

## OKANOGAN COUNTY LOCAL RULES

### INTRODUCTORY

#### LR 1. TITLE AND SCOPE

**(a) Preface.** These rules shall take effect on September 1, 2013, and supersede all prior rules of this court. Forms listed in Appendix A shall be effective September 1, 2013. These rules shall be known as the Local Rules of the Superior Court of the State of Washington for Okanogan County. These rules may be cited in the following form: "LR", "LGALR", "LMAR" and "LSPR".

**(b) Scope.** These rules apply to all matters now pending and hereafter filed in the Okanogan County Superior Court. To the extent these rules conflict with statewide rules, the statewide rules apply. Okanogan County Superior Court will follow Washington State Court Rules and only promulgate local rules as deemed necessary.

**(c) Waiver and Construction.** Any provision of these rules may be waived or modified by order of the court for good cause shown, or as required in the interest of justice. These rules should be construed to promote the fair, just and expeditious resolution of disputes.

*Amended Effective September 1, 2023*

#### LR 1A. JUDICIAL POSITIONS

**(a) Judicial Positions.** RCW 2.08.065 provides that there shall be two superior court judges for Okanogan County.

**(b) Commissioners.** The court may appoint up to three Court Commissioners and such pro tem Commissioners and pro tem Judges as are necessary, in the judgment of the court, to complete the business of the court.

**(c) Authority of Commissioners.** Court Commissioners shall perform duties as assigned by the court and shall have all powers conferred by law, including the authority to accept pleas in criminal matters. Commissioners may perform other duties as stipulated by the parties if authorized by the court.

*Amended Effective September 1, 2013*

**COMMENCEMENT OF ACTION; SERVICE OF PROCESS; PLEADINGS, MOTIONS  
AND ORDERS**

**LR 4.3. PARTY WITHOUT A LAWYER APPEARANCE**

**Party without a Lawyer.** All parties without a lawyer shall be required to file a Notice of Appearance. (Form FL 118)

The form must include that party's full name, signature, mailing address, email addresses (if available) and telephone number. A new form must be filed in the event of a change in address or phone number. Parties who fail to comply with this order may have sanctions imposed by the court, including their pleadings stricken, or other court action without notice. A copy of the Notice of Appearance should be attached to any request for trial setting submitted to the court's Judicial Assistant. A form for this purpose may be obtained from the court's website, Judicial Assistant or family law facilitator. Petitioners in domestic violence or civil harassment cases may provide alternate address and contact information where their physical address is confidential.

*Amended Effective September 1, 2023*

**LR 5. SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS**

- (a) **Service.** All attorneys and parties without a lawyer having matters in the Okanogan County Superior Court shall accept service via email of pleadings and other papers; except where parties or their attorney does not have email, or filings requiring personal service. Email addresses to be used will be specified on the initial filings in a case. Any changes of email addresses will be filed in the case as a change of address with all parties and the court being notified. Service via email is complete on transmission when made prior to 5:00 p.m. on a judicial day. Service made on a Saturday, Sunday, holiday, or after 5:00 p.m. on any other day shall be deemed complete at 9:00 a.m. on the first judicial day thereafter.
- (d) **Filing.** All documents to be filed shall be filed within the Clerk's Office business hours, NOT court administration.

Only judge's working copies shall be provided to court administration pursuant to LR 7(f).

- (k) Notice of Disqualification.** Notice should be filed with the Court Clerk and a copy shall be given to the Judicial Assistant Program Scheduler when a party files a Motion to Disqualify a Judge. This notice shall be provided to the Judicial Assistant in both criminal and civil cases.

Amended Effective September 1, 2023

## **PLEADINGS, MOTIONS AND SPECIAL SETTINGS**

### **LR 7. CIVIL MOTIONS**

**(a) Scope of Rules.** Except when specifically provided in another rule, this rule governs all motions in civil cases.

**(b) Dates of Filing, Hearing and Consideration.**

**(1) Filing.** The moving party shall serve and file the motion and supporting documents no less than eight days before the date and time specified for the hearing [unless a motion to shorten time has been filed and order granting motion to shorten time has been approved].

**(2) Opposing Documents.** Any party opposing a motion shall file and serve the original responsive papers in opposition to a motion with the clerk, serve copies on parties, and deliver working copies to the hearing judge no less than forty-eight hours [or two (2) judicial days] before the date and time prior to the scheduled hearing.

**(3) Reply to Opposing Documents.** Any party replying to opposing documents shall file and serve the Reply Documents, and deliver working copies to the hearing judge, no later than twenty-four hours or one (1) judicial day before the date and time the motion is to be heard by the court.

**(4) Objections.** All written Motions to Strike or responses to Motions to Strike relating to evidence shall be filed no later than twenty-four hours or one (1) judicial day before the date and time the motion is to be heard by the court.

**(5) Opposing/Supplemental Documents.** IF PLEADINGS ARE FILED WITHIN FORTY-EIGHT (48) HOURS OF THE HEARING DATE, COUNSEL MUST NOTIFY THE CLERK'S OFFICE AND ENSURE THE DOCUMENTS ARE SCANNED INTO THE ELECTRONIC FILE FOR THAT CASE.

**(6) Scheduling Oral Argument.** Contested motions shall be scheduled on the Superior Court's regularly scheduled Law & Motion Calendar unless otherwise specified in (b) (7).

**(7) Limitation of Arguments.** Oral arguments on the Law & Motion Calendar shall be limited to ten (10) minutes per side. If it is anticipated by either party that oral arguments will be more than ten (10) minutes per side, that party shall contact the Judicial Assistant to request a special setting.

**(8) Working Copies.** Any Working copies of the motion and all documents in support or opposition, as herein required, shall be delivered to the Judicial Assistant Program Scheduler as set forth in section (f).

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

**(1) Motion for Revision.** A motion for revision of a commissioner's order or judgment shall be served and filed within ten (10) calendar days of entry of the written order, as provided in RCW 2.24.050. A written notice shall be filed that gives the other party at least five (5) judicial days' notice of the time, date and place of the hearing on the motion for revision.

**(2) Filing.** Prior to filing a motion for revision, a party or counsel shall obtain a date and time from the Judicial Assistant Program Scheduler.

**(3) Hearing.** A hearing on a motion for revision of a commissioner's order shall be scheduled pursuant to (e) (2) above within a reasonable time of entry of the commissioner's order.

**(4) Materials Submitted.** 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 party wishes the electronic recording to be considered. Oral arguments on motions to revise shall be limited to ten (10) minutes per side.

**(5) Pending Order Effective.** The Commissioner's written order shall remain in effect pending the hearing on revision unless ordered otherwise by a Judge.

**(f) Judge's Working Copies.** Working copies for the judge's use shall be provided as follows: **For ANY Ex Parte Order request;** all summary judgment materials including briefs and supporting materials; all briefs and supporting materials for any specially set matter; trial briefs, motions in limine, witness lists and similar material. Working copies of exhibits should be provided to the court during all civil trials. WORKING COPIES SHALL BE DELIVERED TO THE JUDICIAL ASSISTANT AT OKANOGAN SUPERIOR COURT OR MAILED TO OKANOGAN SUPERIOR COURT AT P.O. BOX 112 OKANOGAN, WA 98840 NO LATER THAN FIVE DAYS PRIOR TO THE COURT HEARING DATE. ALL WORKING COPIES MUST HAVE THE HEARING DATE AND TIME ON THEM. **WORKING COPIES SHALL BE EMAILED TO THE JUDICIAL ASSISTANT IF THE HEARING IS LESS THAN SEVEN DAYS FROM THE DATE OF DELIVERY.**

**(g) Telephonic hearings.** Telephonic hearings are authorized for most matters other than trial upon stipulation by the parties and upon court approval or upon the court's own action. The record of such hearings will be electronically recorded. (No cellphones or in-office conferencing equipment shall be used by either party.) If authorized, arrangements shall be made through the Judicial Assistants at (509)422-7093 and/or an email addressed to the superiorcourt@co.okanogan.wa.us.

**(h) Cancellation or Continuance.** When the parties wish to cancel or continue special set matters or law and motion matters, the party who originally set the hearing must notify the Superior Court Clerk at [clerk@co.okanogan.wa.us](mailto:clerk@co.okanogan.wa.us) or (509)422-7275 at least twenty-four (24) hours before the scheduled hearing. **Notice must also be provided to** the Judicial Assistant at (509)422-7093 and/or an email addressed to the [superiorcourt@co.okanogan.wa.us](mailto:superiorcourt@co.okanogan.wa.us)

When the parties wish to cancel or continue matters that require Interpreter Services, the party who originally set the hearing must notify the Interpreter Coordinator at (509)422-7198 or by email at [superiorcourt@co.okanogan.wa.us](mailto:superiorcourt@co.okanogan.wa.us) at least forty-eight (48) hours before the scheduled hearing. Notice must also be provided to the Judicial Assistant at (509)422-7093.

