest or surcharges which are included;

- (e) On causes of action for rent based on an oral lease, a statement of account similar to that required in actions on open account. If any claim is made for damages or repairs to premises, such claim must be itemized separately;
- (f) On causes of action for rent based on a written lease, a copy of the lease and a statement of account as in subsection (2)(d) of this Rule;
- (g) On causes of action based on all other contracts, oral testimony to prove performance may be required, together with filing of a copy of the contract, if written; and filing or proving the items of account and any credits;
- (h) On causes of action for tort, the proof required shall be the same as required above for proving contract balances except that the following additional proof of the amount of damage shall be required;
 - (i) Property damage may be proved by repair bills or estimates;
 - (j) Loss of use claims, loss of wages, and pain and suffering shall be proved by oral testimony;
 - (k) Hospital and doctor bills may be proved by written bills, whether paid or not.

(3) A sworn affidavit may be substituted in lieu of oral testimony.

(4) No judgment for interest shall be allowed unless there is proof on file of the factors necessary for computation of interest including applicable dates, rate of interest, amounts subject to interest, and a computation of the total interest claimed due.

(5) Plaintiff shall file a stamped, addressed envelope (with last known address of the defendant) at the time the motion for default judgment is made. The Clerk of the Court shall mail a copy of the judgment to the defendant.

PIERCE COUNTY DISTRICT COURT
LOCAL RULES
SMALL CLAIMS RULES (LSCRLJ)

LSCRLJ 1 – FILING FORM OF PLEADINGS

Small Claim cases shall be filed on a form approved by the court.
[Effective September 1, 2022, Amended September 1, 2024]

LSCRLJ 2 – PRETRIAL HEARING

Upon the filing of a Small Claim case a Pretrial Hearing shall be set. The notice of Pretrial Hearing shall be served with the Notice of Small Claim. Both parties must attend the Pretrial Hearing. Parties should bring three copies of their evidence to the hearing. Witnesses are not allowed to testify at the hearing. Dates for the mandatory Mediation and Trial will be set.

[Effective September 1, 2022, Amended September 1, 2023. Amended September 1, 2024.]

LSCRLJ 3 – MEDIATION

Mediation is mandatory before Trial is allowed. Both parties must attend the Mediation, unless excused by the Court. The purpose of Mediation is to settle the case if possible. If the case does not settle, the matter will proceed to Trial.

[Effective September 1, 2022, Amended September 1, 2023.]

LSCRLJ 4 – CONTINUANCE OF PRETRIAL HEARING, MEDIATION, OR TRIAL

The party seeking the continuance shall make a written motion for continuance which must be served on the opposing party and filed with the Court at least five days prior to the hearing date. The Motion to Continue must include information about whether the opposing party has agreed to the request to continue. The Court will consider if good cause exists to continue the matter and will notify the parties. [Adopted Effective Date September 1, 2022, Amended September 1, 2023.]

LSCRLJ 5 – FAILURE TO APPEAR

A failure to appear by the Plaintiff for Pretrial Hearings, Mediation, or Trial may result in a dismissal of the claim. A failure to appear by the Defendant may result in dismissal of their claim or counter claim and may result in a default judgement for the Plaintiff.

[Effective September 1, 2022, Amended September 1, 2024.]

LSCRLJ 6 – EVIDENCE

It is the party's responsibility to ensure that exhibits are properly filed with the Court. It is the party's responsibility to remove any sensitive or confidential information, i.e. social security numbers, birth dates, account numbers, driver license numbers.

Evidence shall be exchanged by the parties at the Pretrial Hearing. If the case is proceeding to Trial, any additional evidence shall be filed with the Court and exchanged between the parties at least 5 days prior to Trial.

Document filing is limited to 100 pages per case and all documents must be filed on 8½" x 11" paper. DO NOT include binders, page protectors, paper clips, staples, or tabs.
[Effective September 1, 2022, Amended September 1, 2024]

LSCRLJ 6A - SMALL CLAIMS MEDIATION

[Rescinded September 1, 2024.]

LSCRLJ 6B - CONTINUANCE OF MEDIATION OR SMALL CLAIM TRIAL

[Rescinded September 1, 2024.]

LCRLJ 14A applies to Removal of Small Claim to Civil Status

[Effective September 1, 2022]

LSCRLJ 8 – REMOTE HEARINGS

At the discretion of the Court, telephonic or virtual hearings in lieu of personal appearance may be held.

[Effective September 1, 2022]

**PIERCE COUNTY DISTRICT COURT
LOCAL RULES**

CRIMINAL RULES (LCrRLJ)

LCrRLJ 1 - FORMS OF PLEADINGS-STYLE AND FORM-FACILITATING PROOF OF SERVICE AND FILING OF PAPERS/CLERKS ACTION REQUIRED

SEE LARLJ 2

LCrRLJ 3.2 -RELEASE OF ACCUSED – DOMESTIC VIOLENCE

(o) Bail in a Criminal Offense – Mandatory Appearance

(2) Any person arrested by a Law Enforcement Officer on Probable cause (without an arrest warrant) for an offense classified as Domestic Violence under Chapter 10.99 of the Revised Code of Washington shall be held in jail pending the Defendant's first appearance in the absence of a judicial order.

[Adopted Effective Date September 1, 2022]

LCrRLJ 6.1 – CRIMINAL JURY TRIAL READINESS

The Readiness Hearing is scheduled to determine which matters set for trial, will go to trial. Dispositions may be presented at the Readiness Hearing or on the scheduled trial date. Defendant's physical appearance at Readiness Hearing is mandatory.

[Effective September 1, 2001, Amended September 1, 2023, Amended September 1, 2024]

LCrRLJ 6.3 – CRIMINAL JURY TRIAL

[Rescinded, September 1, 2023.]

LCrRLJ 6.15 - CRIMINAL JURY TRIAL

[Rescinded, September 1, 2023.]

LCrRLJ 8.2A - PROCEDURE FOR SETTING MOTIONS

[Rescinded, September 1, 2023.]

LCrRLJ 8.2B - MOTION FOR CONTINUANCE

[Rescinded, September 1, 2023.]

**PIERCE COUNTY DISTRICT COURT
LOCAL RULES**

INFRACTION RULES (LIRLJ)

LIRLJ 2.2 – FILING OF NOTICE
[Rescinded, September 1, 2023.]

LIRLJ 3.5 - DECISIONS ON WRITTEN STATEMENTS
[Rescinded, September 1, 2023.]

LIRLJ 7a - INFRACTION WITNESSES
[Rescinded, September 1, 2024.]

LIRLJ 7b INFRACTION DISCOVERY REQUEST
[Rescinded, September 1, 2024.]