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Proposed rule changes are identified in red underline (add) or ~~strikeout~~ (remove) text.

LGR 15. DESTRUCTION, SEALING, AND REDACTION OF COURT RECORDS

For "Respective Chief Judge" see LGR 29(h).

(c) *Sealing or Redacting Court Record.*

(1) Motions to Destroy, Redact or Seal Previously Filed Documents.

(A) Civil. Motions to destroy, redact or seal all or part of a previously filed civil or domestic relations court record shall be filed with the clerk and presented, in accordance with GR 15 and GR 22, to the assigned judge or if there is no assigned judge, to the Respective Chief Judge.

(B) Criminal. Motions for cases that are not pending trial shall be presented to the assigned judge or his or her successor or, if there is no trial assigned judge or successor, to the Respective Chief Judge.

(C) Guardianship, Trusts and Probate: (Title 11) Motions may be presented to any regularly sitting Ex Parte Commissioner. Pro tem commissioners are not authorized to seal documents.

(D) Vulnerable Adult Protection Order: (RCW 74.04) Motions may be presented to any regularly sitting (but not a pro tem) Ex Parte Commissioner.

(E) Minor/Incapacitated Settlement: The motion shall be presented to the judicial officer who approved the minor settlement unless the judicial officer who approved the minor settlement is a pro tem commissioner, in which case the motion shall be brought before the assigned judge or any regularly sitting Ex Parte Commissioner.

(F) Name Changes Based on Domestic Violence: If no assigned judge, motion may be presented by the requesting party to any regularly sitting (but not a pro tem) Ex Parte Commissioner.

(G) Financial Source Documents, Personal Health Care Records and Confidential Reports in Title 26 Cases: In a proceeding brought pursuant to RCW 26, "financial source document", "personal health care record" and "confidential report" as defined under and submitted in accordance with GR 22 will be automatically sealed by the clerk without court order, if accompanied by the proper cover sheet. See, also, LFLR 5~~(c)~~(d) and LFLR 11 with respect to family law court records in general. Motions to seal documents pursuant to GR 22 where the filing party did not attach the appropriate coversheet may be presented to a regular sitting Ex Parte commissioner. Pro tem commissioners are not authorized to seal documents.

(2) Motions to Seal/Redact when Submitted Contemporaneously with Confidential Document – Not to be Filed.

(A) Motions to Seal Documents Regarding Expert Witnesses and Other Services in Criminal Cases Pending Trial. Submit to the Chief Criminal Judge, pursuant to the protocol in the Criminal Department Manual: www.kingcounty.gov/courts/superior-court/criminal.

(B) Motions to Seal Documents Regarding Expert Witnesses and Other Services in Sexually Violent Predator Cases Pending Trial. Submit to assigned judge, pursuant to (E) below.

(C) Motions to Seal Documents Regarding Expert Witnesses and Other Services in Dependency and Termination Cases Pending Fact Finding. Submit to the Lead Dependency Judge, pursuant to the published protocol available on the Court's Website www.kingcounty.gov/courts/superior-court/dependency.

(D) Motions to Seal Documents Regarding Expert Witnesses and Other Services in Juvenile Offender Cases Pending Trial. Submit to the Chief Juvenile Judge, pursuant to the protocol in the Juvenile Department Offender Manual: www.kingcounty.gov/courts/superior-court/get-help/links-for-lawyers.

(E) All Other Motions.

(i) The moving party shall provide the following directly to the hearing judge and not file**:**

a) The original unredacted copy of the document(s) the party seeks to file under seal to the hearing judge in an envelope for in camera review. The words "SEALED PER COURT ORDER DATED [insert date]" shall be written on the unredacted document(s). The following information shall be written on the envelope: The case caption and cause number; a list of the document(s) under review; and the words "SEALED PER COURT ORDER DATED [insert date]."

b) A proposed redacted copy of the subject document(s).

c) A proposed order granting the motion to seal, with specific proposed findings setting forth the basis for sealing the document(s).

d) A self-addressed envelope with appropriate postage for the return of the document, should the party request said return.

(ii) If the hearing judge denies, in whole or in part, the motion to seal, the judge will return the original unredacted document(s) and the proposed redacted document(s) to the submitting party upon request to return if envelope with postage was provided and will file the order denying the motion to seal.

(iii) If the hearing judge grants the motion to seal the judge will file the sealed document(s) contemporaneously with a separate order granting the motion. If the judge grants the motion by allowing redaction, the judge shall write the words "SEALED PER COURT ORDER DATED [insert date]" in the caption of the unredacted document before filing.

(3) Motions to Conceal the Name of a Party to an Action. See LCR 10.

(e) ***Motions to Unseal or Examine.***

Sealed Files. Applications to examine sealed files shall be made as follows: civil, domestic, ~~paternity~~ parentage and dependency cases to the assigned judge, or Respective Chief Judge, and petitions to review or remove a will from the will repository to the Ex Parte and Probate Department, with oral argument, presented in person; adoption cases to the Sealed Adoption File Committee judges; dependency cases to the Juvenile Department; mental illness cases to the mental illness calendar. No order permitting the examination of any sealed file shall

be entered without a written motion establishing justification under applicable court rules and case law. The court may, in its discretion, require notice to be given to any party in interest before permitting such examination.

(f) *Orders to Destroy, Redact or Seal.* Any order containing a directive to destroy, redact or seal all or part of a court record must be clearly captioned as such and may not be combined with any other order other than a protective order in criminal cases. The clerk may call to the attention of the judicial officer any deviation from the requirements of the rule.

LCR 7. CIVIL MOTIONS

For "Respective Chief Judge" see LGR 29(h).

(b) *Motions and Other Documents*.

(1) Scope of Rules. Except when specifically provided in another rule, this rule governs all motions in civil cases. See, for example, LCR 12, LCR 26, LCR 40, LCR 56, and the LFLR's.

(2) Hearing Times and Places. Hearing times and places will also be available from the Clerk's Office/Department of Judicial Administration (E609 King County Courthouse, Seattle, WA 98104 or 401 Fourth Avenue North, Room 2C, Maleng Regional Justice Center, Kent WA 98032; or for Juvenile Court at 1211 East Alder, Room 307, Seattle, WA 98122) by telephone at (206) 296-9300 or by accessing www.kingcounty.gov/courts/clerk. Schedules for all regular calendars (family law motions, ex parte, chief civil, etc.) will be available at the information desk in the King County Courthouse and the Court Administration Office in Room 2D of the Regional Justice Center.

(3) Argument. All nondispositive motions and motions for orders of default and default judgment shall be ruled on without oral argument, except for the following:

(A) Motions for revision of Commissioners' rulings, other than rulings regarding involuntary commitment and Title 13 proceedings;

(B) Motions for temporary restraining orders and preliminary injunctions;

(C) Family Law motions under LFLR 5;

(D) Motions to be presented in person to the Ex Parte and Probate Department pursuant to the Ex Parte and Probate Department Presentation of Motions and Hearings Manual ("Motions and Hearings Manual") issued by the clerk;

(E) Motions for which the Court allows oral argument.

(4) Dates of Filing, Hearing and Consideration.

(A) Filing and Scheduling of Motion. The moving party shall serve and file all motion documents no later than six court days before the date the party wishes the motion to be considered. A motion must be scheduled by a party for hearing on a judicial day. For cases assigned to a judge, if the motion is set for oral argument on a non-judicial day, the moving party must reschedule it with the judge's staff; for motions without oral argument, the assigned judge will consider the motion on the next judicial day.

(B) Scheduling Oral Argument on Dispositive Motions. The time and date for hearing shall be scheduled in advance by contacting the staff of the hearing judge.

(C) Oral Argument Requested on All Other Motions. Any party may request oral argument by placing "ORAL ARGUMENT REQUESTED" prominently on the first page of the motion or opposition.

(D) Opposing Documents. Any party opposing a motion shall file and serve the original responsive papers in opposition to a motion, serve copies on parties, and deliver working copies to the hearing judge no later than 12:00 noon two court days before the date the motion is to be considered. Working copies shall be submitted pursuant to the requirements in this rule.

(E) Reply. Any documents in strict reply shall be similarly filed and served no later than 12:00 noon on the court day before the hearing.

(F) Working Copies. Working copies of the motion and all documents in support or opposition shall be delivered to the hearing judge, commissioner, or appropriate judicial department no later than on the day they are to be served on all parties. The copies provided to the judge and all parties should be in the same form, including but not limited to markings, highlights, and color copies. Working copies shall be submitted as follows:

(i) Electronic Submission of Working Copies. Judges' working copies of an e-filed motion and all documents in support or opposition may be electronically submitted using the clerk's eFiling application. The clerk may assess a fee for the electronic submission of working copies.

(ii) E-Filed Documents for which Working Copies Shall Not be Electronically Submitted. Judges' working copies shall not be electronically submitted for any document of 500 pages or more in length or for any documents filed in paper form. These working copies must be submitted in paper form pursuant to the requirements in this rule.

(iii) Delivery of Working Copies in Paper Form. The upper right corner of all judges' working copies submitted in paper form shall be marked "working copies" and note the date of consideration or hearing, the name of the hearing judge or commissioner or the name of the calendar on which the motion is to be heard, by whom the documents are being presented ("moving party," "opposing party," or other descriptive or identifying term), and shall be delivered to the judges' mailroom or appropriate department in the courthouse in which the judge or commissioner is located.

(G) Terms. Any material offered at a time later than required by this rule, and any reply material which is not in strict reply, will not be considered by the court over objection of counsel except upon the imposition of appropriate terms, unless the court orders otherwise.

(H) Confirmation and Cancellation. Confirmation is not necessary, but if the motion is stricken, the parties shall immediately notify the opposing parties and notify the staff of the hearing judge.

(5) Form of Motion and Responsive Pleadings.

(A) Notice of Court Date. A Notice of Court Date shall be filed with the motion. The Notice shall identify the moving party, the title of the motion, the name of the hearing judge, the trial date, the date for hearing, and the time of the hearing if it is a motion for which oral

argument will be held. A Notice of Court Date form is available from the clerk's office and online: www.kingcounty.gov/courts/clerk/forms.

(B) Form of Motion and of Responsive Pleadings. The motion shall be combined with the memorandum of authorities into a single document, and shall conform to the following format:

(i) Relief Requested. The specific relief the court is requested to grant or deny.

(ii) Statement of Facts. A succinct statement of the facts contended to be material.

(iii) Statement of Issues. A concise statement of the issue or issues of law upon which the Court is requested to rule.

(iv) Evidence Relied Upon. The evidence on which the motion or opposition is based must be specified with particularity. Deposition testimony, discovery pleadings, and documentary evidence relied upon must be quoted verbatim or a photocopy of relevant pages must be attached to an affidavit identifying the documents. Parties should highlight those parts upon which they place substantial reliance. Copies of cases shall not be attached to original pleadings. Responsive pleadings shall conform to this format.

(v) Authority. Any legal authority relied upon must be cited. Copies of all cited non-Washington authorities upon which parties place substantial reliance shall be provided to the hearing Judge and to counsel or parties, but shall not be filed with the clerk. See LCR 5(k).

(vi) Word Limits. The initial motion and opposing memorandum shall not exceed 4,200 words without authorization of the court; reply memoranda shall not exceed 1,750 words without the authority of the court. The word count includes all portions of the motion/memorandum, including headings and footnotes, except 1) the caption; 2) tables of contents and/or authorities, if any; and 3) the signature block. The signature block shall include the certification of the signer as to the number of words, substantially as follows: "I certify that this memorandum contains _____ words, in compliance with the Local Civil Rules."

(C) Form of Proposed Orders; E-mail Addresses. The moving party and any party opposing the motion shall include with their submissions a proposed order. The original of each proposed order shall be submitted to the hearing judge along with any working copies. If the motion is to be considered without oral argument, the moving party shall at the time of filing the motion provide to the court e-mail addresses for the court's use in providing courtesy copies of entered orders. Where working copies are provided via the clerk's eWorking Copies application, the parties shall request courtesy copies of entered order(s) through the clerk's application.

(6) Motions to Reconsider. See LCR 59.

(7) Reopening Motions. No party shall remake the same motion to a different judge or commissioner without showing by affidavit the motion previously made, when and to which judge or commissioner, what the order or decision was, and any new facts or other circumstances that would justify seeking a different ruling from another judge or commissioner.

(8) Motions for Revision of a Commissioner's Order. For all cases except juvenile and involuntary treatment proceedings:

(A) A motion for revision of a commissioner's order shall be filed within 10 days of entry of the written order, as provided in RCW 2.24.050. The motion shall only identify the error(s) claimed. No response shall be filed unless authorized by the court. If a response is called for, a reply may be filed within two court days of service of the response.

(B) A hearing on a motion for revision of a commissioner's order shall be scheduled within 21 days of entry of the commissioner's order, unless the assigned Judge or, for unassigned cases, the Respective Chief Judge, orders otherwise.

(i) For cases assigned to an individual judge, the time and date for the hearing shall be scheduled in advance with the staff of the assigned judge.

(ii) For cases not assigned to an individual judge, the hearing shall be scheduled by the Respective Chief Judge.

