

**CLALLAM COUNTY SUPERIOR COURT
LOCAL RULES FOR SUPERIOR COURT**

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APPEALS FROM COURTS OF LIMITED JURISDICTION

Pursuant to the provisions of RALJ 4, the Superior Court in and for Clallam County adopts the following mandatory procedures for appeals from Courts of Limited Jurisdiction:

I. LRALJ 4.1 AUTHORITY OF COURTS PENDING APPEAL

A. Notice of Appeal: Jurisdiction of Superior Court is invoked upon the filing of a Notice of Appeal with the Superior Court Clerk.

B. Court of Limited Jurisdiction. After a Notice of Appeal has been filed, and while the case is on appeal, authority to act in a case is limited to RALJ except as expanded by these rules.

C. Questions Relating to Indigency. The Court of Limited Jurisdiction shall decide questions relating to indigency concerning the appointment of counsel at public expense. The Superior Court shall decide questions relating to indigency concerning all other expenses the party wants waived or provided at public expense.

1. Motion for Order of Indigency and Appointment of Counsel at Public Expense:

- a. Criminal cases. A party seeking review partially or wholly at public expense from a decision of a Court of Limited Jurisdiction must move in the lower court for an Order of Indigency and Appointment of Counsel at Public Expense. The motion must be supported by an affidavit setting forth the moving party's total assets; monthly income, expenses, and liabilities of the party; and a statement of the amount, if any, the party can contribute toward the expense of counsel.
- b. Civil cases. A party seeking review of a civil case partially or wholly at public expense must move in the lower court for an Order of Indigency and Appointment of counsel at Public Expense. The Motion must be supported by an affidavit meeting substantially the same requirements as set forth in subsection (a) above. In addition, the party must also demonstrate in the motion or the supporting affidavit that the party has a constitutional right to review partially or wholly at public expense.

2. Motion for Order of Payment of Costs at Public Expense. A party seeking review partially or wholly at public expense from a decision of a Court of Limited Jurisdiction must move in the Superior Court for an Order of Payment of Costs at Public Expense. The motion must be supported by a statement of the costs the party wants waived or provided at public expense.

3. Action by the District/Municipal Court. The lower court shall decide the motion for an Order of Indigency and Appointment of Counsel at Public Expense, after a hearing if the circumstances warrant, as follows:

- a. Denial generally. The lower court shall deny the motion if a party has adequate means to pay all the cost of a lawyer for appellant review. The order denying the motion for an Order of Indigency and Appointment of Counsel at Public Expense shall contain findings designating the funds or source of funds available to the party to pay the cost for a lawyer.
- b. Approval generally (criminal). The lower court shall grant the motion and enter an Order of Indigency and Appointment of Counsel at Public Expense if the party seeking public funds is unable by reason of indigency to pay all or some of the costs of a lawyer for review.
- c. Approval generally (civil). If in a civil case the party is unable by reason of indigency to pay all or some of the costs of a lawyer for review, and if the party has a constitutional right to review partially or wholly at public expense, the lower court shall enter findings of indigency.

d. The Motion, Affidavit and Order Re: Indigency and Appointment of Counsel at Public expense shall be transmitted to the Superior Court by the Lower Court Clerk as a part of the record on review.

4. Action by the Superior Court. The Superior Court shall decide the motion for Order of Payment of Costs at Public Expense, after a hearing if the circumstances warrant.

5. Order of Indigency and Order of Payment of Costs at Public Expense. The Order(s) shall designate the items of expense which are to be paid with public funds and, where appropriate, the items of expense to be paid by a party or the amount which the party must contribute toward the expense of review. The Order shall designate the extent to which public funds are to be used for payment of the expense of the record on review, limited to those parts of the record reasonably necessary to review issues argued in good faith. Verbatim transcripts of Voir Dire and/or opening statements shall not be paid at public expense without specific court approval. Upon approval, the transcript to be paid for at public expense shall contain only those portions necessary to present the issues on appeal.

6. A party and counsel for the party who has been granted an Order pursuant to this rule must promptly bring to the attention of the Superior Court any significant improvement, during review, in the financial condition of the parties. The Superior court will give a party the benefit of an Order granted pursuant to this rule throughout the review unless the Superior Court finds that the party's financial condition has improved to the extent that the party is no longer indigent.

7. Appointment and Withdrawal of Counsel in Trial Court. The lower court shall determine questions relating to the appointment and withdrawal of counsel for an indigent party on review.

8. Conditions for Payment. The expenses for an indigent party which are necessarily incident to review by the Superior Court will be paid from public funds, by the Superior Court, only if an Order of Payment meets the requirements of paragraph 5 above and is included in the record on review.

[Adopted effective June 8, 2000. Amended effective September 1, 2024.]

II. SMALL CLAIMS APPEAL:

Small Claims Court's judgments appealed to the Superior Court shall be subject to the mandatory arbitration requirements of Superior Court and shall follow the procedural rules relating to arbitration. A Trial De Novo on an appeal from Small Claims Court shall not be allowed unless the parties have participated in mandatory arbitration pursuant to the local rules.

[Adopted effective June 8, 2000.]

LOCAL ADMINISTRATIVE RULES

LAR 0.1

PRESIDING JUDGE; ASSISTANT PRESIDING JUDGE

The Presiding Judge and Assistant Presiding Judge shall be elected to serve for a two (2) year term commencing on January 1, 2002. The Presiding Judge shall manage administrative and policy matters of the court. The Assistant Presiding Judge shall serve as the Acting Presiding Judge during the absence of, or upon the request of, the Presiding Judge.

[Adopted effective September 1, 2002. Rescinded effective September 1, 2024.]

LAR 0.2

SEALED REPORTS; ADULT CRIMINAL AND JUVENILE DELINQUENCY PROCEEDINGS; PSYCHOLOGICAL, CHEMICAL DEPENDENCY, AND MENTAL EVALUATIONS AND REPORTS

[Rescinded effective September 1, 2015]

LAR 0.3

SEALED REPORTS; ADULT CRIMINAL PROCEEDINGS AND JUVENILE DELINQUENCY PROCEEDINGS; PRESENTENCE INVESTIGATION REPORTS, BILLING STATEMENTS

[Rescinded effective September 1, 2024]

LAR 0.4

SEALED REPORTS; DEFENDANT'S CASE HISTORY INFORMATION

The clerk of the court shall seal defendant's case history information obtained from the Judicial Information System whether filed separately or attached to a document as a schedule or exhibit.

[Adopted effective September 1, 2002. Rescinded effective September 1, 2024.]

LAR 0.5

ADMINISTRATIVE RECORD, DISCOVERY DOCUMENTS OR COPIES

The clerk shall treat the administrative record as an exhibit. Exhibits in all cases shall be kept by the Clerk separate from the files or the case and returned or destroyed at the end of the case once the appeal time has run.

Documents or copies produced during discovery or other items that should properly be received as exhibits shall not be included in the court file.

[Amended effective September 1, 2024.]

LAR 0.6
CLERK'S ACTION REQUIRED

Any order or document that is filed in the Clerk's Office requiring action by the Clerk must contain language on the first page of the document in the upper right-hand side as follows: "Clerk's Action Required" and be properly marked/identified that action is required.

When the Clerk is to forward a copy of an order to law enforcement, the order must clearly state that the Clerk is to forward a copy of the order to law enforcement and include the name of the law enforcement agency where the order is to be sent.

[Amended effective September 1, 2024.]

LAR 0.7
FORMAT FOR PLEADINGS AND OTHER PAPERS

[Rescinded effective September 1, 2024.]

LAR 0.8.
APPLICABILITY IN GENERAL

(a) Procedure in this court shall be in accordance with pertinent Washington Court Rules as heretofore or hereafter adopted by the Supreme Court of Washington. These Local Rules are only to supplement those rules and are numbered, insofar as possible, to conform in numbering with them.

(b) The court may modify or suspend any of these Rules, in any given case, upon good cause.

[Adopted effective September 1, 2024.]

LOCAL MANDATORY ARBITRATION RULES

LMAR 1.1.
APPLICATION OF RULES

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 of \$100,000 or less. 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 be informal and expeditious, consistent with the purpose of the statute and rules.

LMAR 1.2
MATTERS SUBJECT TO ARBITRATION

By implementation of these rules the Superior Court of Washington for Clallam County authorizes mandatory arbitration under RCW 7.06.010 and approves such arbitration in civil actions in which no party asserts, on the party's own behalf, a claim in excess of \$100,000.00 exclusive of interest, attorney's fees and costs under RCW 7.06.020 as amended.

[Amended effective September 1, 2024].

LMAR 1.3
CLAIM LIMIT

The limit for claims subject to mandatory arbitration is \$100,000.00, exclusive of interest, attorney fees and costs. A "claim" is defined to be the net value of the claim, after all reductions for comparative negligence or setoffs.

