

**SKAGIT COUNTY SUPERIOR COURT
LOCAL COURT RULES
2015-2016**

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PART I. LOCAL ADMINISTRATIVE RULES
(Cite as SCLAR)

RULE 0.1 SCOPE OF RULES

- (a) These rules shall become effective, September 1, 2013.
- (b) All proceedings in Skagit County Superior Court shall be conducted in accordance with applicable statutes and Washington State Court Rules, except as modified by these Local Court Rules.
- (c) Compliance with Skagit County Local Court Rules shall be mandatory, unless waived by the Court for good cause.

RULE 0.2 COURT ORGANIZATION

- (a) Departments.

Dept	Created	Incumbent Judge	Date of Qualification
No. 1	1891	Hon. John M. Meyer	January 1997
No. 2	1955	Hon. Michael E. Rickert	January 1993
No. 3	1992	Hon. Susan K. Cook	January 1997
No. 4	2006	Hon. Dave Needy	January 2006

- (b) Selection of Presiding Judge. The Presiding Judge shall be the Superior Court Judge selected by a majority vote of the Skagit County Superior Court Judges. An election shall be held during the second December of the term of the current Presiding Judge. The Presiding Judge shall serve for two calendar years.
- (c) Commissioners. Except where otherwise required by law or court rules, the terms "judge" and "court" include commissioners. Court Commissioners authorized by Article 4, Section 23 of the Constitution of the State of Washington have the power, authority and jurisdiction established by RCW 2.24.040, including the specific authorization to accept pleas in adult criminal cases in accordance with CrR 4.2. [Adopted September 1, 2009]

RULE 0.3 SPECIAL SET HEARINGS AND COURT SCHEDULE

- (a) SPECIAL SET HEARINGS All special set hearings shall be set through the Court Administrator's Office at (360)336-9320 and, unless agreed upon by all parties and the Court, follow the nine (9) court day rule. No special set hearings should be scheduled before the criminal motions judge on Fridays. [adopted September 1, 2008; amended September 1, 2009; amended September 1, 2011]
- (b) COURT SCHEDULE – Rescinded [November 1, 2013] Refer to Court's website.

RULE 0.4 RECORDS SUBMITTED FOR IN CAMERA REVIEW Upon completion of in camera review of documents in a case, the documents shall be sealed by the clerk and

maintained as an exhibit. The order sealing shall indicate the documents were presented to the court for in camera review. [Adopted September 1, 2009]

[Effective September 1, 1997; amended effective September 1, 2003; amended September 1, 2006; amended January 30, 2007; amended September 1, 2008; amended September 1, 2009]

<p style="text-align: center;">PART II. LOCAL GENERAL RULES (Cite as SCLGR)</p>

RULE 15. PRELIMINARY CONFIDENTIAL FILING OF REPORT. [Rescinded November 1, 2013]

RULE 16. COURTROOM PHOTOGRAPHY AND RECORDING BY THE NEWS MEDIA

(d) All media personnel requesting to use still or video cameras shall check in first with the bailiff of the particular court room who will direct them to an area in the courtroom conducive to the needs of the court personnel, parties to the action and the media.

(e) Media and proof of liability insurance. [Rescinded September 2, 2014]

RULE 31. PERSONAL IDENTIFIERS-CHILDREN

(a) Complete names of children, sealed case types: The complete names of children shall be used in cases that are deemed confidential pursuant to state or federal statutes, including cases filed pursuant to Title 13 RCW (excluding offender cases); Chapter 4.24 RCW, Chapter 26.33 (Adoption) and Chapter 71.34 (Mental Health Services for Minors).

(b) Confidential Information Form: The complete names of children and other identifiers shall be included in the Confidential Information Form or similar document for cases filed under Title 26.

(c) Domestic Relations Orders: Court orders concerning the financial support or the custody or residential schedule of a child (including temporary and permanent parenting plans and similar documents) and orders establishing or disestablishing paternity shall include the full name of the child. The date of birth of a child shall be included in court records only as authorized by GR 22.

(d) Child who is alleged to be a victim of a crime: The complete name of a child who is alleged to be a victim of a crime may be included on subpoenas and in jury instructions. Nothing in this rule requires that subpoenas be routinely filed in the court file.

(e) Child who is charged with a crime: The complete name of a child charged with a crime shall be included in any indictment or information filed with the court pursuant to CrR 2.1 or JuCR 7.2, as part of an affidavit or declaration of probable cause or for any other purpose deemed necessary for the prosecution or defense of the criminal or juvenile offender matter.

(f) Orders issued for the protection of a child: If a child is a person protected by a criminal no contact order issued pursuant to 10.99 RCW, an anti-harassment order issued pursuant to 10.14 RCW, an order of protection issued pursuant to 26.50 RCW or a restraining order or order of protection issued pursuant to 26.09 RCW, 26.10 RCW, 26.26 RCW, RCW 26.52.020, or any other court order entered for the protection of the child, the child's full name and other identifiers shall be included on petitions and orders as necessary for entry of the order into the Judicial Information System (JIS) and/or the Washington Crime Information Center (WACIC).

(g) If access to a child is restricted pursuant to CrR 3.2(d) (1), the court may include the full name of the child on the order, if deemed necessary for effective enforcement of the order.

- (h) Orders restraining child from contacting or harassing others: Whenever a child is named as a respondent in an order listed in (3) above, the child's full name and other personal identifiers shall be included on the petition and order as necessary for entry of the order in the Judicial Information System (JIS) and/or the Washington Crime Information Center (WACIC).
- (i) General authority: Nothing in this rule shall prohibit a court from authorizing the use of a child's full name or date of birth when necessary for the orderly administration of justice, consistent with the requirements of GR 22. [Effective September 1, 2005]

<p style="text-align:center">PART III. LOCAL CIVIL RULES (Cite as SCLCR)</p>
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1. INTRODUCTORY
(Rules 1-2A)
[Reserved]

**2. COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS,
MOTIONS AND ORDERS**
(Rules 3-6)

RULES 3-5. [Reserved]

RULE 6. TIME

(d) For Motions

(1) *Notes for Motion Calendar.* Notes for the Motion Calendar shall be filed with the clerk of the court and served on all parties at least nine (9) court days before the hearing. All Notes for the Motion Calendar must comply with SCLCR 84.

(2) *Timing for Service of Motions, Responses, Replies and Proposed Orders.*

(i) *Motions.* Motions, other than Summary Judgment motions, shall be filed and served upon all parties at least nine (9) court days before hearing. When a motion is supported by affidavit or other documents, the affidavit and other documents shall be served with the motion.

(ii) *Responses.* Responses shall be filed and served on all parties at least four (4) court days before hearing. Affidavits and other supporting documents shall be served with the Response.

(iii) *Replies.* Replies shall be filed and served on all parties at least two (2) court days before hearing. Affidavits and other supporting documents shall be served with the Reply.

(iv) *Proposed Orders.* A proposed form of order, which the Court may adopt, modify, or reject consistent with the decision of the Court, shall be served with the motion or response to motion. Proposed orders should not be filed with the clerk. [Amended March 1, 2013; amended June 1, 2013]

(A) *Originals of Proposed Orders.* Originals of proposed orders shall be retained by counsel for presentation at the hearing on the motion.

[Adopted September 1, 2009]

3. PLEADINGS AND MOTIONS
(Rules 7-16)

RULE 7. Pleadings Allowed; Form of Motions; Motions Practice

(b) Motions and Other Papers

(1)-(4) [Reserved]

(5) *Telephonic Argument.* Oral argument on civil motions, including family law motions, may be heard by conference telephone call at the discretion of the court.

(i) The CourtCall Telephonic Appearance Program ("CourtCall"), organizes a procedure for telephonic appearance by attorneys or pro se parties. CourtCall is available for motions. Each party wanting to appear telephonically shall contact CourtCall directly at 1-888-882-6878. All DV matters

require prior approval by Court Administration. All requested telephonics will be heard later in the calendar and be given a specific time. The party scheduling the telephonic must also notify the other side. Counsel shall provide the court with an original proposed order with their judge's copies prior to appearing telephonically. Any request for a telephonic appearance for a trial must be brought before the court by a motion. [Amended September 1, 2011; amended March 1, 2012; amended March 1, 2013; amended June 1, 2013; amended September 2, 2014]

(c)-(d) [Reserved]

(e) Motions Practice

(1) *Setting of Motion.* Motions under CR56 and CR57, and other motions that may be dispositive to the outcome of the matter, including, but not limited to, motions made under CR 12(b)(1-7) at least in part, and 12 (c) shall be placed on the Thursday, 9:30 calendar and confirmed pursuant to the provisions set forth in SCLCR 56/57. All other civil motions shall be placed on the Friday 9:30 a.m. Civil Motions Calendar. [Amended March 1, 2013; amended June 1, 2013; amended January 1, 2014; amended September 1, 2015]

(2) *Length of Argument.* Each party is confined to ten (10) minutes of argument on all motions other than dispositive motions. In the case that the parties anticipate argument longer than ten (10) minutes for each party, parties should inform the law clerk or bailiff at the earliest convenience as the court may decide to move the motion to be heard at the end of the given calendar or prior to the scheduled hearing or request that it be special set pursuant to SCLAR 0.3(b). [Amended September 1, 2009]

(3) *Proposed Orders.* See SCLCR 6(d)(2)(iv)(A).

(4) *Judge's Copies.* Judges copies of all affidavits, declarations, briefs and legal memoranda in both trial and pretrial proceedings shall be prepared and delivered to the Court Administrator's Office at the time of service.

(5) *Failure to Appear for Motion.* If the noting party fails to appear for a hearing on a motion, and the opposing party appears, the motion will be denied. If the moving party appears and the opposing party fails to appear, the relief requested will be granted, if warranted. If neither appear, the motion will be passed. In this event, the moving party may later apply, ex parte, for the relief requested, upon satisfying the Court by clerk's notes, or any other satisfactory evidence, of lack of opposition to the motion.

(f) Ex Parte Practice Ex Parte matters shall be delivered to the Clerk's Office, with the appropriate ex parte fee, for transmission to court with the court file. Ex Parte matters requiring personal presentation may be presented at the beginning of any Motion Calendar or at 1:15 p.m. each day, provided the appropriate court file is available or made available to the court by the attorney presenting the motion. This is NOT an argument calendar. A paralegal working in an attorney's office, or employee working in an attorney's office may present orders on the ex parte calendar, if signed by the supervising attorney. See SCLSPR 94.04.2(j) and SCLSPR 98.16.2 for dissolution and probate matters that may be presented ex parte.