(iii) All motions for revision of a commissioner's order shall be based on the written materials and evidence submitted to the commissioner, including documents and pleadings in the court file. The moving party shall provide the assigned judge a working copy of all materials submitted to the commissioner in support of and in opposition to the motion, as well as a copy of the electronic recording, if the motion before the commissioner was recorded. Oral arguments on motions to revise shall be limited to 10 minutes per side. Working copies shall be submitted pursuant to the requirements of LCR 7(b).

(iv) The commissioner's written order shall remain in effect pending the hearing on revision unless ordered otherwise by the assigned Judge, or, for unassigned cases, the Respective Chief Judge.

(v) The party seeking revision shall, at least 5 court days before the hearing, deliver to the assigned judge or Respective Chief Judge working copies of the motion, notice of the hearing as scheduled pursuant to (i) and (ii) above, and copies of all documents submitted by all parties to the commissioner~~, pursuant to LCR 7(b)~~.

(vi) For cases in which a timely motion for reconsideration of the commissioner's order has been filed, the time for filing a motion for revision of the commissioner's order shall commence on the date of the filing of the commissioner's written order of judgment on reconsideration.

(9) Motion for Order to Show Cause. Motions for Order to Show Cause shall be presented without oral argument to the Ex Parte and Probate Department through the clerk's office. For cases where the return on the order to show cause is before the hearing judge, the moving party shall obtain a date for such hearing from the staff of the assigned judge before presenting the motion to the Ex Parte and Probate Department.

(10) Motion Shortening Time.

(A) The time for notice and hearing of a motion may be shortened only for good cause upon written application to the court in conformance with this rule.

(B) A motion for order shortening time may not be incorporated into any other pleading.

(C) As soon as the moving party is aware that he or she will be seeking an order shortening time, that party must contact the opposing party to give notice in the form most likely

to result in actual notice of the pending motion to shorten time. The declaration in support of the motion must indicate what efforts have been made to notify the other side.

(D) Except for emergency situations, the court will not rule on a motion to shorten time until the close of the next ~~business~~ court day following filing of the motion (and service of the motion on the opposing party) to permit the opposing party to file a response. If the moving party asserts that exigent circumstances make it impossible to comply with this requirement, the moving party shall contact the bailiff of the judge assigned the case for trial to arrange for a conference call, so that the opposing party may respond orally and the court can make an immediate decision.

(E) Proposed agreed orders to shorten time: if the parties agree to a briefing schedule on motion to be heard on shortened time, the order may be presented by way of a proposed stipulated order, which may be granted, denied or modified at the discretion of the court.

(F) The court may deny or grant the motion and impose such conditions as the court deems reasonable. All other rules pertaining to confirmation, notice and working papers for the hearing on the motion for which time was shortened remain in effect, except to the extent that they are specifically dispensed with by the court.

(11) Motion for Stay of Proceedings.

(A) Motions for stay of proceedings shall be heard by the individual judge assigned or if not assigned by the Respective Chief Judge. The order staying proceedings shall indicate a future date by which the case status will be reviewed.

LCR 10 FORM OF PLEADING AND OTHER PAPERS [New]

(a) Caption

(1) Names of Parties.

(A) For criminal, protection order, family law, parentage, and all juvenile matters, case initiating document(s) shall include the name of all known parties in the caption. The clerk shall reject any case filed where the names of the parties are not included.

(B) For all other cases, in the case initiating document(s) the caption of the action shall include the names of all known parties. In the event the filing party seeks to conceal the name of one or more party, the filing party may file the case initiating document(s) using the initials of the party and must simultaneously seek an order from the Chief Civil Judge or the Chief MRJC Judge per LCR 7 motion practice rules, and GR and LGR 15 sealing and redaction rules, allowing the case to proceed using initials. If no motion is filed with the case initiating documents, the clerk shall reject the case. If the court denies the order to proceed using initials to identify a party, the order will instruct the clerk and the parties as to a new caption for the case using names of the parties, after affording the plaintiff the ability to file a CR 41 motion.

LCR 22. INTERPLEADER [New]

(c) Where Motions are to be Heard. Hearings on interpleader actions shall be set before the Respective Chief Judge. See LGR 29(h). If the matter is contested, it may be referred by the Chief Judge to the Clerk who will issue a case schedule and will assign the case to a judge.

LCR 40. ASSIGNMENT OF CASES AND WHERE MOTIONS ARE TO BE HEARD

For "Respective Chief Judge" see LGR 29(h).

(a) *Notice of Trial--Note of Issue.*

(1) Assignment of case to Judge. The clerk at filing will issue for all civil cases, except those noted in LCR 4(b), a trial date and a case schedule, and will assign the case to a judge. A Notice of Trial, as provided in CR 40(a), shall not be filed in any civil case.

(b) *Where motions and proceedings to be noted*. See LCR 7(b)(2) with respect to calendar locations and times. All motions and other proceedings in a civil case, shall be brought before the assigned judge, in accordance with LCR 7, or if no assigned judge to the Ex Parte and Probate Department in accordance with LCR 40.1, except as follows:

(1) Motions for default orders and default judgments shall be presented to the Ex Parte and Probate Department, unless any defendant has appeared in the matter, in which case it shall be noted before the assigned judge, or if no judge has been assigned, to the Respective Chief Judge.

(2) Family Law Proceedings. See LFLR 5.

(3) Adoption Proceedings. Adoption proceedings, except Confidential Intermediary Petitions which are assigned to the Judges Sealed File Committee, shall be heard in the Ex Parte and Probate Department or a judge by special setting. Contested proceedings may be referred by the commissioner to the clerk who will issue a trial date and a case schedule and will assign the case to a judge. All hearings to finalize an Adoption Petition shall be noted for a hearing on the appropriate calendar. All other matters shall be presented via the clerk.

(4) Small Claims Appeals. The clerk at filing will issue a Notice of Decision Date and Assignment of Judge for review of the record without oral argument. The decision shall be issued to the parties.

(5) Antiharassment, Sexual Assault, Domestic Violence and Vulnerable Adult Petitions. See LCR 40.1

(6) Order Vacating Conviction. These motions shall be noted before the judges to whom post sentencing motions have been assigned. The motion is to be noted pursuant LCR 7. See official comment.

(7) Frivolous Liens. If the motion to discharge a purportedly frivolous lien is a new action and not part of an underlying proceeding, the motion shall be set before the Respective Chief Judge. If the motion is part of an underlying proceeding, the matter should be noted before the assigned judge.

(8) Marriage Age Waiver Petitions. See LFLR 19.

(9) Involuntary Treatment Proceedings. The hearings in involuntary treatment proceedings shall be heard on the involuntary treatment act calendar.

(10) Receivership Proceedings. See LCR 40.1(b)(2).

(11) Supplemental Proceedings. Hearings on supplemental proceedings shall be set before the Seattle Chief Civil Judge for Seattle case assignment area cases. Kent case assignment area cases shall be set before the Chief Judge of the Maleng Regional Justice Center. The supplemental proceedings fee must be received before hearings will be set by the clerk.

(12) Work Permits/Variances for Minors. Applications for work permits for minors, sought pursuant to RCW 26.28.060, shall be presented to the Respective Chief Judge.

(13) Writs.

(a) Extraordinary writs (writs of review, coram nobis mandamus, prohibition and certiorari): See LCR 98.40.

(b) For other writs (pre-judgment garnishment, attachment, replevin, restitution, assistance) the initial application shall be presented without oral argument to the Ex Parte and Probate Department through the clerk's office. See also LCR 40.1(b)(2)(Q).

(14) Adult Structured Settlements. Approvals of structured settlements pursuant to Chapter 19.205 RCW shall be given a case schedule and set before the Respective Chief Judge.

(15) Quash of Subpoena. Motions to quash subpoena from outside the jurisdiction shall be brought before the Respective Chief Judge.

(16) Restoration of Right to Possess Firearm. A petition to restore the right to possess a firearm shall be noted before the King County Superior Court judge to whom post-sentencing motions have been assigned if the conviction resulting in loss of the right occurred in King County Superior Court. If the conviction resulting in loss of the right occurred in a court of limited jurisdiction or the Superior Court of another county, the petitioner must file an original cause of action in King County Superior Court and the motion shall be noted without oral argument before the Chief Criminal Judge or the Chief Maleng Regional Justice Center Judge pursuant to LCR 7. For cases in which the loss of the right resulted from an involuntary commitment, the petitioner must file an original petition in a separate cause of action and the motion shall be noted without oral argument before the Chief Civil Judge or the Chief Maleng Regional Justice Center Judge pursuant to LCR 7. [For cases in which loss of firearms resulted in a juvenile matter refer to the Juvenile rules.] See official comment.

(17) Interpleader Actions. See LCR 22.

(c) *Trial Dates*. In guardianship, TEDRA, probate, receiverships and unlawful detainer matters, the motion shall be made before the Ex Parte Department. In all other cases not assigned to a judge, the motions shall be made to the Respective Chief Judge. The motion, which shall be decided without oral argument, shall briefly describe the case, including whether a jury demand has been filed, the expected length of the trial, and any other information relevant to the setting of a trial date. If the assigned trial date has passed and the case has not been

dismissed, any party may apply by motion to the assigned judge, or if no assigned judge, to the Respective Chief Judge for assignment of a trial date and a case schedule.

(e) *Continuances/Change of Trial Date.*

(1) Limited Adjustment of Trial Date to Resolve Schedule Conflict. In cases that are governed by a Case Schedule, the trial date may be adjusted, prior to the Final Date to Change Trial, by motion, to a Monday no more than 28 days before or 28 days after the trial date listed in the Case Schedule.

(2) Change of Trial Date. A motion to strike a trial date, or change a trial date more than 28 days before or after the original date, shall be made in writing to the assigned Judge, or if there is no assigned Judge, to the Chief Civil Department, and shall be decided without oral argument. If a motion to change the trial date is made after the Final Date to Change Trial Date, as established by the Case Schedule, the motion will not be granted except under extraordinary circumstances where there is no alternative means of preventing a substantial injustice. A motion to strike or change a trial date may be granted subject to such conditions as justice requires.

(3) Amended Case Schedule. When a trial date is changed, the judge changing the trial date may amend the case schedule or may direct that the parties confer and propose a new schedule. Unless some other deadline for submitting the proposed case schedule is set by the court, the parties must submit a proposed case schedule for signature by the assigned judge no later than twenty days after the order changing the trial date is signed.

(4) Change of Trial Date on Court's Motion. The Court on its own initiative may, if necessary, change the trial date.

(f) *Change of Judge.* For ~~affidavits of prejudice~~ notices of disqualification see RCW 4.12.050.

Official Comment

Petitions for certificates of rehabilitation is a term sometimes used to describe the Order Vacating Conviction (LCR 40(b)(6)) and Restoration of Rights (LCR 40(b)(16)) process, though this is no longer part of Washington state law.

LCR 40.1 EX PARTE AND PROBATE DEPARTMENT

(a) *Ex Parte and Probate Department.*

(1) Ex Parte and Probate Department Presentation of Motions and Hearings Manual. The Ex Parte and Probate Department and probate Presentation of Motions and Hearings Manual ("Motions and Hearings Manual") is issued by the clerk and shall contain a list of all matters that shall be presented to the Ex Parte and Probate Department and specifically indicate which matters shall be heard in person and which shall be submitted in writing, without oral argument, through the clerk's office. The Motions and Hearings Manual shall contain specific procedural information on how to present matters through the clerk's office. The

Motions and Hearings Manual shall be made available online at www.kingcounty.gov/courts/clerk/documents/ExParte and in paper form through the clerk's office and the Ex Parte and Probate Department.

(b) ***Motions and Other Procedures.***

(1) Scope of Rules. This rule governs all matters presented to the Ex Parte and Probate Department.

(2) Cases Not Assigned. Except as provided otherwise in these rules, all motions and proceedings pertaining to cases not assigned a case schedule or judge on filing shall be presented to the Ex Parte and Probate Department. The following cases or motions are heard by the Ex Parte and Probate Department:

(A) Adoption Proceedings. Adoption proceedings, except Confidential Intermediary Petitions which are assigned to the Judges Sealed File Committee, shall be heard in the Ex Parte and Probate Department or a judge by special setting. Contested proceedings may be referred by the commissioner to the clerk who will issue a trial date and a case schedule and will assign the case to a judge. All hearings to finalize an Adoption Petition shall be noted for a hearing on the appropriate calendar. All other matters shall be presented via the clerk.

(B) Agreed and Default Family Law Decrees and Modifications. See LFLR 5.

(C) Antiharassment, Domestic Violence, Sexual Assault and Vulnerable Adult Protection Orders:

(i) Antiharassment Petitions. Applications for temporary antiharassment protection orders shall be presented to the Ex Parte and Probate Department. Hearings on final antiharassment protection orders shall be set by the clerk or Judicial Officer on the Antiharassment/Sexual Assault Protection Order calendar.

(ii) Domestic Violence Protection Orders. See LFLR 12.

(iii) Sexual Assault Protection Orders. Applications for temporary sexual assault protection orders shall be presented in the Ex Parte and Probate Department. Hearings on final sexual assault protection orders shall be set by the clerk or Judicial Officer on the Antiharassment/Sexual Assault Protection Order calendar.

(**iv) Vulnerable Adult Protection Orders**. Applications for temporary vulnerable adult protection orders shall be presented to the Ex Parte and Probate Department. Hearings on final vulnerable adult protection orders shall be set by the clerk or Judicial Officer before the Ex Parte and Probate Department.