[Adopted effective November 8, 1993; Amended Effective February 16, 1994; September 1, 2018, September 1, 2024.]

LMAR 2.1
TRANSFER TO ARBITRATION

a) Statement of Arbitrability. In every civil case, the party filing the note for trial setting (Exhibit A) provided by CR 40 (a) (1) and LCR 40(B) (1), or any party prior to the time for trial setting, may upon the form prescribed by the court, complete a statement of arbitrability, which will be filed In the Superior Court Clerk's office and a duplicate copy delivered to the Court Administrator's office and the opposing party or parties. A party failing to file and serve a statement of arbitrability within the times prescribed shall be deemed to have waived arbitration and may subject the matter to mandatory arbitration thereafter only upon leave of the court for good cause shown.

b) Response to Statement of Arbitrability. Any party disagreeing with the statement of arbitrability shall serve and file a response on the form prescribed by the court (Exhibit B). A duplicate copy of the response shall be delivered to the Court Administrator. In the absence of such a response, the statement of arbitrability shall be deemed correct. Any response opposing the statement of arbitrability shall be filed within seven days after the receipt of the statement of arbitrability. A notice of issue shall be filed with any response objecting to the statement of arbitrability, noting the matter for hearing on the issue of arbitrability within 14 days of filing the response.

c) Failure to File - Amendments. A person failing to serve and file an original response within the times prescribed may later do so only upon leave of the court. A party may amend a statement of arbitrability or response at any time before assignment of an arbitrator or assignment of a trial date, and thereafter only upon leave of the court for good cause shown.

d) By Stipulation. A case in which all parties file a stipulation to arbitrate under MAR 8.1(b) will be placed on the arbitration calendar regardless of the nature of the case or amount in controversy.

e) When Transfer to Arbitration Occurs for Purposes of Application of Local Rules. The case is transferred to arbitration upon the filing of a statement of arbitrability indicating that the case is subject to arbitration, and the filing of a motion for appointment of arbitrator, unless an objection to arbitration of the case is received within the time limits found in LMAR 2.1(b). This transfer shall also trigger the restriction on discovery contained in MAR 4.2 and LMAR 4.2.

LMAR 2.2 ASSIGNMENT TO ARBITRATOR

a) Generally; Stipulations. When a case is set for arbitration, a list of five proposed arbitrators will be furnished to the parties. A master list of arbitrators will be made available on request. The parties are encouraged to stipulate to an arbitrator. In the absence of a stipulation, the arbitrator will be chosen from among the five proposed arbitrators in the manner defined by this rule.

b) Response by Parties. Each party may, within 14 days after a list of proposed arbitrators is furnished to the parties, nominate one or two arbitrators and strike two arbitrators from the list. If both parties respond, an arbitrator nominated by both parties will be appointed. If no arbitrator has been nominated by both parties, a superior court judge or commissioner will randomly appoint an arbitrator from among those not stricken by either party.

c) Response by Only One Party. If only one party responds within 14 days, a superior court judge or commissioner will appoint an arbitrator nominated by that party.

d) No Response. If neither party responds within 14 days, a superior court judge or commissioner will appoint one of the five proposed arbitrators.

LMAR 3.2 AUTHORITY OF ARBITRATORS

a) An arbitrator has the authority to:

- 1) Determine the time, place and procedure to present a motion before the arbitrator.
- 2) Require a party or attorney, advising such party, or both, to pay the reasonable expenses, including attorney fees, caused by the failure of such party or attorney, or both, to obey an order of the arbitrator unless the arbitrator finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. The arbitrator shall make a special award for such expenses and shall file such award with the clerk of the superior court, with proof of service on each party. The aggrieved party shall have 10 days thereafter to appeal the award of such expense in accordance with the procedure described in RCW 2.24.050. If, within 10 days after

the award is filed no party appeals, a judgment shall be entered in a manner described generally under MAR 6.3.

3) Award attorney fees, as authorized by these rules, by a contract or by law.

4) Decide the location for the arbitration hearing.

b) Arbitrators shall have immunity to the same extent as provided for superior court judges in Washington State.

LMAR 4.2 DISCOVERY

a) Additional Discovery. In determining when additional discovery beyond that directly authorized by MAR 4.2 is reasonably necessary, the arbitrator shall balance the benefits of discovery against the burdens and expenses. The arbitrator shall consider the nature and complexity of the case, the amount in controversy, values at stake, the discovery that has already occurred, the burdens on the party from whom discovery is sought, and the possibility of unfair surprise which may result if discovery is restricted. Authorized discovery shall be conducted in accordance with the civil rules, except those motions concerning discovery shall be determined by the arbitrator.

b) Notwithstanding the Foregoing. The following interrogatories may be submitted to any party:

- 1) State the amount of general damages being claimed;
- 2) State each item of special damages being claimed and the amount thereof;
- 3) List the name, address, and phone number of each person having knowledge of any facts regarding liability;
- 4) List the name, address, and phone number of each person having knowledge of any facts regarding the damages claimed;
- 5) List the name, address, and phone number of each expert witness you intend to call at the arbitration. For each such expert, state the subject matter on which the expert is expected to testify; state the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion.

Only these interrogatories, with the exact language as set out above, are permitted.

[Amended effective September 1, 2024.]

LMAR 5.2
PREHEARING STATEMENT OF PROOF – DOCUMENT FILED WITH COURT

In addition to the requirements of MAR 5.2, each party shall also furnish the arbitrator with copies of pleadings and other documents contained in the court file which that party deems relevant. The court file shall remain with the county clerk.

LMAR 6.1
FORM AND CONTENT OF AWARD

- a) Exhibits. All exhibits offered during the hearing shall be returned to the offering parties.
- b) Attorney Fees. Any motion for actual attorney fees, whether pursuant to contract, statute, or recognized ground in equity, must be presented to the arbitrator, as follows:
 - 1) Any motion for an award of attorney fees must be submitted to the arbitrator and served on opposing counsel within seven calendar days of receipt of the award. There shall be no extension of this time - unless the moving party makes a request for an extension before the seven-day period has expired, in writing, served on both the arbitrator and opposing counsel;
 - 2) Any response to the motion for fees, must be submitted to the arbitrator and served on opposing counsel within seven calendar days after receipt of the motion;
 - 3) The arbitrator shall render a decision on the motion, in writing, within 14 days after the motion is made;
 - 4) If the arbitrator awards fees, the arbitrator shall file an amended award. If fees are denied, the decision shall be filed and served on the parties;
 - 5) It is within the arbitrator's discretion to hold a hearing on the issue of fees;
 - 6) The time for appeal of the arbitrator's decision in any case where attorney fees have been timely requested, as set forth above, shall not run until the service and filing of the amended award, or the denial thereof.

[Amended effective September 1, 2024.]

LMAR 6.2
FILING OF AWARD

A request by an arbitrator for an extension of the time for the filing of an award under MAR 6.2 may be presented to a Superior Court judge or commissioner, ex parte. The arbitrator shall give the parties notice of an extension granted.

LMAR 7.1

REQUEST FOR TRIAL DE NOVO – CALENDAR

a) A written request for a trial de novo shall be accompanied by a note of issue noting the matter for trial setting. Failure to submit the note of issue is not grounds for dismissal; however, the court may impose terms in its discretion.

b) In any case in which a party makes a motion for attorney fees pursuant to LMAR 6.1 c, the 20-day period for appeal shall not commence until the arbitrator has either filed and served the amended award, or the written denial thereof.

c) The appealing party may file and serve on the other party or parties a jury demand at the same time as the request for a trial de novo and note of issue are filed. The non-appealing party shall have until the time the case is set for trial to file a jury demand. If no jury demand is timely filed, it is waived.

d) When a case is transferred to the arbitration calendar it will lose its trial date.

[Amended effective September 1, 2024].

LMAR 8.3 EFFECTIVE DATE

These rules, as amended, become effective on the 1st day of January 1994, subject to amendment thereafter. With respect to civil cases pending on that date, if the case has not at that time received a trial date, or if the trial date has been set for later than the 1st day of April 1994, any party may serve and file a statement of arbitrability indicating that the case is subject to mandatory arbitration. If, within 14 days, no party files a response indicating that the case is not subject to arbitration, the case will be transferred to the arbitration calendar. A case set for trial earlier than the 1st day of April 1994, will be transferred to arbitration only by stipulation of all parties.

[Amended effective September 1, 2024.]