(g) Motions in Limine. All motions in limine shall be heard by the trial judge prior to trial. If a lengthy hearing is anticipated, a special set shall be requested from court administration pursuant to SCLAR 0.3(a).

[Adopted September 1, 2009]

RULES 8-9 [Reserved]

RULE 10 Form of Pleadings and Other Papers

(a)-(c) [Reserved]

(d) Format Requirements

(1) *GR 14 Compliance.* All pleadings and other papers presented for filing with the Clerk shall conform to GR 14.

(2) *Length of Briefs and Legal Memoranda.* Briefs and legal memoranda on non-dispositive pretrial matters may not exceed five (5) pages double-spaced. In trial matters the limit for a party's main filing is ten (10) pages double-spaced; supplemental briefs or legal memoranda on subsidiary matters may not exceed three (3) pages double-spaced. Declarations and affidavits in such matters may not exceed five (5) pages double-spaced. There is no page limit on summary judgment motions, motions for declaratory judgment and any potentially dispositive motions as described in SCLCR 7(e)(1). The Court may strike pleadings that are longer than the page limit described in this rule upon its own motion.

(3) *Filing: Case Numbers.* No documents shall be submitted for filing with more than one case number. Where documents require filing under multiple case numbers, attorneys shall submit duplicate originals for each case number cited. Case numbers for each file shall be highlighted by circling the appropriate cause number. Where there are multiple case numbers and no duplicate originals provided, the Clerk shall place the document only in the first case number designated.

(4) *Filing: Physical Issues.* Single documents with multiple pages shall be stapled together. Multiple documents shall not be stapled together; e.g., do not staple your calendar note to the motion.

(5) *Translation of Documents.* Any documents filed in the court file in Spanish, or any other foreign language, must be accompanied by a translated version in English.

[Adopted September 1, 2009]

RULES 11-16 [Reserved]

**4. PARTIES
(Rules 17-25)
[Reserved]**

**5. DEPOSITIONS AND DISCOVERY
(Rules 26-37)
[Reserved]**

**6. TRIALS
(Rules 38-53.4)**

RULES 38-39 [Reserved]

RULE 40 ASSIGNMENT OF CASES

(a) [Reserved]

(b) Methods

(1) *Form of Request.* The trial assignment calendar shall be held on each Monday at 9:30 a.m. Counsel should not be present for this calendar, but should proceed according to the remainder of this rule. Trial dates shall be assigned by the Court Administrator pursuant to requests made in accordance with CR 40, using the form in Appendix H (for pro se litigants) or J to these Local Rules.

(2) *Joinder and Default.* Before filing a request for trial assignment, counsel must determine that all joinder issues under CRs 18-20 are resolved. Motions for default under CR 55 must have been heard and resolved before requesting a trial date.

(3) *Conflict Dates.* Counsel shall file with the clerk of the court, and a copy to Court Administration, a notice of conflict dates on or before the date set for the trial assignment. A trial date will be assigned even if all parties have not submitted conflicts. Conflict dates shall be limited to previously scheduled vacations, trial dates, arbitrations and mediations. Counsel is to include the name of the trial, arbitration or mediation in conflict and the location of the conflict. The form Notice of Conflict Dates may be found in the Forms Appendix. [Amended September 2, 2014]

(4) *Objections to Trial Assignment.* The Court Administrator shall set the trial date from the trial assignment calendar. Objections to having a trial date assigned shall be made by motion and noted for

hearing within 14 calendar days of filing of the Note for Trial Assignment. If the Court finds the objection has merit, the trial date will be stricken.

(5) *Pre-assignment of Judge.* Parties may move the court for pre-assignment of a judge. The original should be filed and a copy should be delivered to the Court Administrator. The presiding Judge will then select a Judge for pre-assignment. A letter will then notify counsel that all pretrial motions should be heard by the assigned judge and should be scheduled through Court Administration. This is to assure that the assigned judge is on the appropriate calendar, or if a special set is necessary. If both sides do not agree to a pre-assignment, the matter can be brought on the regular Civil Motions calendar. [Amended March 1, 2013; amended June 1, 2013]

(c) [Reserved]

(d) Confirmation of Civil Trials

(1) All civil jury trials shall be confirmed by noon Thursday the week before the scheduled trial date. All other bench trials, EXCEPT unlawful detainers, shall be confirmed by noon two court days before the scheduled trial date. Counsel shall confirm trials by calling the Superior Court Administrator's Office, (360) 336-9320. If a trial is not confirmed in accordance with this rule, the trial will be stricken. [Amended September 1, 2015]

(e) Continuances and Settlement. Attorneys shall immediately notify the Court Administrator if a trial has settled or has been continued.

(f) [Reserved]

[Adopted September 1, 2009]

RULES 41-42 [Reserved]

RULE 43 TAKING OF TESTIMONY

(a) Testimony

(1)-(2) [Reserved]

(3) *Exhibits.* When a documentary exhibit is used at trial during witness examination counsel shall provide extra copies of the exhibit to opposing counsel and the court.

[Adopted September 1, 2009]

RULES 44-50 [Reserved]

RULE 51 INSTRUCTIONS TO JURY AND DELIBERATION

(a) Proposed. Provide to judge when trial begins, two copies of proposed jury instructions. One copy shall be cited and the other uncited with plaintiff's proposed instructions numbered in pencil on the lower left corner and the defendant's proposed instructions numbered in pencil on the lower right corner to correlate with jury instructions.

[Adopted September 1, 2009]

RULES 52-53 [Reserved]

7. JUDGMENT (Rules 54-63)

RULES 54-55 [Reserved]

RULE 56

SUMMARY JUDGMENT

(c) Motion, Proceedings and Confirmation of Motion

(1) All parties must conform to the motion and proceeding requirements of CR 56(c).

(2) It shall be the responsibility of the moving party to confirm all motions for Summary Judgment on the Thursday 9:30 a.m. calendar by 4:00 p.m. Friday day the week before the scheduled hearing.
[Amended March 1, 2012; amended January 1, 2014]

(3) Confirmation shall be made by telephone to the Court Administrator's Office at (360) 336-9320 between 8:30 a.m. Monday and 4:00 p.m. Friday the week before said motion is scheduled for hearing.
[Amended September 2, 2014]

(4) Motions not confirmed in accordance with this rule will be stricken.

(5) SCLCR (10)(d)(2) does not apply to SCLCR 56.

[Adopted September 1, 2009]

RULE 57

DECLARATORY JUDGMENTS

(a) Confirmation of Motion

(1) All parties must conform to the motion and proceeding requirements of CR 57.

(2) It shall be the responsibility of the moving party to confirm all motions for Declaratory Judgment on the Thursday 9:30 a.m. calendar by 4:00 p.m. Friday the week before the scheduled hearing.
[Amended March 1, 2012; amended January 1, 2014]

(3) Confirmation shall be made by telephone to the Court Administrator's Office at (360) 336-9320 between 8:30 a.m. Monday and 4:00 p.m. Friday the week before said motion is scheduled for hearing.
[September 2, 2014]

(4) Motions not confirmed in accordance with this rule will be stricken.

(5) SCLCR (10)(d)(2) does not apply to SCLCR 57.

[Adopted September 1, 2009]

RULE 59 NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS

(b) Time for Motion; Contents of Motion

(1) This subsection applies to Motions for Reconsideration only.

(2) Motions for reconsideration of Judge's rulings and for reconsideration or revision of Commissioner's rulings, and all pleadings and documents in support thereof, must be filed and served on opposing counsel, or on the opposing party if unrepresented, and on the Court Administrator, within ten (10) days after entry of the judgment or order. The motion must set forth specific grounds for the reconsideration, and the arguments and authorities in support thereof, and designation of the Judge making the ruling.

(3) The opposing party may, within ten (10) days after receipt of the motion, file, and serve on the moving party and the Court Administrator, pleadings and documents in opposition.

(4) Each party shall prepare and include in the materials submitted, a proposed order sustaining their position on the motion.

(5) Oral arguments will be scheduled only if the Judge involved requests the same.

(6) Motions for reconsideration and revision shall be by brief only and shall not be noted for hearing on any motion calendar, unless oral argument has been requested by the Judge. Either party, after expiration of ten (10) days following filing and service of the motion, *may* file and serve on opposing counsel and the Court Administrator, a notice containing the case heading, a designation of the Judge making the original ruling, and certifying that the matter is ready for a ruling on the motion for reconsideration. The matter will not be brought before a judge until a Notice of Readiness is filed by any party.

[Adopted September 1, 2009; amended March 1, 2013; amended June 1, 2013]

RULES 60-63 **[Reserved]**

8. PROVISIONAL AND FINAL REMEDIES
(Rules 64-71)
[Reserved]

9. APPEALS
(Rules 72-76)
[Reserved]

10. SUPERIOR COURTS AND CLERKS
(Rules 77-80)
[Reserved]

11. GENERAL PROVISIONS
(Rules 81-86)

RULES 81-83 **[Reserved]**

RULE 84 FORMS

(a) Action documents. Pleadings or other documents requiring action on the part of the Clerk/Court (other than file stamping, docketing and entry in the court file) shall be considered action documents. Action documents must contain special caption and specify the action required on the first page.

[Adopted September 1, 2009]

RULES 85-86 **[Reserved]**

PART IV. LOCAL MANDATORY ARBITRATION RULES

(Cite as SCLMAR)

1. SCOPE AND PURPOSE OF RULES

1.1 PURPOSE AND APPLICATION

These local rules, to be cited as Local Mandatory Arbitration Rules (LMAR) are for the purpose of implementing RCW 7.06 and supplementing Superior Court Mandatory Arbitration Rules adopted by the Supreme Court. Mandatory Arbitration Rules (MAR) as supplemented by these local rules are not designed to address every question which may arise during the arbitration process, and the rules give considerable discretion to the arbitrator. The arbitrator should not hesitate to exercise that discretion. Arbitration proceedings should be informal and expeditious, consistent with the purpose of relevant statutes and rules.