**(i) Interpreter Services.** When there is an individual before the court who is limited English proficient (LEP) involved in litigation, it is the attorney's or unrepresented individual's responsibility to make arrangements at least three (3) days prior to the hearing for an Interpreter thru the Office of the Interpreter Coordinator at (509)422-7198 or by email at [superiorcourt@co.okanogan.wa.us](mailto:superiorcourt@co.okanogan.wa.us)

*Amended Effective September 1, 2023*

#### **LR 10. FORM OF PLEADINGS AND OTHER PAPERS**

**Captions.** Use of Mandatory Forms. Where the Administrative Office of the Court has prepared mandatory forms, the parties shall comply with the format and style rules for mandatory forms as published by the Administrative Office of Courts, including use of Odyssey codes. **See:**

<http://www.courts.wa.gov/forms/?fa=forms.static&staticID=4>

*Amended Effective September 1, 2023*

#### **LR 16. PRETRIAL PROCEDURE AND FORMULATING ISSUES**

**(a) Pre-Trial Conferences.** Pre-trial Conferences are required in all cases except family law cases. Scheduling of and procedures for the pre-trial conferences shall be set out in the scheduling order as set forth in Appendix A Form A-6. The pre-trial conference shall be held not less than twenty-one (21) calendar days prior to the trial date.

**(b) Pre-Trial Order.** A pre-trial order as set forth in Appendix A Form A-7 shall be prepared by counsel within fourteen (14) calendar days after the conclusion of the pre-trial conference.

*Amended Effective September 1, 2023*

## **TRIALS**

### **LR 38. JURY DEMAND**

**Civil Jury Demand.** Any demand for a jury in a civil proceeding shall be filed as set forth in Appendix A Form A-9, with the Superior Court Clerk, and a copy shall be provided to the Judicial Assistant Program Scheduler.

*Amended Effective September 1, 2023*

### **LR 40. TRIAL SETTING AND PRE-TRIAL PROCEDURES**

**(a) Trial Setting.** Any party may request a trial setting by use of the Request for Trial Setting Form A-8 (Dissolution and Family Law) or Form A-9 (Civil, Non-domestic, and Arbitrability). A copy of a request for trial setting must be provided as follows:

1. Mailed to the Judicial Assistant at: Okanogan County Superior Court, P.O. Box 112, Okanogan, Washington 98840;

**OR**

2. Emailed to [superiorcourt@co.okanogan.wa.us](mailto:superiorcourt@co.okanogan.wa.us); **AND** delivered to the Judicial Assistant at the Okanogan County Courthouse at 149 3<sup>rd</sup> Ave N., Okanogan, WA 98840

#### **NOTE:**

**THE TRIAL REQUEST WILL NOT BE SCHEDULED UNLESS RECEIVED BY THE JUDICIAL ASSISTANT. IF YOU FILE ONLY WITH THE CLERK'S OFFICE THE REQUEST MAY NOT BE SCHEDULED.**

Opposing counsel and any unrepresented litigant shall prepare, serve and file any response to the request within fourteen (14) calendar days. All counsel and unrepresented parties must provide unavailable dates on the form or by separate attachment. The listing of a date as unavailable is a request not to have trial set on that date. Such requests must be reasonable and should not result in unnecessary inconvenience or undue delay.

**(b) Scheduling Order.** Following a request for a trial setting the court will issue a scheduling order. This order will include dates for the settlement conference, pre-trial conference and trial dependent on the case. Once the scheduling order has been issued, it can only be amended by further court order. Parties seeking to strike, modify or amend a scheduling order shall file a Note for Hearing and Motion to Amend a scheduling order.

**(c) Multiple Settings and Priorities.** The Judicial Assistant sets trial dates based upon the information provided in the Request for Trial Setting and Response. Because of scheduling difficulties, the Judicial Assistant may give cases multiple settings with some of those being second or third place settings. Counsel and parties should be prepared for trial regardless of the priority of a specific setting. Second and third set cases are often called for trial. Counsel and parties with second and third settings are required to maintain awareness of the status of their trial setting by contacting the Judicial Assistant who will endeavor to provide current information on the status of cases set with higher priority.

**(d) Settlement Conferences.**

**(1) On Motion by Party.** Any party in any pending case may serve and file a motion for a settlement conference.

**(2) On Court's Motion.** The court to which a case is assigned for trial may, upon its own motion after a trial date has been set, order a settlement conference in any pending case, and a settlement conference shall be held unless all parties file objections thereto.

**(3) Subsequent Motion by Party.** Where a motion for a settlement conference has been defeated by the filing of an objection, any future motion must be made upon a showing of a significant change in circumstances.

**(4) Order for Settlement Conference.** Upon the entry of an order for a settlement conference, either on the courts motion or by scheduling order, the judge shall fix a specific date and hour for the conference. If either party has a limited ability to speak or understand the English Language then the order shall provide for an interpreter and identify the language needing interpreting. The party presenting such order for entry shall at the time of entry provide a copy to the Judicial Assistant.

**(5) Amendments to Orders for Settlement Conference.** Any party seeking to amend an order for settlement conference shall file a Motion and schedule a hearing on the Civil Law and Motion calendar pursuant to section (b) above.

**(6) Preparation and Attendance.** The attorney in charge of each party's case shall personally attend all settlement conferences and shall, not less than five (5) days prior to



the date set for the settlement conference, serve on the settlement judge and the attorney for the opposing party a letter succinctly addressing the following:

- a. A brief factual summary;
- b. Issues regarding liability;
- c. Issues regarding damages, both special and general
- d. History of any settlement negotiations; and
- e. Current position on settlement.

In family law cases, counsel or unrepresented parties shall also serve, not less than five (5) days prior to the date set for the settlement conference, on the settlement judge and attorney for the opposing party the completed Asset & Debt Matrix (*Appendix A Form A-1*) and financial declaration (*WPF DRPSCU 01.1550*)

Each attorney shall be prepared to discuss the foregoing in detail at the settlement conference.

**(7) Attendance of Parties.** The parties shall in all cases attend the settlement conference. Only parties and attorneys shall be present during the settlement conference unless otherwise allowed by the court. In cases involving domestic violence, the court shall consider whether to make allowances pursuant to RCW 26.09.016.

In subrogation cases, brought in the name of the insured party, an insurance company representative need not personally appear, provided that counsel appears and has settlement authority. Alternatively, the insurance company representative must be available by telephone or other means to authorize settlement.

Parties whose defense is provided by a liability insurance company need not personally attend said settlement conference, but a representative of the insurer of such party, if such a representative is available, shall attend with sufficient authority to bind the insurer to a settlement. In the event such a representative is not available, counsel representing the party whose defense is provided by the insurer shall make a good faith effort to

obtain settlement authority to bind the insurer to a settlement prior to the settlement conference.

Upon timely request, attendance of any party may be excused by the court where by reason of health, or other good and sufficient reason, compelling their personal attendance would be unduly burdensome.

**(8) Proceedings Privileged.** Proceedings of said settlement conference shall, in all respects, be privileged and shall not be reported or recorded. When a settlement has been reached, the judge may, at the request of any party, order the settlement to be reported or recorded.

**(9) Sanctions.** Where a party has failed to comply with any of the provisions of this rule the court may impose sanctions pursuant to section (j) below.

**(e) Settlement Confirmation.** In the event parties and or their counsel reach a resolution and/ or settlement of their action, then the counsel and/or unrepresented party shall immediately, but not more than two (2) judicial days after executing a settlement document (i.e. decree, order or stipulation) notify and provide a copy to the Judicial Assistant by either email or in hand. Failure to provide this notification to the Judicial Assistants may result in sanctions, as provided hereinafter, against the parties and/or counsel.

**(f) Trial Exhibits.** Parties shall notify the trial judge and the opposing party by letter if that party anticipates offering twenty-five (25) exhibits or more at the time of trial. Said notice shall be given no less than fourteen (14) calendar days prior to the trial date.

**(g) Trial Confirmation.** All counsel and unrepresented parties shall confer and confirm by contacting the Judicial Assistant via email or phone that the scheduled trial is ready to proceed. Confirmation shall be made no later than noon (12:00pm) five (5)judicial days prior to the scheduled trial date. Failure to confirm may result in the trial being stricken.

**(i) Agreed Statement of the Case.** In all civil jury trials, the parties shall jointly prepare a neutral and agreed summary description of the case. The court will read that statement during the orientation phase of selection.

**(j) Sanctions.** Where a party has failed to comply with any of the provisions of this rule the court shall make such orders as are just, which shall include the award of reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. These sanctions may also include a court services assessment up to a sum of one thousand dollars (\$1,000.00) to cover judicial and court staff.