LMAR 8.6 COMPENSATION OF ARBITRATOR

a) Generally. Arbitrators shall be compensated in the same amount and manner as judges pro tempore of the superior court; provided, however, that said compensation shall not exceed \$500.00 for any case unless prior approval is granted by the presiding judge. Hearing time and reasonable preparation time are compensable. Arbitrators may be reimbursed a sum not to exceed \$25.00 for costs incurred.

b) Form. When the award is filed, the arbitrator shall submit to the presiding court ex parte a request on a form prescribed by the court. The presiding judge shall determine the amount of compensation and costs, if any are to be paid.

**LMAR 8.7
ADMINISTRATION**

[Rescinded effective September 1, 2024.]

**LMAR 8.8
WANT OF PROSECUTION**

The Superior Court Clerk shall file a clerk's motion to dismiss for want of prosecution in any case assigned for arbitration where there is no activity for a period of one year.

LOCAL CIVIL RULES OF SUPERIOR COURT

**LCR 0.1
BENCH COPIES**

(a) For any pleading which is filed for a hearing that will occur within five days of the filing of the document, a bench copy must also be filed with the original pleading.

(b) Bench copies that are under 30 pages in length may be filed electronically using the e-filing system established by the County Clerk. Bench copies exceeding 30 pages must be delivered personally to the court clerk. Such copies will be clearly labeled “bench copy” and will state the date and time of the scheduled hearing.

(c) Bench Copies for Summary Judgment: The court will be provided with bench copies for all pleadings filed in connection with a motion for summary judgment. Bench copies for these motions may not be filed electronically, regardless of length. A hard copy of all pleadings must be physically delivered at the time of filing.

[Adopted effective September 1, 2024.]

**LCR 0.2
ELECTRONIC STORAGE DEVICES**

(a) If, in support of a motion, a party wishes to submit a recording of an event for the court's consideration, they must offer the recording as an exhibit at the hearing. The device containing the recording may not be filed as a pleading prior to the hearing.

(b) A copy of the recording must be served upon the other parties according to the same time frames which govern the filing of pleadings.

[Adopted effective September 1, 2024.]

LCR 0.3
NOTICE OF WRITTEN COURT ORDERS

- (a) Parties who maintain a current email address will receive copies of court orders sent by email.
- (b) Parties who do not maintain a current email address with the court will receive a mailed notice that a court decision has been made, and those parties may obtain their own copy of the order from the Court Clerk's Office.

[Adopted effective September 1, 2024.]

LCR 0.4
PRETRIAL NUMBERING OF EXHIBITS

- (a) Parties are encouraged to pre-number exhibits for trial and provide a bench copy of those exhibits to the trial judge.
- (b) Plaintiff / Petitioner should mark their exhibits starting at Exhibit #1. Defendant / Respondent should mark their exhibits starting at Exhibit #200.

[Adopted effective September 1, 2024.]

LCR 0.5
ALL LOCAL JUDICIAL OFFICERS RECUSED

- (a) In those situations where all local judicial officers are unable to hear a matter, the parties must coordinate with the Court Administrator prior to setting a court hearing.

[Adopted effective September 1, 2024.]

LCR 0.6
REAPPLICATION FOR ORDER

- (a) When an order has been applied for and refused in whole or in part or has been granted conditionally and the condition has not been performed, the same application for an order must not be presented to another Judge, without disclosure of the prior refusal.
- (b) If a subsequent application is made upon an alleged different state of facts, it must be shown by affidavit what application was made, when and to what Judge, what order or decision was made thereon, and what new facts are claimed to be shown.
- (c) Any order entered in violation of this rule may be set aside upon motion.

(d) Except for orders entered on the ex parte calendar, no request to change the terms of an order entered in a family law or civil matter may be based upon the oral ruling of a different judge.

[Adopted effective June 30, 1993. Amended effective September 1, 2024.]

LCR 0.7 COUNSEL FEES

Counsel seeking payment of fees and costs shall file an affidavit in the form of Exhibit A. Such requests will conform with contracts executed with the County Administrator, if any.

[Adopted effective June 30, 1993. Amended effective September 1, 2024.]

LCR 1 PRIORITY TRIAL SETTING

To obtain a priority trial date (including cases with statutory priority), the requesting party shall note the trial setting for hearing on the regular civil calendar and shall by motion and affidavit set forth the legal and factual basis for the priority settings. The Court Administrator shall not set cases as “Priority” without written order of the court.

[Adopted effective June 30, 1993. Revised effective September 1, 2024.]

LCR 2 REVISION OF COMMISSIONER’S RULING

(a) A party moving for revision of a ruling by a Court Commissioner shall comply with RCW 2.24.050.

(b) A motion for revision shall be based upon entry of written findings, conclusions and order by the Court Commissioner. Oral rulings not reduced to written orders are not the proper subject for a motion for revision.

(c) The original motion and supporting materials and proof of service upon all parties, along with a bench copy for the assigned judge, will be filed with the Superior Court clerk. If a non-moving party wishes to respond, that response is due ten days after being served with the initial motion.

(d) At the judge’s discretion the moving party may be required to provide a written transcript of part or all of the hearing held before the Court Commissioner.

(e) The assigned judge shall review the pleadings and either rule on the motion or seek additional input from the parties.

[Adopted effective June 30, 1993; Revised effective April 1, 2020, September 1, 2024.]

LCR 7(b)
NECESSARY PROVISION IN PLEADINGS RELATED TO SUPPLEMENTAL
PROCEEDINGS AND SHOW CAUSE HEARINGS FOR CONTEMPT

[Rescinded effective September 1, 2024].

LCR 31
USE OF A CHILD'S COMPLETE NAME

[Rescinded effective September 1, 2024.]

LCR 40(b)
TRIAL SETTINGS AND CONTINUANCES

(1) Counsel shall note cases for trial on forms substantially like that found in Exhibit B annexed hereto.

(2) All contested motions to continue an established trial date shall be in writing to the court, giving detailed reasons for the request, and scheduled for hearing before the judge assigned to the case.

[Adopted effective June 30, 1993. Amended effective September 1, 2024.]

LCR 40(f)
AFFIDAVITS OF PREJUDICE

(1) A party or counsel filing a motion and affidavit of prejudice shall comply with RCW 4.12.050.

(2) A party or counsel filing a motion and affidavit of prejudice shall provide a copy to the Court Administrator.

(3) Upon entry of final orders in a family law case, the affidavit of prejudice will continue to apply to any action to enforce those final orders.

(4) A previously filed affidavit of prejudice in a family law case (RCW 26 or RCW 11.130) will not govern future hearings that are based upon a petition to modify the final orders unless a new affidavit of prejudice is filed.

[Adopted effective June 30, 1993. Amended effective September 1, 2024.]

LCR 40.1
NOTICE TO COURT OF CALENDAR AND JURY TRIAL CHANGES

Whenever a case has been set for trial and thereafter is settled or will not be tried for any reason, or if a jury is thereafter waived, notice shall be immediately given to the Court Administrator. Upon

violation of this rule, the court may assess actual costs. Actual costs shall include venire person mileage and per diem, bailiff wages, and witness fees paid by the court.

[Adopted effective June 30, 1993.]

LCR 51(c) JURY INSTRUCTIONS

(a) Assembling and Distribution. Proposed jury instructions shall be assembled and distributed as follows:

- (1) Original to trial Judge to be unnumbered without citations.
- (2) One copy numbered and with supporting citations to each of the following:

Clerk, for court file
Judge, for work copy
Counsel for each opposing party

(b) Citations. Washington Pattern Jury Instructions are to be cited. On the copy of Proposed Jury Instructions delivered to the trial court, the Clerk, and opposing counsel, those Washington Pattern Jury Instructions proposed shall be so identified by WPI number. If the WPI is changed or modified in any way (except for the selection of alternate WPI wording), the citation shall include the word "modified". Modifications based upon case law will cite the relevant case.

(c) Proposed jury instructions are due at least three business days prior to the commencement of the jury trial. Originals are to be filed with the court and a bench copy is to be provided to the assigned judge.

[Adopted effective June 30, 1993. Amended effective September 1, 2024.]

LCR 54(f) JUDGMENTS AND COSTS

(1) Counsel may present agreed orders and ex parte orders, based upon the record in the file, by use of the United States mail addressed either to the Court or to the Clerk. When signed, the Judge/Commissioner will file such order with the Clerk. When rejected, the court administrator will notify the parties and they may schedule the matter for presentation. The clerk may charge an ex parte fee.

(2) Presentation by Legal Assistant. Legal Assistants who are duly registered with the Clallam County Bar Association or any local bar association of this state may personally present agreed, ex parte and uncontested orders.

[Adopted effective September 1, 2002. Amended effective September 1, 2024.]

LCR 59(e)
MOTION FOR RECONSIDERATION OR NEW TRIAL

(1) A motion for reconsideration and any supporting documents shall be filed and served (with a bench copy, including proof of service, delivered to the trial Judge at the time of filing) within ten (10) days of the entry of the order that is sought to be reconsidered.