(D) Guardianships, Probates and Other Settlements of Claim involving Incapacitated Adults or Minors. All proceedings brought under Title 11 which include but are not limited to Guardianships, Probates, and trust matters, as well as motions to approve settlement of a claim on behalf of a minor or incapacitated adult pursuant to SPR 98.16, shall be set on the Guardianship/Probate calendar in the Ex Parte and Probate Department either through the clerk's office or in person, pursuant to the policy guidelines in the Motions and Hearings Manual issued by the clerk's office. If the matter is contested, it may be referred by the judicial officer to the clerk who will issue a trial date and will assign the case to a judge.

(**E) Judgments on Arbitration Awards.** Judgments on Arbitration Awards shall be presented to the Ex Parte and Probate Department with notice to the other parties.

(F) Orders to Show Cause. All Motions for Show Cause shall be presented to the Ex Parte and Probate Department. For cases where the return on the order to show cause is before the assigned trial court, the moving party shall obtain a date for such hearing from the staff of the assigned trial court before presenting to the Ex Parte and Probate Department. See also LCR 7(b)(9). For all cases where the return on the order to show cause is to a calendar, rather than before the assigned judge, the moving party shall select the return date and state the calendar in the proposed order. See also LCR 7(b)(3); LFLR 5.

(G) Orders Waiving Filing Fees. In Forma Pauperis Motions where the party is attempting to seek a waiver of the initial filing fee shall be presented to the Ex Parte and Probate Department. See GR 34. Forms and instructions for these waivers are available at the clerk's office or on the clerk's website: www.kingcounty.gov/courts/clerk/fees.

(H) Requests to Waive Ex Parte via the Clerk and ECR On-Line fees. Requests to waive fees for Ex Parte via the Clerk shall be presented to the clerk. Forms and instructions for these waivers are available at the clerk's office or on the clerk's website: www.kingcounty.gov/courts/clerk/fees. See LCR 78 regarding the waiver of ECR On-line fees.

(I) Orders Waiving Other Fees. Waiver of fees other than initial filing fees shall be presented to the assigned judge, or if no assigned judge to the Chief Civil Judge. See RAP 15 for waiver of appellate fees and costs. See GR 34. Forms and instructions for these waivers are available at the clerk's office or on the clerk's website: www.kingcounty.gov/courts/clerk/fees.

(J) Orders to Remove Non-ECR Files. Orders to remove non-ECR files from clerk's office shall be presented to the Ex Parte and Probate Department.

(K) Orders Vacating a Dismissal. Orders vacating a dismissal of any civil case combined with a final dispositive order shall be presented to the Ex Parte and Probate Department.

(L) Receivership Proceedings. If the petition is a new action and not part of an underlying proceeding, the initial hearings shall be set in the Ex Parte and Probate Department, and be presented in person; contested proceedings may be referred by the commissioner to the clerk who will issue a trial date and a case schedule and will assign the case to a judge.

(M) Sealed Files. See LGR 15, LCR 26(b) and LFLR 11.

(N) Temporary Restraining Orders. Temporary restraining orders seeking relief pending a hearing on show cause shall be presented to the Ex Parte and Probate Department, and may be presented along with the Motion for Show Cause.

(O) Unlawful Detainer Actions. The orders to show cause, and any agreed orders or orders that do not require notice, shall be obtained by presenting the orders, through the clerk's office, to the Ex Parte and Probate Department, without oral argument. The initial hearing on order to show cause shall be heard in person in the Ex Parte and Probate Department, provided that contested proceedings may be referred by the judicial officer to the clerk who will issue a trial date and a case schedule and will assign the case to a judge.

(P) Unopposed Matters. Unopposed matters are to include any agreed order or any order that does not require notice to any other party, interested person or entity and does not require the approval of the assigned judge and is not reserved to any other calendar by any

statute, court rule or court order. Motions for default orders and default judgments shall be presented to the Ex Parte and Probate Department, unless any defendant has appeared in the matter, in which case it shall be noted before the assigned judge, or if no judge has been assigned to the Respective Chief Judge in accordance with LCR 7 and LGR 29(h).

(Q) Writs. For pre-judgment garnishment, attachment, replevin, restitution and assistance writs the initial application shall be presented without oral argument to the Ex Parte and Probate Department through the clerk's office. For other writs, see LCR 40 (b)(13).

(R) Post-Foreclosure Motions. Following the entry of the order of foreclosure by the assigned judge, motions to confirm the sale and/or motions for an order to disburse funds shall be set in the Ex Parte and Probate Department and be presented in person with notice pursuant to LCR 7 (b) to all parties who have appeared.

(3) Assigned Cases. Although assigned to a judge (IC judge), the following civil matters shall be presented to the Ex Parte and Probate Department except as provided otherwise in these rules or by the Court:

(A) In civil proceedings, including family law proceedings, all agreed orders, judgments and decrees, and any orders that do not require notice to any other party, interested person, or entity, including motions for orders to show cause, provided that the order does not affect the case schedule, direct the clerk to seal a document or file, provide for a protective order pursuant to LCR 26(c) or purport to direct the manner in which another Department or Judge handles a hearing (i.e. a motion to exceed word limits or shorten time), and is not reserved to any other calendar by any statute, court rule, or court order. See LCR 40 and LFLR 5.

(B) Motions to approve or disapprove the settlement of a claim on behalf of an incapacitated person or minor. See SPR 98.16.

(C) Judgments on arbitration awards. See LMAR 6.3.

(D) Civil and family law emergency restraining orders, including domestic violence, sexual assault, and anti-harassment protection orders where either no notice or shortened notice has been given to the opposing parties.

(E) Any other matters as directed by these rules or the Court.

(4) Matters Not Presented to the Ex Parte and Probate Department. Regardless of the type of motion, the following types of cases are not heard in the Ex Parte and Probate Department except as otherwise directed by the Court: juvenile court proceedings; civil commitment and sexual predator proceedings; criminal matters; and family law matters given a UFS or UFK designation and assigned to an individual judicial officer for intensive case management. See LFLR 5 and the Motions and Hearings Manual with respect to what types of family law motions shall be presented to the Ex Parte and Probate Department.

(5) Argument. Matters presented to the Ex Parte and Probate Department are heard either with or without oral argument as determined by this rule.

(A) Matters With Oral Argument. Generally, emergency orders of protection, other specific emergent matters, matters requiring notice, matters requiring testimony, and matters directed specifically by the Court will be heard in person, with oral argument, on the assigned Ex

Parte and Probate Calendar. The parties shall comply with the Motions and Hearings Manual to determine if a specific matter shall be permitted oral argument.

(B) Matters Without Oral Argument. All other matters not presented in person shall be submitted to the Ex Parte and Probate Department in writing, without oral argument, through the clerk's office. Parties must deliver or mail their paperwork to the clerk's office directly. The clerk's office will assess a processing fee. The processing fee must be paid or waived at the time of submission. Parties shall comply with the specific process set forth in the Motions and Hearings Manual for submitting their paperwork.

(C) Matters Required to be Noted. Matters required to be noted for hearing in the Ex Parte and Probate Department must be presented by the parties in person at the time of the noted hearing. Matters may not be noted in the Ex Parte and Probate Department for hearing without oral argument.

LCR 59. NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS

(a) ***Motion and Notice of Hearing.*** The form of motion and notice of hearing shall conform to LCR 7(b)~~(4)~~. The motion will be considered without oral argument unless called for by the court.

(b) ***Response and Reply*****.** No response to a motion for reconsideration shall be filed unless requested by the court. No motion for reconsideration will be granted without such a request. If a response is called for, a reply may be filed within two court days of service of the response.

(c) ***Form of Proposed Order;*** ~~***Mailing Envelopes.***~~ The moving party and any party given leave to file a memorandum in opposition shall attach an original proposed order to the working copies submitted to the hearing judge. ~~If the working copies are submitted in paper form, pre-addressed stamped envelopes for each party/counsel shall also be submitted to the hearing judge.~~ Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

LCR 69. EXECUTION

(b) ***Supplemental Proceedings*****.**

(1) Obtaining Order Setting Supplemental Proceedings. A judgment creditor seeking an order compelling a judgment debtor or third party to appear to provide testimony supplemental to a judgment under RCW 6.32.010 or 6.32.030 shall file a motion in the Ex Parte and Probated Department for an order setting the supplemental proceeding. The motion may be submitted ex parte and the proposed order shall set the supplemental proceeding to be held before the Respective Chief Judge. See LGR 29(h).

(2~~1~~) Time. Supplemental proceedings shall be set at the time and day specified for supplemental proceedings on the court's schedule, by location. See the clerk's website (http://www.kingcounty.gov/courts/clerk/calendars). ~~conducted commencing at such time as assigned by the Court in the Courtroom of the Chief Civil Department for Seattle case assignment area cases and by the Chief Maleng Regional Justice Center Judge for Kent case assignment area cases.~~

~~**(2) Failure to Appear.** Failure of the person to be examined to appear shall result in issuance of a bench warrant by the Court. Failure of the examining attorney to appear without prior notification to the Court shall result in release of the person to be examined and may result in imposition of terms against that attorney if subsequent supplemental proceedings are scheduled for the same debtor.~~

LCR 72 RETURN OR MANDATE FROM APPELLATE COURT [New]*

Upon the issuance of a mandate from an appellate court, returning a case to the King County Superior Court, either party may file a motion with the Respective Chief Judge for a judicial assignment and the issuance of a case schedule. If no party files such a motion within 90 days, the matter may be dismissed by the clerk for lack of prosecution.

*NOTE: Language will be added to make this inapplicable to criminal and dependency cases.

LCR 77. SUPERIOR COURTS AND JUDICIAL OFFICERS

(f) *Sessions.*

(1) Continuous Session. There shall be one continuous session of court from January 1 to December 31 of each year, excepting those days designated as legal holidays and such days in connection therewith as shall be specifically designated from time to time by the court.

(2) Court Hours.

(A) Presiding Department. The court shall be open from 8:30 AM to 12:00 noon and 1:30 PM to 4:30 PM, Monday through Friday. When not personally present, the Presiding Judge shall keep posted in a conspicuous place on the courtroom door and also on the door of the County Clerk's Office a notice giving the names and telephone numbers where the Presiding Judge or acting Presiding Judge and clerk may be reached during court hours.

(B) Trial Departments. Sessions of trial departments other than the Juvenile and Special Calendars Departments shall be from 9:00 AM until 12 noon and from 1:30 PM until 4 PM, Monday through Friday, unless otherwise ordered by the judge. Special sessions of any court may be held on Saturday at the discretion of the judge presiding in the particular

department, to hear any and all matters that such judge sets for hearing before him/her and at such hours upon said day as the departmental judge shall fix.

(C) Ex Parte Department. The Ex Parte Department shall be open from 9 AM until 12 noon and from 1:30 PM until 4:15 PM, Monday through Friday. See LCR 40.1

(i) *Sessions Where More Than One Judge Sits -- Effect on Decrees, Orders, etc.*

(1) Presiding Judge; Duties. The Presiding Judge shall preside when the court sits *en banc*, shall preside over the Department of the Presiding Judge and shall receive and dispose of all communications intended for the Superior Court not personally addressed to any judge nor relating to business which has been assigned to any particular department.

(2) --Same; Jurors. The Presiding Judge shall have general charge of all jurors and shall determine requests for excuse from jury service. The Presiding Judge may delegate the determination for requests for excuse from jury service to senior jury staff.

(3) --Same; Liaison with Departments. If, for any reason, a departmental judge cannot hear a matter, he/she shall return it to the Chief Civil Department for Seattle case assignment area cases and the Chief Maleng Regional Justice Center Judge for Kent case assignment area cases, for hearing or reassignment.

(4) --Same; Criminal Arraignments, Emergency Orders and Writs. The Chief Criminal Judge shall hear or assign for hearing the criminal arraignment calendar. Applications for Writs of Habeas Corpus relating to custody of minor children shall be presented to the most senior UFC Judge at the Maleng Regional Justice Center. Applications for emergency and miscellaneous applications on criminal or infraction matters shall be presented to the Chief Criminal Judge or Chief Judge of the Maleng Regional Justice Center. No other judge shall sign emergency orders or grant writs while the Presiding Judge or Chief Civil Judge is on duty unless the matter is specifically assigned to that judge by or under the direction of the Presiding Judge or Chief Civil Judge or Chief Judge of the Maleng Regional Justice Center, or except as provided in LCR 98.40. Any order procured in violation of this paragraph may be set aside by the Presiding Judge or Chief Civil Judge or Chief Judge of the Maleng Regional Justice Center upon the application of the party against whom the order has been issued made within 24 hours after service of the order. (See also CR 65(a)(1), Notice.)

(5) --Same; Ex Parte Orders. The Chief Civil Department or Chief Judge of the Maleng Regional Justice Center may hear any matters assigned to or arising out of the Ex Parte Department.

(6) --Same; Judges Pro Tempore. All judges pro tempore shall be appointed by the Presiding Judge.

(7) --Same; Absence. The Presiding Judge in case of disability or necessary absence, may designate another judge to act as Presiding Judge temporarily when the Assistant Presiding Judge is not available.

(8) --Same; Delegation of Duties. The Presiding Judge may delegate all duties not required by law to be performed by a Superior Court judge in person.

