

SUMMARY OF 2024 LOCAL RULE AMENDMENTS

LGR 15(c)(1)(F). Name Changes Based on Domestic Violence – An amendment was made to cite RCW 4.24.130(5)(a)(i)-(ii) to allow sitting Ex Parte Commissioners the ability to sign sealing orders related to all name changes, not just in situations related to domestic violence.

LCR 40.1(b)(1)(C). Civil Protection Orders / LCR 40.1(b)(2)(D) – Adopted as an emergency rule due to changes in legislation related to civil protection orders. Proposed amendments align the local rule with process changes made to create the Protection Order Court.

LCR 40.1. Ex Parte and Probate Department – Proposed amendments remove ECR Online verbiage, a technology program that has been retired and replaced by KC Script. URLs are updated to point to the new version of the DJA website.

LCR 41(b)(2)(A). Failure to Appear for Trial – Proposed amendment removes the stipulation of notifying the court a trial is no longer necessary before it can be closed on a clerk's motion. This amendment allows for the clerk to close a case if the plaintiff fails to appear for trial and not only in situations where a trial is no longer necessary.

LCR 42. Consolidation; Separate Trials – Proposed amendments provide direction regarding how to handle motions to consolidate when one is assigned to a judge and one is not assigned to a judge.

LCR 78. Clerks – Proposed amendment removes ECR Online verbiage, a technology program that has been retired and replaced by KC Script. The URL is updated to point to the new version of the DJA website.

LCR 82. Case Assignment Area – Proposed amendment clarifies proceedings can be conducted at any of the court facilities based on the location of the assigned judge, to be held in-person or virtually. Additional amendment provides clarification on motions to transfer a case assignment area.

LJuCR 1.8. Motions – Adopted as an emergency rule. Proposed amendments fix an error related to noting motions. An additional amendment allows for an agreed order regarding continuance as well as procedures for a motion to continue made on shortened time.

LFJR 4. Case Schedule and Order Setting Financial Restraints – Adopted as an emergency rule. Proposed amendments reflect case management changes made in UFC. Additional cleanup was performed to place the rule into plain language.

LFLR 7. Unified Family Court – Adopted as an emergency rule. Proposed changes clean up the rule to reflect services provided for parties who are affiliated with a family law case, as well as information related to case management.

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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~~ RCW 4.24.130(5)(a)(i)-(ii): ~~If no assigned judge, m~~ 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:...

LCR 40.1(b)(1)(C). CIVIL PROTECTON ORDERS / LCR 40.1(b)(2)(D)

This rule governs all matters presented to the Ex Parte and Probate Department and directs certain other matters elsewhere.

(a) Ex Parte and Probate Department...**(b) Motions and Other Procedures.**

(1) 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 Civil Protection Orders~~. Applications for temporary civil protection orders; including antiharassment, stalking, domestic violence, extreme risk, sexual assault, and vulnerable adult protection orders shall be presented to the Ex Parte and Probate Department.

~~(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. **Return Hearings.** Hearings on final civil protection orders, except vulnerable adult protection orders, shall be set by the clerk or judicial officer on the Civil Protection Order calendar. Working copies will not be accepted. At the hearing, both parties may testify, and the court may consider other relevant evidence. Copies of any writings or other documentary evidence provided to the court must be provided to the other party.~~

~~(ii) **Domestic Violence Protection Orders.** See LFLR 12. **Vulnerable Adult Protection Orders.** Hearings on final vulnerable adult protection orders shall be set by the clerk or judicial officer on the Guardianship/Probate calendar in the Ex Parte and Probate Department. Unless otherwise ordered by the court, immediately following each hearing, an order reflecting the ruling of the court shall be presented for signature by the moving party.~~

~~(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...**(2) Cases Assigned to a Judge, But Heard in the Ex Parte and Probate Department**

(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, 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 ~~civil 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.

(F) **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.

(G) **Unopposed Matters..**

LCR 40.1. EX PARTE AND PROBATE DEPARTMENT

This rule governs all matters presented to the Ex Parte and Probate Department and directs certain other matters elsewhere.