(2) A motion for reconsideration or for new trial shall be decided without oral argument unless the trial Judge orders otherwise.

[Adopted effective June 30, 1993. Revised effective September 1, 2024.]

RULE 77(K)
HEARING OF MOTION CALENDAR

- (1) Motion calendars shall be held on Friday.
- (2) All trial settings will be noted for 8:45 a.m.
- (3) All motions will be noted in front of the assigned judge. The Superior Court website contains an updated schedule for when each judge is available to hear motions.
- (4) All ex parte matters (both civil and criminal) will be held at 1:00 p.m. in the appropriate courtroom.
- (5) Protection orders where the parties are married and/or share children will be heard in Courtroom III on Friday at 1:30 p.m. Other protection orders will be heard on Tuesdays at 9:30 a.m. in Courtroom III.
- (6) Family law motions will be as set forth in LCR 94(a).
- (7) Unless otherwise specifically identified, all motions will be governed by the provisions of the applicable Superior Court Civil Rules. All matters noted for the calendar shall be confirmed with the Superior Court Clerk by noon of the second day before the motion is to be heard. If the matter is not confirmed, it shall be at the discretion of the court whether the motion is heard on the date noted.
- (8) All pleadings filed in support of a motion, other than family law motions as set forth in LCR 94(a), must be filed and served with the motion no later than five court days before the scheduled hearing, unless a statute or court rule provides for different time frame (i.e. injunctions, summary judgment). All responsive pleadings shall be filed and served no later than 4:30 p.m. on the second court day preceding the date set for the hearing, i.e., for a Friday hearing, no later than 4:30 p.m., Wednesday.

[Adopted effective June 30, 1993; Amended effective January 1, 1996; July 1, 2009; Revised effective September 1, 2016; Revised effective June 26, 2020; Revised effective September 1, 2024.]

LCR 78 PROCEDURE FOR EMANCIPATION PETITIONS

Emancipation petitions shall not be considered by the court until such time as a supplement (Exhibit G attached to these rules) is filed for the court's consideration.

After an emancipation petition is filed, the petitioner shall cause to be served upon his or her parent(s)/guardian(s) a copy of the petition and a blank copy of the response to the petition for emancipation (Exhibit H attached to these rules). Thereafter the petitioner shall file a declaration or affidavit of service with the court.

Emancipation petitions shall be heard contemporaneous with the juvenile dependency calendar by the Judge or Commissioner presiding on the date the hearing is scheduled.

[Adopted effective March 16, 1994; Revised effective September 1, 2024.]

LCR 81 APPLICABILITY IN GENERAL

(a) Procedure in this court shall be in accordance with pertinent Washington Court Rules as heretofore or hereafter adopted by the Supreme Court of Washington. These Local Rules are only to supplement, and if found to be in conflict, are secondary to the Washington Court Rules

(b) The court may modify or suspend any of these Rules, in any given case, upon good cause.

[Adopted effective June 30, 1993; Amended effective September 1, 2024.]

LCR 94(a) FAMILY COURT HEARINGS & MOTIONS

1. Time for Hearings: Unless adjusted by the court, hearings will be scheduled as followed:

- a. All ex parte motions will be heard each day at 1:00p.m. with notice to the clerk by 11:00a.m.
- b. Hearings requested under RCW 26 and RCW 11.130 will be held on Friday at 9:00a.m. unless otherwise specifically listed below.
- c. Hearings requested under RCW 26.33 will be held on Friday at 8:30a.m.
- d. Hearings requested under RCW 7.105 will be held on Friday at 1:30p.m. if they involve parties who are married, in a domestic partnership, or have children in common. Otherwise, these hearings will be held on Tuesday at 9:30 a.m.

- e. Child support contempt and review hearings brought by the State will be held on the first and third Tuesdays of the month at 9:00 a.m.
- f. In cases where a party has filed separate actions for custody determinations and restraining orders, the hearings on both actions will be scheduled to be heard on Friday at 9:00 a.m. The hearings may be rescheduled by the judicial officer according to the specific needs of the associated cases.

2. Pleadings:

- a. All documents relied upon by the moving party shall be filed and served no later than 12:00 p.m. on the ninth day before the hearing (typically Wednesday).
- b. All documents to be relied upon by the responding party shall be filed and served no later than 12:00 p.m. on the second day before the hearing (typically Wednesday).
- c. If a response is filed under 2(b), the moving party under 2(a) may then supplement its original pleadings. The supplement will be in strict reply to the response received and shall be filed and served by 12:00 p.m. on the day before the hearing (typically Thursday).

3. Copies:

- a. Any pleading filed with the court within five business days of the scheduled hearing must include an additional copy for the judicial officer as set forth in LCR 0.1.
- b. Pleadings will be formatted as set forth in GR 14

4. Page Limits:

- a. The page limits described in this section (4) do not apply to actions filed under 1(c) and 1(d) of this rule. They do apply to all other RCW 26 and RCW 11.130 motions.
- b. A party's declarations, including any responses, shall not exceed a total of thirty pages. The court may impose sanctions for exceeding the limits.
- c. The following rules apply to this thirty-page limit:
 - i. All declarations will be double spaced, using at least twelve-point font.
 - ii. A declaration which does not fill an entire page will be counted as one page toward the limit.
 - iii. Single spaced declarations and declarations with a font smaller than twelve-point will be counted as two pages for every page filed.

- iv. Printouts of electronic media exchanges will count toward the thirty-page limit.
 - v. The following documents will not count toward the thirty-page limit (but do count toward the rules regarding bench copies as set forth in LCR 0.1):
 - 1. Non-narrative exhibits attached to declarations (i.e. bank statements, pay stubs, tax returns, treatment reports, property valuations, photographs, etc.).
 - 2. Financial declarations and child support worksheets.
 - 3. Proposed orders.
 - 4. Declarations or reports from guardian-ad-litem or other experts acting in their official capacity (i.e. medical doctor, accountant, counselor, appraiser, etc.).
 - 5. Depositions.
 - 6. Materials previously filed need not be refiled but should be specifically incorporated by reference.
 - 7. GR 17 affidavits of certification.
 - d. If a series of electronic exchanges are provided to the court (i.e. texts, emails, etc.), the following rules apply:
 - i. Each entry in the series must clearly identify the speaker. This identification may be written in by hand next to the entry.
 - ii. Each entry in the series must be sequentially numbered with #1 being the oldest entry. This numbering may be written in by hand next to the entry.
 - iii. The printed version of the exchanges must be in twelve-point font.
 - iv. Narrative declarations should reference a specifically numbered entry if many entries are provided to the court.
5. Children's Statements: Statements from minors are disfavored.
6. Financial Requests: If a party is seeking child support, spousal maintenance, expert fees, or attorney fees, a financial declaration must be filed with the request.

7. Oral Arguments: Motions are determined by review of the declarations or affidavits filed prior to the hearing. The court, in its discretion, may take oral testimony. The court may impose time limits on oral arguments.

[Adopted effective June 26, 2002; Amended effective June 23, 2005; Revised effective September 1, 2018; Revised effective September 1, 2024.]

RULE 94(b)
DOMESTIC RELATIONS FINAL HEARING ON CONTESTED MATTERS

In all final hearings or trials in domestic relations matters, each party shall file a written pretrial affidavit and personal property form and serve the same by 1:30p.m. on the last judicial day prior to trial. The pretrial affidavit shall be substantially in the form set forth in Exhibit C attached to these rules.

[Adopted effective June 30, 1993; Revised effective September 1, 2024.]

RULE 94(c)
DOMESTIC RELATIONS WAIVER OF AGE TO MARRY

[Rescinded effective September 1, 2024.]

RULE 94(d)
DOMESTIC RELATIONS NOTICE TO SUPERIOR COURT OF JUVENILE PROCEEDINGS

[Rescinded effective September 1, 2024].

RULE 94(e)
ENTRY OF DISSOLUTION DECREE BY DECLARATION OF
JURISDICTIONAL FACTS

[Rescinded effective September 1, 2024.]

LCR 94(f)
DOMESTIC RELATIONS SETTLEMENT CONFERENCES

(1) A settlement conference shall be held in all contested domestic relations cases, including dissolution, legal separation, paternity, minor guardianship, domestic partnership, committed intimate relationships, or modification of any custody order. The settlement conference shall be held with a Court Commissioner or Judge. The requirement for a settlement conference is not satisfied by the parties participating in private mediation.

(2) All cases of this nature shall not be set for trial under LCR 40(b) without a settlement conference, except in the following circumstances;

(a) The requirement is waived, upon good cause shown, by the judge assigned to the case; or (b) A settlement is not reached in an initial settlement conference because of a party's violation of one or more provisions of LCR 94(f). In such instances, a trial date may be set, but a second settlement conference will be scheduled to occur prior to the established trial date.