*Amended Effective September 1, 2023*

#### **LR 47. JURORS**

**(a) Jury Selection.** Juries will be selected by the method commonly known as the "struck juror system". Before the process begins, the jury coordinator will randomly assign sequential numbers to all prospective jurors, who have appeared, and will seat them in the courtroom in that order. The judge and counsel will be provided with a seating chart ~~or a roster~~ of the panel as seated.

**(b) Alternate Juror.** In lieu of the procedure designated by statute, the parties may stipulate that the alternate juror be designated by random drawing to be announced after closing argument.

*Amended Effective September 1, 2023*

#### **LR 51. INSTRUCTIONS TO JURY**

**(a) Jury Instructions and Note-Taking.** The court allows jurors to take notes and provides written copies of instructions to each juror. Juror notes are destroyed at the end of trial. The copies of instructions provided to jurors are not preserved.

**(b) Jury Instructions.** Each party shall file one cited and numbered copy of proposed instructions with the clerk in order to preserve the record. Each party shall also provide one cited and numbered copy and one un-cited, un-numbered and un-stapled copy of instructions to the court's Judicial Assistant for the judge's use. The parties shall provide a copy of their instructions electronically in Word .docx file format to the court's Judicial Assistant at the beginning of the trial. Written instructions in civil cases shall be provided by the

time of the pre-trial conference or five (5) judicial days prior to commencement of trial.

*Amended Effective September 1, 2023*

**LR 56. SUMMARY JUDGMENT AND OTHER SPECIAL SETTINGS**

**(a) Summary Judgment/Special Settings.** Summary Judgments as per CR 56 or hearings requiring more than ten minutes per side to argue must be specially set and arranged by contacting the Judicial Assistant at [superiorcourt@co.okanogan.wa.us](mailto:superiorcourt@co.okanogan.wa.us) or (509)422-7093. Upon receiving a date and time from the Judicial Assistant the party requesting the special setting shall file the motion and notice of hearing with the Superior Court Clerk. Upon filing with the clerk, a copy of the notice shall be emailed to Superior Court at [superiorcourt@co.okanogan.wa.us](mailto:superiorcourt@co.okanogan.wa.us). Failure to do so may result in the hearing being stricken. Matters requiring less than ten minutes per side may generally be placed on the appropriate Law and Motion calendar.

**(b) Summary Judgment/ Special Settings Confirmation.** Summary judgment and special set hearings must be confirmed by calling/emailing [superiorcourt@co.okanogan.wa.us](mailto:superiorcourt@co.okanogan.wa.us) to the Judicial Assistant forty-eight (48) hours before the scheduled hearing (509)422-7093. Failure to comply may result in cancellation.

*Amended Effective September 1, 2023*

**LR 59. NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS**

**(a) Motion and Notice of Hearing.** The motion shall be filed with the Superior Court Clerk and copies shall be provided to the Judicial Assistant and opposing parties. 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 days of service of the response.

**(c) Form of Proposed Order.** 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.

Working copies shall be submitted pursuant to the requirements of LR 7(b).

**(e) Scheduling Motions for New Trial and Reconsideration.** To ensure that matters are properly scheduled, prior to a party filing a Motion for New Trial or Motion for Reconsideration, they shall obtain a date and time from the Judicial Assistant Program Scheduler to include in their Note for Motion. The Note for Motion shall be notated "Without Oral Argument" subject to LR 59(a) and (b). Working copies shall be provided to the judge as set forth in section LR 7(f). If the court determines that a motion shall be heard and additional time is needed to allow for a response and reply pursuant LR 59(b), the judicial assistant shall coordinate with the parties for an updated date and time for the matter to be heard.

*Amended Effective September 1, 2023*

**LSPR 94 DOMESTIC AND FAMILY LAW PROCEEDINGS**

**LSPR 94.04.01. FILINGS IN FAMILY LAW AND NON-MARITAL RELATIONSHIPS**

**(a) Application of Rule.** This rule shall apply to all of the following types of cases that were filed after September 1, 2013:

**(1) Family law.** Petitions seeking dissolution of marriage, legal separation, or declaration of invalidity; **and**

**(2) Non-marital.** Actions brought by parties to non-marital relationships involving parenting or distribution of assets/liabilities.

**(b) Court's Automatic Temporary Restraining Order.** Upon the filing of a Summons and Petition in any of the actions specified above, the court shall issue an Automatic Temporary Restraining Order, for which no fees will be imposed, using the form set forth in Appendix A Form A-3. Any modification of the court's form shall not be allowed unless a motion to modify is presented to the court. The Petitioner is subject to this order from the time of filing the petition. The Petitioner shall serve a copy of this order on the Respondent and file a declaration of

service in the court file. The Respondent is subject to this order from the time that the order is served.

**(c) Limitations on Declarations**

**(1) Application.** This rule shall apply to all family law motions, motions in paternity actions and actions to establish residential schedule, and domestic violence and anti-harassment hearings.

**(2) Formats.**

**(a)** All motions and pleadings in support thereof, shall use mandatory forms where applicable, follow the format required by GR 14, and meet the requirements of GR 31.

**(b)** All declarations shall contain information that provides the court with foundational information such as the name of the declarant, relationship to one or both of the parties, age, education, city and state of residence, and occupation. This information shall be provided in summary fashion at the beginning of each declaration.

**(c)** All filed documents shall be legible. If typed or computer printed, documents shall be in 11 point or larger type and double-spaced.

**(3) Page limitations.** 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, including any reply, shall be limited to a total of 15 pages. The entirety of all declarations and affidavits submitted in response to motions shall be limited to a sum total of 15 pages. This rule shall be qualified as follows:

**(a) Exhibits.** Exhibits that consist of declarations, statements, affidavits or any narrative document of parties or witnesses shall count toward the above page limit. All other exhibits attached to a declaration or affidavit shall not be counted toward the page limit.

**(b) Expert Reports and Evaluations.** Declarations, affidavits, and reports from Guardians ad Litem and similar expert witnesses shall not count toward the above page limit.

**(c) Previously considered declarations.** 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 shall not count toward the above page limit. Such declarations or affidavits shall be counted, however, if the court is expected or is being requested to read such prior declarations and affidavits as a part of a present motion.

**(d) Basic pleadings and financial declarations.** The above page limits shall not apply to basic pleadings and financial declarations.

**(4) Children's Statements.** Declarations by minors are disfavored and the court may in its discretion refuse to consider such declarations.

**(5) Rules of Evidence apply.** All submissions, including written materials in affidavits and declarations by the parties and witnesses, must comply with the rules of evidence. All declarations shall be based upon personal knowledge. Violations of this subsection may result in sanctions as set forth hereinafter.

**(6) Inappropriate submissions.** Unless prior permission of the court is obtained, the parties shall not submit inappropriate or pornographic materials. If permission to submit or file such material is granted, it should be filed in the confidential section of the file.

**(7) Consequences of Non-Compliance.** The court, if it finds that one or both of the parties have violated this rule, may in its discretion assess terms, may require that the matter be stricken or continued, or may refuse to consider those materials that violate this rule.

**(8) Procedure for Court Authorization to Exceed or Excuse Limitations.** The court will not entertain any motion or objection with respect to a request to exceed or excuse the limitations of this rule unless counsel or the parties have first conferred with respect to the motion or objection. Counsel or the parties shall arrange for a mutually convenient conference in person or by telephone. If, after conferring, one or both of the parties believe that the limitations of this rule should be excused, then they shall arrange a telephone conference or appearance before the assigned Commissioner if they are reasonably

available, or if the assigned Commissioner is not available then they shall arrange a telephone conference or appearance before the assigned Judge or Commissioner to have the court determine if the rule should be excused.

**(d) Service of Financial Declarations and Assets & Debt Matrix.**

Within thirty (30) calendar days after the filing of an answer or other responsive pleading in any of the actions specified above, each party shall be required to serve the following documents on the opposing party:

**(1) Petitioner's Obligation.** Upon receipt of the answer or response, the Petitioner shall, within fifteen (15) calendar days serve their Verified Financial Declaration and Verified Statement of Assets & Debt Matrix upon the Respondent.

**(2) Respondent's Obligation.** Upon receipt of declaration and financial statements as per (c) (1) above from Petitioner, the Respondent shall, within fifteen (15) calendar days, serve Petitioner a Verified Financial Declaration and Verified Statement of Assets & Debt Matrix.

**(3) Parties' Obligations.** Each party shall then file with the court a Declaration of Mailing, attesting that the Financial Declaration and Verified Statement of Assets & Debt Matrix has been provided to the other party within the thirty (30) calendar day time limit. All parties have a duty to supplement the financial information when additional information becomes available.