(9) Orders to Show Cause. The court shall make orders to show cause returnable in not less than five court days except for good cause shown.

Comment: See also LFLR 5~~(c) (~~Where to Schedule Specific Motions in Family Law Proceedings~~)~~.

LCR 79. BOOKS AND RECORDS KEPT BY CLERK

(d) ***Other Books and Records of Clerk.***

(1) Exhibits; Filing and Substitution. All exhibits and other documents received in evidence on the trial of any cause must be filed at that time, but the court may, either then or by leave granted thereafter, upon notice, permit a copy of any such exhibit or other document to be filed or substituted in the files, in lieu of the original.

(A) Exhibit Files. The exhibits in all cases shall be kept by the clerk separate from the files of the case.

(B) Exhibits--Inspection. No exhibits shall be inspected in the clerk's office except in the presence of the clerk or one of his/her deputies.

(C) Original Court Record--Copies. No original court record shall be admitted as an exhibit, but a copy thereof may be so admitted.

(D) Cardboard Exhibits. Pictures and diagrams shall not be permanently affixed to large cardboards used for display. The clerk is permitted to remove pictures and diagrams from the cardboard for storage purposes.

(2) Unsuitable Materials as Exhibits. Whenever there is presented to the clerk for filing in a cause any document or other material that is deemed by the clerk to be improper or inappropriate for filing, the clerk shall affix his/her file mark thereto and may forthwith orally apply to the court for a determination of the propriety of filing the material presented. If the court determines that the document or material should not be made a part of the file, an order shall be entered to that effect and the material shall be retained by the clerk as an exhibit in the cause. The court may order that the unsuitable material be sealed, in which event it shall be available for inspection only by order of the court except to the parties or their attorneys of record.

(3) --Same; Not Evidence Unless Ordered. Exhibits filed pursuant to subsection (2) hereof shall not be evidence in the cause unless by order of the trial judge entered on notice and hearing.

(4) Withdrawal of Files and Exhibits.

(A) Files. The clerk shall permit no original paper documents to be taken from his/her office or from his/her custody, by anyone other than court personnel, unless written authority has first been obtained. All of the clerk’s files which are in the hands of an attorney for the purposes of any trial or hearing must be returned by the attorney to the clerk at the close thereof. The clerk, or a designated deputy, may in his/her discretion and on application in writing, grant written authority to the applicant to withdraw one or more original paper files from the clerk's custody for a period not exceeding ten days. The court may, upon written application showing cause therefore, authorize the withdrawal of specified clerk's files for a period in excess of ten days. For case files maintained electronically, no person may remove the electronic

media on which the record is kept from the custody of the Clerk, but copies of a file or of the documents therein may be obtained from the Clerk as provided by law and rule.

(B) --Same; Statement of Facts. Statements of facts in cases where the original record remains in paper form, after having been settled and signed, shall not be withdrawn from the clerk's office.

(C) Exhibits; Temporary Withdrawal. Exhibits may be withdrawn temporarily from the custody of the Clerk only by:

(i) The Judge having the cause under consideration;

(ii) Official court reporters, without court order, for use in connection with their duties;

(iii) Attorneys of record, upon court order, after notice to or with the consent of opposing counsel. The Clerk shall take an itemized receipt for all exhibits withdrawn, and upon return of the exhibit or exhibits they shall be checked by the Clerk against the original receipts. The Clerk shall keep all receipts for such exhibits for the period of three years from date.

(D) Failure to Return Files or Exhibits; Sanctions. In the event that an attorney or other person fails to return files or exhibits which were temporarily withdrawn by him/her within the time required, and fails to comply with the Clerk's request for their return, the Clerk may, without notice to the attorney or other person concerned, apply to the Presiding Judge for an order for the immediate return of such files or exhibits. A certified copy of such order, if entered, shall then be served upon the attorney or other person involved.

(E) Exhibits; Permanent Withdrawal. After final judgment, the time for appeal having elapsed, and no appeal having been taken, the Court, on application of any party or other person entitled to the possession of one or more exhibits, and for good cause shown, may in its discretion order the withdrawal of such exhibit or exhibits and delivery thereof to such party or other person.

(i) --Exhibits; Narcotics. See LGR 20.

(F) Return of Exhibits and Unopened Depositions. In any civil cause on a stipulation of the parties that when judgment in the cause shall become final, or shall become final after an appeal, or upon judgment of dismissal or upon filing a satisfaction of judgment, the Clerk may return all exhibits and unopened depositions, or may destroy them. The Court may enter an order accordingly.

(5) Document or File Sealed by Court Order. The Clerk shall not permit the examination of any sealed document or file except by order of the Court entered pursuant to LGR 15(e)~~(1)~~.

(6) Documents Sealed By Court Order. Once the court order has been signed, the filing party shall place the words “Sealed document per (date) court order” in the caption of any document to be sealed. The filing party must then place the sealed document in a manila envelope marked “Sealed document” on the outside before delivering it to the clerk for filing.

(7) Documents Redacted by Court Order. Once the court order has been signed allowing redaction, parties shall file redacted copies of the entire document with the words “Redacted copy pursuant to (date) Order” in the caption.

LCR 93.04 ADOPTION PROCEEDINGS

(a) ***Where Hearings are to be Held*****.** All adoption hearings shall be heard in the Ex Parte and Probate Department of the case assignment area designated for that case unless specially set before a Judge. All hearings shall be noted in conformity with paragraph (b) of this rule.

(b) ***Notice of Hearing*****.** All adoption hearings requiring notice shall be noted for hearing, on ~~the~~ an approved Notice ~~for Hearing~~ of Court Date form, ~~at least~~ no later than 14 days in advance of the hearing date unless otherwise required for the hearing by law. The moving party shall serve and file all motions documents no later than 14 days ~~before~~ in advance of the hearing date.

(c) ***Notice to Adoption Service*****.** Upon noting a hearing, ~~the filing of any initial pleadings for adoption of a minor child,~~ the petitioner shall immediately notify ~~the~~ King County ~~Family Court~~ Adoption Services, by delivering a copy of the Notice of Court Date no later than 14 days in advance of the hearing date to Adoption Services. ~~on a form approved by the Court, of the filing of such proceeding and the names and addresses of all parties and attorneys. Copies of all Notices for Hearing for temporary custody, termination or relinquishment of parental rights or for the entry of a Decree of Adoption of a minor child shall be served upon the Adoption Service in conformity with paragraph (b) of this rule.~~

(d) ***Court's Working Copies*****.** Working copies of pleadings and Notice ~~for~~ of Court Date ~~Hearing~~ shall be submitted to the hearing judge or commissioner, pursuant to the requirements of LCR 7(b), no later than ~~14~~ 12:00 noon 2 court days prior to the date set for hearing.

(e) ***Post Placement Reports and Services*****.** No person shall provide post-placement services in a private or independent adoption until authorized by the Court. Unless otherwise specifically ordered by the Court, the adoption agency having legal custody of the child may be appointed to prepare the post-placement report required by statute. In independent adoptions, the motion to appoint a qualified person to provide post-placement services shall be supported by a written curriculum vita or resume.

(f) ***Case Schedule.*** ~~(Reserved)~~ If the matter is certified for trial, the petitioner shall promptly contact the assigned judge to schedule a LCR 16 conference.

(g) ***Confirmation of Consent.*** Except where legal custody of the adoptee is held by a licensed child placing agency, King County Family Court Services shall investigate and provide to the Court a report confirming the voluntariness of any consent to relinquish parental rights. No consent to relinquish parental rights shall be approved until the Court has received a report complying with this rule. The Court may waive this rule in contested proceedings in which the consent is signed before the trial judge. ~~The petitioner or Adoption Facilitator shall immediately notify the Adoption Service that a Consent to Relinquish Parental Rights of Consent to Adoption is anticipated and that a Confirmation of Consent report will be required.~~

(h) ***File Review.*** ~~The~~ Adoption Services shall review and forward to the Court the ~~original court file, approved~~ adoption checklist~~, court docket and working copies~~ not less than two court days prior to any properly noted hearing. ~~The~~ Adoption Service shall notify the Court and parties of any deficiencies noted in the court file.

(i) *Disclosure of Fees and Costs*. A completed financial disclosure form shall be filed by the petitioner and considered by the Court at any hearing which may result in the termination of parental rights, award of temporary custody or entry of an adoption decree.

LCR 98.04 ESTATES-PROBATE-NOTICES

(a) *Probate Hearings*. Probate matters shall be presented to the Ex Parte and Probate Department in accordance with the policy guidelines in the probate manual issued by the Court and the Motions and Hearings Manual issued by the Clerk. The judicial officer may refer contested proceedings to the Clerk who shall issue a case schedule and assign a judge.

(b) *Clerk's File and Noticed Hearings Required*. The following matters shall be noted for hearing at least 14 days in advance:

(1) All guardianship and decedent's estate matters involving the approval of periodic reports, final accounts or the expenditure of funds;

(2) Petitions for Nonintervention Powers, unless notice has been waived by the parties or is not required by law;

(3) Interim accounts in estate matters;

(4) Motions for confirmation of sale of real estate; ~~or~~

(5) Motions for approval of minor settlements; or

(6~~5~~) Any other matter in which the court is requested to find that certain procedural steps have been taken.

(7~~6~~) Working copies of all documents in contested matters and those matters requiring notice must be submitted to the Ex Parte and Probate Department, hearing judge, or commissioner, not later than seven days preceding the hearing. Response documents including briefs, if any, must be filed with the clerk, copies shall be served on all parties, and working copies shall be submitted to Ex Parte, the hearing judge, or commissioner, no later than noon four court days prior to the hearing time. Documents in strict reply thereto shall be similarly filed and served no later than noon two court days prior to the hearing. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

(c) *Bonds to be Signed by Principal.* All bonds required of personal representatives shall be signed by the principal and shall contain the address of the surety.

(d) *Order for Production of Wills.* Upon filing any petition showing jurisdictional facts as to the estate of a deceased person and alleging that it is believed that a will exists and is in a safety deposit box to which the deceased had access, any person having control of such safety deposit box may be directed by court order to open such box in the presence of the petitioner, and if a document purporting to be a will of the deceased is found, the custodian of such safety deposit box shall deliver the same to counsel for the petitioner for immediate filing or to the clerk of the court.

(e) *Appointments; Eligibility of County Employees.* No county employee shall be appointed guardian or administrator in any matter in which compensation is allowed, unless he/she has an interest or blood kinship, or as an heir, or of a financial nature.

(f) ***Probate Homesteads; Prior Claims.*** In all cases where a petition for allowance in lieu of homestead or in addition thereto is filed by the surviving spouse, vouchers showing the payment of funeral expenses, expenses of last sickness and of administration including fees of appraisers, or a signed written statement by the creditor that such payment has been provided for, must be filed at or before the time of the hearing of said petition.

(g) ***Oaths.*** The Personal Representative(s) name must be typed or printed on the oath as it appears in the order. When a Personal Representative in an estate changes his or her name, he or she must obtain an order for new letters and file an oath under the new name in order to receive new letters. The expiration date of the letters shall remain the same unless changed by the new order.

(h) ***Order Appointing Personal Representative.*** The order shall contain the name(s) of the Personal Representative as it appears in the oath.

(i) ***Notification of Change of Address.*** Any person appointed as Personal Representative or Administrator of an estate must file a notice of change of address with the court within 30 days of the change.

LCR 98.16 SETTLEMENT OF CLAIMS OF MINORS AND INCAPACITATED PERSONS

(a) ***Representation and Report Date*****.**

(1~~5~~) File Number Case Type. All actions for approval of minor settlements shall be filed with a type '4' cause number. Petitions shall include the full name and date of birth of the minor pursuant to SPR 98.16W. ~~All settlements other than those occurring in cases that already have a King County case number shall be filed with a guardianship case number.~~

(2~~3~~) Independent Counsel. A plaintiff attorney representing the incapacitated person may be found to be an independent attorney upon application to the Court and entry of findings per SPR 98.16W. An attorney may not be specially retained by the parties for the purpose of serving as independent counsel, but may be appointed by the Court.

(3~~8~~) Appointment. The appointment of settlement or litigation guardians ad litem, trust drafters, and independent counsel are subject, as appropriate, to the provisions of LGALR 1-7.

(4) Performance of Requirements; Review. If there is no general guardian at the time a settlement is authorized, the Court shall thereupon follow procedures for review and checking on the case until all requirements of the Court incident to the settlement have been complied with and appropriate receipts have been placed on file.

(5~~6~~) Report Date. Upon signing of the order appointing a settlement guardian ad litem or independent counsel, the Court will note on the order when the report is due.

(b) ***Control and Orders for Remaining Funds.*** For all settlements in which the funds will be retained in a blocked account, a receipt must be submitted on a form approved by the court. The Order approving Minor Settlement shall note a date by which an order to disburse funds will

be presented to the court. The court will review the case 60 days after the 18th birthday of the minor, or other date as determined by the court, for purposes determining whether the funds have been or should be disbursed.

(c) *Motions.*

(12) Ex Parte and Probate Department to Hear. All matters requiring the attention of the Court shall be presented to the Ex Parte and Probate Department.

(27) Reports and Accounting. Periodic reports and accountings required of guardians ad litem who are custodians of an incapacitated person's estate shall be filed and noted for hearing at least 14 days before the scheduled date.