(3) Once a response to the petition has been filed, a settlement conference is scheduled by noting the matter before the Court Administrator on the Friday 8:45a.m. trial setting calendar.

(4) The personal appearance of the parties and their attorneys is mandatory at the settlement conference. Appearance by Zoom or Phone is strongly discouraged. In cases where domestic violence is at issue, or where a party no longer resides within the State of Washington, appearance may be by electronic means. A party requesting leave to appear by video may file a motion, prior to the scheduled settlement conference, to waive the appearance requirement.

(5) Parties will prepare for and participate in good faith in scheduled settlement conferences. One week prior to the scheduled settlement conference, each party shall file a Settlement Statement in form substantially like the pattern form set forth in Exhibit A. The Settlement Statement is intended to provide the narrative and documentary information necessary to inform the court and the opposing party of the submitting party's position on the major issues to be resolved. The Settlement Statement will not be filed in the Court file, but the original will be provided to the judicial officer conducting the settlement conference, with a copy provided to the opposing party or their attorney.

(6) If the Court finds that a Settlement Statement is materially deficient, or that a party's lack of preparation prohibits a meaningful settlement conference, or that these rules are otherwise violated, the Court may impose sanctions or other remedies as the Court deems appropriate.

(7) If the provisions of LCR 94(f) have been followed and a case fails to settle at the settlement conference, the parties will immediately appear before the Court Administrator following the settlement conference to select a trial date. Unless otherwise agreed, the trial will not be scheduled to occur sooner than forty-five days, nor later than 120 days, following the unsuccessful settlement conference.

[Adopted effective September 1, 2009; Revised July 1, 2009; Revised effective September 1, 2024.]

RULE 95 MANDATORY PARENTING SEMINARS

(A) Definition of Applicable Cases. This rule applies to all cases where custody and visitation rights of children are at issue.

(B) Parenting Seminars; Mandatory Attendance. In all cases referred to in Section (A) above, both parents shall participate in, and successfully complete, an approved parenting seminar. Standards for an approved parenting seminar shall be established by Administrative Order of this

court. Successful completion shall be evidenced by a certificate of attendance filed by the provider agency with the court.

(C) The court will maintain a list of approved parenting seminars which will be posted on its website.

[Adopted effective January 1, 1996; Revised effective September 1, 2024.]

LCR 95 ORDER ADMINISTRATIVE ORDER OF JANUARY 1, 1996

[Rescinded effective September 1, 2024.]

LOCAL GUARDIAN AD LITEM RULES

LGALR 7

GUARDIAN AD LITEM GRIEVANCE PROCEDURES

I. Preamble: This rule is adopted pursuant to GALR 7(g) and sets forth the policies and procedures for investigating and adjudicating grievances made against guardians ad litem under Titles 11, 13 and 26 RCW. Nothing in this rule is meant to limit a party from litigating, within the underlying case, the merits of a guardian ad litem's conclusions.

II. Procedure: Only a party may file a grievance.

a. Guardian Ad Litem Through Juvenile Services:

- i. All grievances involving Juvenile Service volunteers shall be handled as set forth by the Juvenile Services as long as that program continues to be accredited. Clallam County Juvenile Services, will clearly set forth its grievance procedure.
- ii. If the party filing the grievance is not satisfied with the Juvenile Services determination, Superior Court review may be sought by filing, under seal, a copy of all documents provided Juvenile Services regarding the grievance, and a copy of Juvenile Service's determination. A copy of the filing will be provided to the Superior Court Administrator. The judicial officer assigned to the case will resolve the grievance by utilizing the process set forth in II(c) and II(d) of this rule.

b. Non-Juvenile Services Cases: Grievances shall be filed, under seal and with a copy to the Superior Court Administrator, and will include the following information:

- i. The cause number of the underlying action;
- ii. The name, address and phone number of the party filing the grievance;
- iii. The name of the guardian;

- iv. A statement which is signed under penalty of perjury and includes the following information:
 - 1. The specific court rule, statute, policy, or code of conduct that was violated (including but not limited to any violations of GALR 2);
 - 2. The date, time, and place of each alleged violation;
 - 3. For each violation, a narrative description of the facts which support the violation;
 - 4. Whether the violation was discussed with the guardian, and what was the result of that discussion;
 - 5. The names and contact information of other individuals who observed the violation;
 - 6. What specific remedy is sought;
- c. Pending Cases: Upon the filing of a grievance for a case that is pending, the judicial officer handling the underlying case will be assigned to resolve the grievance.
 - i. Upon receipt of the grievance, within seven days the court administrator will forward a copy of the grievance to the guardian and seek the guardian's written response. That response is due within seven days of receipt. The written response will address each violation and will be provided under penalty of perjury. The judicial officer will then rule on the grievance within twenty-five days of the grievance being filed.
 - ii. If the decision is that the grievance had merit, the court may impose dispositional remedies as set forth in II(e).
- d. Concluded Cases: If a grievance is filed in a concluded case, the procedure for pending cases will be followed, but fifteen additional days shall be added to each deadline indicated in II(c). The judicial officer will rule within sixty days of the grievance being filed.
- e. Disposition: The judicial officer shall have authority to take no action, to issue a written admonition or reprimand, refer the guardian ad litem to additional training, suspend, or remove the guardian from the registry, or impose other results as deemed appropriate.
- f. Time: Any grievance must be filed within one year from the date of the alleged violation.

- g. Confidentiality: The grievance and materials filed in relation to the grievance will be placed within the sealed portion of the file. The court will maintain a copy as provided in GALR 7(h). Requests to access sealed records will be addressed by motion filed with the court.

[Adopted January 1, 1994; Revised effective September 1, 2018; Revised effective September 1, 2024.]

LOCAL CRIMINAL RULES FOR SUPERIOR COURT

LCrR 0.6 REAPPLICATION FOR ORDER

(a) When an order has been applied for and refused in whole or in part or has been granted conditionally and the condition has not been performed, the same application for an order must not be presented to another Judge without disclosure of the prior refusal. This rule does not apply to requests to review conditions of release that were made at a defendant's initial appearance.

(b) If a subsequent application is made upon alleged facts, it must be shown by affidavit what application was made, when and to what Judge, what order or decision was made thereon, and what new facts are claimed to be shown.

(c) Any order entered in violation of this rule may be set aside upon motion.

[Adopted effective June 30, 1993; Revised effective September 1, 2024.]

LCrR 0.7 COUNSEL FEES

[Rescinded effective September 1, 2024.]

LCrR 1 JUSTIFICATION OF SURETIES

(1) Any person or corporation desiring to post bail bonds in Clallam County Superior Court shall first obtain an Order of Justification.

(2) All Petitions for an Order of justification shall be in writing to the Court and shall provide the following information:

(A) All Sureties

1. Types of bonds or an outline of the types of bonds posted by the surety.

2. Current suretyship obligations – a current list of all suretyship obligations to all courts within the geographical limits of Washington State, including the following:

- a. The name of the court.
- b. The name of the defendant.
- c. The amount of the bond.
- d. The date issued.

3. Current bond foreclosures – a list of the current obligations to the courts in the way of bond forfeitures or other obligations incurred by the surety which have not been paid, or a statement that there are none.

4. Presentation – identity of the names and addresses of all persons who will be delivering or presenting bonds on behalf of the bonding surety.

5. Jurisdictions where surety has previously been authorized to post bail bonds and jurisdictions denying such authorization.

(B) Corporations.

1. Power of Attorney.

- a. Names of the agents authorized to execute bonds on behalf of the surety.
- b. The maximum dollar amount of any single bond which each agent is authorized to execute.

2. A copy of the current Certificate of Authority issued by the Insurance Commissioner for the state of Washington.

3. Resident corporate agent.

- a. The name of the resident agent(s) for the corporate surety in the state of Washington authorized to appear and accept service on behalf of the corporate surety.
- b. A copy of the power of attorney appointing said person(s) as resident agent(s).

(C) Individuals.