(a) *Ex Parte and Probate Department.*

(1) **Ex Parte and Probate Department Presentation of Motions and Hearings Manual...**

(b) *Motions and Other Procedures.*

(1) **Cases Not Assigned...**

~~(H) **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. Rescinded.~~

(I) **Orders Vacating a Dismissal...**

(c) **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.

(1) **Matters Presented to the Clerk**

(A) **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: <https://kingcounty.gov/courts/clerk/fees.aspx> <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments>. ~~See LCR 78 regarding the waiver of ECR On-line fees.~~

(2) **Matters Presented to the Assigned Judge.**

(A) **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:

<https://kingcounty.gov/courts/clerk/fees.aspx> <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments>.

LCR 41(b)(2)(A). FAILURE TO APPEAR FOR TRIAL

LCR 41. Dismissal of Actions

(b) *Involuntary Dismissal.*

(2) Dismissal on Clerk's Motion.

(A) **Failure to Appear for Trial.** If ~~the court has been notified that the trial is no longer necessary and~~ the case has not been disposed of within 45 days after the scheduled trial date, the case will be dismissed without prejudice on the clerk's motion without prior notice to the parties, unless the parties have filed a certificate of settlement as provided in LCR 41(e)(3). The clerk will mail all parties or their attorneys of record a copy of the order of dismissal.

(B) **Failure to File Final Order on Settlement...**

LCR 42. CONSOLIDATION; SEPARATE TRIALS

(a) **Motions to Consolidate.** Motions to consolidate cases assigned to different superior court judges for trial or other purposes, or to reassign a case to a different judge for reasons of the efficient administration of justice, shall be made in writing to the Respective Chief Judge. (See LGR 29(h)). ~~Motions to consolidate cases without any assigned judge shall be made in writing to the Respective Chief Judge. (See LGR 29(h)). Motions to consolidate a case without an assigned judge into a case with an assigned judge shall be made in writing to the assigned judge. The assigned judge, on their own motion, may consolidate an unassigned case with a case assigned to that judge. Motions to consolidate cases that are assigned to the same judge shall be heard by the assigned judge. Cases without a case schedule or an assigned judge may be consolidated into another case by any judicial officer on the Court's own motion. The assigned judicial officer will hear motions to consolidate on cases where both or all cases are assigned to that judge.~~ *Note:* The court may order cases linked for administrative tracking and judicial efficiency. Linking cases does not consolidate the cases, issues, or parties.

LCR 78. CLERKS

(c) *Orders by Clerk.*

(1) **Commission to Take Testimony in Probate and Adoption Proceedings.** Upon the filing of a request the Clerk shall issue a commission to take testimony in any probate or adoption proceeding, unless otherwise ordered by the Court.

(f) *Bonds.*

(1) **Cash Bonds; Minimum Amount.** Cash bonds ordered to be posted with the Clerk in probate and other matters will be in the amount of at least \$25 and shall be paid in cash.

(2) --Same; **Withdrawal**. The party posting a cash bond, promptly at the conclusion of the matter to which it relates, shall present to the Court an order authorizing withdrawal.

(g) **Waiver of ~~ECR On-Line f~~ Fees**. Requests to waive fees ~~for ECR On-line other than filing fees~~ 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: <https://kingcounty.gov/courts/clerk.aspx>
<https://kingcounty.gov/en/dept/dja>.

LCR 82. CASE ASSIGNMENT AREA

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

(1) **Designation of Case Assignment Area**. Each case filed in the Superior Court shall be accompanied by a Case Assignment Designation Form [in the form set forth at LCR 82(e)(8)] on which the party filing the initial pleading has designated whether the case fits within the Seattle Case Assignment Area or the Kent Case Assignment Area, under the standards set forth in Sections (2) through (7), below. Juvenile Offender cases and Involuntary Treatment Act cases are all designated to the Seattle Case Assignment Area. Civil cases filed prior to September 1, 1995 and criminal cases filed prior to June 1, 1996 are defaulted to the Seattle Case Assignment Area unless otherwise ordered by the Court.