**(4) Final Statement.** The parties final Verified Statement of Assets & Debt Matrix shall be filed with the court within fourteen (14) calendar days of any scheduled trial. The Verified Financial Declarations must be filed with the court in cases involving a request for child support, maintenance or attorney's fees.

**(e) Unrepresented Litigant Review.** Any party representing themselves (unrepresented litigants) shall have their pleadings (except petitions for domestic violence protection orders, anti-harassment protection orders or sexual assault protection orders) reviewed by the Court's Facilitator. This does not prevent anyone from filing or scheduling a hearing; however, to avoid delays and in consideration of court efficiency their pleadings must be reviewed as follows:



**(1) Temporary Motion/Orders.** For temporary orders or motions, at least two (2) judicial days prior to scheduled hearing

**(2) Final Orders/Decrees.** For trials, parties shall see the facilitator at least forty-five (45) calendar days prior to scheduled trial.

The Court Facilitator may review further pleadings as necessary however; any pleadings required for completion (finalization) of the action shall be reviewed. Any pleadings required to be reviewed may be reviewed by an attorney acting as a third-party neutral in accordance with RPC 2.4, or a Limited License Legal Technician as per APR 28 who shall certify the pleadings as reviewed using the form in Appendix A Form A-2.

*Amended Effective September 1, 2023*

#### **LSPR 94.04.02. PARENTING SEMINARS**

**(a) Applicable Cases.** This Rule shall apply to all cases within the jurisdiction of the "Family Court" as defined in RCW 26.12.010(1). This Rule does not apply to minor guardianship proceedings under Chapter 11.130, RCW; to proceedings under Title 13; or to proceedings under Chapter 28A.225, RCW

**(b) Attendance.** Upon the motion of either party or upon the Court's own motion, the Court may order both parties, or either of them, to attend a court-approved parent education seminar on the effects of family transitions on children.

**(c) Limitations.**

**(1)** In no case shall opposing parties be required to attend a seminar together.

**(2)** Upon a showing of domestic violence or abuse which would not require mutual decision making pursuant to RCW 26.09.191, or that parent's attendance at the seminar is not in the children's best interests, the Court shall either:

**(a)** Waive the requirement of completion of the seminar; or

(b) Provide an alternative, voluntary parenting seminar for battered spouses or battered domestic partners.

(3) Having ordered attendance at a seminar, the Court may then waive the seminar for good cause.

**(d) Certificate of Completion.** Upon completion of the seminar, each party completing the same shall file with the Clerk of the Court a completion certificate provided by the sponsoring agency or provider.

**(e) Failure to Comply.** Willful refusal to participate in a parenting seminar that has been ordered by the Court shall be deemed contempt of said Order and may result in imposition of appropriate sanctions.

*Amended Effective September 1, 2023*

#### **LSPR 94.04.03. MANDATORY MEDIATION**

**(a) Mediation in Contested Cases.** Except as provided in Section (b) below, in all family law petitions seeking dissolution of marriage, legal separation, or declaration of invalidity; and actions brought by parties to non-marital relationships involving parenting or distribution of assets/liabilities having unresolved issues, both parties shall in good faith engage in mediation with Okanogan County Dispute Resolution Center, licensed attorney, mediation service or individual trained (certificated) in this specialized area in an effort to resolve the case. Mediation shall occur prior to either party filing a request for Trial Setting. In cases where parenting issues exist, the mediation shall not occur until both parties have completed the parenting seminar. Mediation shall be completed prior to any settlement conference except as per subsection (b).

**(b) When Mediation may not be required.** Mediation may not be required, but is encouraged, as provided in Section (a) in the following cases:

**(1) Good Cause.** For good cause shown upon motion and approval by the court; or

**(2) Indigent.** Upon determination of a party's indigence through procedures under GR 34 as implemented by the court;  
**or**

**(3) Domestic Violence.** Where a Domestic Violence or Anti-Harassment order is currently in effect, involving the parties and/or their dependent children whether it exists pursuant to RCW 7.105, 10.99, 26.50 or 26.09.

**(c) Requests for Mediation.** If not required under subsection (b) above, either party may by motion seek a court order requiring mediation if that party can demonstrate that it can be accomplished in a safe and reasonable manner.

**(d) Settlement Conference.** If, after mediation in good faith or where mediation is not required, there remain unresolved issues, then a settlement conference may take place pursuant to LR 40(d).

**(e) Effect on Court Proceedings.** Mediation does not stay or otherwise affect the rights and duties of the parties established by statute, court rule, or court order. The court may enter temporary orders and the parties may conduct discovery prior to or during the mediation process.

**(f) Cost of Mediation.** Mediators shall be paid by the parties in accordance with the agreement of the parties, or in the absence of agreement, as determined in mediation.

**(g) Responsibility for Compliance.** The parties shall be responsible for arranging for and completing all mediation requirements established under this rule.

**(h) Failure to Comply.** Willful refusal to participate in mediation or willful delay in completing mediation or non-compliance may result in a finding of contempt and imposition of sanctions.

**(i) Approval of Mediators.** Mediators performing mediation services pursuant to this rule must fulfill the minimum qualifications set forth in Appendix B.

**(j) Selection of Mediator.** The parties shall agree on the mediator. If they cannot agree then each party shall submit a list of proposed mediators to the court. The court shall then select from the proposed mediators. A mediator has the right to decline to serve in a particular case. If a mediator declines to

serve, the parties or the court shall select a different mediator, using the same selection process by which the preceding mediator was selected.

**(k) Authority of Mediator.** The mediator has the authority to determine the time, place, manner, and duration of mediation. In appropriate cases, the mediator shall have the authority to terminate the mediation prior to completion.

**(l) Attendance at Mediation.** The parties shall personally attend all mediation sessions, unless the mediator permits telephonic or other attendance. The mediator shall have the authority to require other persons to attend.

**(m) Declaration of Completion.** Within fourteen (14) days of conclusion of mediation, a declaration that mediation has been completed shall be filed with the court by the mediator. The mediator shall advise the court only whether the mediation occurred or has terminated, whether a settlement was reached, attendance, and efforts to schedule a mediation ordered by the court. The mediator shall also advise counsel and the parties of the results of mediation in writing.

**(n) Confidentiality.** The work product of the mediator and all communications during the mediation shall be privileged and confidential and not subject to compulsory disclosure. The mediator shall not appear to testify in any court proceedings. See RCW 5.60.070.

*Amended Effective September 1, 2023*

#### **LSPR 94.04.04 PROCESS UNDER GR 34**

**Application process.** Any individual, deemed indigent as defined under GR 34(a)(3), shall make an application (WPF GR 34.0100) to the Court's Judicial Assistant prior to submission of any pleadings or filings to the Okanogan County Clerk. The Judicial Assistant shall submit the application to the Judicial Officer for consideration as per GR 34(a)(2).

*Amended Effective September 1, 2023*

**LSPR 94.04.05 PROBATE AND GUARDIANSHIPS**

**Probate and Guardianship/Conservatorship**

**(a) Probate.** Wills may be admitted and personal representatives appointed upon either oral testimony or appropriate affidavits/declarations. Any copy of a death certificate shall be filed with the Social Security number redacted unless otherwise ordered by the Court.

**(b) TEDRA Petitions.** TEDRA Petitions shall be filed as a new action pursuant to RCW 11.96A.090(2). Once commenced, they may be consolidated with an existing proceeding by motion pursuant to 11.96A.090(3).

**(c) Adult Guardianship/Conservatorship Reporting.**

**(1) Reports and Accountings.** All interim, periodic and final reports and accountings must be filed with the clerk, along with a proposed order and a judge's copy of the filed documents. Deadlines for approval of periodic reports and accountings are contained in the most recent Order in the case file. Hearings on periodic reports and accountings do not occur automatically; they must be scheduled consistently with the deadline dates contained in the Order. Notice of hearing must comply with RCW 11.130.345.

**(2) Conservator Reports.** All conservator reports must contain a statement of compliance with the Internal Revenue Code.

**(3) Accountings.** All accountings must list the opening balance, receipts, disbursements, and ending balance.

**(4) Timesheets.** Time sheets of guardians, guardians ad litem (whether county paid or privately paid) and attorneys are required to assist the Court in fixing fees. Judges' copies must be supplied when these documents are filed with the Clerk.

**(5) Failure to file Report.** Failure, without excuse, to file reports as required by law or by this rule may result in sanctions by the Court and imposition of terms, including but not limited to denial or reduction of requested fees.

