

Snohomish County Superior Court
Local Court Rule Changes
Emergent Effective October 9, 2024

PART III. CIVIL RULES (SCLCR)

SCLCR (new rule)

RULE 39. TRIAL BY JURY OR BY THE COURT

(d) Trials by Remote Means. Motions to approve a stipulation for a remote trial pursuant to CR 39 shall be noted on the Presiding Motions calendar at least 30 days before the trial date, unless all parties agree to the hearing occurring less than 30 days before trial. The Court and parties must receive at least 7 days' notice of the hearing.

Except as set forth below, motions to allow the remote appearance of a party or counsel at an in-person trial shall be noted on the Presiding Motions Calendar at least 21 days before the trial.

Motions for the remote appearance of a party or counsel at an in-person dependency, termination, or dependency guardianship trials pursuant to RCW 13.34 or 13.36 shall be noted on the Presiding Judge's Motion calendar at least 5 days before the trial date.

[Emergent effective October 9, 2024]

SCLCR (amended rule)

RULE 40. ASSIGNMENT OF CASES; SETTING OF TRIALS- FILING OF PLEADINGS-TIME OF TRIALS-CONTINUANCES- SETTLEMENT

(d) Trials.

(1) *Manner of Trial.* Civil Trials and voir dire are presumed to occur in person unless (a) all parties or counsel stipulate in writing that the trial will be conducted remotely, and such stipulation is approved by the Court, as set forth in CR 39 and SCLCR 39 or (b) the Court grants a motion requesting that one or more parties, witnesses, or counsel be permitted to appear remotely. All parties shall comply with Trial Protocols developed by the Court and published on the Court's website.

[Amended emergent effective October 9, 2024]

SCLCR (new rule)

RULE 43. TAKING OF TESTIMONY

(a) Testimony.

(1) *Generally.* Except as set forth below, motions for or stipulations to allow the remote testimony of a witness may be noted on the Presiding Judge's Motion calendar at least 10 days before the trial date, unless good cause is shown for a shorter notice period.

Parties seeking an order approving remote testimony are advised to address in their motions such matters as whether the witness is likely to be the subject of a credibility determination as well as distance from the courthouse or health considerations, and the factors set forth in CR 43.

- (a) Motions for the remote appearance of witnesses at dependency, termination, or dependency guardianship trials pursuant to RCW 13.34 or 13.36 shall be noted on the Presiding Judge's Motion calendar at least 5 days before the trial date. The accelerated nature of these trials is good cause for a shorter notice period.

[Emergent effective October 9, 2024]