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| **Local Court Rules – 2018 – Proposals for Public Comment**  *Last updated 6/4/18 by rdz.*   |  |  |  |  |  | | --- | --- | --- | --- | --- | |  | |  | | | | **TITLE** | | **Status** | | **NOTE** | | **General Rules** | | | | | | LGR 30 | |  | | 1. Allow e-filing in aggravated murder cases. 2. Change rule for after-hours and weekend e-filing. 3. Faulty document policy was rescinded. 4. Need to make clear what notice must be given if the clerk rejects a document that was filed electronically. | | LGR 33 | |  | | 1. Incorporate court protocol into LCR. 2. Update protocol to reflect current practice. | |  | |  | |  | | **Civil Rules** | |  | |  | | LCR 3 | |  | | 1. Implement as a permanent rule the emergency changes made 1/1/18. 2. Do not assign a trial setting date to minor settlements. 3. Clarify that PRA cases do get a trial setting date, but it is a different process under LCR 16. 4. Instead of automatic scheduling date in RALJ cases, require petitioner to note it (following LCR 40 and instructions in the RALJ notice of assignment). Make specific RALJ notice of assignment, with applicable rules, and still require petitioner to serve it. | | LCR 5 | |  | | 1. Make 6-day motions due at 5 p.m. instead of noon. 2. Specify that a party cannot file a “placeholder” dispositive motion to schedule the matter, then file the brief and supporting materials later. Everything is due at the same time. | | LCR 7 | |  | | 1. (b)(1): Do not allow runners on the ex parte calendars at main campus. 2. (b)(5): Update with two criminal miscellaneous calendars. 3. (b)(7): Clarify that the attorney must file bench copies of notices to strike/continue, not the Clerk. 4. (b)(9): Clarify the judge’s discretion regarding the time for oral argument. 5. (f): Require notice of the Housing Justice Project legal aid clinic when a plaintiff serves the summons and complaint. 6. Remove commentary about confirmations. Those were eliminated several years ago. | | LCR 16 | |  | | Allow flexibility of scheduling the status hearing on the next available calendar. | | LCR 38 | |  | | Specify that jury demands are due by the trial scheduling date. This is consistent with CR 38(b), but has not been practiced in our County and it leads to trials being set and then rescheduled. | | LCR 40 | |  | | 1. LCR 40(b)(5): Make clear that parties can schedule their own trial setting date only in limited circumstances 2. (f): “Affidavit of prejudice” now has a new name “notice of disqualification” RCW 4.12.050. | | LCR 53.2 | |  | | 1. For revision motions, require judge’s copies of all parts of the record that are necessary for the court to review. 2. This rule applies to FJC through a cross-reference in LSPR 94.14. 3. The rule currently has party schedule revision motions at main campus that are not assigned to a judge to the civil motion calendar, but that calendar no longer exists. Placed on criminal miscellaneous after sentencing calendar, per Presiding Judge. | | LCR 56 | |  | | 1. Change in days to correctly implement change from last year. 2. Add requirement similar to many federal district court's local rules requiring summary judgment motions against pro se parties to be accompanied by a form notice explaining summary judgments motions. | | LCR 65 | |  | | Update on how TROs are handled on the civil ex parte calendar. | | LCR 79 | |  | | Clean up by the Clerk’s Office. | | LCR 87 | |  | | Objections to ADR that cannot be resolved by the parties should be scheduled on the assigned judge’s motion calendar, not handled by a judicial assistant. | | **Mandatory Arbitration Rules** | | | | | | LMAR 1.1  LMAR 1.2 | |  | | House Bill 1128 changes the upper dollar limit of claims subject to mandatory arbitration from $50,000 to $100,000, provided that two-thirds of the judges agree on the amount. The judges voted to approve the change. | | LMAR 2.1 | |  | | Use the form that Kitsap was using that states if a party objects to the matter going into arbitration that must set a hearing before the assigned judge. If a party does not use the current form for setting arbitration, then the clerk will not set it and will not notify the parties. | | **Criminal Rules** | | | | | | LCrR 3.4 | |  | Moving content that is currently in LCR 7 to the criminal rules. | | | LCrR 7.2 | |  | Require a sentencing memorandum, including copies of documents important to sentencing as a judge’s copy. | | | SPRC 1 | |  | Increase communication about capital offenses to facilitate the court following its duties under the Special Proceedings Rules. | | | **LSPR / Family Law** | | | | | |  | |  | |  | | LSPR 94.03A | |  | | 1. “Affidavit of prejudice” was renamed “notice of disqualification” in RCW 4.12.050. 2. Also see LCR 40 for similar change. | | LSPR 94.03B | |  | | Earlier deadline for briefs, like LCR 5. | | LSPR 94.03D | |  | | Section (a)(6): “If a party fails to comply with the provisions of (3), (4), or (5) above, then the court may immediately impose sanctions not to exceed $500.” | |  | |  | |  | |