**(6) First periodic report following January 1, 2022.** The first periodic report filed by a guardian or conservator after January 1, 2022 must contain the following, in addition to regular reporting requirements:

**(i)** a caption indicating that this is the first periodic report since January 1, 2022;

**(ii)** A statement that the guardian or conservator is qualified to act pursuant to RCW 11.130.090;

**(iii)** A statement as to whether or not a successor or co-guardian should be appointed when a designated act occurs, and whether the proposed successor or co-guardian is ready to serve; and

**(iv)** A statement that the guardian or conservator has considered whether the needs of the individual can be met by a protective arrangement instead of guardianship or conservatorship or other less restrictive alternative, and, if not, reasons therefor. Local court forms are available in the Superior Court Clerk's Office to assist with compliance with the above.

**(7) Proposed order approving first periodic report following January 1, 2022.** A proposed order shall be submitted with the report, containing the following:

**(i)** a caption indicating that this is the first periodic report since January 1, 2022;

**(ii)** a summary on the first page of whether a guardian or conservator has been appointed, and whether the appointment is full or limited;

**(iii)** a proposed finding that the guardian or conservator is qualified to act pursuant to RCW 11.130.090;

**(iv)** a proposed finding that the needs of the individual cannot be met by a protective arrangement instead of guardianship or conservatorship or other less restrictive alternative;

**(v)** a proposed finding appointing a successor guardian or conservator, if recommended;

(vi) a finding that any standby guardian of the person or estate previously appointed is hereby removed and no longer in effect; and

(vii) an order that the guardian or conservator must provide the Individual with Notification of Rights within 30 days pursuant to RCW 11.130.315 and RCW 11.130.425 and to file proof of mailing with the Court, and setting a review hearing to monitor compliance, or a finding that the guardian or conservator has provided such notice to the Individual prior to the hearing. Local court forms are available in the Superior Court Clerk's Office to assist with compliance with the above.

**(8) Acceptance of Appointment of Guardian or Conservator.** For all cases, including those filed prior to January 1, 2022, no new Letters will be issued until the Guardian or Conservator files an Acceptance of Appointment pursuant to RCW 11.130.040.

**(9) Lay Guardian and Conservator training.** All non-professional Guardians and Conservators, even those appointed prior to January 1, 2022, must complete lay guardian training no later than ninety (90) days after appointment. Training can be found online at <https://www.courts.wa.gov/guardianportal>. A proof of completion shall be filed no later than thirty (30) days upon completion of training.

**(10) Waiver of hearing.** A guardian and/or conservator may request, through the assigned judge's judicial assistant, that periodic review be considered without oral argument or appearance. If such a request is granted, the review may be rescheduled and appearance required if there is an unanticipated objection to the report on the hearing date.

**(d) Minor Guardianships.**

**(1) Finalized RCW 26.10 Matters.** No action shall be taken to modify, adjust, enforce, or otherwise affect orders in any finalized Non-Parent Custody action filed pursuant to RCW 26.10 unless the matter has been converted to an action under the Uniform Guardianship Act, RCW 11.130. This conversion shall be accomplished by the Clerk of the Court automatically upon the filing of any petition to modify or terminate the finalized non-parental custody matter; the Clerk shall file the new petition

as a Case Type 4, and file the RCW 26.10 filings into the new RCW 11.130 matter.

**(2) Modifications and Terminations of Finalized RCW 26.10 matters.** Any party seeking a modification or termination of a finalized non-parental custody matter shall provide notice of the action to all parties to the finalized non-parental custody matter as well as all persons entitled to notice under RCW 11.130. In the event that a finalized non-parental custody action has multiple minors who do not all have the same legal parents, the clerk's office will create a new RCW 11.130 matter for each minor or minors who share the same legal parents.

**(3) Forms.** Mandatory forms available from the Washington Courts' website shall be used unless Okanogan County has adopted an alternate form. If no mandatory form or Okanogan County form exists for a necessary purpose, the parties may develop their own form.

**(4) Bench Copies.** Parties who fail to timely file papers, serve papers on opposing counsel or submit bench copies as required by these rules may cause matters to be stricken, sanctions imposed, or terms assessed. Bench copies of all documents, including proposed orders, are due at the time the pleading is filed with the Court, and shall be supplemented if there are subsequent filings.

**(5) Hearings and Trial.** All non-emergency minor guardianship matters filed under RCW 11.130 shall be set before a judge, except the following, which shall be set on the minor guardianship calendar in front of a commissioner:

(a) The initial hearing in the matter, to determine whether the matter is contested and to address the appointment of counsel; and

(b) Any hearing to enter unopposed or agreed orders in the matter.

**(6) Proceedings.**

**(a) Initiation.** All minor guardianship actions shall be commenced by the filing of a summons, petition, confidential information form, case type cover sheet, supplemental



declaration, and coversheet for a JIS background check. This requirement does not apply to matters converted from RCW 26.10 matters.

**(b) Actions Involving Multiple Children.** A minor guardianship may have multiple minors named as respondents so long as those minors have the same legal parents. If there are more than two legal parents, a separate action must be filed for each set of legal parents.

**(c) Requirements.**

**(i) DCYF order.** At the time of filing the action, the petitioner(s) shall seek an order directing the Department of Children, Youth and Families to release information as provided under RCW 13.50.100 and RCW 11.130.210.

**(ii) WATCH report.** At the time of filing the action, the petitioner(s) shall file the results of a Washington State Patrol criminal history report as required by RCW 11.130.210 and then promptly serve the results on all persons entitled to notice under RCW 11.130.

**(iii) JIS background check.** Prior to any request for a temporary order, including emergency order(s) under RCW 11.130.215, the petitioner(s) shall file a JIS request form with the Clerk under seal, and provide a copy to Court Administration, providing the names and dates of birth of the following parties: (1) petitioner(s); (2) any others residing in the petitioner(s)'s home; (3) minor's parent(s); (4) any adult residing in the parent(s)'s homes; (5) proposed guardian(s); and (6) any adult residing in the proposed guardian(s)'s home.

**(d) Finalization.** Agreed final minor guardianship orders may be entered ex parte. Any party requesting entry of a final minor guardianship order shall ensure that there is a current JIS background check on file; the Court may decline to enter final orders in the event a JIS background check is more than 30 days old. Any petitioner(s) seeking an order of default against any respondent(s) shall set their motion on the Minor Guardianship motions calendar.

**(7) Objections.** Any person entitled to notice under RCW 11.130 who objects to the appointment of a guardian shall

promptly file and serve on all other persons entitled to notice a completed "Objection to Minor Guardianship", GDN M 301.

**(8) Appointment of Guardian ad Litem or Court Visitor.** The Court shall maintain a registry of qualified persons willing to be appointed as a Court Visitor (CV) or guardian ad Litem (GAL) for minor guardianship cases consistent with the statutory requirements of RCW 11.130. a. A GAL or CV shall be appointed from the above registry in a system of consistent rotation.

**(9) Child Support.**

**(a)** Petitioner(s) in minor guardianship matters may request child support pursuant to RCW 26.19 and RCW 11.130.255.

**(b)** The moving party shall file and serve a note for hearing, motion, proposed child support order, proposed child support worksheets, financial declaration, and proof of income (tax returns, W-2s, et cetera). All tax documents shall be filed under seal.

**(10) Guardian's Acceptance of Appointment.** The guardian name(s) must be typed or printed on the acceptance of appointment exactly as it appears in the order. If a guardian changes their name, they must obtain an order for new letters and file an acceptance of appointment under the new name in order to receive new letters of guardianship. The expiration date of the letters shall remain the same unless changed by the new order.

**(11) Appointment of Attorney for Minor.** Any minor age 12 or older may request the Court to appoint an attorney at public expense. If the Court determines that an attorney should be appointed for a minor, the Court will enter an order appointing an attorney, and the Court Facilitator will identify an available attorney from the registry maintained by the Court. The attorney shall be appointed from the registry in a system of consistent rotation, depending on availability.

**(12) Appointment of Attorney for Parent.**

**(a)** Any parent wishing to have an attorney appointed to represent him or her due to indigency shall contact the Court Facilitator to obtain the Indigency Screening form and a motion

and proposed order appointing counsel. The party shall complete the form, motion and proposed order and return all three documents to the court facilitator who will provide the materials to the appropriate judicial officer for ex parte review.

(b) If the Court determines that an attorney should be appointed for a parent, the Court will enter an order appointing an attorney and the Court Facilitator will identify an available attorney from the registry maintained by the Court. The attorney shall be appointed from the registry in a system of consistent rotation.

*Amended Effective September 1, 2023*

## **GUARDIAN AD LITEM RULES**

### **LGALR 1. SCOPE AND DEFINITIONS**

**Scope and Purpose.** This local rule covers the maintenance and administration of the Guardian ad Litem Registry by the Judicial Assistants.

*Amended Effective September 1, 2013*

### **LGALR 2. GENERAL RESPONSIBILITIES OF GUARDIAN AD LITEM**

#### **(a) Education and Experience Requirements.**

##### **(1) Attorneys.**

(a) Shall be a member of the Washington State Bar Association in good standing; **and**

(b) For initial placement on registry, completion of any training as required by statute. For retention on registry, completion of any continuing training, as may be required by statute or the court from time to time.