1.2 MATTERS SUBJECT TO ARBITRATION

Any civil action filed in the Skagit County Superior Court, other than an appeal from a Court of Limited Jurisdiction, is subject to mandatory arbitration if the sole relief sought is a money judgment in which no party asserts a claim in excess of \$50,000.00, exclusive of attorney fees, interest and costs, or in which all parties for purposes of arbitration waive claims in excess of \$50,000.00, exclusive of attorneys fees, interests and costs. Additionally, parties may stipulate to the arbitration of any matter in controversy not subject to mandatory arbitration.

[Adopted December 12, 1990]

2. TRANSFER TO ARBITRATION AND ASSIGNMENT OF ARBITRATOR

2.1 TRANSFER TO ARBITRATION

(a) TIME OF TRANSFER

In every civil case, when any party has determined that the case is ready for trial and that the case is subject to arbitration, either mandatory or by stipulation, such party shall file with the Clerk a Note for Motion Docket, pay associated filing fee, and file a Demand for Arbitration setting the matter on the Motion Calendar not earlier than nine days from the date such demand is filed.

[Amended September, 2007]

(b) ORDER TRANSFERRING CAUSE TO ARBITRATION

Cases shall be transferred to arbitration only by Court Order. Such order may be secured:

- (1) At the hearing scheduled pursuant to 2.1(a) above.
- (2) By stipulation and order agreed to by all parties.

(c) RESPONSE TO DEMAND FOR ARBITRATION

Any party disagreeing with a Demand for Arbitration shall serve and file a response to demand for arbitration not less than two (2) working days prior to the date the demand

is noted for hearing. In the absence of such response, the Demand for Arbitration shall be granted, and an order presented transferring the cause to arbitration. Responses asserting that the cause is not subject to arbitration shall be heard on the date noted for hearing of the Demand for Arbitration.

[Amended September 10, 1991]

2.3 ASSIGNMENT OF ARBITRATOR

(a) Generally; Stipulations

Parties may stipulate to appointment of any person, including non-attorneys, as arbitrator. Such stipulation shall be filed at or before the hearing on the demand for arbitration, or, in case of a stipulated order for arbitration, with said stipulated order. In the absence of a stipulated choice of arbitrator, a list of five arbitrators shall be submitted to the parties by the Director of Arbitration in cases involving two parties. In cases involving more than two parties, two additional names shall be submitted for each additional party involved in the cause.

Within seven (7) days thereafter each party shall nominate one or two arbitrators, and shall strike one or two arbitrators on the list. The Director of Arbitration shall appoint an arbitrator from among those nominated by all parties, or, if no one has been nominated by all parties, from among those not stricken by any party. Any party unwilling to submit their cause to the arbitrator so designated must file, within five (5) days of the appointment by the Director, a request for an appointment by the Court. Said request shall be filed with the Director and acted upon by the Court without further hearing.

[Adopted December 12, 1990]

3. ARBITRATORS

3.1 QUALIFICATIONS

[Adopted July 1, 1996; rescinded September 1, 2010]

4. PROCEDURES AFTER ASSIGNMENT [Reserved]

5. HEARING

5.1 NOTICE OF HEARING

An arbitration hearing may be scheduled at any reasonable time and place chosen by the Arbitrator, after giving due consideration to the time preferences and conflicts indicated by the parties. Reasonable notice of the hearing and of any continuances shall be given to all parties and to the Director. Hearings should be scheduled not sooner than 21 days nor later than 63 days from the time of appointment and assignment of the cause to the Arbitrator. The arbitrator may grant a continuance without court order and for good cause shown.

[Adopted December 12, 1990; amended effective September 1, 2004; amended 9/1/2008; amended September 1, 2009]

6. AWARD [Reserved]

7. TRIAL DE NOVO [Reserved]

8. GENERAL PROVISIONS

8.2 LOCAL RULES

(a) DIRECTOR OF ARBITRATION

The Arbitration Department of this Court shall be administered by the Director of Arbitration. The Director of Arbitration shall be the presently designated Court Administrator. The Director of Arbitration shall develop and make available to parties and arbitrators appropriate forms for the implementation of arbitration proceedings.

(b) ADMINISTRATIVE COMMITTEE [Rescinded September 2, 2014]

(c) COMPENSATION. Arbitrators shall be compensated in the same amount and manner as judges pro tempore of the Superior Court; provided, the compensation shall not exceed \$1,000.00 for any case without approval of a Superior Court Judge.

[Effective September 1, 2005; amended 9/1/2008]

(d) These rules shall take effect on January 1, 1991 with respect to transfer of causes to arbitration. They shall take effect forthwith with respect to duties of the Director of Arbitration and the Administrative Committee.

[Adopted December 1, 1990]

PART V. LOCAL SPECIAL PROCEEDINGS RULES

(Cite as SCLSPR)

94.04.1 PARENTING SEMINARS

- (a) APPLICABLE CASES. This rule shall apply to all cases filed after September 1, 2001 under Chapter 26.09, Ch. 26.10, or Ch. 26.26 RCW which require a parenting plan for minor children; including dissolutions, legal separations, major modifications, paternity actions in which paternity has been established, and non-parental custody actions
- (b) MANDATORY ATTENDANCE. In all cases governed by this rule, all parties shall complete an approved parenting seminar. Standards for parenting seminars shall be established by the Court and providers shall be approved by the Court. An approved list of providers will be available through Court Administration. [Amended September 1, 2011]
- (c) TIMING. Parties required by this rule to participate in a parenting seminar shall complete an approved parenting seminar within 90 days after service of the petition or motion initiating the action which is subject to this rule. In the case of paternity actions initiated by the prosecuting attorney's office, the parenting seminar shall be required only when paternity is established or acknowledged and a parenting plan is requested.
- (d) FEES. Each party attending a seminar shall pay a fee charged by the approved provider and sanctioned by the court. The court may waive the fee for indigent parties.
- (e) SPECIAL CONSIDERATION/WAIVER.
- (1) In no case shall opposing parties be required to attend a seminar together.
 - (2) Upon a showing of domestic violence or abuse which would not require mutual decision-making, pursuant to RCW 26.09.191, or that a parent's attendance at a seminar is not in the children's best interest, pursuant to Ch. 26.12 RCW, the Court shall either:
 - (A) waive the requirement of completion of the seminar; or
 - (B) allow participation in an alternative voluntary parenting seminar for battered spouses.
 - (3) The Court may waive the seminar requirement for good cause shown.
- (f) FAILURE TO COMPLY. Willful refusal to participate in a parenting seminar or willful delay in completion of a parenting seminar by any party may constitute contempt of court and result in sanctions, including, but not limited to, imposition of monetary terms, striking of pleadings, or denial of affirmative relief to a party not in compliance with this rule.

[Effective September 1, 2001; amended September 1, 2009]

94.04.2 FILINGS IN FAMILY LAW CASES

- (a) APPLICATION OF RULE. This rule shall apply to all cases filed after September 1, 2003:

- (1) All family law petitions seeking dissolution of marriage, legal separation, or declaration of invalidity;
 - (2) Actions brought by parties to non-marital personal relationships involving parenting or distribution of assets/liabilities; and
 - (3) Actions to modify previously-entered parenting plan or child support final orders.
- (b) COURT'S AUTOMATIC TEMPORARY ORDER. Upon the filing of a Summons and Petition in any of the actions specified in Sections (a)(1) and (2) above, the court on its own motion shall automatically issue a Temporary Order that includes the following provisions:
- (1) The parties shall be restrained from transferring, removing, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life or as agreed in writing by the parties. Each party shall notify the other party of any extraordinary expenditure made after the order is issued.
 - (2) The parties shall be restrained from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties whether medical, health, life or auto insurance, except as agreed in writing by the parties.
 - (3) Each party shall be immediately responsible for his or her own future debts whether incurred by credit card or loan, security interest or mortgage, except as agreed in writing by the parties.
 - (4) Both parties shall have access to all tax, financial, legal and household records. Reasonable access to records shall not be denied.
 - (5) For those actions in which children are involved:
 - (i) Each parent shall be restrained from changing the residence of the child(ren) until further court order, except as agreed in writing by the parties. Subsequent orders regarding parenting issues supercede previously issued orders to the extent the orders may be inconsistent.
 - (ii) Each parent shall insure that the child(ren) not be exposed to negative comments about the other parent in the presence of the child(ren).
- (c) MEDIATION IN CONTESTED CASES. Mediation shall apply to all cases filed after January 1, 2004. Except as provided in Section (d) below, in all cases specified in Section (a) having unresolved issues (except child support issues), both parties shall in good faith engage in mediation with a court-approved mediator in an effort to resolve the case. The parties may either agree to a mediator from the court-approved list or the mediator will be determined by use of a strike list. Either party may seek a court apportionment of the cost of mediation. In cases where parenting issues exist, the mediation shall not occur until both parties have completed the parenting seminar described in SCLSPR 94.04.1. A certificate of completion signed by the mediator shall be filed with the clerk of the court prior to trial.

[Amended September 1, 2005]

- (d) WHEN MEDIATION IS NOT REQUIRED. Mediation shall be required as provided in Section (c) except in the following cases:
- (1) For good cause shown upon motion and approval by the court;
 - (2) Where a domestic violence restraining order or protection order (excluding ex-parte orders) involving the parties has been entered by a court at any any time within the previous 12 months;

(3) Where a domestic violence no contact order exists pursuant to RCW 10.99;

(4) Where the court upon motion finds that domestic abuse has occurred between the parties and that such abuse would interfere with arm's-length mediation.

Notwithstanding the foregoing, either party may by motion seek a court order requiring mandatory mediation in a case where it would not be required as set forth in (d)(2), (d)(3) or (d)(4) above if the moving party believes that the parties would be able to mediate their dispute at arm's-length under the particular circumstances of the case.

(e) FAILURE TO COMPLY. A party's compliance with the provisions of this rule may be enforced upon Motion and Order to Show Cause. Unless compliance is waived by the court for good cause shown, the court may order appropriate sanctions including costs, attorney's fees, and adoption of the complying party's proposal.

(f) REGISTRY ADMINISTRATION. The Court Administrator shall maintain and administer the family law mediator registry. The application form and requirements may be obtained from the Court Administrator's office.