(2) **Where Proceedings Held**. All proceedings before commissioners of any nature shall be conducted at the Court facility in the case assignment area designated on the Case Assignment Designation Form unless the Court has otherwise ordered on its own motion or upon motion of any party to the action. Proceedings of any nature shall be conducted at any of the court facilities based on the location of the assigned judge. Proceedings may be virtual, in-person, or a combination of both at the direction and order of the Court.

(3) **Boundaries of Case Assignment Areas...**

(4) **Standards for case assignment area designation, and revisions thereof.**

(A) **Location Designated by Party Filing Action...**

(D) **Motions By Party to Transfer**. Motions to transfer court proceedings from one case assignment area to another shall be presented to the assigned judge Respective Chief Judge or if there is no assigned judge then to the Respective Chief Judge. Motions to change case designation shall not change the assigned judicial officer. Such motions shall be made in writing as required by LCR 7; shall be ruled on by the Court without oral argument; and shall be noted for consideration no later than 14 days after the date for filing the Confirmation of Joinder of Parties, Claims, and Defenses in civil cases, as required in LCR 4.2(a), or the date for filing of the Confirmation of Issues in domestic cases, as required by LFLR 4(c). All cases shall proceed in the original case assignment area until an order of transfer is entered. ~~Proceedings in the assigned area shall not preclude the timely filing of a motion to transfer.~~

(E) **Venue not affected...**

LJuCR 1.8. MOTIONS

(a) **Scope of Rule**. This rule governs all motions in cases filed under chapter 13.34 RCW, chapter 13.36 RCW, and chapter 13.38 RCW...

(b) **Briefing Schedules...**

- (c) Request to Shorten Time...
- (d) Note for Calendar; Form of Briefing; Proposed Orders...
- (e) Procedures (All Motions)...
- (f) Motions Heard with Oral Argument...
- (g) Withdrawal by Attorney. . . .
- (h) Discovery Motions. . . .
- (i) Motions to Continue Fact-Finding Hearing.

(1) Good Cause Required. . . .

(2) **Motions to Continue Fact-Finding Hearing Made Prior to or at Time of Entry of a Pre-Trial Order.** If all parties agree to the continuance, an agreed order may be submitted for consideration by the court. If the parties agree that the motion to continue may be made on shortened time at the pre-trial hearing, no formal motion for shortened time is required. In all other situations, the motion should be noted ~~without oral argument before the Lead Dependency Judge to be heard by the judicial officer who will preside at the pre-trial hearing.~~

(3) **Motion to Continue Fact-Finding Hearing Made after Entry of a Pre-Trial Order.** ~~If all parties agree to the continuance, an agreed order may be submitted to the Lead Dependency Judge for consideration. If the parties agree that the motion to continue may be made on shortened time at an existing status conference, no formal motion for shortened time is required.~~ The motion must be noted to be heard by the Lead Dependency Judge ~~and may be noted with or without oral argument.~~ The motion will not be granted except under extraordinary circumstances, where there is no alternative means of preventing a substantial injustice. A continuance motion may be granted subject to such conditions as justice requires.

(4) Trial Assignment Board...

LFLR 4. CASE SCHEDULE ~~AND ORDER SETTING FINANCIAL RESTRAINTS AND~~ OTHER ORDERS ISSUED AT THE TIME OF FILING

(a) **Case Schedule Order.** At the time a family law petition is filed, the clerk shall issue a case schedule or a notice. The case schedule contains a list of mandatory deadlines. Failure to comply with the case schedule may result in ~~sanctions fines, penalties,~~ or dismissal of the case. The court, either on its own motion or on a motion of a party, may change deadlines for good cause shown.

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

(1) Case Schedule

(2) Summons

(3) Petition

(4) Automatic Temporary Order Setting Financial Restraints (if applicable, as outlined in LFLR 4(h) below)

(5) Proposed Parenting Plan (if applicable)

(6) Proposed Child Support Order and Worksheet (if applicable).