##### **(2) Non-attorneys.**

(a) For initial placement on registry, completion of any training as required by statute. An individual

must have a Bachelor's Degree from a fully accredited college or university in social/behavioral sciences, criminal justice, counseling or other closely related field with a minimum of two years' work experience in the field. At the sole discretion of the Presiding Judge, or their designee, a combination of relevant education, training and experience may be accepted in lieu of, or as an equivalent to, the educational and/or experience requirements. For retention on registry, completion of any continuing training, as may be required by statute or the court from time to time.

**(b)** New registry GAL's shall complete observation hours as determined by the court.

**(b) Application and Annual Renewal.** Any application shall be submitted on a form provided by the court and shall be renewed annually by date specified by the court. The application shall include the following:

- (1) The name, business address, and telephone number of the applicant.
- (2) The level of formal education of the applicant and, if the applicant is an attorney, the year admitted to practice in Washington State and any other States in which the attorney is licensed to practice.
- (3) A listing of training relating to the GAL's duties.
- (4) The number of years' experience as a GAL.
- (5) The number of appointments as a GAL, counties of appointment and types of matters.
- (6) The applicant's criminal history as defined by RCW 9.94A.030.
- (7) The applicant shall be fingerprinted at the Okanogan County Sheriff's Department.
- (8) Any additional evidence of applicant's education, knowledge, training, and experience.
- (9) A statement describing the nature, status, and outcome of any complaints, investigations, disciplinary actions,

lawsuits, or liability claims lodged against the GAL related to the person's duties as a GAL or their profession along with any orders for removal of the GAL entered prior to the completion of the GAL's duties for any reason other than a conflict of interest where the GAL had no prior knowledge that the conflict existed.

(10) A description of the fees to be charged by the applicant (hourly rate and any required retainer) and a statement of the applicant's willingness to accept cases on a reduced fee basis.

(11) Agreement to advise the court immediately in the event of any complaint, investigation, or action being commenced related to the applicant's duties as a GAL in the instant or any other case which could lead to:

(a) Discipline of the applicant; or

(b) The suspension or revocation of the applicant's professional license(s).

(12) Agreement to advise the court immediately upon the filing of criminal charges for a felony or a crime involving allegations of theft, dishonesty, or moral turpitude.

**(c) Retention on Registry.**

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

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

(3) A person may be denied listing on, or may be temporarily suspended from, the registry for any reason that places the suitability of the person to act as GAL in question.

(4) A GAL who ceases to be on the registry and who still has active or incomplete cases shall immediately report this circumstance to the Judicial Assistant acting as the Registry Administrator, who shall reassign such cases.

(5) A person's retention on the registry shall be reviewed upon the court's receipt of a complaint regarding performance in office or the court's receipt of adverse information regarding the suitability of a person to serve as a GAL. Complaints shall be reviewed in accordance with Section (g).

*Amended Effective September 1, 2021*

**LGALR 5. APPOINTMENTS OF GUARDIAN AD LITEM**

**(a) Appointment of a Guardian ad Litem from Registry.**

(1) For Title 26 cases only in cases where the parties agree, any GAL from the registry may be appointed.

(2) In Title 11 cases or in Title 26 cases where the parties cannot agree, a party needing an appointment from a GAL registry shall request the same from the Registry Administrator. If the requesting party is represented by counsel, the attorney shall then contact the proposed GAL to determine if he/she is available to serve. If the requesting party is an unrepresented litigant, the Registry Administrator shall contact the proposed GAL to determine if he/she is available to serve. The person whose name next appears on the registry on a rotational basis shall be appointed, subject to that person's acceptance of the appointment.

(3) The person appointed by the Registry Administrator shall serve upon the parties a notice of appointment.

(4) Any order providing for the appointment will then be submitted to the Registry Administrator within three days.

(5) Once an appointment has been made all GAL's shall have free access to appropriate documents through the Odyssey Portal Superior Court Case Management System.

(6) All parties shall serve on the GAL copies of everything they file once an appointment has been made.

**(b) Registry Administration.** The court shall maintain a GAL registry and appoint a registry administrator (Judicial Assistant). The registry is limited to RCW Titles 11.88, 13 and

26 GAL's. These requirements and procedures apply to persons whether listed or not listed on the registry who is appointed to serve as a Guardian ad Litem.

(1) The Court shall maintain an application form and background information records pertaining to each person. Persons shall reapply and update background information annually on a date specified by the court. All application and background information, with the exception of personal identifying information in family law cases and pending complaints, shall be available for public inspection.

(2) Persons shall be selected for appointment at the discretion of the Court giving due consideration to:

(a) Having a sufficient number of GAL's available to fulfill the requests for appointment;

(b) Achieving and maintaining diversity; and

(c) Retaining panels of persons with substantial experience and special knowledge within given fields. In some cases there may be more qualified applicants that will be needed or would benefit the program, so that not all persons applying will be selected.

(d) All Guardians Ad Litem shall comply with RCW 26.12.177

(3) The court may periodically sponsor or approve training programs which registry applicants shall be required to attend to maintain and improve their level of proficiency. Training programs may be co-sponsored or offered by the state or local bar association under the oversight of the court.

(4) The registry may be reconstituted as necessary. The court may allow additional applicants to be added to the registry upon approval of applicant.

(5) The court may impose an application processing fee and/or charge a fee for the training programs.

*Amended Effective September 1, 2023*

## LGALR 7. GRIEVANCE PROCEDURE

### **Grievance Procedure.**

(1) There shall be a grievance review committee consisting of the Superior Court Presiding Judge, the Court Administrator and a representative of the Okanogan County Bar Association as appointed by the then County Bar President. This attorney shall be compensated at an hourly rate of one hundred fifty dollars an hour not to exceed six hours unless otherwise authorized by the Presiding Judge.

(2) All grievances must be in writing and must be submitted to the Superior Court Presiding Judge or Administrator.

(3) Upon receipt of a written grievance, the Presiding Judge or Administrator shall convene the Grievance Review Committee within ten (10) business days to review the grievance. Upon review of the grievance, the Grievance Review Committee shall either:

(a) Make a finding that the grievance has no merit on its face, and decline to review the grievance and so inform the complainant; or

(b) Make a finding that the grievance does appear to have merit and request a written response from the GAL within ten (10) business days, detailing the specific issues in the grievance to which the committee desires a response. The committee shall provide the GAL with a copy of the original grievance. A GAL's failure to respond within the required ten (10) business days will result in the immediate suspension of the GAL from all registries.

(c) In considering whether the grievance has merit, the Grievance Review Committee shall consider whether the grievance alleges the GAL has:

(1) Violated the Code of Conduct;

(2) Misrepresented his or her qualifications to serve as GAL;

(3) Not met the annual update requirements set forth in Section (d) of this policy;



- (4) Breached the confidentiality of the parties;
- (5) Falsified information in a report to the court or in testimony before the court;
- (6) Failed to report abuse of a child;
- (7) Communicated with a judicial officer ex-parte;
- (8) Represented the court in a public forum without prior approval of the court;
- (9) Violated state or local laws, rules, or this policy in the person's capacity as a GAL; or,
- (10) Taken or failed to take any other action which would reasonably place the suitability of the person to serve as GAL in question.

(4) Upon receipt of a written response to a complaint from the GAL, the Grievance Review Committee shall, within ten (10) business days, make a finding as to each of the issues delineated in the Committee's letter to the GAL that either there is no merit to the issues based upon the GAL's response or that there is merit to the issue. The Review Committee may, at their discretion, extend the time for entering findings to conduct additional investigation if necessary; however, in no case shall that extension be for more than twenty (20) business days and the GAL shall be notified.

(5) The Grievance Review Committee shall have the authority to issue a written admonishment, a written reprimand, refer the GAL to additional training or recommend to the court, upon its own motion, to remove the GAL from the instant case, or suspend or remove the GAL from the registry. In considering a response, the committee shall take into consideration any prior grievance which resulted in an admonishment, reprimand, referral to training, removal of the GAL from a particular case, or suspension or removal from a registry. If a GAL is listed on more than one registry, the suspension or removal may apply to each registry the GAL is listed on at the discretion of the Committee.

(6) The complainant and the GAL shall be notified in writing of the Committee's decision within 10 business days of receipt of the GAL response.

*Amended Effective September 1, 2021*

### **LGALR 8.COMPENSATION**

#### **Payment of Guardian ad Litem**

(1) There shall be no payment of a GAL by anyone, except as authorized by order of the court.

(2) Each order appointing GAL shall set forth the hourly rate of compensation and/or a monetary limit for the investigative/legal work; source of payment, if determined; and unless waived, shall require the GAL to seek prior court authorization to provide services in excess of the time and/or amount previously authorized by court order including court appearances.