(g) CERTIFICATE OF COMPLETION. Prior to a final dissolution hearing or the trial date, mediation must be completed. Failure to complete mediation, prior to the trial date, will result in the trial being stricken. A certification of completion signed by the mediator shall be filed with the clerk. [Effective September 1, 2005; amended April 2, 2006]

(h) PAGE LIMITATION. Absent prior authorization from the court, the entirety of all declarations and affidavits from the parties and any non-expert witness in support of motions shall be limited to a sum total of twenty (20) pages. The entirety of all declarations and affidavits submitted in response to motions shall be limited to a sum of twenty (20) pages. The entirety of all declarations and affidavits submitted in reply shall be limited to a sum total of five (5) pages. All declarations and affidavits must be legibly hand printed or typed in at least twelve (12) point type, and 1½ space format. All pages, including attached declarations and affidavits shall be sequentially numbered. Working copies of previously filed documents or orders are excluded from page limitation.

(1) Exhibits. Exhibits that consist of declarations or affidavits of parties or witnesses shall count towards the above page limit. All other exhibits attached to a declaration or affidavits shall not be counted toward the page limit.

(2) Financial Declarations. Financial declarations and financial documents do not count toward the page limit.

(3) Expert Reports and Evaluations. Declarations, affidavits, and reports from Family Court Investigation, guardians ad litem, police reports, substance abuse evaluations, psychological evaluations and other expert witnesses do not count toward the page limitation.

(4) Sanctions. Failure to comply with this rule may result in sanctions that may include, but are not limited to, striking over limit pleadings.

[Adopted September 1, 2012]

(i) FINAL DISSOLUTION HEARINGS. Prior to scheduling the final dissolution hearing or trial, pro se litigants shall meet with the Courthouse Facilitator. [Amended September 1, 2012; amended November 1, 2013]

(j) PRETRIAL AFFIDAVITS IN DISSOLUTION PROCEEDINGS. A case summary affidavit in the form provided in Appendix I to these rules shall be filed and served on opposing counsel by noon of the day preceding trial. Judge's copies shall be delivered to the Court Administrator's Office at that time. [Amended September 1, 2012 number change only.]

(k) FINAL PAPERS IN UNCONTESTED DISSOLUTION MATTERS. Final papers in uncontested dissolution matters may be presented ex parte if accompanied by an affidavit of one of the parties setting forth jurisdictional facts and signed by at least one attorney. Final papers in pro se dissolution matters must be set on a Monday calendar after being reviewed the Courthouse Facilitator. [Effective September 1, 2003; amended September 1, 2004; amended September 1, 2009; amended September 1, 2011; amended September 1, 2012 number change only.]

(l) REVIEW OF ALL FINAL PLEADINGS. Pro se litigants, married or unmarried, are required to meet with the Courthouse Facilitator on all final decrees, final orders and accompanying findings of fact and conclusions of law, parenting plans, orders of child support, and child support worksheets for family law cases involving children. The Courthouse Facilitator must review the documents for form and completeness prior to presentation to a judicial officer at a hearing or trial. [Adopted September 1, 2015]

94.04.3 JUDICIAL INFORMATION SYSTEM BACKGROUND CHECKS

Prior to presenting a *permanent or final* parenting plan to the court, the party or parties presenting the final parenting plan shall submit a completed judicial information service (JIS) background check form to Skagit County Superior Court Administration. Such request must be submitted no less than three days prior to the date of presentation of the final parenting plan. [adopted March, 2008; amended September 1, 2009]

94.04.4 FAMILY LAW TRIAL REQUEST AND CONFIRMATION

(d) FAMILY LAW TRIAL REQUEST. The trial assignment calendar shall be held on each Monday at 9:30 a.m. Parties need not be present for this calendar, but should proceed according to the remainder of this rule. Trial dates shall be assigned by the Court Administrator pursuant to requests made in accordance with CR 40, using the form in Appendix H (for pro se litigants) or J to these Local Rules.

(1) *Parenting Seminar Required.* A parenting seminar under SCLSPR 94.04.1 must be completed, if applicable, before requesting a trial date.

(2) *Mandatory Mediation on Domestic Matters.* Certification of completed mediation must be filed prior to trial or the matter is subject to being stricken by the Court. See SCLSPR 94.04.2(c)-(g).

(3) *Conflict Dates.* The parties shall file with the clerk of the court a notice of conflict dates on or before the date set for the trial assignment. A trial date will be assigned even if all parties have not submitted conflicts. Conflict dates shall be limited to previously scheduled vacations, trial dates, arbitrations and mediations. If counsel is involved, counsel is to include the name of the trial, arbitration or mediation in conflict and the location of the conflict. The form Notice of Conflict Dates may be found in the Forms Appendix.

(4) *Objections to Trial Assignment.* The Court Administrator shall set the trial date from the trial assignment calendar. Objections to having a trial date assigned shall be made by motion and noted for hearing within 14 calendar days of filing of the Note for Trial Assignment. If the Court finds the objection has merit, the trial date will be stricken.

(5) *Continuances and Settlement.* Parties shall immediately notify the Court Administrator if a trial has settled or has been continued.

(e) CONFIRMATION OF FAMILY LAW TRIALS. All family law trials shall be confirmed by noon two court days before the scheduled trial date. Parties shall confirm trials by calling the Superior Court Administrator's Office (360) 336-9320. If a trial is not confirmed in accordance with this rule, the trial will be stricken.

[Adopted September 1, 2009]

94.04.5 EVIDENCE AND EXHIBITS IN FAMILY LAW: SPECIAL PROVISIONS

(a) APPRAISALS OF AUTOMOBILES AND BOATS. In addition to individual appraisals of automobiles, trucks, and boats, the Court will give judicial recognition to Kelly Blue Book, NADA, or other recognized internet appraisal services on all automobiles, trucks, and boats. The appraisal should be for fair market retail value in the local area and be consistent with the description of the item being appraised.

(b) EXHIBITS. When a documentary exhibit is used at trial during witness examination and reference to the contents of the exhibit is necessary to understand the issues, the party shall provide extra copies of the exhibit to opposing counsel and the court.

[Adopted September 1, 2009]

98.16.1 GUARDIANSHIP MONITORING [Rescinded September 1, 2011]

98.16.2 PROBATE MATTERS NOT REQUIRING NOTICE

(a) EX PARTE PRESENTATION. Probate matters not requiring notice may be presented ex parte.

[Adopted September 1, 2009]

PART VI. LOCAL RULES FOR GUARDIAN AD LITEM REGISTRY
(TITLES 11 AND 26)
(Cite as SCLGALR)

1. SCOPE AND PURPOSE

- 1.1 This local rule covers the administration of the Guardian ad Litem Registry maintained by the Skagit County Superior Court under RCW Chapters 11 and 26.

2. REGISTRY ADMINISTRATION

- 2.1 The Court Administrator shall maintain and administer the Guardian ad Litem registries. These registries are limited to Titles 11 and 26 guardians ad litem. These requirements and procedures also apply to persons not listed on a registry who are appointed to serve as a guardian ad litem in a field for which there is a registry.
- 2.2 The Court Administrator shall maintain an application form and background information records pertaining to each person on a registry. Persons listed on the registry shall reapply annually and provide a WSP criminal background check for the September 1st review date. All application and background information, with the exception of personal identifying information in family law cases and pending complaints, shall be available for public inspection.
- 2.3 Persons shall be selected to serve on the registry at the discretion of the court giving due consideration to having a sufficient number of guardians ad litem available to fulfill the requests for appointment and to retain panels of persons with substantial experience and special knowledge within given fields.

In some cases there may be more qualified applicants than will be needed or would benefit the program, so that not all persons applying will be selected.

- 2.4 The court shall periodically sponsor or approve training programs which registry applicants shall be required to attend to maintain and improve their level of proficiency. Training programs may be co-sponsored or offered by the state or local bar association under the oversight of the court.
- 2.5 The registry may be reconstituted periodically after an open application period has been announced. The court may allow additional applicants to be added to the registry in March of each year. All new applications are due by March 1st for consideration. [amended September 1, 2010]
- 2.6 The court may impose an application processing fee and/or charge a fee for the training programs.

3. EDUCATION AND EXPERIENCE REQUIREMENTS

- 3.1 Attorneys must be a member of the Washington State Bar Association in good standing, and provide proof of successful completion of guardian ad litem training as required by Title 11 and/or 26.
- 3.2 Non-Attorneys
- (a) Family Law Registry (Title 26)
- (1) Bachelor level degree in any of the following fields: social work, psychology, counseling, nursing, medicine or equivalent field; or

- (2) Certified by the State of Washington as a social worker, mental health therapist or marriage and family counselor, or licensed as a psychologist, nurse or physician, in good standing; or
- (3) Proof of successful completion of guardian ad litem training as required by Title 26 and proof of four completed guardian ad litem assignments for any Washington State superior court within the past five years

and

Proof of successful completion of guardian ad litem training as required by Title 26 and proof of successful completion of two supervised guardian ad litem assignments as follows:

- (i) One guardian ad litem assignment done in conjunction with a mentor guardian ad litem which shall include accompanying the mentor on all visits, attendance at all interviews, participation in preparation of a report, and attendance at all court hearings. The mentor is the guardian ad litem of record and this assignment is without compensation to the applicant.
- (ii) One guardian ad litem assignment done under the supervision of the same mentor guardian ad litem which shall include more active participation on the part of the applicant, i.e., requesting documents, conducting interviews, preparing reports under the supervision of the mentor. The mentor is the guardian ad litem of record and this assignment is without compensation to the applicant.

[amended November 1, 2008]

(b) Guardianship, Probate and Minor Settlement Registry (Title 11)

- (1) Two (2) years of experience in the needs of impaired elderly people, physical disabilities, mental illness, developmental disabilities/ and/or other areas relevant to the needs of incapacitated persons, and
- (2) Successful completion of mandatory Title 11 training.

4. APPLICATION

- 4.1 Each person requesting to be listed on the Guardian ad Litem Registry (or registries) shall submit an application by September 1st of each year. The application form and requirements may be obtained from the Court Administrator's office.

5. APPOINTMENT OF GUARDIAN AD LITEM

- 5.1 When the need arises for the appointment of a guardian ad litem in a case involving a subject area for which there is a registry, the court shall appoint a person from the registry, unless good cause is found and findings are entered supporting appointment of a person not listed on the registry.
- 5.2 Appointments from the registries shall be made in the exercise of the court's sound discretion. The court may, but is not obligated to, appoint a person whom all parties have stipulated to serve as guardian ad litem. Agreement of all parties will not suffice when one or more parties are alleged to be under a legal disability.
- 5.3 In making appointments from a registry, among other factors, the court will consider the facts of the case, and the skills, experience and knowledge of persons on the registry.