1. The individual name(s) of applicant(s).
2. All fictitious names used by the applicant(s).
3. Resident address of individual applicant(s).
4. Business address of all individual applicant(s).
5. Marital status of applicant(s) and, if applicable, names(s) of spouse(s).
6. Verified financial statement:

A. Assets

i. Real property:

- a. Legal description of property
- b. Current appraisal of property by a qualified real estate appraiser who is a member of the American Institute of Appraisers, or a statement of the appraiser that there has been no change in the value of the property since the last appraisal of the property.
- c. If the real estate is being purchased on contract or subject to mortgage, deed of trust, or another encumbrance, disclose:
 - 1. How the property is being obtained.
 - 2. Amount of purchase price.
 - 3. Amount of unpaid balance.
 - 4. Notarized confirmation, etc.
- d. Property tax statements and verification that real property taxes have been paid in full.
- e. Verification that real property and structures thereon are insured against loss or damage.

ii. Personal Property:

- a. Statement that the personal property is properly insured against loss, including a statement indicating the insurance coverage limits.

iii. Savings (bank deposits)

iv. Stocks and bonds:

- a. Lists of individual stocks and bonds.
- b. Statement of current value of stocks and bonds.

v. Cash (including checking accounts)

vi. Other investments

B. Liabilities, including unsatisfied judgments. If unsatisfied judgment(s) is included, list court, title of cause, cause number, judgment creditor, and amount of unsatisfied judgment.

C. Net worth.

7. Current Property Bond Obligations in the State of Washington.

- a. Name of Court
- b. Name of defendant.
- c. Amount of the bond.
- d. Date of issuance of bond.

8. Driver's License.

- a. Driver's license number.
- b. State of Issuance.

9. Criminal History – provide any criminal history conviction information for all persons identified in paragraph (C)1 and (C)5.

- a. Name of criminal offense convicted of committing.
- b. Type of criminal offense (misdemeanor, gross misdemeanor, felony; exclude traffic infractions).
- c. Name of Sentencing Court.
- d. Date of offense.
- e. Date of sentencing.

(3) All petitions for an Order of Justification shall be verified under oath or certified under penalty of perjury as authorized by RCW 9A.72.085.

(4) All initial Orders of Justification shall be effective until the 30th day of April, next following the entry of the Order of Justification.

(5) All Orders of Justification, other than the initial Order for that surety, shall be effective from May 1 of one year until April 30 of the following year.

(6) All Petitions for an Order of Justification shall be accompanied by a proposed Order of Justification in substantially the form set out in Exhibit D of these rules.

[Adopted effective June 30, 1993; Amended effective September 1, 2024.]

LCrR 1.1
APPLICABILITY IN GENERAL

(a) Procedure in this court shall be in accordance with pertinent Washington Court Rules as heretofore or hereafter adopted by the Supreme Court of Washington. These Local Rules are only to supplement those rules and are numbered, insofar as possible, to conform in numbering with them.

(b) The court may modify or suspend any of these Rules, in any given case, upon good cause.

[Adopted effective June 30, 1993.]

LCrR 1.2
COURT COMMISSIONER AUTHORITY

In adult criminal cases, any Court Commissioner appointed to serve in the Clallam County Superior Court and qualified under Article 4, Section 23 of the Constitution of the State of Washington shall have the power, authority, and jurisdiction, concurrent with the Superior Court Judges, to preside over arraignments, preliminary appearances, initial extradition hearings, and noncompliance proceedings pursuant to RCW 9.94A.200; to accept pleas; to appoint counsel; to make determinations of probable cause; to set, amend, and review conditions of pretrial release; to set bail; to set trial and hearing dates; to authorize continuances and to accept waivers of the right to speedy trial.

[Adopted effective June 8, 2000; Revised effective September 1, 2024.]

LCrR 4.5(c)
STATUS HEARINGS

(1) A hearing shall be set at arraignment in every criminal case for approximately one month before trial at which time the status of the trial preparation will be disclosed to the court.

(2) The defendant must personally appear at the status hearing, unless otherwise ordered.

(3) A Status Report and Order will be filed at the conclusion of the status hearing and shall be in the form of Exhibit E.

[Adopted effective June 30, 1993.]

LCrR 6.1
NOTICE TO COURT OF CALENDAR AND JURY TRIAL CHANGES

Whenever a case has been set for trial and thereafter is settled or will not be tried for any reason, or if a jury is thereafter waived, notice shall be immediately given to the Court Administrator. Upon violation of this rule, the court may assess actual costs. Actual costs shall include venire person mileage and per diem, bailiff wages, and witness fees paid by the court.

[Adopted effective June 30, 1993.]

LCrR 6.11(c)
AFFIDAVITS OF PREJUDICE

A party or counsel filing a motion and affidavit of prejudice shall provide a copy to the Court Administrator.

[Adopted effective June 30, 1993; Revised effective September 1, 2024.]

LCrR 6.15
JURY INSTRUCTIONS

(a) Assembling and Distribution. Proposed jury instructions shall be assembled and distributed as follows:

- (1) Original to trial Judge to be unnumbered without citations.
- (2) One copy numbered and with supporting citations to each of the following:

Clerk, for court file
Judge, for work copy
Counsel for each opposing party

(b) Citations. Washington Pattern Jury Instructions are to be cited. One copy of Proposed Jury Instructions delivered to the trial court, the Clerk, and opposing counsel, those Washington Pattern Jury Instructions proposed shall be so identified by WPI number. If the WPI is changed or modified in any way (except for the selection of alternate WPI wording), the citation shall include the word “modified”. Modifications based upon case law will reference the applicable case.

Jury instructions will be provided prior to the commencement of jury selection.

[Adopted effective June 30, 1993; Revised effective September 1, 2024.]

EXHIBITS TO LOCAL CIVIL RULES AND LOCAL CRIMINAL RULES

NOTE FOR ARBITRATION

NOTICE FOR TRIAL SETTING

EXHIBIT A-1: AFFIDAVIT REGARDING ATTORNEY FEES

EXHIBIT A-2: AFFIDAVIT REGARDING ATTORNEY FEES

EXHIBIT B: PRETRIAL AFFIDAVIT

EXHIBIT C: ORDER OF JUSTIFICATION

EXHIBIT D: STATUS REPORT AND ORDER

EXHIBIT E: EXHIBIT E TO LCR 94(e) ENTRY OF DISSOLUTION DECREE BY
DECLARATION OF JURISDICTIONAL FACTS

EXHIBIT F: SUPPLEMENT TO EMANCIPATION PETITION

EXHIBIT G: RESPONSE TO PETITION FOR EMANCIPATION

LCR 94(F)-A - EXHIBIT A - SETTLEMENT CONFERENCE STATEMENT

SUPERIOR COURT OF
WASHINGTON
COUNTY OF CLALLAM

Plaintiff,

vs

Defendant.

NO:

NOTE FOR ARBITRATION

CASE CATEGORY:

Commercial/Contract (COL) _____

Construction (CONS) _____

Family Law (DIS) _____

Personal Injury (PIN) _____

Real Estate (COM) _____

Other (Specify) _____

PLAINTIFF'S ATTORNEY:

Name:

Address:

Telephone:

WSBA #

DEFENDANT'S ATTORNEY

Name:

Address:

Telephone:

WSBA #

(Please note additional attorneys on the other side)

STATEMENT OF ARBITRABILITY

- [] This case is subject to arbitration because the sole relief sought is a money judgment and involves no claim in excess of \$50,000, exclusive of attorneys fees, interest and costs.
- [] The undersigned contends that its claim exceeds \$50,000 but hereby waives any claim in excess of \$35,000 for the purposes of arbitration.

RESPONSE TO STATEMENT OF ARBITRABILITY

- [] This case is not subject to mandatory arbitration because:
- [] Plaintiff's claim exceeds \$50,000;
- [] Plaintiff seeks relief other than a money judgment;
- [] Defendant's counter or cross claim exceeds \$50,000;
- [] Defendant's counter or cross claim seeks relief other than a money judgment.

DATED: _____ SIGNED: _____ WSBA# _____

SUPERIOR COURT OF WASHINGTON
COUNTY OF CLALLAM

Plaintiff/Petitioner,

vs

Respondent/Defendant.

NO:

NOTICE FOR TRIAL SETTING
[NTTRS]

TO DEFENDANTS: _____

AND TO OPPOSING COUNSEL: _____

AND TO THE CLERK & COURT ADMINISTRATION OF THE ABOVE ENTITLED COURT;

PLEASE TAKE NOTICE that the issue of law in this cause will be calendared as follows:

Friday, the _____ day of _____, 20__, at 8:45am.; and the Clerk is requested to note this cause on the docket for that day.

Counsel filing this notice certifies as follows:

1. The case is at issue.
2. Nature of the case: _____
3. ☐ Non-jury ☐ Jury ☐ 12 Person ☐ 6 Person
4. ☐ Jury fee paid
5. _____ Days needed for trial.
6. ☐ Interpreter needed for Plaintiff: Language: _____
7. ☐ Interpreter needed for Defendant: Language: _____
8. ☐ The attorneys for the parties stipulate that they are available for trial on the following dates: _____

7. ☐ The parties shall appear before Court Administration to select a trial date, and if such date cannot be agreed upon, the parties will note the trial setting before the assigned Judge on their Civil Motion Calendar.

DATED this _____ day of _____, 20__.