(3) The order appointing a GAL may include a provision for an advance payment on fees and proportionate responsibility for payment to the GAL.

(4) All fee requests by the GAL submitted to the court shall contain time records, which distinguish investigative/legal, administrative/clerical, and travel time and shall also be served upon the parties.

(5) GAL fees shall be the responsibility of a party or parties unless the court has entered an order authorizing payment at public expense. Any limitation shall be established by the court at the time of the initial appointment.

*Amended Effective September 1, 2015*

### **OKANOGAN COUNTY LOCAL RULES FOR MANDATORY ARBITRATION**

#### **LMAR 1.2. Mandatory Arbitration of Civil Actions**

**Scope and Purpose.** The purpose of mandatory arbitration of civil actions under RCW 7.06 as implemented by the Mandatory

Arbitration Rules is to provide a simplified and economical procedure for obtaining the prompt and equitable resolution of disputes involving claims up to \$100,000.00, or more if the parties so stipulate pursuant to Superior Court Mandatory Arbitration Rules (MAR) 1.2 and 8.1.

The Mandatory Arbitration Rules as supplemented by these local rules are not designed to address every question that may arise during the arbitration process, and the rules give considerable discretion to the Arbitrator. The Arbitrator should not hesitate to exercise that discretion. Arbitration hearings should be informal and expeditious, consistent with the purpose of the statutes and rules.

**(1) Arbitration Setting.** Matters subject to arbitration shall use the Form A-9 (Civil, Non-domestic, and Arbitrability) **Note: Arbitration section only.** Form A-9 shall be filed with the Clerk of the Court and a copy of the request for arbitration settings must be provided as follows:

**(i)** Mailed to the Judicial Assistant at: Okanogan County Superior Court, P.O. Box 112, Okanogan, Washington 98840;  
**OR**

**(ii)** Emailed to **superiorcourt@co.okanogan.wa.us**; **AND** delivered to the Judicial Assistant at the Okanogan County Courthouse At 149 3<sup>rd</sup> Ave N., Okanogan, WA 98840

*Amended Effective September 1, 2023*

#### **LMAR 1.2.01. GENERAL RESPONSIBILITIES OF ARBITRATORS**

##### **Education, Application and Renewal Requirements**

- (1) Must be in good standing with the Washington Bar Association.
- (2) Must provide the required documentation including but not limited to the Oath of an Arbitrator, W-9 tax form and Arbitrator information sheet. All required documentation must be submitted to the Judicial Assistant upon request. Once on the registry the Judicial Assistant will review annually as for compliance.

- (3) Any and all grievances regarding an arbitrator must be reported to the Superior Court Administrator in a statement describing the nature, status, outcome of any complaints, investigations, disciplinary actions, and or lawsuits lodged against the arbitrator related to the person's duties as an arbitrator or their profession along with any orders for removal as an arbitrator.

*Amended Effective September 1, 2023*

**LMAR 7.2. Procedure after Request for Trial De Novo**

The clerk shall automatically seal any award and any memorandum decision/award if a trial de novo is requested. The arbitrator shall inform the Clerk as to the number of copies to be provided. If the trial de novo is not confirmed pursuant to LR 40(g), the trial may be stricken by the court by given proper notice to each party. The opposing party may move for entry of judgment on the arbitrator's award within (5) five judicial days after the trial was stricken.

If the trial de novo is confirmed and the party who requested the trial de novo fails to appear at trial, then the opposing party may move to strike the trial and obtain a judgment on the arbitrator's award without further notice. If the trial de novo is confirmed and the party opposing the request for trial de novo fails to appear at trial, then the trial shall proceed in the normal course.

*Amended Effective September 1, 2023*

**LCrR 3.1 RIGHT TO AND ASSIGNMENT OF LAWYER**

**(d) ASSIGNMENT OF LAWYER**

(5) Upon notification of assignment, the assigned attorney shall within five (5) judicial days file their Notice of Appearance or at the arraignment hearing whichever is earlier. Further any attorney substituting shall file their notice within five (5) judicial days of assignment and/or substitution whichever is sooner.

(6) Appointed and assigned counsel shall file quarterly, with the Okanogan County Clerk, on the form recommended by the Supreme Court, a certificate declaring that counsel is in compliance with the applicable Standards for Indigent Defense promulgated by the Supreme Court of Washington. An appointed or assigned attorney who is not in compliance with the applicable standards, or who has not filed a certificate prior to appearing or filing a notice of appearance, shall so advise the court at every hearing.

*Amended Effective September 1, 2018*

**LCrR 6.15 Jury Instructions**

Consistent with CrR 6.15, all parties shall file with the trial judge an original and one hard copy of their proposed instructions. The original shall not be numbered nor include any citations of authority. The hard copy shall contain a proposed number only and any citation of authority in support of the instruction. Authorities may include any number from any published book of instructions or case name and citation. Instructions must be provided to the trial judge not later than the day prior to commencement of trial in the following format:

- (a) Microsoft Word Format (.docx)
- (b) 1" Page Margins
- (b) 12pt. Font
- (c) Calibri Style Font Theme

*Amended Effective September 1, 2023*

**LCrR 8.9 CHANGE OF JUDGE**

[Rescinded]

*Rescinded Effective September 1, 2021*

# [Appendices]

{Appendices were adopted effective September 1, 2018}

## Appendix A

### Local Form A-1: Asset & Debt Matrix

Superior Court of Washington  
County of Okanogan

No. \_\_\_\_\_  
Asset and Debt Matrix  
(LIST)

In Re:		Petitioner		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
and		Respondent							
Item #	Name of Assets Only	Community or Separate Asset	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									

In Re:		Petitioner		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
and		Respondent							
Item #	Name of Assets Only	Community or Separate Asset	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife
13.									
14.									
15.									
16.									
17.									
18.									
19.									
20.									
21.									
22.									
23.									
24.									
25.									
<b>Totals</b>				0	0	0	0	0	0

In Re:		Petitioner		Respondent		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
Item #	Name of Debts Only	Community or Separate Debts	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife		
1.											
2.											
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											
11.											
12.											



In Re:		Petitioner		Respondent		Husband's Proposed Distribution		Wife's Proposed Distribution		Court's Distribution	
Item #	Name of Debts Only	Community or Separate Debts	Original Amount & Date	Husband	Wife	Husband	Wife	Husband	Wife		
13.											
14.											
15.											
16.											
17.											
18.											
19.											
20.											
21.											
22.											
23.											
24.											
25.											
<b>Totals</b>				0	0	0	0	0	0		
<b>Court's Distribution of Assest Minus Debts Totals</b>								0	0		

Local Form A-2: Attorney/Limited License Legal Tech Certification

**Superior Court of Washington  
County of Okanogan**

[x] In re:

Petitioner,

Case No.

Attorney Certification Form

Limited License Legal Tech (APR 28)  
(*As reviewer of pleading*)  
(CRT)

And

Respondent.

---

I \_\_\_\_\_ declare as follows:

I am over the age of 18 years; I am the third-party neutral in accordance with RPC 2.4 or APR 28 in the entitled action.

On the \_\_\_\_\_ of \_\_\_\_\_ 202\_\_, I reviewed the following documents in this action:

\_\_\_\_\_  
\_\_\_\_\_

I am in compliance with Okanogan County Local Rule LSPR 94.04.01.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing statement is true and correct.

Dated at \_\_\_\_\_, \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

Local Form A-3: Automatic Temporary Restraining Order

**Superior Court of Washington  
County of Okanogan**

[x] In re	Petitioner,	No.
And		<b>Automatic Temporary Restraining Order (OR)</b>
	Respondent.	

**I. NOTICE TO PARTIES**

- 1.1 An action has been started in this court that affects your rights. Both parties are now required to obey the following order unless the court changes it. Either of you may ask the court to change or clarify this order. The court has the power to punish violations of this order and to require the violator to pay attorneys' fees to the party for having to bring the violation before the court.**
- 1.2 The financial restraints in section 2.1 below and the requirement to fill out the attached "Verified Statement of Assets and Liabilities" only apply in actions for (1) dissolution of marriage, legal separation, or marriages declared to be invalid, or (2) non-martial relationships involving in distribution of assets and liabilities.**

**II. ORDER**

***IT IS ORDERED:***

**2.1 TEMPORARY ORDERS FOR ALL PARTIES**

(a.) The [x] petitioner [x] respondent are mutually restrained and enjoined from transferring, removing, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life and requiring each party to notify the other of any extraordinary expenditures made after the order is issued.

(b.) The [x] petitioner [x] respondent are mutually restrained and enjoined from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties whether medical, health, life or auto insurance.