(3) Motions. Motions shall be filed and noted in the Ex Parte and Probate Department on 14 days notice (LCR 98.04(b).

(41) Working Copies. Working copies of reports of the settlement guardian ad litem, independent counsel, and of the general guardian in regard to the proposed settlement shall be provided to the Ex Parte and Probate Department not later than seven days preceding the hearing. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

LMAR 3.1 QUALIFICATIONS

(a) *Arbitration Panel*. A person desiring to serve as an arbitrator shall complete an oath of office and information sheet on the form prescribed by the Court. The Arbitration Department will maintain and make available a list of arbitrators available to hear cases.

(b) *Refusal; Disqualification*. The appointment of an arbitrator is subject to the right of that person to refuse to serve. An arbitrator must notify the Supervisor immediately if refusing to serve or if any cause exists for the arbitrator's disqualification from the case upon any of the grounds of interest, relationship, bias or prejudice set forth in CJC ~~Canon 3(c)~~ Rule 2.11 governing the disqualification of Judges. If disqualified, the arbitrator must immediately return all materials in a case to the Supervisor.

LCrR 5.1 COMMENCEMENT OF ACTIONS; CASE ASSIGNMENT AREA

(d) *Location for Court Proceedings for Criminal Cases Filed in King County; Filing of Documents and Pleadings and Designation of Case Assignment Area.*

(1) Designation of Case Assignment Area. Each criminal case filed in the Superior Court shall be accompanied by a designation of the Case Assignment Area.

(2) Boundaries of Case Assignment Areas. For purposes of this rule King County shall be divided into case assignment areas as follows:

(A) Seattle Case Assignment Area. All of King County north of Interstate 90 and including all of the Interstate 90 right-of-way; all of the cities of Seattle, Mercer Island, Bellevue, Issaquah and North Bend; the unincorporated areas of King County Sheriff's Precinct 4; and including all of Vashon and Maury Islands.

(B) Kent Case Assignment Area. All of King County south of Interstate 90 except those areas included in the Seattle Case Assignment Area.

(C) Change of Area Boundaries. The Presiding Judge may adjust the boundaries between areas when required for the efficient and fair administration of justice in King County.

(3) Standards for Case Assignment Area Designation, and Revisions Thereof.

(A) Case Assignment Area Designated by Prosecuting Attorney. The indictment or information filed with the Clerk shall contain the Case Assignment Area designation of the case.

(B) Standard for Designation. Except as provided in Section (C) below, the Prosecuting Attorney shall assign the case to the Case Assignment Area where the offense is alleged to have been committed.

(C) Exceptions to Standard Designation.

(i) The Prosecuting Attorney may designate a case assignment area different than provided in (B) above:

a) Where the location of the offense within the county cannot be easily ascertained or the offense was committed in more than one area of the county;

b) Where multiple offenses charged were committed in more than one area of the county;

(ii) The following case categories shall be designated to the Seattle Case Assignment Area:

a) Fugitives from justice.

b) ~~Appeals in criminal cases from District Courts~~ Juveniles charged as adults.

c) ~~Cases accepted into Drug Court~~ Co-defendants of juveniles charged as adults.

(iii) When a defendant has an action pending, any new action filed against that defendant shall be assigned to the same case assignment area as the pending case.

(D) Improper Designation/Lack of Designation. The designation of the improper case assignment area shall not be a basis for dismissal of any action.

(E) Assignment or Transfer on Court's Motion. The Court on its own motion or on the motion of a party may assign or transfer cases to another case assignment area in the county whenever required for the just and efficient administration of justice in King County.

(F) Motions by Party to Transfer. Motions to transfer court proceedings from one case assignment area to another shall be made in writing, with proper notice to all parties. Motions to transfer shall generally be heard prior to trial setting only. All cases shall proceed in the original case assignment area until an order of transfer is entered.

(G) Venue Not Affected. This rule shall not affect whether venue is proper in any Superior Court facility in King County.

(H) Pre-Filing Requests for Exceptions. The Prosecutor in advance of filing a particular case, for good cause shown, may apply ex parte to the Chief Criminal Judge for an exception to the normal case assignment area.

(4) Where Pleadings and Documents Filed. Pursuant to LGR 30, all pleadings and documents for any criminal action in King County must be electronically filed with the Clerk using the Clerk's e-filing system. Documents identified as exceptions to mandatory e-filing must be filed in paper form with the Clerk of the Superior Court at the court facility in the case assignment area of the case. Service of documents on the Prosecuting Attorney and the defendant's attorney shall be made at the office of the Prosecutor and defense attorney located in the case assignment area of the case at the time of service.

(5) Inclusion of Case Assignment Area Code. All pleadings and documents shall contain after the cause number the case assignment area code. The Clerk may reject pleadings or documents that do not contain this case assignment area code.

(6) Jury Assignment Area. See LGR 18. The rule provides for Seattle and Kent jury assignment areas, consisting of registered voters and licensed drivers and identicard holders residing in each jury assignment area.

~~LMPR 1.8 TAKING TESTIMONY VIA VIDEO OR TELEPHONE~~ [Rescind]**

~~**(a) General.** The Court may take testimony from any witness, including the respondent, via video, telephone, or other electronic means consistent with CR 43(a). The testimony shall be taken in open court with the respondent appearing either in-person or by video, unless the respondent or his or her guardian ad litem, if the court has appointed one, waives his or her presence.~~

~~**(b) Specific.** The Court will conduct all evidentiary non-jury hearings via video for respondents detained at:~~

- ~~Northwest Hospital and Medical Center in Seattle;~~
- ~~Navos Mental Health Solutions inpatient facility in West Seattle;~~
- ~~Cascade Behavior Health Hospital and Treatment Center in Tukwila;~~
- ~~Fairfax Behavioral Health facility in Kirkland; and~~
- ~~Multicare Behavioral Health facility in Auburn.~~

~~Nothing in this rule precludes any respondent from filing a motion to request an in-person hearing, which the court may grant for good cause in appropriate circumstances. In considering such a motion, the Court may consider, among other things, whether the respondent's alleged mental illness has an impact on the respondent's ability to perceive or participate in the proceedings by video. LMPR 1.9 shall govern the filing of that motion and the response, if any. The Court may rule on such motion based on the written submissions of the parties and~~

~~may also allow testimony by video or in-person.~~

~~**(c) Standards for Video Proceedings.** For any hearing conducted via video, the technology used must permit the presiding judicial officer, counsel, all parties, and the witness to be able to see, hear, and speak when authorized, during the proceedings, to allow attorneys to use exhibits or other materials during trial, and to allow respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent and/or respondent's counsel. To the extent there are any statutes, case law, or constitutional standards relating to conducting video proceedings, such standards are incorporated herein by reference.~~

~~**(d) Video Pilot Projects.** The court may implement video pilot projects consistent with LCMR 13.~~

LMPR 2.4 VIDEO HEARING OF PETITIONS FOR 14 DAY INVOLUNTARY TREATMENT [New]**

(a) General. For petitions for 14 days of involuntary treatment, or for petitions to revoke less restrictive alternative orders entered pursuant to petitions for 14 days of involuntary treatment, the Court may take testimony from any witness, including the respondent, via video, telephone, or other electronic means consistent with CR 43(a). The testimony shall be taken in open court with the respondent appearing either in-person or by video, unless the respondent or his or her guardian ad litem, if the court has appointed one, waives his or her presence.

(b) Specific.

(1) The Court will conduct all evidentiary non-jury hearings via video for respondents detained at those facilities designated by general order. For a current list of health care facilities participating in video Involuntary Treatment Act hearings, see the relevant King County Superior Court general order available from the Clerk's Office/Department of Judicial Administration by telephone at (206) 296-9300 or by accessing www.kingcounty.gov/courts/clerk.

(2) Nothing in this rule precludes any respondent from filing a motion to request an in-person hearing, which the Court may grant for good cause in appropriate circumstances. In considering such a motion, the Court may consider, among other things, whether the respondent's alleged mental illness has an impact on the respondent's ability to perceive or participate in the proceedings by video. LMPR 1.9 shall govern the filing of that motion and the response, if any. The Court may rule on such motion based on the written submissions of the parties and may also allow testimony by video or in-person.

(c) Standards for Video Proceedings. For any hearing conducted via video, the technology used must permit the presiding judicial officer, counsel, all parties, and the witness to be able to see, hear, and speak when authorized, during the proceedings, to allow attorneys to use exhibits or other materials during trial, and to allow respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent and/or respondent's counsel. To the extent there are any statutes, case law, or constitutional standards relating to conducting video proceedings, such standards are incorporated herein by reference.

LMPR 3.4 VIDEO HEARING OF PETITIONS FOR 90 OR 180 DAY INVOLUNTARY TREATMENT [New]**

(a) General. For petitions for 90 or 180 days of involuntary treatment, or for petitions to revoke less restrictive alternative orders entered pursuant to petitions for 90 or 180 days of involuntary treatment, the respondent may waive his or her right to appear in person at trial. If he or she does so, he or she may appear by video as set forth in (b) and (c) below. The Court may take testimony from any witness, including the respondent, if he or she waives his or her right to appear in person, via video, telephone, or other electronic means consistent with CR 43(a). The testimony shall be taken in open court with the respondent appearing either in-person or by video, unless the respondent or his or her guardian ad litem, if the court has appointed one, waives his or her presence.

(b) Specific. The Court will conduct all evidentiary non-jury hearings via video for those respondents who have waived their in-person appearance and are detained at those facilities designated by general order. For a current list of health care facilities participating in video Involuntary Treatment Act hearings, see the relevant King County Superior Court general order available from the Clerk's Office/Department of Judicial Administration by telephone at (206) 296-9300 or by accessing www.kingcounty.gov/courts/clerk.

(c) Standards for Video Proceedings. For any hearing conducted via video, the technology used must permit the presiding judicial officer, counsel, all parties, and the witness to be able to see, hear, and speak when authorized, during the proceedings, to allow attorneys to use exhibits or other materials during trial, and to allow respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent and/or respondent's counsel. To the extent there are any statutes, case law, or constitutional standards relating to conducting video proceedings, such standards are incorporated herein by reference.

**NOTE: Much of these amendments may be unnecessary if legislation currently pending passes.

LJuCR 1.9 DISCOVERY

(a) ***Discovery.*** All parties have an on-going duty to promptly provide discovery.

(b) ***Discovery Cut-off Date.*** The discovery cutoff date is an event listed on the case schedule: it is the last date by which formal discovery shall occur, absent agreement of the party or court order. Formal discovery includes the discovery mechanisms set forth in CR 26-37 and shall be conducted in compliance with those rules.

(c) ***On-going Discovery.*** Because of the nature of these cases, parents, children and caregivers are often in treatment or engaging in visits or services until shortly before (or sometimes during) trial. The trial court will address any issues that arise because of late-provided documents on a case-by-case basis.

(d) ***Discovery following the entry of an order of dependency.*** The parties may resume engaging in formal discovery throughout the pendency of the dependency case. The pre-trial discovery cut-off is not intended to prevent parties from engaging in such discovery post trial.

(e) ***Motions to Compel, ~~or F~~ Motions for Protective Orders, and Motions for Production of Records Held by Third Parties.*** Motions to compel, ~~or~~ motions for a protective orders and motions for production of records held by third parties shall be noted without oral argument on six~~-~~ court days notice, pursuant to the provisions of LJuCR 1.8(b). ~~A discovery conference shall be held before a motion to compel or for protective order is filed. *See* CR 26(i) and LCR 37(e).~~ When the matter is pending trial, the motion shall be noted before the Lead Dependency Judge. All other motions to compel or for protective order shall be noted on the appropriate dependency calendar as determined by case designation. A discovery conference, pursuant to CR 26(i), shall be held before a motion to compel or motion for protective order is filed.

Comment: Before a trial court may exclude evidence for violation of a local discovery rule, the three-part test of Burnett v. Spokane Ambulance, 131 Wn. 2d 484 (1997) and Jones v.Seattle, 179 Wn. 2d 322 (2013) must be appropriately applied.

LJuCR 2.4 PROCEDURE AT INITIAL SHELTER CARE HEARING

(a) ***Inform Parties of Rights.*** The court shall inform parties of their rights as set forth in RCW 13.34.090. Any parent, guardian and/or legal custodian of the child, or child age 12 or older, who appears at the 72-hour hearing may be represented, at this hearing, by Court-appointed counsel regardless of financial status unless the party expressly waives this right or has retained counsel.

(b) ***Hearing and Decision.*** At the 72-hour hearing the Court shall:

(1) Determine whether those persons entitled to notice under RCW 13.34 and RCW 13.38 and these rules have received notice of custody and rights pursuant to RCW 13.34.060 and ensure that all parties are informed of their legal rights.

(2) Receive evidence from the petitioner regarding efforts made to notify the parties to this action, and the child's Tribe and determine whether additional service of process or publication of notice is necessary. Any party to this action who was personally served notice and summons of the fact finding hearing pursuant to RCW 13.34.070 or who is present at the 72-hour hearing shall be deemed to have received timely and proper notice of the fact finding hearing.

(3) Determine whether a CASA shall be appointed for the child.

(4) Determine whether an attorney shall be appointed or a referral to the Department of Public Defense for screening be made for any party, including the child, in accordance with the provisions of LJuCR 2.0 and RCW 13.38.110.