5.4 Generally a guardian ad litem will be required to accept a minimum of two (2) appointments per year at public expense. These two appointments from the previous year should be listed on the application.

5.5 Generally, appointments will be made on a rotational basis from the registry.

[Amended September 1, 2005]

5.6 Appointment of a guardian ad litem in all cases shall be on the form required by the court.

5.7.1 The court shall make provisions for fees and expenses pursuant to statute in the Order Appointing Guardian ad Litem or in any subsequent order. For all cases filed in Skagit County, Order Appointing Guardian ad Litem form shall be used. (See Appendix S.) All expenses must be approved in advance.

[Amended September 1, 2005; amended September 1, 2015]

5.8 The Guardian ad Litem Review Committee will address any complaints made by any guardian ad litem regarding registry or appointment matters upon the Court Administrator's receipt of said complaint. The guardian ad litem shall be notified in writing of the Guardian ad Litem Review Committee's decision.

6. RETENTION ON REGISTRY

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

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

6.3 A person may be denied listing on, or may be temporarily suspended from, the registry for any reason that places the suitability of the person to act as guardian ad litem in question.

6.4 A guardian ad litem who ceases to be on the registry and who still has active or incomplete cases shall immediately report his circumstance to the Court Administrator, and the court shall reassign such cases.

6.5 A person's retention on the registry shall be reviewed upon the court's receipt of a complaint regarding performance in office or the court's receipt of adverse information regarding the suitability of a person to serve as a guardian ad litem. Complaints shall be reviewed in accordance with Section VI.

7. COMPLAINT PROCEDURE

7.1 There shall be a Guardian ad Litem Review Committee consisting of the Superior Court Presiding Judge, the Superior Court Administrator, a representative of the Skagit County Bar Association, and a guardian ad litem from the registry, appointed by the Presiding Judge.

7.2 The Guardian ad Litem Review Committee, hereinafter referred to as the "Committee," will administer complaints about guardians ad litem.

7.3 All complaints must be in writing and must be submitted to the Superior Court Administrator, 205 W. Kincaid, Room 202, Mount Vernon, WA 98273. All complaints must bear the signature, name and address of the person filing the complaint.

- 7.4 Upon receipt of a written complaint, the Court Administrator shall convene the Committee to review the complaint. Upon review of the complaint, the Committee shall either:
- (a) Making a finding that the complaint is with regard to a case then pending in the court and decline to review the complaint and so inform the complainant. In such instances the Committee shall advise the complainant that the complaint may only be addressed in the context of the case at bar, either by seeking the removal of the guardian ad litem or by contesting the information or recommendation contained in the guardian ad litem's report or testimony. In such cases the Committee and its members shall perform its role in such a manner as to assure that the trial judge remains uninformed as to the complaint; or
 - (b) Make a finding that the complaint has no merit on its face and decline to review the complaint and so inform the complainant; or
 - (c) Make a finding that the complaint appears to have merit and request a written response from the guardian ad litem within 10 business days, detailing the specific issues in the complaint to which the Committee desires a response. The Committee shall provide the guardian ad litem with a copy of the original complaint. In considering whether the complaint has merit, the Committee shall consider whether the complaint alleges the guardian ad litem has:
 - (1) Violated a code of conduct including all Superior Court Guardian ad Litem Rules (GALR) and applicable professional codes of conduct. [Amended March 1, 2013; amended June 1, 2013]
 - (2) Misrepresented his or her qualifications to serve as a guardian ad litem;
 - (3) Breached the confidentiality of the parties;
 - (4) Falsified information in a report to the court or in testimony before the court;
 - (5) Failed, when required, to report abuse of a child;
 - (6) Communicated with a judicial officer ex-parte concerning a case for which he or she is serving as a guardian ad litem;
 - (7) Violated state or local laws or court rules; or
 - (8) Taken or failed to take any other action which would reasonably place the suitability of the person to serve as a guardian ad litem in question.
- 7.5 Upon receipt of a written response to a complaint from the guardian ad litem, the Committee shall make a finding as to each of the issues delineated in the Committee's letter to the guardian ad litem. Such findings shall state that either there is no merit to the issue based upon the guardian ad litem's response or that there is merit to the issue.
- 7.6 The Committee shall have the authority to issue a written admonishment, a written reprimand, refer the guardian ad litem to additional training, or recommend to the Presiding Judge that the court suspend or remove the guardian ad litem from the registry. In considering a response, the Committee shall take into consideration any prior complaints that resulted in an admonishment, reprimand, referral to training, or suspension or removal from a registry. If a guardian ad litem is listed on more than one registry, the suspension or removal may apply to each registry the guardian ad litem is listed on, at the discretion of the Committee.
- 7.7 The complainant and the guardian ad litem shall be notified in writing of the Committee's decision following receipt of the guardian ad litem's response.

- 7.8 Complaints shall be resolved within twenty-five (25) days of the date of receipt of the written complaint if a case is pending. Complaints shall be resolved within sixty (60) days of the date of receipt of the written complaint if the complaint is filed subsequent to the conclusion of a case.

[Amended April 1, 2006]

- 7.9 A complaint shall be deemed confidential for all purposes unless the committee has determined that it has merit. [correction of numbering September 1, 2008]
- 7.10 Any record of complaints filed which are not deemed by the committee to have merit shall be confidential and shall not be disclosed except by court order.

[Adopted April 1, 2006; correction of numbering September 1, 2008]

8. PAYMENT OF GUARDIAN AD LITEM

- 8.1 There shall be no payment of a guardian ad litem by anyone, except as authorized by order of the court.
- 8.2 Each order appointing guardian ad litem shall set forth the hourly rate of compensation for the investigative/guardian ad litem work; source of payment, if determined. [Amended September 1, 2013]
- 8.3 The order appointing a guardian ad litem may include a provision for a retainer fee, as evidenced by itemized accounting, to be returned to the parties according to their proportionate responsibility for payment of the guardian ad litem.
- 8.4 All fee requests by the guardian ad litem submitted to the court shall contain time records, which distinguish investigative/guardian ad litem, administrative/clerkical, and travel time and shall also be served upon the parties. This should be presented to Court Administration along with an Order Authorizing Payment. [Amended September 1, 2011]
- 8.5 Guardian ad litem fees shall be the responsibility of a party or parties unless the court has entered an order authorizing payment at public expense.

[Adopted July 1, 2002; Amended effective September 1, 2003; amended effective September 1, 2004]

9. TITLE 26 GAL REPORTING

- 9.1 The guardian ad litem must report to the court within six months of order appointing GAL regarding the progress if not specifically stated in the order appointing. [adopted March, 2008; amended 9/1/2008; amended September 1, 2009]

<p style="text-align:center">PART VII. LOCAL CRIMINAL RULES (Cite as SCLCrR)</p>

LCrR 1. SCOPE, PURPOSE AND CONSTRUCTION

(Rules 1.1-1.5)

(No Local Rules)

LCrR 2. PROCEDURES PRIOR TO ARREST AND OTHER SPECIAL PROCEEDINGS

(Rules 2.1-2.3)

(No Local Rules)

LCrR 3. RIGHTS OF DEFENDANTS

(Rules 3.1-3.6)

CrR 3.1(d)(4) Attorney certification. Attorneys who anticipate being appointed to represent adult indigents in criminal cases must comply with CrR 3.1(f) by filing a certification of compliance with the Clerk of the Superior Court. The certification should be filed at least fourteen (14) days prior to each calendar quarter.

The Clerk will maintain an administrative file for such certifications. The administrative files will be open for public inspection. [Adopted March 1, 2013; amended June 1, 2013]

LCrR 4. PROCEDURES PRIOR TO TRIAL

(Rules 4.1-4.10)

(No Local Rules)

LCrR 5. VENUE

(Rules 5.1-5.2)

(No Local Rules)

LCrR 6. PROCEDURES AT TRIAL

(Rules 6.1-6.16)

RULE 6.12 WITNESSES

(e) Exhibits. When a documentary exhibit is used at trial during witness examination and reference to the contents of the exhibit is necessary to understand the issues, counsel shall provide extra copies of the exhibit to opposing counsel and the court.

[Adopted September 1, 2009]

RULE 6.15 INSTRUCTIONS AND ARGUMENT

(a) Proposed Instructions.

(1) Provide to judge when trial begins, two copies of proposed jury instructions. One copy shall be cited and the other uncited with plaintiff's proposed instructions numbered in pencil on the lower left corner and the defendant's proposed instructions numbered in pencil on the lower right corner to correlate with jury instructions.

[Adopted September 1, 2009]

(b) Juror questionnaires for trials. Juror questionnaires must be agreed to by both sides or approved by the Court on motion of either party. Copies should be provided to Court Administration by Noon Friday. [Adopted September 1, 2011]

LCrR 7. PROCEDURES FOLLOWING CONVICTION
(Rules 7.1-7.8)
(No Local Rules)

LCrR 8. MISCELLANEOUS
(Rules 8.1-8.9)

RULE 8.2 MOTIONS

(a) Motions in Limine. All motions in limine shall be heard by the trial judge prior to trial. If a lengthy hearing is anticipated, a special set hearing may be requested under SCLAR 0.3(a).

(b) Child Hearsay Motion Hearings. Child hearsay hearings are to be special set in front of the trial judge (if possible) pursuant to special set rules under SCLAR 0.3(a). Child Hearsay Hearings shall not be scheduled on any criminal calendar.

[Adopted September 1, 2009]

RULE 8.4 SERVICE, FILING, AND SIGNING OF PAPERS

(a) Action documents. Pleadings or other documents requiring action on the part of the Clerk/Court (other than file stamping, docketing and entry in the court file) shall be considered action documents. Action documents must contain special caption and specify the action required on the first page.

(b) Judge's Copies. Judge's copies of legal memoranda are to be provided to the Court Administrator's Office at the time of filing for all motions. Furthermore, Judge's copies of Pre-Sentence Investigation Reports and Sentencing Briefs shall be provided to the Court Administrator's Office at the time of filing.