Stipulated Dates Agreed to:

Notice filed by:

Attorney's name/WSBA #

Attorney for _____

Attorney's Name/WSBA#

Attorney for _____

EXHIBIT A-1
EXHIBITS TO LOCAL CIVIL RULES AND LOCAL CRIMINAL RULES
AFFIDAVIT REGARDING ATTORNEY FEES

SUPERIOR COURT OF WASHINGTON COUNTY OF CLALLAM

	)	NO.
Plaintiff,)	
vs	)	AFFIDAVIT REGARDING
	)	ATTORNEY FEES
Defendant.)	
_____)	

1. The undersigned being first duly sworn on oath states: The following is a true and accurate summary of dates, times the services rendered on behalf of _____, who is the _____ in the above case.

Date	Service	Time
(calendar date)	(must be in sufficient detail to fully advise court of service rendered)	(to nearest 1/10 th hour)

(computer printout containing this information may be incorporated by reference)

TOTAL TIME: _____

2. The above services have been segregated between the following accounts:

SUPERIOR COURT	_____
JUVENILE COURT DEPENDENCY	_____
JUVENILE COURT DELINQUENCY	_____
COSTS	_____

Signature

Attorney for: _____

(NOTARY STATEMENT)

EXHIBIT A-2
EXHIBITS TO LOCAL CIVIL RULES AND LOCAL CRIMINAL RULES
AFFIDAVIT REGARDING ATTORNEY FEES

SUPERIOR COURT OF WASHINGTON COUNTY OF CLALLAM

	)	NO.
Plaintiff,)	
vs	)	AFFIDAVIT REGARDING
	)	ATTORNEY FEES
Defendant.)	
_____)	

1. The undersigned being first duly sworn on oath states: The following is a true and accurate summary of dates, times the services rendered on behalf of _____, who is the _____ in the above case.

Date	Service	Time
(calendar date)	(must be in sufficient detail to fully advise court of service rendered)	(to nearest 1/10 th hour)

(computer printout containing this information may be incorporated by reference)

TOTAL TIME: _____

2. The usual and customary hourly fee charged by the undersigned to the great majority of hourly clients is \$_____ and that has been the undersigned's rate since _____. (Provide rates for all periods covered by paragraph 1 above.)

Signature

Attorney for: _____

(NOTARY STATEMENT)

**EXHIBIT B
PRETRIAL AFFIDAVIT**

SUPERIOR COURT OF WASHINGTON COUNTY OF CLALLAM

In Re the Marriage of: _____)

Petitioner,)

v.)

Respondent.)

NO.

PRETRIAL AFFIDAVIT OF:

STATE OF WASHINGTON)

)ss

County of Clallam)

_____, being first duly sworn on oath, deposes and says:

I. GENERAL INFORMATION

1.1 Name of Wife: _____ Age: _____ Date of Birth: _____

1.2 Name of Husband: _____ Age: _____ Date of Birth: _____

1.3 Dependent Children:

a. Of this marriage:

Name

Date of Birth

Age

With Whom Residing

b. Of former marriages:

Name

Date of Birth

Age

With Whom Residing

1.4 Support, maintenance and attorney fees I (request) (am willing to pay):

a. Monthly support for each dependent child \$ _____

b. Monthly maintenance for _____ months \$ _____

c. Attorney fees \$ _____

II. INCOME AND EMPLOYMENT

2.1 Husband:

a. Employer: _____

b. Position: _____

c. Average gross monthly wage: \$ _____

d. Deductions:

Withholding tax: \$ _____

Social Security (FICA) \$ _____
 Other: \$ _____
 Net Employment Income: \$ _____
 Other income (per month): \$ _____
 TOTAL DISPOSABLE INCOME: \$ _____

2.2 Wife:

a. Employer: _____
 b. Position: _____
 c. Average gross monthly wage: \$ _____
 d. Deductions:
 Withholding tax: \$ _____
 Social Security (FICA) \$ _____
 Other: \$ _____

Net Employment Income: \$ _____
 Other Income (per month): \$ _____
 TOTAL DISPOSABLE INCOME: \$ _____

III. RETIREMENT BENEFITS

3.1 Retirement benefits – future

	Employee Monthly Contrib..	Employee Accrued Contrib.	% Accrued During Marriage	Age Earliest Eligibility	Estimated Present Value
Husband: \$	_____	_____	_____	_____	_____
Wife: \$	_____	_____	_____	_____	_____

IV. MONTHLY LIVING EXPENSES

4.1 Affiant's current monthly living expenses, excluding the debts set forth in paragraph VII, are as follows:

IV. COMMUNITY ASSETS

Description of Item	Fair Market Value	Encumbrance	Net Value	Awarded to: (husband/wife)
Totals:	\$ _____	\$ _____	\$ _____	

VI. SEPARATE ASSETS

Description of Item	Fair Market Value	Encumbrance	Net Value	Awarded to: (husband/wife)
Totals:	\$ _____	\$ _____	\$ _____	

VII. LIABILITIES

Creditor	Mo. Payment	Unpaid Balance	Assumed by Husband/Wife
Totals:	\$ _____	\$ _____	\$ _____

VIII. SUMMARY

Assets to Husband:	\$ _____
(Debts) to Husband:	\$ _____ (_____) _____
(Less) plus judgment/lien	\$ _____
TOTAL: \$ _____	
Assets to Wife:	\$ _____
(Debts) to Wife:	\$ _____ (_____) _____
(Less) plus judgment/lien	\$ _____
TOTAL: \$ _____	

IX. OTHER FACTORS

If any hearing on financial issues (e.g. physical disabilities, dependent children of prior marriages, etc.)

Signature

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 20____.

Notary Public in and for the State of
Washington. Commission Expires: _____

CLALLAM COUNTY CAUSE #: _____
IN RE THE MARRIAGE OF: _____

PROPERTY VALUATION AND DISTRIBUTION, PAGE NO. ____

		WIFE'S PROPOSED AWARDS		HUSBAND'S PROPOSED AWARDS		COURT'S AWARDS		
NO.	Item of Property	To wife at this value	To husband at this value	To wife at this value	To husband at this value	To wife at this value	To husband at this value	Court Remarks

EXHIBIT C
ORDER OF JUSTIFICATION

SUPERIOR COURT OF WASHINGTON COUNTY OF CLALLAM

In Re the Justification of)	
	)	ORDER OF JUSTIFICATION
Surety)	
_____)	

This matter having come on before the Court on the Petition for Justification filed herein by _____ to justify qualifications to post bail bonds in criminal matters pending in Superior Court in and for the County of Clallam; and the Court having considered the contents of the aforementioned petition and being of the opinion that the same should be granted; now, therefore, it is hereby,

ORDERED that _____ be, and the same is hereby granted authorization to post bail bonds in connection with criminal matters pending in the Superior Court in and for the County of Clallam under the following terms and conditions:

(1) That _____ may post bail bonds secured by the assets of the same _____ in amounts up to and including \$_____;

(2) Each bond shall be approved by an officer authorized by law; and it is further

ORDERED that this order shall be effective until _____ and not thereafter.

DONE this _____ day of _____, 20_____.

JUDGE

Presented by:

Printed Name

Signature

EXHIBIT D
STATUS REPORT AND ORDER

SUPERIOR COURT OF WASHINGTON COUNTY OF CLALLAM

STATE OF WASHINGTON,)	
Plaintiff,	)	NO.
vs.)	
	)	STATUS REPORT AND ORDER
Defendant.)	
_____)	

THIS REPORT is submitted to the Court for the purpose of disclosing the present status of this case as it relates to trial preparation and Court scheduling.

1. The Defendant received discovery materials from the Prosecuting Attorney on: _____, 20____.
2. The Defendant has reviewed the discovery materials with Defendant's Attorney.
3. Defendant received a plea offer from the Prosecuting Attorney on _____, 20_____.
4. The Defendant has discussed/reviewed the Plea Offer with Defendant's Attorney.
5. The Plea Offer is:
 - (a) ☐ Accepted (Acceptance does not waive time limits of CrR 3.3)
 - (b) ☐ Not Accepted.
 1. ☐ Additional omnibus hearing is required.
Specific issues are: _____
Hearing is set _____ a.m./p.m. on _____, 20____.
☐ Additional omnibus hearing is waived.
 2. ☐ Defendant requests 3.5/3.6 hearing.
Hearing is set for _____ a.m./p.m. on _____, 20____.

Attorney for Defendant

Deputy Prosecuting Attorney

Defendant

ORDER

The Court has reviewed the status of his case and orders the hearings set forth above.

DATED this _____ day of _____, 20_____.