(5) Consider and approve agreements pertaining to custody and services pending the 30-day shelter care hearing. The parties may enter into and submit for Court approval an agreed shelter care order. Any such order, if signed by the parent and their attorney, shall constitute sufficient record that the waiver of the 72-hour hearing is knowing and voluntary if the order contains written notice of the rights of the parties to a court hearing and waiver thereof. Agreed orders which are presented without the signature of an attorney for any party must be approved by the Court with the parties present, at which time the Court will inquire into whether the order has been signed knowingly and voluntarily.

(6) Release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian, unless the Court makes specific findings that the requirements of RCW 13.34.065~~(2)~~(5) have been satisfied. The Court may order return of the child subject to specific conditions and/or provision of services.

(7) Hear such evidence as may be presented by the parties as to the issues set forth in LJuCR 2.4~~(c)~~(b)(6) and otherwise as to the need for shelter care, consistent with the requirements of RCW 13.34.065. All parties have the right to present evidence in the form of offers of proof, affidavits, statements, testimony, and arguments in the context of the reasonable cause standard.

(8) Enter appropriate findings of fact as to whether the child and all persons with parental or custodial rights have received notice of the hearing and which of the material facts are undisputed. Notice must be given by any party moving to establish dependency at subsequent shelter care hearings upon a showing of undisputed facts sufficient to establish dependency pursuant to RCW 13.34.030(5).

(9) Enter orders of protection or temporary restraining orders or preliminary injunctions pursuant to RCW 26.44 and 26.50 as may be necessary to protect the child or the person having custody of the child, or to allow a child to remain in the family home.

(10) Order the necessary placement, conditions of visitation or contact with the child, services and other relief as necessary to protect the child's right to conditions of basic nurture, physical and mental health and safety. Specific conditions may be set by the Court to facilitate a return of the child or increased contact between parent and child, including assessments as provided by RCW 26.44.053. Upon request the Court may provide for an additional protective order regarding confidentiality of the assessment that does not violate the mandatory reporter provisions of RCW 26.44.

(11) Termination of publication (T.O.P.) hearings shall be set by the petitioner and the Clerk of the Court at least 70 days in the future. It shall be the responsibility of the petitioner to show by the petition or other verified statement or certification that the identity or the whereabouts of a necessary party is unknown or that no other method of service is likely to be successful.

(12) Alternate Dispute Resolution (ADR): The Court may order the case set for mediation, settlement conference, or other ADR process and may adjust the case schedule as necessary to accommodate the ADR schedule.

~~**(c) *Release of Juvenile on Conditions.*** The court may release the juvenile on those conditions it deems appropriate.~~

LJuCR 3.14 RECONSIDERATION AND REVISION

(a) ***Reconsideration: Presentation of Orders.***

(1) Motion and notice of Hearing. The form of motion and notice of hearing shall conform to LCR 7(b)(4) and be filed within the time limits of CR 59. The motion will be considered without oral argument unless called for by the court.

(2) Response and Reply. No response to a motion for reconsideration shall be filed unless requested by the court. No motion for reconsideration will be granted without such a request. If a response is called for, the court shall direct a date for the response, which shall be no less than six court days from the court's directive. A reply may be filed within two court days of service of the response.

(3) The moving party and any party given leave to file a memorandum in opposition shall attach an original proposed order to the working copies submitted to the hearing judge/commissioner.

(b) ***Revision of Commissioner's Ruling:***

(1) Service and Filing of Motion. A motion for revision of a Commissioner's order shall be served and filed within ten (10) days of entry of the written order, as provided in RCW 2.24.050, and noted for consideration within twenty seven (27) days of entry of the Commissioner's order. A written note for motion must be provided to all other parties with at least fourteen (14) days' notice of the date ~~and place~~ that the motion for revision will be considered. The motion must set forth specific grounds for revision and the arguments and authorities therefore, and must attach all paperwork originally submitted by all parties to the Commissioner. It shall be noted without oral argument.

(2) Providing Copies to the Judge. The party seeking revision must provide the ~~designated~~ lead dependency Judge with working copies of the motion, the note for motion, and all paperwork originally submitted by all parties to the Commissioner within two ~~business~~ court days of filing. The moving party must also provide a copy of the Commissioner's order, and a proposed Order on Revision ~~and pre-addressed stamped envelopes for each counsel/party~~. The ~~designated~~ lead dependency Judge shall rule on the motion for revision or assign the motion to another judge according to court administration policy. If assigned to another judge, all parties will be provided notice of the reassignment ~~by the bailiff or clerk of the Judge to which the motion has been reassigned~~.

(3) Providing Audio Copies of the Hearing. ~~to the Bailiff or Judge's Clerk.~~ ~~When a hearing has been recorded, the bailiff or clerk of the hearing Judge will coordinate with the clerk's office to obtain access to the recording within two days of the clerk's receipt of the request. Unless objection is filed to that recording within one week following the demand for revision, the recording shall be deemed certified as the record for revision, together with the legal files in the case.~~ Unless specifically requested by the court, the moving party need not provide a recording of the hearing. In lieu of the recording, the judge will review the court's recorded record.

(4) Responsive Document. Responsive documents must be served, and filed, no later than 12:00 noon, seven (7) days before the motion is to be decided. Any documents in strict

reply are due no later than 12:00 noon, two (2) court days before the motion is to be decided. Working copies of responsive documents must be submitted to the hearing Judge no later than two ~~business~~ court days after filing, and working copies of any documents in strict reply must be submitted to the hearing Judge by the close of business the day of filing.

(5) Oral Argument. Oral argument on the motion for revision will be scheduled only upon request of the hearing Judge.

(6) Effect of Commissioner's Order. The Commissioner's written order shall remain in effect pending the hearing on revision unless ordered otherwise by the reviewing judge.

(7) Time of Filing. For cases in which a timely motion for reconsideration of the Commissioner's order has been filed, the time for filing a motion for revision of the Commissioner's order shall commence on the date of the filing of the Commissioner's written order of judgment on reconsideration.

LFLR 4. CASE SCHEDULE AND ORDER SETTING FINANCIAL RESTRAINGS

(a) Case Schedule. At the time a family law petition is filed ~~of the filing of the petition in any domestic relations case~~, the clerk shall ~~may~~ issue a case schedule. The case schedule contains a list of mandatory deadlines. ~~The parties must strictly comply with all deadlines in the case schedule. The only notice that the parties will receive of certain deadlines (including the date for the status conference) is the case schedule, and f~~Failure to comply with the case schedule may result in sanctions or dismissal. ~~See also LCR 16.~~

(b) ~~Requirement of~~ Service of Case Schedule. The petitioner must serve a copy of the case schedule on the other party, along with the summons and petition and other documents required by this rule.

(c) Confirmation of Issues~~/Status Conference.~~

~~**(1) Confirmation of Issues; Referral to Mediation.**~~

~~**(A) Deadline for Raising Additional Issues.** No additional issues may be raised after the date designated in the Case Schedule for Confirmation of Issues, unless the Court orders otherwise for good cause and subject to such conditions as justice requires.~~

~~**(B) Confirmation of Issues; Form.**~~ For all cases except parentage cases, the ~~If all~~ parties shall jointly file ~~do not sign~~ the Confirmation of Issues local form by the ~~or give telephonic authority for signature of the form, a status conference shall be held. No later than the designated~~ deadline listed in the case schedule. ~~for raising additional issues, as described in subsection (c)(1)(A) above, the petitioner shall, after conferring with the respondent, file and serve a report entitled "Confirmation of Issues," which shall be in substantially the form provided by the court and available from the Clerk's Office or by accessing www.kingcounty.gov/courts/clerk.~~

(d) Parentage Cases; Confirmation of Completion of Genetic Testing; Form.

~~**(1)**~~ The ~~form~~ Confirmation of Completion of Genetic Testing local form shall be filed by the petitioner by the deadline listed ~~no later than the date specified~~ in the Case Schedule. The

form shall be available through the Clerk's Office. ~~and shall be in substantially the following form:~~

~~[ ] The petitioning party represents that:~~

~~(IF THIS BOX IS CHECKED, THERE WILL NOT BE A STATUS CONFERENCE AS NOTED IN THE CASE SCHEDULING ORDER.)~~

~~1. Paternity genetic testing of all named parties has been completed, the results of the tests are available to all parties, and no party has requested additional testing, OR~~

~~2. Genetic testing is not necessary in this case because paternity has been admitted.~~

~~[ ] The petitioning party represents that:~~

~~(IF THIS BOX IS CHECKED, THERE WILL BE A STATUS CONFERENCE, AS NOTED IN THE CASE SCHEDULING ORDER, AT WHICH ALL PARTIES OR THEIR ATTORNEYS MUST APPEAR.)~~

~~1.Paternity genetic testing of all named parties has not been completed, or the results are not yet available to all parties, or a party has requested additional testing, AND~~

~~2. Genetic testing is necessary in this case because paternity is not admitted.~~

~~In order to obtain the Court's direction in the matters described above, the parties will appear at a Status Conference, the date of which (as stated in notices on the Case Schedule) is: _____.~~

~~**NOTICE: You may list an address that is not your residential address where you agree to accept legal documents.**~~

~~DATED: _____ SIGNED: _____~~

~~Petitioner/Attorney (If Attorney, WSBA #) _____~~

~~Typed Name: _____~~

~~Address: _____~~

~~_____~~

~~Phone: _____~~

~~Attorney(s) For: _____~~

(e) Status Conference; When parties are ~~R~~required to appear. ~~A status conference will be held in family law cases when:~~

(1) Parentage Cases. Personal appearance at Status Conference is required in parentage cases when the confirmation of ~~issues form or~~ completion of genetic ~~blood~~ testing form has not been filed by the deadline; or that form states that testing is necessary and has not been completed.

(2) All other family law cases. Personal appearance at status conference is required in all other family law cases when the confirmation of issues ~~filed~~ form has not been signed by both parties or has not been filed by the deadline; or when that form states ~~indicates~~ that mandatory pleadings have not been filed and served. ~~requirements regarding joinder of parties and issues and/or testing remain outstanding.~~

(f) Change of Trial Date and Amendment of Case Schedule. The court, either on its own initiative or on motion of a party, may issue an amended case schedule. A motion to change trial date, even by agreement, must comply with LCR 40(e). ~~Motions to amend the case schedule or change trial date must be brought before the judge who is assigned to the case and will not be heard by the family law commissioners or in the Ex Parte Department.~~

(g) Completion of Discovery. All discovery must be completed no later than 28 days before the trial date in parentage cases and no later than 35 days in all other family law proceedings in accordance with the provisions of LCR 37(g).

(h) Automatic Temporary Order Setting Financial Restraints. When a dissolution, legal separation or invalidity case is filed, the court, on its own motion, shall issue an automatic temporary order. The temporary order shall be in a form approved by the UFC/Family Law Committee. A copy of the order shall be available on the Clerk's website.

(1) The petitioner shall serve a copy of the order on the respondent. Respondents are subject to the order from the time they are served. Petitioners are subject to the order from the date of filing.

(2) The order shall remain in place until further order of the court or entry of final orders in the case.

(3) If the order is violated, either party may seek a finding of contempt and/or requests fees.

**Draft of referenced Automatic Temporary Order below will not be included in the LFLR 4.

Superior Court of Washington
County of King

In re:	**No.**
Petitioner,	**Automatic Temporary Order**
and	
Respondent.	

I. NOTICE TO THE PARTIES

An action has been started in this court that affects your rights. All parties are now required to obey the following order unless and until the court changes it in your case. Any party may ask the court to change or clarify this order by filing a motion. The Court has the power to punish violations of this order; the court may find the violator in contempt and require the violator to pay the other party for any attorneys' fees incurred for bringing the violation before the court.

II. ORDER

2.1 Financial Restraints - (These restraints shall apply to family law petitions seeking dissolution of marriage or domestic partnership, legal separation, or declaration of invalidity filed under RCW 26.09.)

a. Both parties are restrained from transferring, removing, encumbering, concealing, damaging, or in any way disposing of any property, except in the usual course of business, or for the necessities of life, or as agreed to in writing by the parties, or as ordered by the court.

b. Both parties are restrained from assigning, transferring, borrowing, lapsing, surrendering, or changing entitlement of any insurance policies of either or both parties, or of any dependent children, whether medical, health, life, automobile, or other insurance, except as agreed in writing by the parties or as ordered by the court.

c. Unless the court orders otherwise, all parties are responsible for their own future debts whether incurred by credit card, loan, security interest, or mortgage, except as agreed in writing by the parties.

d. Both parties shall have access to all tax, financial, legal, and household records. Reasonable access to records shall not be denied without order of the court.

2.2 Service, Effective Date of Order, and Motion to Quash

a. The Petitioner shall serve a copy of this order on the Respondent and file proof of service with the court.

b. The Petitioner is subject to this order from the time of filing the Petition. The Respondent is subject to this order from the time the order is served.

c. This order shall remain in effect until the conclusion of this matter, unless it is modified or quashed by a further court order.

d. Any party subject to this order may bring a motion to quash this restraining order under LFLR 8(f) and CR 65(b) or bring a motion to modify this order on the family law motions calendar.

