

CHENEY MUNICIPAL COURT

LOCAL RULES FOR THE MUNICIPAL COURT OF CHENEY

I. INTRODUCTION (CMARLJ)

CMARLJ 2. Scope of Rules and Adoption

II. CIVIL PROCEEDINGS

CMCRLJ (RESERVED)

III. CRIMINAL MATTERS

CMCrRLJ 2.5 Notice to Appear

CHENEY MUNICIPAL COURT

I. INTRODUCTION (CMARLJ)

CMARLJ 2. Scope of Rules and Adoption

- (a) **Effect of Local Rules.** The provisions of the Local Rules are supplemental to the Rules for Court of Limited Jurisdiction as adopted or hereafter amended by the Supreme Court of the State of Washington and shall not be construed in conflict with them and are submitted pursuant to GR 7. These rules may be known and cited as Cheney Municipal Court Local Rules, and shall be referred to as “CM” along with the corresponding rule abbreviation.
- (b) **Scope.** The Local Rules for the District Court of Spokane County, Washington apply to the Municipal Court of Cheney.
- (c) **Adoption and Amendment.** The Municipal Court of Cheney Presiding Judge may amend or adopt other rules from time to time.
[Adopted effective September 1, 2019.]

II. CIVIL PROCEEDINGS (CMCRLJ) RESERVED

III. CRIMINAL MATTERS (CMCrRLJ)

CMCrRLJ 2.5 Notice to Appear

- (a) **Mandatory Personal Appearance.** When a defendant who is charged with an offense and served with a citation or complaint at the time of the arrest under state or local law that requires a personal appearance before a judicial officer within one judicial day or the next judicial day after arrest means the defendant must appear in person before a judicial officer of the Cheney Municipal Court at the next regularly scheduled court session. [Adopted effective September 1, 2019.]

CMCrRLJ 3.1 Electronic Filing and Service

- (a) **Electronic filing (“eFile”) authorization, charges, exceptions, and waiver.**
 - (1) **Mandatory Electronic Filing.** Effective 30 days after go-live, attorneys shall electronically file (eFile) all documents using the court’s designated eFiling service, eFile & serve, unless this rule provides otherwise. Non-attorneys or *pro se* parties are not required to eFile but are encouraged to do so.
 - (a) Cheney Municipal Court Office Hours are 08:30 AM to 4:30 PM, Monday through Friday excluding holidays. Any electronic filing received after 4:30 PM will be date stamped at 08:30 AM the next business day.

- (2) **Documents That Shall Not Be e-Filed.** The following documents may not be eFiled:
- (a) 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).
 - (b) A document that is required by law to be filed in non-electronic format, for example, original wills, certified records of proceedings for purposes of appeal, negotiable instruments, and documents of foreign governments under official seal.
 - (c) Documents incapable of legible conversion to an electronic format by scanning, imaging, or any other means.
 - (d) Documents larger than permitted in the User Agreement.
- (3) **Working Copies.** Attorneys and other eFilers are not required to provide duplicate paper pleadings as “working copies” for judicial officers.
- (4) **Waiver of the Requirement to eFile for attorneys.**
- (a) If an attorney is unable to eFile documents as required by this rule, the attorney may request a waiver from the court. The attorney must make a showing of good cause and explain why paper document(s) must be filed in that particular case. 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 in which they file documents. Attorneys who receive a waiver 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.
 - (b) Upon a showing of good cause, the court may waive the requirement as to a specific document or documents on a case-by-case basis.
- (b) **Electronic Service.** If a party serves another party electronically or via email, that party must likewise accept service from the other parties electronically or via email. [Adopted effective September 1, 2024.]