JUDGE

**EXHIBIT E TO LCR 94(e) ENTRY OF DISSOLUTION DECREE BY DECLARATION OF
JURISDICTIONAL FACTS**

SUPERIOR COURT OF WASHINGTON COUNTY OF CLALLAM

In Re the Marriage of)	
Petitioner,	)	NO.
and)	
Respondent.	)	REQUEST FOR ENTRY OF DECREE
_____	)	AND DECLARATION OF
	)	JURISDICTIONAL FACTS

REQUEST	The petitioner requests immediate entry of Findings of Fact, Conclusions of Law and Decree of Dissolution of Marriage without a final hearing, and states:
RESIDENCE	I was a resident of the state of Washington when the petition was filed.
TIME LIMITS	More than 90 days have elapsed since the later of _____, the date on which the Petition was filed, and _____, the date: <input type="checkbox"/> the respondent signed an acceptance of service. <input type="checkbox"/> the summons and petition were personally served upon the respondent. <input type="checkbox"/> the summons and petition were mailed pursuant to an order for service by mail. <input type="checkbox"/> the summons was first published pursuant to an order for service by publication.
MARRIAGE	The parties were married on _____
PREGNANCY	The wife is not now pregnant.
DEPENDENT CHILDREN	All dependent children of the marriage are identified in the proposed decree. The proposed Parenting Plan is in the children's best interest; the Child Support Worksheets are accurate.
PROPERTY AND DEBTS IF DEFAULT	All property and all debts of the parties are fairly and completely divided in the Decree. If entry of the decree is sought after default of the Respondent, the decree provides for only that relief requested in the petition.
PERJURY DECLARATION	I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED _____, 20____ at _____, Washington.

Presented by:

Attorney for Petitioner

Petitioner

Respondent

EXHIBIT F
SUPPLEMENT TO EMANCIPATION PETITION

Please answer each of the questions fully and attach, as exhibits to the petition, such additional information as is requested, or that you feel would be helpful to the court's determination of this petition. All answers should be typed or legibly printed in ink. Please use additional pages if the spaces provided are insufficient for the answer.

PERSONAL DATA

1. Provide your name, date of birth and social security number.

2. Provide a list of the names, addresses and telephone numbers of your parents or guardians and your siblings.

3. Provide the names, birth dates and present addresses of your children, if any.

4. Explain how long you have lived in Washington State.

5. Describe your general health including any major illnesses, accidents or disabilities you have incurred up to this point in your life.

6. List the names, addresses and telephone numbers of the person(s) with whom you have resided for the past three years.

EDUCATIONAL INFORMATION

1. Explain how much education you have received and what is the last grade you completed in school.

2. Attach a copy of school transcript.

3. Describe the clubs and activities you may have been involved in during the past two years, whether these were school related or not.

FINANCIAL INFORMATION

1. List the name, address and telephone number of your present employer, if any, and describe your responsibilities at work.

2. List the names, addresses and telephone numbers of your previous employers and include the dates during which you were employed by each of these persons or businesses.

3. Attach a copy of a completed financial certificate to the petition.

4. Describe how you intend to meet your financial needs if emancipated.

5. If an attorney is helping you with this process, explain how that attorney is being paid.

CRIMINAL HISTORY

1. List all of the crimes or traffic offenses for which you have received convictions or diversions.

2. Attach a copy of your criminal history, or a certificate from the juvenile court which states that you do not have any criminal history.

3. Describe what criminal charges, if any, may be pending against you at this time, including pending court hearings or financial obligations.

REFERENCES

1. Provide the names, addresses and telephone numbers of three adult references who support your petition. These references should not include your parents or guardians.

STATEMENT OF GOALS

1. Provide a brief statement of your personal goals for the future and how you plan to achieve them.

2. Describe how you intend to pay for medical and dental care if you are emancipated.

I declare under penalty of the laws of the State of Washington that the foregoing is true and correct.

SIGNED at _____ on _____.
(city and state) (date)

(Signature)

**SUPERIOR COURT OF WASHINGTON
COUNTY OF CLALLAM**

Please designate by placing your initials next to your response to the petition.

Please print your name, address and telephone number.

LCR 94(f) – EXHIBIT A
SETTLEMENT CONFERENCE STATEMENT

SUPERIOR COURT OF WASHINGTON COUNTY OF CLALLAM

In re)	
	)	NO.
	)	FAMILY LAW
	)	SETTLEMENT CONFERENCE
	)	STATEMENT
_____)	

A. Introductory Information

1. Name of submitting party:
2. Date of settlement conference:
3. Type of case:
4. Names and ages of children:
5. Appearance: ☐ By Zoom ☐ In Person

B. Stipulations

1. The parties agree to the following:

C. Parenting Plan

Please complete this section if there are dependent children involved in your case.

REQUIRED: Attach a Proposed Final Parenting Plan using Family Law Form 140. If you are not represented by an attorney, please contact the Court Facilitator for assistance if needed.

1. Is there currently a court ordered parenting plan in place?
 - a. YES:

- i. Date of court ordered parenting plan: _____
- ii. Describe what changes, if any, you wish to make to the current parenting plan:

b. NO:

- i. If there is no parenting plan currently in place, please describe the current schedule that is being followed:

- ii. If you wish to make any changes to the current schedule please describe the changes you wish to make:

If you wish to restrict the other party's parenting time, please complete the following:

1. I assert that the following factors set forth in RCW 26.09.191 apply: _____

2. I assert that based upon the RCW 26.09.191 factors, the following restrictions need to be included in the parenting plan: _____

-
-
-
-
-
3. Attached is my proposed final parenting plan.

D. Child Support

Please complete this section if there are dependent children involved in your case.

REQUIRED: Attach a proposed Washington State Child Support Schedule Worksheet if one you wish to rely on has not already been filed in your case. If you are not represented by an attorney, please contact the Court Facilitator for assistance if needed.

1. My monthly gross income is \$_____ and my monthly net income is \$_____.
2. I assert that the opposing party's gross income is \$_____ and net income is \$_____.
3. The standard calculation for child support based on these incomes is: \$_____.
4. If you believe there should be a deviation from the standard calculation, please explain what constitutes a basis for deviation from the standard child support amount: _____

5. Financial Source Documents were filed with the Court on: _____(date) or are attached.
6. Attached is my most recent year-to-date pay stub (no later than 60 days old).
7. My current financial declaration was filed with the court on _____ or is attached to this statement.

E. Spousal Maintenance

Please complete this section if this is a divorce case and either party in your case is requesting spousal maintenance.

1. My monthly gross income is \$_____ and my monthly net income is \$_____.

2. I assert that the opposing party's gross income is \$ _____ and net income is \$ _____.
3. I propose that spousal maintenance be set as follows (include duration and amount):

4. Attached is my most recent year-to-date pay stub (no later than 60 days old).
5. Attached is my current financial declaration or I incorporate the financial declaration filed with the court on _____ by this reference.

F. Division of Assets / Liabilities

Please complete this section if this is a divorce case.

1. I claim that the following is separate property or liability:

2. This claim of separate property or liability is based upon the following facts:

3. The following is my position regarding each parcel of real property:
 - a. Street address of each parcel:

 - b. Who should be awarded each parcel:

c. Fair market value of each parcel:

d. Amount of encumbrances secured by each parcel:

4. Attached is the document I would submit to the court, at trial, as evidence of the value of the real property in this matter.

5. The following information relates to the debts to be allocated in this proceeding:

a. Name of each creditor:

b. Truncated account number for each creditor:

c. Amount owing at time of separation:

d. Amount currently owing:

e. Attached are the monthly statements from each creditor for the month of separation and for the most recent month (attach that portion of the statement which shows the account number and balance).

6. The following information relates to each banking or investment account:

a. The name of each account:

b. Truncated account number for each account:

c. Account balance at time of separation:

d. Account balance currently:

e. Attached are the statements for each account for the month of separation and the most recent month (attach that portion of the statement which shows the account number and balance).

7. The following information relates to each retirement account:

a. The name of each account:

b. Truncated account number for each account:

- c. Nature of each account (IRA / 401K / Deferred Compensation / Defined Benefit Plan, etc.)

- d. Account balance at time of marriage:

- e. Account balance at time of separation:

- f. Account balance in most recent statement:

- g. Attached are the statements for each account for the month marriage, the month of separation and the most recent month (attach that portion of the statement which shows the account number and balance).

8. Attached is my proposed division of personal property, showing who should receive each item, and what I believe to be the value of each item. Attached are the documents to support those values (i.e. Blue Book statements, appraisals, etc.) (Note: It is not necessary to list all items of property, but rather only those items over which there is a dispute. Further it is not necessary to document all values under this provision unless a party believes that there is significant dispute as to the value).

G. Legal Citations

1. I ask the court to review the following legal citations (cases or statutes) prior to the scheduled conference: (attach additional pages if necessary.)