2.3 Agreed modifications of this order may be presented to the Ex Parte and Probate Department.

Dated: _____ _____

Judge

LFLR 5. WHERE TO SCHEDULE MOTIONS IN FAMILY LAW PROCEEDINGS

[View current LFLR 5: http://www.kingcounty.gov/courts/clerk/rules/LFLR_5.aspx]

For "Respective Chief Judge" see LGR 29(h).

(a) Case Assignment. Hearings in cases with "UFK" or "KNT" designations shall be at the Maleng Regional Justice Center (MRJC), in Kent, and hearings in cases with "UFS" or "SEA" designation shall be at the King County Courthouse, in Seattle. For judicial economy, the court may allow motions to be heard in either courthouse.

(b) Motions to be heard in the Ex Parte and Probate Department.

(1) Unless otherwise specified in this rule, motions for orders to show cause and agreed orders shall be presented Ex Parte via the Clerk. When setting a hearing before a judge, the motion for order to show cause shall include proof that the judge's staff has approved the hearing to be set on that date. See LCR 7(b)(9).

(2) Uncontested Final Orders.

(A) Divorces and Legal Separations. At least one party shall appear to provide oral testimony about the final order of divorce or legal separation, unless a formal proof declaration, available online at http://www.kingcounty.gov/courts/superior-court/family/family-law-instructions.aspx, is signed by at least one party to the case.

(B) Uncontested final orders presented by attorneys.

(i) Cases involving children. When presenting a final parenting plan, residential schedule, or a final nonparental custody order, an attorney must sign and file a certificate of compliance and present the final orders in person to the Ex Parte and Probate Department.

(ii) Cases that do not involve children. Final orders not related to the placement of children entered by agreement or default may be presented Ex Parte via the Clerk with the attorney's certificate of compliance and formal proof declaration, if applicable.

(C) Uncontested final orders presented when both parties are pro se. When presented by pro se parties, agreed final orders or final orders entered after an order of default shall be:

(i) Presented to a judicial officer through a court-approved program operated by the Facilitator's Office, or;

(ii) Noted for a final decree hearing in the Ex Parte and Probate Department with fourteen days' notice and proposed final orders shall be reviewed by the Facilitator's Office prior to the hearing.

(c) Motions to be heard by Family Law Commissioners.

(1) Agreed orders continuing a family law hearing shall be presented to a family law commissioner.

(2) Unless otherwise specified in this rule, all contested motions in family law cases shall be heard on the family law motions calendar.

(3) Motions in Trial by Affidavit cases. All motions in trial by affidavit cases, including motions related to discovery, shall be heard by the assigned trial by affidavit family law commissioner. See LFLR 14.

(4) Motions to link a domestic violence protection order case with a family law case involving the same parties may be heard by family law commissioners.

(d) Motions to be heard by Judges. Hearings before judges shall be scheduled using the timelines required by applicable civil and local rules, including but not limited to CR 12, CR 56, and LCR 7. Unless otherwise required, motions scheduled before judges shall be heard on at least six (6) court days' notice and without oral argument. The court may allow or require oral argument.

(1) Assigned Judge. The following motions shall be scheduled before the assigned judge, or if there is no assigned judge, the Respective Chief Judge:

(A) motions to seal a file or a document within a file, even if agreed;

(B) motions to change the trial date, or a deadline in the case schedule;

(C) motions for summary judgment, except for summary judgment motions in parentage actions which shall be heard on the family law motions calendar;

(D) motions to resolve which court shall exercise jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act (Chapter 26.27 RCW);

(E) motions to enforce a CR2A agreement;

(F) motions for revision of a commissioner's order. See LCR 7(b)(8).

(G) Uncontested final decrees of invalidity. Hearings shall be noted with oral argument before the assigned judge or before the judicial officer presiding over the status/noncompliance calendar. At least one party shall appear to provide oral testimony with respect to entry of a final decree of invalidity.

(H) Any other motion identified in Section (e) below.

(2) Chief Judges. The following motions shall be scheduled before the Respective Chief Judge:

(A) Change of Case Assignment Area or Consolidation of Cases. A motion to change the case assignment area or consolidate two or more actions under one case schedule shall be brought before the Respective Chief Judge.

(B) Motions related to an appeal of a commissioner's order. If a commissioner entered the final order that is appealed, any motions related to the appeal shall be noted before the Respective Chief Judge.

(e) Specific Motions.

(1) Motions related to trials and appeals of judges' orders. The following motions shall be noted before the trial judge: motions in limine, trial motions, presentation of final orders related to a trial, motions relating to the appeal of a final order entered by a judge, including motions to waive fees for the appeal and motions to stay the underlying order pending the appeal.

(2) Motions to Vacate. All return hearings scheduled before a judge shall be set as provided in LFLR 5(b)(1).

(A) Active Cases. In cases where there is still a pending trial date, the order to show cause on the motion to vacate an order shall set the return hearing before the judicial officer who signed the order, except the return hearing on a motion to vacate an order of default in an active case shall be scheduled before the assigned judge.

(B) Closed Cases. When a case has been dismissed or final orders have been entered, the order to show cause on the motion to vacate shall set the return hearing before the Respective Chief Judge except in the following circumstances:

(i) If it is a motion to vacate final orders entered after a trial, the order to show cause shall set the return hearing before the trial judge. If that judge has left the court, the return hearing on the order to show cause shall be scheduled before the Respective Chief Judge.

(ii) If the parties are presenting an agreed motion to vacate a dismissal and enter agreed final orders, the motion may be presented in the Ex Parte and Probate Department at the same time as the agreed final orders, as provided in LFLR 5(b)(2).

(3) Motions for Reconsideration. See LCR 59. All motions, including those before family law commissioners, shall be scheduled without oral argument with six court days' notice before the judicial officer who entered the order to be reconsidered. No response shall be filed unless requested by the court, as provided in LCR 59(b).

(4) Orders Shortening Time. Motions for orders shortening time shall be heard in accordance with LCR 7. Motions to shorten time that seek to set a hearing on the family law motions calendar shall be heard by a commissioner assigned to that calendar.

(5) Writs of Habeas Corpus. Applications for writs of habeas corpus relating to minor children shall be presented to and returnable to the designated judge in the Unified Family Court Department at the MRJC. Contact the Office of Court Operations at the MRJC (206-477-2600) to find out which judge is handling habeas corpus matters relating to minor children.

(6) Relocation Motions.

(A) Motions for temporary orders to restrain or authorize relocation of a child in a relocation or modification case shall be noted with oral argument in front of the assigned judge with 14-days advance notice. However, if no objection has been filed, and therefore there is no assigned judge, these motions shall be heard by the Chief UFC Judge.

(B) Ex parte motions authorized by statute shall be presented in person in the Ex Parte and Probate Department.

(7) Motions for Default.

(A) Notice not required. When notice is not required under CR 55, motions for default shall be presented Ex Parte via the Clerk's Office or presented with proposed final orders as outlined in section (b)(2) of this rule.

(B) Notice required. If notice to an opposing party is required under CR 55 (for example, when an appearance but no answer has been filed), motions for default shall be noted on the family law motions calendar with oral argument.

(8) Motions related to discovery and appointment of experts.

(A) Motions for a protective order, to compel a party to comply with a discovery request, or for sanctions related to discovery shall be scheduled before the assigned judge.

(B) Motions to appoint experts, such as a parenting evaluator or an expert for asset valuations, shall be scheduled on the family law motions calendar. All other motions under CR 34 or CR 35 shall go to the assigned judge.

(C) Motions related to discovery in domestic violence protection order cases shall be heard on the family law motions calendar.

LFLR 6. FAMILY LAW MOTIONS CALENDAR PROCEDURES

(a) ***Applicability.*** This rule applies to the family law motions calendar only and does not apply to motions before judges.

(b) ***Notice and Hearing.***

(1) Notice of Court Date forms are required and may be obtained from the clerk's office or by accessing www.kingcounty.gov/courts/clerk. Times and days for scheduling specific types of motions may also be obtained by calling 206-296-9300. See also LFLR 2.

(2) The original of the motion together with all supporting documents (including briefs, affidavits and/or declarations pursuant to RCW 9A.72.085) must be filed with the Clerk and copies served on all parties at least fourteen (14) calendar days before the date of the hearing. Response documents including briefs, if any, must be filed with the Clerk and copies served on all parties no later than noon four (4) court days prior to the hearing time; and documents in strict reply thereto shall be similarly filed and served no later than noon two (2) court days prior to the hearing.

(3) An additional working copy of all documents shall be submitted to the Family Law Motions Coordinator no later than noon three (3) court days prior to the hearing, except that documents in strict reply may be submitted by noon two (2) court days prior to the hearing. For any motion which requests the modification, adjustment, clarification, enforcement (including contempt), reconsideration or vacation of an earlier order, the working copies shall include a copy of the earlier order. Working copies shall be submitted to the Family Law Department pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

(c) ***Confirmations.***

(1) The moving party shall confirm the motion (including motions for presentation of orders), with the Family Law Confirmations Coordinator in person, by telephone or on the King County Superior Court website for Family Law Motions Confirmation Online. Confirmations by phone or in person must be done by either A) three (3) court days prior to the hearing between 2:30 and 4:15 PM or B) two (2) court days before the hearing between 8:30 AM and 12:00 noon. Confirmations via the King County Superior Court website can be done anytime between 12:01 PM three (3) court days prior to the hearing until 12:00 noon two (2) court days before the hearing. The phone number to confirm Seattle case assignment area cases is 206-477-1523. The phone number to confirm Kent case assignment area cases is 206-477-2750. If not timely confirmed, the motion will be stricken and all working papers destroyed.

(2) Motions cannot be confirmed in person, by telephone or via the website unless the moving party's working copies have been received by the Family Law Department.

(d) ***Agreed Continuances.*** The parties may agree to continue a hearing only once on the

family law motions calendar, and only prior to the end of the confirmation period, as follows:

(1) The parties may continue the motion to any court day that is at least five (5) court days after the scheduled hearing date. The moving party must notify the Family Law Motions Coordinator of the new agreed hearing date by telephone within the confirmation period set forth in LFLR 6(c) above. If agreement to continue the hearing is reached during the confirmation period, the motion must first be confirmed. Continuances cannot be requested through the King County Superior Court website.

(2) The moving party must re-confirm the motion for the new hearing date in accordance with LFLR 6(c) above. Confirmation may be done through the King County Superior Court website.

(3) A request for a continuance after the expiration of the confirmation period set forth in LFLR 6(c) above must be brought before the commissioner at the original confirmed hearing date and time and will ordinarily not be granted.

(e) ***Limitations on Declarations.***

(1) Application. This section (e) of this rule does not apply to domestic violence petitions or domestic violence motions.

(2) Children's statements. Declarations by minors are disfavored.

(3) Formats:

(A) All motions shall follow LCR 7 and LCR 10 to the extent they are not inconsistent with this rule, and use the forms required by LFLR 3.

(B) All filed documents and copies provided as working copies and served on other parties and attorneys shall be legible. If typed or computer printed, documents shall be in 12 point or larger type, double-spaced between the lines.

(4) Basis. Evidence, including written evidence in affidavits and declarations by the parties and lay witnesses, must comply with the rules of evidence. The rules of evidence provide that they need not be applied in domestic violence and anti-harassment protection order proceedings. See Rules of Evidence (ER) 1101(c) (4).

(5) Page limits.

(A) Generally. Absent prior authorization from the court, the entirety of all declarations and affidavits from the parties and any non-expert witnesses in support of motions (except financial declarations), including any reply, shall be limited to a sum total of twenty-five (25) pages. The entirety of all declarations and affidavits submitted in response to motions shall be limited to a sum total of twenty (20) pages.

(B) 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 affidavit shall not be counted toward the page limit.

(C) Financial Declarations. Financial Declarations and financial documents, as specified in LFLR 10, do not count toward the page limit.

(D) Expert Reports and Evaluations. Declarations, affidavits, and reports from Court Appointed Special Advocates (CASA), Family Court Services (FCS) and expert witnesses do not count toward the page limit.

(E) Miscellaneous Exceptions. Copies of declarations or affidavits previously filed for a motion already ruled upon and supplied only as a convenience to the court in lieu of the court file do not count toward the page limit. Deposition excerpts shall not count toward the

page limit.

(6) See LCR 7 for format and word limits on motions, opposition papers, briefs and memorandum of authorities.

(f) ***Time for Argument.***

(1) Each side is allowed five (5) minutes for oral argument, including rebuttal, unless otherwise authorized by the court.

(2) By written stipulation of all parties, any motion except a motion for contempt may be set without oral argument.

(A) Motions heard without oral argument shall be set for a specific date and are subject to the same requirements (including confirmation) as other motions.

(B) Each party shall provide working copies including a proposed order(s) and shall timely serve the opposing party. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. Parties submitting working copies in paper form shall also conspicuously include the words "Without Oral Argument" in the upper right corner of each document. ~~and the moving party shall provide stamped envelopes addressed to each party/counsel.~~

(C) The commissioner may order the parties to appear for argument.

(g) ***Special Settings.***

(1) Additional time for argument. A request for a special setting for oral argument that will require more than five minutes per side, or for other special settings shall be made in writing addressed to the Family Law Motions Coordinator.

(A) The request should state the extraordinary features of the case and explain why additional time for oral argument is needed. The request should state the length of time requested, and whether the other parties agree with the request. The written request shall include working copies of the motion and supporting documents, and all responses received.