(c) Case Numbers. Documents may be filed with more than one case number for adult felony pleadings as provided in CrR 4.3(b) only.

[Adopted September 1, 2009]

**PART VIII. LOCAL RULES FOR APPEAL OF DECISIONS OF COURTS
OF LIMITED JURISDICTION
(Cite as SCLRALJ)**

RULE 7.2 TIME FOR FILING BRIEFS

(d) Briefing Schedule

(1) *Case Schedule.* The moving party shall prepare a case scheduling order upon filing a notice of appeal.

[Effective September 1, 2005; amended September 1, 2009]

Rule 8.5 CONFIRMATION OF ORAL ARGUMENT

(a) It shall be the responsibility of the petitioner to confirm oral argument on the Thursday 9:30 a.m. calendar by 4:00 p.m. Friday the week before the scheduled hearing. [Amended March 1, 2012, January 1, 2014]

(b) Confirmation shall be made by telephone to the Court Administrator's Office at (360) 336-9320 between 8:30 a.m. Monday and 4:00 p.m. Friday the week prior to when the oral argument is scheduled for hearing. [Amended September 2, 2014]

(c) Motions not confirmed in accordance with this rule will be stricken.

[Adopted September 1, 2009]

**PART IX MENTAL PROCEEDINGS RULES
(Cite asSCMPR)**

Rule 2.4

(c) To assure compliance with the 72-hour hold limitation in RCW 71.05, in the event of a late detention resulting in the need for a continuance or special set probable cause hearing, the parties must either agree to the less than 24-hour continuance or obtain a special set hearing through Court Administration. The agreed order of continuance shall be presented in Superior Court no later than the first ex parte calendar following the detention. [Adopted March 1, 2012; amended September 1, 2012]

**PART X JUVENILE COURT RULES
(Cite asJuCR)**

JuCR 9.2(d) Attorney Certification. Attorneys who anticipate being appointed to represent juvenile indigents in criminal offender cases in the Skagit County Superior Court, Juvenile Division must comply with JuCR 9.2 by filing a certification of compliance with the Clerk of the Superior Court. The certification should be filed at least fourteen (14) days prior to each calendar quarter.]

The Clerk will maintain an administrative file for such certifications. The administrative files will be open for public inspection. [Adopted March 1, 2013; amended June 1, 2013]

JuCR 10.7.1 Administrative Sealing after Disposition

(a) In all dispositions of offender matters in juvenile court, at the time of disposition, the Court shall determine if the charges are subject to administrative sealing pursuant to HB 1651, and if so, set a date for an administrative review in the disposition order.

- (b) All juvenile offenses are subject to administrative sealing, pursuant to HB 1651, other than:
 - 1) Most serious offenses as defined in RCW 9.94A.030.
 - 2) Sex Offenses as defined in RCW 9A.44
 - 3) Felony Drug Offenses as defined by RCW 9.94A.030, except possession of a controlled substance or forged prescription for a controlled substance.

- (c) At disposition, the Court shall set the administrative review:
 - a. After the respondent turns 18; and
 - b. After anticipated completion of community supervision or parole if any; and
 - c. After anticipated release from detention or JRA.

- (d) Administrative reviews shall be held monthly on or after a date as set by the court administrator. Administrative reviews may be conducted in chambers. The date set in the disposition order will indicate a month and year. Any interested party may contact the Skagit County Superior Court Clerk's Office or refer to the Skagit County Superior Court website to determine the date that the administrative hearings will occur on or after for any given month.

- (e) The County Prosecutor, Public Defender, and a representative of the Office of Juvenile Court may provide input on whether a case qualifies for administrative sealing before the review. A list of cases set for administrative review shall be available to the Prosecutor, Public Defender, and representative of the Office of Juvenile Court at least one week prior to the reviews. Included with this list shall be information from the County Clerk, indicating whether the respondents have paid their legal financial obligations for the cases set for review.

- (f) The respondent may, but need not, be present at the administrative review. The respondent may, but need not, retain counsel who may be present. If the respondent or counsel chose to appear, they shall notify the court clerk 5 days prior to the review date, and the court clerk shall move the review onto a regularly scheduled Juvenile Offender Calendar.

- (g) If any person not a party to the case wishes to make an objection to sealing, that objection must be in writing and filed with the court 9 court days before the administrative review. If an objection is filed, the review shall be moved to a regularly scheduled Juvenile Offender Calendar.

- (h) At the administrative review, unless there is an objection or the Court believes there is a compelling reason not to seal, the Court shall seal the records if:
 - a. The respondent has completed the terms of disposition. Completion is presumed unless a probation violation is pending or a warrant is active in the cause; and
 - b. The respondent has paid legal financial obligations.

- (i) The Court shall seal the records, or deny sealing, using court form "Order Re: Sealing Records of Juvenile Offender (ORSF, ORSFD)."

- (j) After the administrative review, the Court shall mail a copy of the order sealing or denying sealing, to the respondent at the last known address per the Judicial Information System.

- (k) If the matter qualifies for administrative sealing, but there is an objection or the Court believes there is a compelling reason not to seal, the matter shall be set for a hearing on the regularly scheduled juvenile offender calendar, with at least 18 days notice provided to all parties.
- (l) If the respondent has not completed his/her terms of disposition, including paying legal financial obligations, by the date of the first administrative review, the Court may continue the administrative review to another date as set by the judge.
- (m) Nothing in this local court rule prevents a respondent from petitioning at another time, or in another manner, for sealing of records as authorized by law.

[Adopted September 2, 2014]

JuCR 10.7.2 Administrative Sealing after a Dismissal or Acquittal

Any time a charge is dismissed or acquitted, the prosecutor shall immediately file with the Court, court form "Order Re: Sealing Records of Juvenile Offender (ORSF, ORSFD)," sealing the records.

[Adopted September 2, 2014]

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

vs. Plaintiff(s), Defendant(s).	NO. DEMAND FOR ARBITRATION/ NOTE FOR MOTION CALENDAR <input type="checkbox"/> Clerk's Action Required
---	--

TO: The Clerk of the Skagit County Superior Court and the Attorneys and Parties listed below:

DEMAND FOR ARBITRATION

- This case is subject to arbitration because the sole relief sought is a money judgment and involves a claim not in excess of fifty thousand dollars exclusive of attorney fees; interests and costs. (MAR 1.2)

- The undersigned contends that the claim exceeds the maximum amount authorized under RCW 7.06.020, but for purposes of arbitration waives any claim in excess of such amount.

NOTE FOR MOTION DOCKET (ARBITRATION)

Please take note that the issue of arbitrability will be heard on the date set out below and the Clerk is requested to note the same for the Motion Docket for that date.

DATE OF HEARING: _____ at 9:30 A.M.

Any response to this Demand for Arbitration must be filed with the Clerk and served upon counsel within two (2) working days of the date Demand is scheduled for hearing.

SUBMITTED BY: _____ Dated: _____

Signed: _____ WSBA # _____

Address/Phone _____

Attorney for: _____

CERTIFICATE OF MAILING: I certify that I mailed a copy of this document to the parties listed, postage prepaid on the ____ day of _____, 200__.

Signature: _____

OTHER ATTORNEY/PARTY (use additional page if required)

Name: _____ WSBA # _____

Address/Phone: _____

Attorney for: _____

NOTE:

File the original of this document with the County Clerk.

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

vs. Plaintiff(s), Defendant(s).	NO. ORDER ON DEMAND FOR ARBITRATION
---	---

THIS MATTER having come on for an Order concerning arbitrability and it appearing that the matter before the Court upon due notice to all parties, and the Court being fully advised in the premises,

NOW, THEREFORE, IT IS ORDERED that this case:

- IS SUBJECT TO MANDATORY ARBITRATION and is hereby transferred to arbitration.

- IS NOT SUBJECT TO MANDATORY ARBITRATION, because:
 - Opposing party's claim exceeds \$50,000;
 - Opposing party seeks relief other than a money judgment;
 - A party's counter or cross claim exceeds \$50,000;
 - A party's counter or cross claim seeks relief other than a money judgment;
 - or
 - This case is an appeal from a lower court not subject to Mandatory Arbitration.
 - Other: _____

DONE IN OPEN COURT this ____ day of _____, 200__.

JUDGE/COURT COMMISSIONER

Presented by:

Attorney for Plaintiff, WSBA #

Address _____

Phone _____

Attorney for Defendant, WSBA #

Address _____

Phone _____

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

<p style="text-align: center;">Plaintiff(s),</p> <p style="text-align: center;">vs.</p> <p style="text-align: center;">Defendant(s).</p>	<p style="text-align: center;">NO.</p> <p style="text-align: center;">RESPONSE TO DEMAND FOR ARBITRATION</p>
--	---

TO: The Clerk of the Skagit County Superior Court and the Attorneys and Parties listed below:

The undersigned responds to the prior Demand for Arbitration filed in this case and:

AGREES TO MANDATORY ARBITRATION.

OBJECTS TO MANDATORY ARBITRATION, because:

Opposing party's claim exceeds \$50,000;

Opposing party seeks relief other than a money judgment;

A party's counter or cross claim exceeds \$50,000;

A party's counter or cross claim seeks relief other than a money judgment;

or

This case is an appeal from a lower court and not subject to Mandatory Arbitration.

Other: _____

Any response to a Demand for Arbitration must be filed with the Clerk and a copy served upon opposing counsel not less than two (2) working days prior to the date the Demand is noted for hearing [LMAR 2.1 (c)].

SUBMITTED BY: Dated: _____

Signed _____
WSBA #

Address/Phone: _____

Attorney for: _____

CERTIFICATE OF MAILING: I certify that I mailed a copy of this document to the parties listed, postage prepaid on the ____ day of _____, 200__.

Signature: _____

Note: File the original of this document with the Clerk.

OTHER ATTORNEY/PARTY (Use additional page if required)

Name: _____
WSBA #

Address/Phone: _____

Attorney for: _____

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

<p>vs.</p> <p>Plaintiff(s),</p> <p>Defendant(s).</p>	<p>NO.</p> <p>STIPULATION AND ORDER TRANSFERRING TO ARBITRATION</p> <p>(EX PARTE)</p>
--	---

BASED ON THE FOLLOWING STIPULATIONS:

That the case may be transferred to arbitration;

That this case is at issue; that no affirmative pleading remains unanswered; that no other parties will be served with summons; and that the case is in all respects ready for arbitration;

That the following persons has been selected and has agreed to serve as arbitrator; (leave blank if the parties are not stipulating to an arbitrator):

NAME _____

ADDRESS _____

PHONE _____

ORDER

IT IS ORDERED that this case is transferred to arbitration under the provisions of LMAR.