If service of items 1 through 3 is not completed after 60 days, parties may be ordered to appear to show the court why the case should not be dismissed.

~~(c) Confirmation of Issues. (Reserved) For all cases except parentage cases, the parties shall jointly file the Confirmation of Issues local form by the deadline listed in the case schedule.~~

~~(d) Parentage Cases; Confirmation of Completion of Genetic Testing; Form. (Reserved) The Confirmation of Completion of Genetic Testing local form shall be filed by the petitioner by the deadline listed in the Case Schedule. The form shall be available through the Clerk's Office and website: <https://kingcounty.gov/courts/clerk/forms.aspx>.~~

~~(e) Status Conference; When parties are required to appear. (Reserved)~~

~~(1) Parentage Cases. Personal appearance at Status Conference is required in parentage cases when the confirmation of completion of genetic 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 form has not been signed by both parties or has not been filed by the deadline; or when that form states that mandatory pleadings have not been filed and served.~~

~~(f) Changing Case Schedule Deadlines Change of Trial Date and Amendment of Case Schedule. The court assigned judge, either on its their own initiative motion or on motion of a party, may issue an amended case schedule. Notwithstanding LFLR 5(d)(1)(B), in the course of hearing a motion on adequate cause, commissioners may amend the adequate cause deadline in order to proceed with that hearing. A motion to change trial date, even by agreement, must comply with LCR 40(e).~~

~~(g) Completion of Discovery. By the deadline in the case schedule, all discovery must be completed as required by LCR 37(g) 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: <https://kingcounty.gov/courts/clerk/forms.aspx>.~~

~~(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.~~

~~(i) Court Review Deadline. Court staff will review cases for compliance with case scheduled deadlines. See LFLR 7.~~

LFLR 7. UNIFIED FAMILY COURT

~~(a) Purpose of Unified Family Court. The purpose of the Unified Family Court (UFC) is to promote effective judicial management of cases involving the health and welfare of children, and to facilitate the prompt resolution of these cases.~~

~~(b) UFC Case Management is suspended. (Reserved)~~

(c) UFC Court Programs.

(1) Family Court Services provides mediations and conducts evaluations in family law cases with children. Services are provided by court order or after referral through the court review process. Fees for these services are determined on a sliding scale.

(2) Early Resolution Program assists self-represented litigants resolve uncontested cases.

(3) Family Law Information Center provides self-help resources to unrepresented parties, including forms, instructions, document review, and general information about the court process.

(d) Case Management.

(1) Case Review. On the deadline in the case schedule, court staff will review cases for compliance.

(A) If eligible, cases in compliance will be referred to court programs for mediation, evaluation, or other assistance for resolving uncontested cases.

(B) Cases not in compliance shall receive an order setting a mandatory compliance conference or a show cause hearing.

(2) Pretrial Conferences. The court shall schedule a pretrial conference to determine trial readiness.

(e) Evaluations and Investigations. In parenting plan and custody cases not resolved by dispute resolution, the case may be referred to Family Court Services or other suitable person or agency for investigation upon motion or by stipulation of the parties. A report shall be provided in writing to the court and the parties in advance of trial.

(1) Child Advocate.

(A) Appointment. Upon motion of the parties or on the court's own motion, the court may appoint a child advocate who may be a guardian ad litem, a court appointed special advocate, or an attorney for the child. See also LGALR 1-7. The order shall designate the appointee, the duties, and make provision for the payment of fees.

(B) Notice. From the date of appointment, the child advocate shall receive copies of all documents that are to be served on parties, copies of all discovery, and notice of all hearings, presentations, and trials.

(C) Discharge. Unless otherwise set forth in these rules, the child advocate shall be discharged only by order of the court upon motion or upon completion of the case when final orders are filed with approval of the appointed child advocate.

(2) Evaluations. The court may, upon motion, order a mental health evaluation or physical examination when appropriate. See LFLR 5(e)(8)(B). The issues of costs shall be addressed in the order.