(B) The written request shall be filed with the Clerk and working copies shall be submitted to the Family Law Coordinator, and served on all other parties at least six (6) court days prior to the scheduled hearing date. Any response to the request shall be similarly filed and delivered to the Coordinator and other parties by noon at least two (2) court days prior to the scheduled hearing date. Replies are not permitted. Working copies shall be submitted to the Family Law Department pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.

(C) An order granting the request cannot be entered by stipulation or agreement.

(D) No other motion may be joined with a request for additional time.

(E) If granted, the Court will set the date and time for additional time for argument on the Family Law Motions Calendar.

(2) Motions to Permit Live Testimony at a Hearing. Except for domestic violence protection order proceedings, a party seeking to present live testimony at a hearing must file a request in writing in the same manner as a request for additional time for argument (in LFLR 6(g)(1) above).

(A) An order Permitting Testimony cannot be entered by stipulation.

(B) If granted, the court will notify the parties of the hearing date and time.

(h) ***Order on Hearing.*** Unless otherwise ordered by the Court, immediately following each

hearing, an order reflecting the ruling of the Court shall be presented for signature.

LFLR 11. SEALED COURT RECORDS

(a) ***Court Records Are Generally Public*****.** Documents filed with the court will in most cases be available for public inspection and copying and for all cases filed beginning 1/1/2000 are maintained in electronic format. Only a document or court file type that is specifically sealed by law, court rule, or court order will be unavailable for public inspection and copying.

(b) ***Some Documents Subject to Restricted Access*****.** The following documents, if properly identified by the person filing the documents, will be sealed by the Clerk without a court order: income tax returns and schedules, W-2 forms, wage stubs, credit card statements, financial institution statements, and check registers. See also GR 22. These records should only be filed by first attaching the "Sealed Financial Source Documents" cover sheet (Mandatory Form No. WPF DRPSCU-09.0220) and writing the word "SEALED" on the first page of each attachment. Only those documents allowed by GR 22 may be filed under the "Sealed Financial Source Documents" cover sheet without first obtaining a court order to seal the document.

(c) ***Identifying Information to be removed*****.** Except for documents that are automatically sealed or where the following information is essential to a determination, parties shall black out social security numbers, driver's license numbers, telephone numbers, children's dates of birth, and all but the last four digits in account numbers, in documents filed with the court.

(d) ***Requirements for Orders Sealing Records*****.**

(1) Motion and Declaration required. The proposed order, even if agreed, must be accompanied by a motion and declaration or affidavit demonstrating a basis for the order consistent with GR 15~~(c)~~(d) and Article I, Sec. 10, Washington State Constitution. See also GR 22. See LFLR 5(c) with respect to where to present a motion to seal a file.

(2) Form of Order to be used. An order to redact or seal a court record must be made separately and may not be combined with any other order. The order shall either state that the clerk's office is directed to seal the entire court record or shall designate the specific documents to be sealed.

Comment: See LCR 79(d) for procedures relevant to redacting and sealing.

LFLR 14. CHILD SUPPORT AND SPOUSAL MAINTENANCE MODIFICATIONS AND ADJUSTMENTS

(a) ***Scope of This Rule*****.**

(1) This rule applies child support and spousal maintenance adjustments that are brought independently from a petition to modify a parenting plan, or child custody or visitation order. This rule does not apply to support modifications that are based on a substantial change

of circumstances if there is a pending proceeding to modify a parenting plan, or child custody or visitation order.

(2) In cases where a modification of a parenting plan, child custody, or visitation has been resolved, the court may transfer the support issues to the Trial by Affidavit Calendar, and this rule will then apply.

(3) A child support adjustment, which merely implements a periodic adjustment clause in an Order of Child Support or is limited to the relief authorized by RCW 26.09.170(9) and (10), shall be brought on the Family Law Motions Calendar under LFLR 6. Each party must also follow LFLR 10.

(4) In a Child Support modification proceeding, the court may grant relief limited to the scope of a child support adjustment, if the case does not meet the requirements for a modification but does meet the requirements for an adjustment.

(b) *Support Modification Proceedings*.

(1) Documents Required to Be Served and Filed

(A) Documents Required from Petitioner. A party petitioning for modification of child support or spousal maintenance shall file and serve upon all other parties the Summons and Petition, a completed Financial Declaration, child support worksheets (if applicable), and the financial documents specified in LFLR 10. The petitioning party shall serve the other party a copy of the Order Setting Case Schedule (issued by the Clerk) with the Summons. If the existing support order was not issued by King County Superior Court, a certified copy of the order must be filed with the Petition.

(B) Documents Required from Responding Parties. Each responding party shall file and serve a Response to Petition, a completed Financial Declaration, child support worksheets (if applicable), and the financial documents specified in LFLR 10, by the deadline established by service of the Summons.

(c) *Motions.*

(1) Pre-trial Motions re Support-only Modifications. All pre-trial motions relating to support-only modifications, including motions to change the trial date, to permit testimony, or relating to discovery, shall be decided on the Trial by Affidavit Calendar without oral argument. Motions shall be noted for hearing fourteen (14) or more days in advance. The procedure for such motions shall conform to LCR 7 and LFLR 6 to the extent not inconsistent with this rule. There is no requirement to confirm such motions. Motion documents shall be filed with the Clerk and working copies shall be provided to the court. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. Working copies submitted in paper form must be delivered to the Trial by Affidavit mailbox in the judges' mailroom of the courthouse where the matter will be heard.

(2) Motions to Permit Live Testimony.

(A) Testimony is ordinarily in the form of declarations and affidavits. Oral argument is allowed at all trials by affidavit. A party seeking permission to present live testimony at the time of the trial by affidavit (in addition to oral argument) must file a motion with a supporting declaration setting forth the reasons why live testimony is necessary. The motion and

supporting documents shall be noted, filed and served not later than the deadline set forth in the case schedule.

(B) The supporting documents must demonstrate the extraordinary features of the case warranting live testimony. Factors which may be considered include: substantial questions of credibility on a major issue, insufficiency or inconsistency in discovery materials not correctable by further discovery, or particularly complex circumstances requiring expert testimony.

(C) A Motion to Permit Testimony may not be entered by stipulation. If the motion is granted, a hearing will be set.

(3) Motions for Temporary Orders. Motions for Temporary Support Orders will not ordinarily be considered in support-only modification proceedings. Exceptions may apply in exigent circumstances, such as when there has been a change in residential care, a party has requested a continuance of the trial date, or when the lack of a temporary order would substantially prejudice a party. A motion for temporary support shall be noted on the Family Law Motions Calendar; the court in its discretion may also consider an oral motion for temporary support at the time of the support modification trial where the matter is being continued for reasons unrelated to the conduct of the party requesting the temporary support order.

(d) ***Method of Disposition of Support Modification Proceedings*****.**

(1) Trial by Affidavit. The trial of support-only modification petitions shall be heard on affidavits, declarations, pleadings, and discovery materials obtained pursuant to CR 26-37, unless the court authorizes live testimony pursuant to a motion brought under LFLR 14(c)(2) above.

(2) Proposed Orders. The petitioning party is obliged to provide proposed findings of fact and conclusions of law, child support worksheets, and orders to the other parties and the court not later than the time of trial. The proposed orders shall not be filed with the clerk. Working copies of the proposed orders for the judge shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. If the petitioner is not present and has not presented proposed orders, the matter may be dismissed.

(3) Judicial Officer Presiding. Unless otherwise assigned by the court, support-only modification trials shall be heard on the Trial by Affidavit Calendar by a Family Law Commissioner.

(4) Affidavits of Prejudice Not Recognized. See LCR 40(g).

(5) Independent Proceedings. Except as otherwise stated, Petitions for Modification of Support shall proceed as original determinations, with no threshold or adequate cause hearing required.

(6) Arbitration. The parties may stipulate to arbitrate the issues in the petition pursuant to the state and local Mandatory Arbitration Rules. The stipulation must be in writing, in a form as prescribed by the Court. The stipulation must state whether the issues will be handled by private arbitration or will be submitted to the King County Arbitration Department for assignment of an arbitrator.

(A) Motions for Temporary Relief. Once an arbitrator has been appointed, all motions shall be decided by the arbitrator.

(**B) Appeals from Arbitration.** Requests for a trial de novo from the decision of an arbitrator shall be heard on the Trial by Affidavit Calendar.

(7) Trial by Affidavit Procedure. Parties shall file the originals of all documents to be considered with the Clerk. Settings on the Trial by Affidavit Calendar must be confirmed by the submission of a copy of these materials either in paper form to the Trial by Affidavit mailbox at the courthouse where the matter will be heard or electronically through the Clerk's e-filing system by the deadline in the case schedule. Each party to the proceeding will have a maximum of ten (10) minutes, including rebuttal, to present oral argument to the court. No new evidence may be offered at the time of trial unless stipulated by the parties or authorized by the court for good cause shown. Parties may attend the trial by telephone, provided that prior arrangements have been made with the court. A party is not obligated to attend the hearing.

(8) Procedure on Default.

(A) Default Procedures. See LFLR 5~~(c)(9)~~(e)(7).

(B) Failure of a responding party to be present in person or by counsel at the time of trial shall not constitute a default, as the presentation of oral argument is optional. If counsel or a pro se party is not present, the court will decide the matter based upon the working papers and the oral argument of those present.

LFLR 15. RELOCATION OF CHILDREN

(a) ***Notice Required.*** Where a parenting plan or custody order has been entered, a parent seeking to relocate a child outside of his or her school district shall provide notice in accordance with RCW 26.09.430-440. A parent objecting to relocation shall file and serve the form Objection to Relocation/Petition for Modification (DRPSCU 07.0700). If the objecting party is seeking to restrain an immediate move, that party shall file and serve a motion in accordance with LFLR 5~~(c)(3)(J)~~(e)(6) within fifteen (15) days of the filing of the Objection to Relocation/Petition for Modification.

(b) ***Presentation of Proposed Parenting Plan*****.** In the absence of an objection, but no earlier than thirty (30) days after the relocating party has served a proposed parenting plan on the person entitled to residential time with the children, any party to the relocation action may present the relocating party's proposed parenting plan to the Ex Parte and Probate Department through the clerk's office for entry.

(c) ***Motion for Default.*** If a response to an objection to relocation is not filed within the deadline for filing, a motion for default may be presented to the Family Law Department motions calendar upon fourteen (14) days' notice.

(d) ***Motions for Temporary Orders.*** Motions for temporary orders shall not be heard until the deadline for filing an objection to relocation has passed, unless exigent circumstances require immediate relief. *See* LFLR 5~~(c)(3)(J)~~(e)(6).

(e) ***Concurrent actions.*** If a petition for dissolution or modification is already pending at the time a notice of intent to relocate is served and if the objecting party serves an Objection to

Relocation/Petition for Modification, that action shall be assigned to the same judge assigned to hear the initial action and no new case schedule shall issue. If, after the filing of an Objection to Relocation/Petition for Modification, a party seeks to modify the parenting plan pursuant to RCW 26.09.260, the modification action shall be assigned to the same judge who is assigned the relocation action and a modification case schedule shall be issued which shall govern both actions. A party who seeks to amend the case schedule based on the filing of the second action shall note a motion pursuant to LCR 7(b) with the assigned trial judge.

(f) ***Mediation/Alternative Dispute Resolution*****.** The parties shall participate in mediation or some other form of alternative dispute resolution before trial unless waived by court order.

LFLR 21. SIMPLE DISSOLUTION (DIVORCE) PROGRAM

(a) ***Purpose.*** To facilitate early resolution of family law cases where the parties:

(1) Are not represented by an attorney in the case; and

(2) Are in agreement on all issues in the case ***or*** where the respondent is in default; and

(3) Do not have minor children; and

(4) Do not have substantial property or debt to divide between the parties; and

(5) At least one party resides in King County.

(b) ***Application.*** The Family Law Courthouse Facilitators and staff who provide basic services under GR 27(c)(3), authorized by RCW 26.12.24, shall determine whether or not pro-se litigants are eligible for the Simple Dissolution (Divorce) Program according to established program guidelines. They shall require each party, or the petitioner in cases where a default order is obtained, to complete and sign an application disclaiming any attorney-client relationship and attorney-client confidentiality as well as disclosing the character and agreed distribution of assets and liabilities.

(c) ***Finalization.*** For cases eligible for the Simple Dissolution (Divorce) Program, Courthouse Family Law Facilitators and staff shall transfer the information provided on the application onto the appropriate final orders. A Facilitator Program attorney may present final orders with a completed and signed Declaration In Lieu of Formal Proof, as required by LFLR 5(b)(2)(A), to the judicial officer conducting the Status Non-Compliance Calendar or the Chief UFC Judge. Presentation of final orders shall occur pursuant to the time frame established by statute. ~~The Declaration In Lieu of Formal Proof shall be in substantially the same format as set forth in Appendix 1 of LFLR 5 except that these Declarations may be signed any time after filing and prior to entry of the final orders.~~

(d) ***Case Schedule.*** Participating in the Simple Dissolution (Divorce) Program does not waive the parties' obligation to comply with the deadlines set forth in the Order Setting Domestic Case Schedule.

(e) ***Fee.*** The Simple Dissolution (Divorce) Program may administer a fee for the service in compliance with King County local rules, Washington State rules and Washington law. The fee shall be waived for indigent parties.