DONE IN OPEN COURT this _____ day of _____, 200_____.

JUDGE/COURT COMMISSIONER

PRESENTED BY:

Attorney for Plaintiff, WSBA #

Address _____

Phone _____

Attorney for Defendant, WSBA #

Address _____

Phone _____

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

Petitioner, vs. Respondent.	NO. _____ CERTIFICATE OF COMPLETION (MEDIATION)
---	--

Per SCLSPR 94.08.2 (c) A certificate of completion provided by the mediator must be filed with the clerk of the court prior to trial.

NAME OF SKAGIT COUNTY APPROVED MEDIATOR:

DATE ABOVE PARTIES COMPLETED MEDIATION: _____

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Signed this ____ day of _____, at _____, Washington.

(Signature of Mediator)

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

vs. <div style="text-align: center; margin-top: 20px;"> Petitioner </div> <div style="text-align: center; margin-top: 20px;"> Respondent. </div>	NO. <div style="text-align: center; margin-top: 20px;"> NOTE FOR CALENDAR (self-represented parties) </div>
--	---

TO: THE CLERK OF COURT and to OPPOSING ATTORNEY(S) or PARTY

NOTE FOR CALENDAR

Please note that the issue of law in this case will be heard on the date set out in the margin and the Clerk is requested to note the same on the motion calendar for that day.

DOMESTIC

Date & time of hearing: _____ (hour)

Nature of hearing: _____

(A motion and declaration must also be filed)

NOTE FOR DISSOLUTION CALENDAR
 (For Non-Contested Final Decree)

Please note this case on the non-contested dissolution calendar for hearing on the date set forth.

Date of hearing: _____

Time of hearing: _____

NOTICE TO OTHER PARTIES (REQUIRED):

PERSON NOTING THIS MATTER:

Name _____

Name _____

Address _____

Address _____

 (Use additional page for additional parties)

Phone number: _____

CERTIFICATE OF MAILING: I certify, upon penalty of perjury in the State of Washington, that I mailed a copy of this document to the parties listed, postage prepaid on the ____ day of _____, 20____.

Signature: _____ Print Name: _____

SUPERIOR COURT WASHINGTON COUNTY OF SKAGIT COUNTY

<p style="text-align: center;">_____, Petitioner,</p> <p style="text-align: center;">vs.</p> <p style="text-align: center;">_____, Respondent.</p>	<p>Case No.:</p> <p style="text-align: center;">NOTE FOR TRIAL ASSIGNMENT (Self-Represented Parties)</p> <p style="text-align: center;"><input type="checkbox"/> Clerk's Action Required <i>File original of this document with the County Clerk</i></p> <p style="text-align: center;">FILL OUT FORM COMPLETELY</p>
--	--

TO: The Clerk of the Skagit County Superior Court and the Parties listed below:

This case is ready for trial. The Clerk is requested to send this case to the Court Administrator for Trial Assignment.

Have you completed the mandatory mediation? Yes No

Have you completed the parenting seminar, if applicable? Yes No

Trial Assignment Date (any Monday, no personal appearance required): _____

Issues to be Resolved: property/debt distribution; spousal maintenance; parenting plan; child support; other: _____

SUBMITTED THIS _____ DAY OF _____.

Signature: _____

Address (required): _____

Other Party (use additional page, if required)

Name: _____

Address (required): _____

CERTIFICATE OF MAILING: I certify that I mailed a copy of this document to the parties listed, postage prepaid on the _____ day of _____, 200____.

Signature: _____

SUPERIOR COURT OF WASHINGTON
COUNTY OF SKAGIT

In re

NO. _____

PRETRIAL AFFIDAVIT OF: PETITIONER
 RESPONDENT

I. PERSONAL DATA

Name: _____, Age _____ Occupation: _____
Marriage/Relationship date: _____ Employer: _____
Separation date: _____ Gross monthly income: _____
Children's ages: _____ Net monthly income: _____

II. SUGGESTED RESIDENTIAL TIME FOR CHILDREN

With Father: _____

With Mother: _____

III. SUGGESTED CHILD SUPPORT

If child support is at issue, complete and file an updated set of Washington State Child Support Worksheets.
Based on current Worksheets, the presumptive amount of child support for ____ children is \$ _____ per month.
Child support should be set at \$ _____ per month, because _____

IV. SUGGESTED MAINTENANCE

If maintenance is at issue, complete and attach the Monthly Expense schedule, and page 1 of the Washington State Child Support Worksheets (showing income and deductions).
Maintenance of \$ _____ per month should be paid to the husband wife, until _____, because _____

V. ASSETS AND DEBTS

MONTHLY EXPENSES OF _____ AND _____ DEPENDENTS:

Housing:
Rent or house payment.....
Taxes and insurance

Utilities:
Heat (gas & oil).....
Electricity.....
Water, sewer, garbage.....
Telephone.....
Cable.....

Food and Supplies:
Food for ____ persons.....
Supplies (paper, tobacco, pets).....
Meals eaten out

Children:
Day care / babysitting.....
Clothing.....
Tuition (if any)

Transportation:
Vehicle payments or leases.....
Vehicle insurance & license.....
Vehicle gas, oil, ordinary maintenance.....
Parking

Health Care:
Insurance.....
Uninsured dental, orthodontic, medical, eye care

Personal Expenses (not including children):
Clothing.....
Hair care / personal care.....
Clubs & recreation.....
Education.....
Books, newspapers, magazines, photos.....
Gifts.....

Miscellaneous:
Life insurance (if *not* deducted from income).....
.....
.....
.....
.....
.....
.....
.....
.....

TOTAL MONTHLY EXPENSES:.....

Article I. COMMUNITY ASSETS

Asset #	Description of Community Asset	Related Debt #	Wife's Position			Husband's Position		
			Fair Mkt Value	To Wife	To Husband	Fair Mkt Value	To Wife	To Husband
CA-1								
CA-2								
CA-3								
CA-4								
CA-5								
CA-6								
CA-7								
CA-8								
CA-9								
CA-10								
CA-11								
CA-12								
CA-13								
CA-14								
COMMUNITY ASSET TOTALS:								

Article II. SEPARATE ASSETS

Asset #	Description of Separate Asset	Related Debt #	Wife's Position			Husband's Position		
			Fair Mkt Value	To Wife	To Husband	Fair Mkt Value	To Wife	To Husband
SA-1								
SA-2								
SA-3								
SA-4								
SA-5								
SA-6								
SA-7								
SA-8								
SA-9								
SA-10								
SA-11								
SA-12								
SA-13								
SA-14								
SEPARATE ASSET TOTALS:								

Article III. COMMUNITY DEBTS

Debt #	Description of Community Debt	Related Asset #	Wife's Position			Husband's Position		
			Balance at Separation	To Wife	To Husband	Balance at Separation	To Wife	To Husband
CD-1								
CD-2								
CD-3								
CD-4								
CD-5								
CD-6								
CD-7								
CD-8								
CD-9								
CD-10								
CD-11								
CD-12								
CD-13								
CD-14								
COMMUNITY DEBT TOTALS:								

SD-14								
SEPARATE DEBT TOTALS:								

CERTIFICATE OF MAILING: I certify that I mailed a copy of this document to the parties listed, postage prepaid on the ____ day of _____, 200 ____.

Signature: _____

Note: File the original of this document with the Clerk AND a copy to Court Administration

OTHER ATTORNEY/PARTY (Use additional page if required)

Name: _____
WSBA #

Address/Phone: _____

Attorney for: _____

Case Number: _____

Hearing Date: _____

SKAGIT COUNTY SUPERIOR COURT

JIS SEARCH FOR ALL CASES INVOLVING CHILDREN

PARTY	NAME	BIRTHDATE
Petitioner		
Respondent		
Other Adult in Prospective Custodial Home		
Other Adult in Prospective Custodial Home		

Date: _____

Presented By: _____

- **This form must be filed by both parties at the Court Administrator's Office at least two days before final orders are scheduled to be entered.**
- **If orders are to be presented at ex parte, Court Administration must be notified.**

**SKAGIT COUNTY SUPERIOR COURT
GUARDIAN AD LITEM APPLICATION**

TITLE 11.88 _____

TITLE 26 _____ *Please refer to RCW 26.12.175 for all requirements.*

(Please check which Title applying for)

CONTACT INFORMATION

LAST NAME	FIRST NAME	MIDDLE	DATE
BUSINESS NAME OR FIRM			SSN OR TAX ID (CONFIDENTIAL)
STREET AND MAILING ADDRESS			CITY STATE ZIP
BUSINESS PHONE			
RETAINER AMOUNT		COMMENTS	
HOURLY RATE		COMMENTS	

EDUCATION

LEVEL AND LOCATION OF FORMAL EDUCATION (ATTACH DETAILED RESUME - MANDATORY)

CERTIFIED GUARDIAN AD LITEM TRAINING

DATE AND TYPE OF INITIAL TRAINING
DATE AND TYPE OF ANNUAL REFRESHER TRAINING (ATTACH COPY)
OTHER FORMAL TRAINING/CERTIFICATIONS/LICENSES (INCLUDE DATE AND TYPE)

RELEVANT EXPERIENCE

PUBLIC PAY APPOINTMENTS THIS YEAR (LIST NAME & CASE NUMBER)	
LIST OTHER EQUIVALENT EXPERIENCE	
NUMBER OF YEARS AS A GUARDIAN AD LITEM	NUMBER OF APPOINTMENTS AS A GUARDIAN AD LITEM
LIST ALL COUNTIES OF APPOINTMENTS	
LIST ANY AND ALL CIRCUMSTANCES OF REMOVAL FROM ANY G.A.L. REGISTRY PURSUANT TO A GRIEVANCE ACTION. PROVIDE NAME OF COURT AND THE CASE NUMBER FROM WHICH YOU WERE REMOVED.	

CERTIFICATION

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Signed this ____ day of _____, at _____, Washington.

(Signature of Applicant): _____

SKAGIT COUNTY SUPERIOR COURT

205 W. Kincaid Street, Room 202
Mount Vernon, WA 98273
360-336-9320

FAMILY LAW MEDIATOR APPLICATION

CONTACT INFORMATION

LAST NAME	FIRST NAME	MIDDLE	DATE
BUSINESS NAME OR FIRM			SSN OR TAX ID (CONFIDENTIAL)
STREET AND MAILING ADDRESS			CITY STATE ZIP
BUSINESS PHONE			

EDUCATION

LEVEL AND LOCATION OF FORMAL EDUCATION (ATTACH DETAILED RESUME - MANDATORY)

FAMILY LAW MEDIATOR TRAINING

DATE, SPONSOR AND HOURS ACCOMPLISHED OF BASIC MEDIATION TRAINING (MINIMUM OF 32 HRS REQUIRED)
DATE, SPONSOR AND HOURS COMPLETED OF COURT APPROVED DIVORCE MEDIATION TRAINING (MINIMUM OF 24 HRS RQUIRED)
<p>PRACTICUM: Observation of at least six two-hour family law mediation sessions divided among at least three different mediators. (You must engage in a discussion of the mediations at the conclusion of each session.)</p> <p>DATES: _____ MEDIATORS: _____</p>
<p>Co-mediate three family law cases from beginning to end, each with a different court-approved mediator.</p> <p>CASE NAMES: _____ MEDIATORS: _____</p>

If approved by co-mediators, mediate a family law case solo, with a court-approved mediator observing throughout the case.

CASE NAME:

MEDIATOR:

CERTIFICATION

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Signed this ____ day of _____, at _____, Washington.

(Signature of Applicant): _____

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR SKAGIT COUNTY**

Case No.: _____

ORDER ON:

- | | |
|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Civil | <input type="checkbox"/> Criminal |
| <input type="checkbox"/> Domestic | <input type="checkbox"/> Other |

CLERK'S ACTION REQUIRED

THIS COURT FINDS _____

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that _____

Dated: _____

JUDGE/COMMISSIONER

Presented by: _____

Attorney for

Approved: _____

Attorney for

**SUPERIOR COURT OF THE STATE OF WASHINGTON FOR SKAGIT
COUNTY**

<p style="text-align: center;">Plaintiff/Petitioner,</p> <p style="text-align: center;">vs.</p> <p style="text-align: center;">Defendant/Respondent.</p>	<p>NO.</p> <p>NOTE FOR SPECIAL SET HEARING Before: _____ Judge</p> <p style="text-align: center;">MUST BE PREVIOUSLY APPROVED BY COURT ADMINISTRATION</p>
--	--

Note for Special Set Hearing.

Date and Time of Hearing

Please take note that the issue in this case will be heard on the date and time indicated, and that the Clerk is requested to note the same

on the case docket for that day.

Dated: _____

Signature of Attorney or Party

Print or Type Name; WSBA # if Attorney

Address: _____

Telephone: _____

If Attorney, Party Represented:

Nature of Hearing

Names/Addresses of Other Attorneys or
Parties Pro Se

CERTIFICATE OF MAILING: I certify that I mailed a copy of this document to the attorneys/parties listed hereon, postage prepaid on the _____ day of _____, 20____.

Signed: _____

**Superior Court of Washington
County of**

In re the Marriage of:
 In re the Parentage of:

and

Petitioner,

Respondent.

No.

**Order Appointing Guardian ad
Litem on Behalf of Minor
(ORAPGL)**

I. Basis

1.1 Basis for the Appointment

This appointment is being made pursuant to

- RCW 26.09 Dissolution
- RCW 26.26 Parentage Act
- RCW 26.50 Domestic Violence

1.2 Children to Whom the Order Applies

The petitioner respondent court moved for appointment of a guardian ad litem for the following minor child(ren) in this action:

Name

Age

_____	_____
_____	_____
_____	_____
_____	_____

II. Findings

After reviewing the case record to date and the basis for the motion, the court ***finds*** that the motion should be granted because appointment of a guardian ad litem is in the best interest of the child(ren).

III. Order

It is Ordered:

3.1 Appointment of Guardian ad Litem

_____ is appointed as guardian ad litem for the above-named minor child(ren) of the parties and shall receive copies of all pleadings and notice of all court proceedings regarding the child(ren). The parties or their attorneys shall provide a copy of this order to the appointed guardian ad litem within 3 business days of its issuance.

3.2 Duties of the Guardian ad Litem

The guardian ad litem shall investigate and report factual information regarding the issues ordered to be reported or investigated to the court. The guardian ad litem shall always represent the child(ren)'s best interests. The guardian ad litem shall make recommendations based upon his or her investigation. The guardian ad litem shall report the child(ren)'s expressed preferences regarding the parenting plan to the court, together with the facts relative to whether any preferences are being expressed voluntarily and the degree of the child(ren)'s understanding.

The guardian ad litem shall make a full and complete written report to the court and counsel/parties on or before (date) _____ and at least 60 days before trial provided that an extension may be granted by the court. This report shall include recommendations and bases for those recommendations. If trial is more than 90 days after the date of the GAL's report, the court on motion from a party may order the GAL to conduct further investigation as in his/her discretion if necessary or as specified by court order and file a supplemental report if in his or her sole discretion material new information would aid the court. Such order shall provide that the parties pay a reasonable advance fee deposit to the GAL, approved by the court.

Issues ordered to investigate and report:

- all issues relating to development of a parenting plan
- substance abuse of mother father other _____
- domestic violence of mother father other _____
- mental health issues of mother father other _____
- physical health issues of mother father other _____
- sexual abuse allegations of mother father other _____
- criminal history of mother father other _____
- abandonment or neglect by mother father
- integration into the non-primary parent's home
- other:

The guardian ad litem shall also report to the court on any other issues discovered that could affect the safety of the child(ren).

In the event of exigent circumstances, the GAL shall provide an interim report based on _____.

3.3 Other Duties

Other duties of the guardian ad litem shall include appearing at all court hearings and pretrial conferences within the scope of appointment unless excused by the court and assisting the parties and counsel in reaching a resolution of the matters involving said child(ren).

3.4 Guardian ad Litem Access to Child(ren), Records and Information

To facilitate reasonable investigation of information pertaining to the best interest of the child(ren), the guardian ad litem shall have access to the child(ren) and to all records and information, including authorization to speak with interested persons, from the following sources: law enforcement agencies; Child Protective Services (or the equivalent out-of-state agency); health care providers; mental health care providers; child care providers; the Department of Social and Health Services (or the equivalent agency in another state); and educational institutions. In cases where the guardian ad litem is appointed at public expense, the guardian ad litem shall not be responsible for the payment of copies of police, medical or other records necessary to investigate.

These agencies may withhold or blackout portions of requested information as warranted by law or by court order. The guardian ad litem shall maintain the confidentiality of information except as necessary to fulfill his or her duties as guardian ad litem.

Within the scope of appointment, the guardian ad litem shall have access to all Superior Court, District Court, Municipal Court and Juvenile Court files, including any sealed/confidential portions thereof, other than records sealed pursuant to RCW 13.50.050(7). All information obtained from sealed or confidential files shall remain sealed or confidential, and the guardian ad litem shall inform the court if the guardian ad litem report contains sealed or confidential information.

The court clerk shall provide certified copies of this order to the guardian ad litem upon request and without charge. Upon good cause shown, the guardian ad litem or the parties may move that the court make confidential any reports or documents placed in the court file by the guardian ad litem.

3.5 Payment of Fees and Costs

Private Pay The guardian ad litem fee is \$_____ per hour. The advance fee deposit is \$_____, and shall be paid in full before the Guardian ad Litem is required to begin his/her duties.

All fees and costs of the guardian ad litem shall be paid as follows:

_____ % by petitioner and _____ % by respondent
_____ % by other: _____
Other:

If the guardian ad litem requires an additional advance fee deposit, the parties shall pay the deposit in the same percentage as above, within 10 days, provided; that the GAL shall not exceed 35 hours of investigation and reporting time without prior court approval.

Partial Private/County Pay The guardian ad litem fee is \$_____ per hour. Before the guardian ad litem is required to begin his/her duties, the advance fee deposit of \$_____ shall be paid in full.

The Petitioner/Respondent shall pay an advance fee deposit of \$_____ (full deposit less \$750 to be paid by the county).

The Petitioner's/Respondent's portion of the guardian ad litem deposit will be paid by the county in the maximum amount of \$750, payable when the guardian ad litem files the final report.

If the guardian ad litem requires an additional advance fee deposit, the private pay party shall pay that deposit within 10 days.

County Pay The guardian ad litem's fees and costs will be paid by the county in the amount of \$50 per hour up to \$750. The guardian ad litem may petition the court for payment beyond the \$750 for extraordinary costs, deemed necessary by the guardian ad litem.

Guardians ad litem who are paid for their services, other than by the county, shall provide the parties with an itemized accounting of their time and billing for services each month.

If the guardian ad litem has been appointed at public expense, the court may assess this cost against the parties if there is a change in financial circumstances.

If any private pay party shall seek the GAL's testimony at trial, both parties shall pay such reasonable advance fee deposit as requested by the GAL, in the same percentage as above, no less than 10 days prior to the date of the GAL's appearance in court. The maximum amount the GAL may charge shall not exceed 10 hours without prior court approval.

Any final orders entered shall make provisions for any outstanding fees owed to the GAL.

3.6 Consent of Children Over Twelve to Investigation

Does not apply.

has/have reached the age of twelve. Written consent for the guardian ad litem to consult with and obtain information from medical, psychiatric, or other experts who have served the child(ren) in the past has has not been given by the child.

3.7 Authorization for Release of Information

Does not apply.
 Each party's signature hereunder constitutes an authorization for release of information by that party to the agencies listed in paragraph 3.4, above.

By my signature on this document, I give permission to the Guardian ad Litem to mutually obtain and/or release information about me and/or my child(ren) to and from professionals involved in this case. I understand that the Guardian ad Litem shall have access to all information regarding the children and myself. Such information may contain, but is not limited to the following: medical, psychiatric or psychological records or documentation, including any and all records of the past. This release authority expressly applies to any information governed by the Health Insurance Portability and Accountability Act of 1996 (aka HIPAA), Federal Confidentiality Regulations, 42 USC 1320d, 290dd-3 and 45 CFR 160-164. Consent is to include disclosure of the following: **PLEASE INITIAL**