(c.) Each party shall be immediately responsible for their own future debts whether incurred by credit card or loan, security interest or mortgage.

(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.

(e.) Within 30 days after the filing of any general appearance, answer or other responsive pleading, each party shall provide the other party with a completed Financial Declaration (WPF DR 01.1550). In all cases involving a request for child support, maintenance or attorney fees, the Financial Declaration shall also be filed with the court. All parties have a duty to supplement the financial information when additional information becomes available.

## **2.2 TEMPORARY ORDERS FOR PARTIES WITH MINOR CHILD(REN)**

(a.) The [x] petitioner [x] respondent are mutually restrained from changing the residence of the child(ren) until further order of the court or unless agreed upon in writing by the parties.

(b.) Neither parent shall make negative remarks about the other parent.

(c.) Each parent will take the parenting class as required by local court rule.

(d.) Both parents are entitled to any and all education and medical records unless otherwise ordered by the court.

## **2.3 EFFECTIVE DATE OF ORDER**

**The Petitioner is subject to this order from the time of filing the Petition. The petitioner shall serve a copy of this on the Respondent and file a Return of Service with the Okanogan County Superior Clerk's office. The Respondent is subject to this order from the time that the order is served. This shall be the order of the court until further order of the court.**

**This order shall not constitute a discretionary decision by the undersigned judge.**

**This General Order shall be effective for all Dissolution or related matters filed after the first day of September 2013.**

Issued this \_\_\_\_\_ of \_\_\_\_\_ 202\_\_.

---

**Presiding Judge**

Local Form A-4: Declaration of Complicance

**Superior Court of Washington  
County of Okanogan**

[x] In re:

\_\_\_\_\_ Petitioner,

Case No.

**Declaration of Compliance  
(DCLR)**

And

\_\_\_\_\_ Respondent.

---

I \_\_\_\_\_ the Petitioner/Respondent declare as follows:

I am over the age of 18 years. On the \_\_\_\_\_ day of \_\_\_\_\_ 202\_, I deposited an envelope in the regular U.S. mail, postage prepaid, addressed as follows:

Name of Party (Petitioner/Respondent): \_\_\_\_\_

Mailing address (PO Box /Physical): \_\_\_\_\_

(City/ State/Zip): \_\_\_\_\_

The envelope contained copies of the following: **Verified Financial Declaration, Verified Asset and Debt Matrix**

I am in compliance with Okanogan County Superior Court Local Rule LSPR 94.04.01.

I declaration under penalty of perjury, pursuant to the laws of the state of Washington, that the foregoing information and statement is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 202\_ at \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

Local Form A-5: Note For Hearing

**Superior Court of Washington**

**County of Okanogan**

	Petitioner,		<b>No.</b>
And			
	Respondent.		<b>Note for Hearing</b>
			<b>Clerk's Action Required</b>
			<b>(NTHG)</b>

---

**To the Clerk of Court and to:**

1. Please note that this case will be place on the hearing calendar regarding

\_\_\_\_\_

Civil Law and Motion Calendar for hearing on \_\_\_\_\_ at 9:00 am  
(date)

Agreed Orders Calendar on \_\_\_\_\_ at 8:30 am  
(date)

Special Set Calendar on \_\_\_\_\_ at \_\_\_\_\_ am/pm  
(date)

Other Calendar on \_\_\_\_\_ at \_\_\_\_\_ am/pm  
(date)

Interpreter required \_\_\_\_\_  
(language)

Place: Okanogan Superior Court (*Courtroom to be determined*)

149 3<sup>rd</sup> Ave N., Okanogan, WA 98840

Dated: \_\_\_\_\_

Signature of Requesting Party or Lawyer/WSBA No.

**Local Form A-6: Order for Pretrial**

**Superior Court of Washington  
County of Okanogan**

And	Plaintiff(s)  Defendant(s)	<b>No. ORDER FOR PRETRIAL CONFERENCE (OR)</b>
-----	----------------------------------	---

THIS CAUSE appearing to be at issue and ready for trial, it is

1. ORDERED AND ADJUDGED THAT a pretrial conference will be held in Chambers at \_\_\_\_m. at the Okanogan County Courthouse on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_. Total time allocated for the conference will be \_\_\_\_\_. The attorneys who will conduct the trial must attend this conference.

All discovery procedures shall be completed by the time of this conference.

2. ORDERED AND ADJUDGED THAT at least five working days prior to this conference, the attorneys shall submit to the trial judge and to opposing counsel a Pretrial Statement containing the following:

- (a) A list designating those pleadings upon which the case goes to trial;
- (b) A succinct statement of the cause of action in regard to each claim or defense;
- (c) A clear statement of the issues to be tried;
- (d) An itemized list of the claimed special damages;

- (e) A statement of the principles of law involved in the case, supported by citations of authority;
- (f) A statement of facts, which his client will admit;
- (g) A list of the names and addresses of all persons who have knowledge of relevant facts and the general nature of their testimony;
- (h) A list of all exhibits and documentary evidence, which may be used at the trial;
- (i) A complete set of written jury instructions, standard and special, which will be proposed for use at the trial, including verdict forms;
- (j) Any request for preliminary rulings on questions of law with citations in regard thereto;
- (k) Any trial brief that either party wishes the court to consider.

3. ORDERED AND ADJUDGED THAT at the time of the conference, the first thirty minutes of the conference will be set aside for a meeting between counsel to:

- (a) Inspect all documentary evidence and transportable exhibits listed in their Pretrial Statements. Exhibits not easily transportable will be made available for inspection at a time and place fixed at the conference.
- (b) Mark each document and exhibit using consecutive numerals for the plaintiff and the defendant.
- (c) Object to the admissibility of the evidence, reserving the appropriate objections.
- (d) Object to the jury instructions filed with the Pretrial Statements, reserving the appropriate objections.
- (e) Stipulate on all matters of fact and law upon which the parties are in agreement.

DONE AND ORDERED in Chambers in Okanogan County, Washington, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
JUDGE



**Local form A-7: Pretrial Order**

**Superior Court of Washington  
County of Okanogan**

And	Plaintiff(s)
	No. Pretrial Order (ORPTC)
	Defendant(s)

I. BASIS

1.1 The above matter has been noted for trial setting.

1.2 A pretrial conference was held and the following persons were present:

For Plaintiff(s):

For Defendant(s):

II. ORDER

2.1 Names and addresses of attendant lawyers who will try the case and are authorized to enter into binding stipulations:

For Plaintiff(s):

For Defendant(s):

2.2 Summary of plaintiff's case:

2.3 Summary of defense and counterclaim:

2.4 The following amendments are allowed to the pleadings:

2.5 Names and addresses of plaintiff's witnesses and summary of testimony expected from each:

2.6 Names and addresses of defendant's witnesses and summary of testimony expected from each:

Additional Witnesses: If additional witnesses are discovered, who by the use of reasonable diligence could not have been discovered before the Pretrial Conference, the party intending to use such witness shall immediately report the names, addresses and summary of the testimony of such witness to opposing counsel and the court.

2.7 Facts admitted by stipulation and agreement:

2.8 Exhibits produced for admission:

- a. The following exhibits were marked, identified and admitted without objection, no further identification or offers of admission shall be required at trial:
- b. The following exhibits were produced and offered but were objected to for competency, relevancy and materiality; they may be introduced at the trial without formal identification, their authenticity being agreed to:
- c. The admission of the following exhibits will be contested:
- d. The following exhibits will be sent to opposing counsel within \_\_\_\_ days and within five days of receipt forwarded to the court with any objections thereto; in the event no objections are raised the exhibits will be admitted in accordance with the provisions of (a) above.

Additional Exhibits: If additional exhibits or documents are discovered which could not have been discovered by reasonable diligence before the Pretrial Conference, the party intending to use them shall immediately exhibit them to opposing counsel and submit them to the court to be marked for identification. Opposing counsel shall immediately indicate to the court his or her position with respect to such exhibit, i.e., whether his or her position falls under (a), (b) or (c) above.

2.9 Unresolved issues:

2.10 Points of law passed upon by the court:

2.11 Estimated length of trial:      Jury:

2.12 Other matters that may aid the trial:

Set for trial:

Approved, stipulated and agreed:

\_\_\_\_\_  
Attorney for Plaintiff

\_\_\_\_\_  
Attorney for Defendant

IT IS ORDERED that the stipulations be carried out as outlined above.

DATED: \_\_\_\_\_

\_\_\_\_\_  
JUDGE

**Superior Court of Washington  
County of Okanogan**

And

Petitioner,

Respondent.

**No.  
Request for Trial Setting  
(Dissolution of Marriage and  
Other Family Law Cases)  
(RQTH)**

**TO:** Okanogan County Superior Court  
P.O. Box 112  
Okanogan, WA 98840

Clerk of the Court  
P.O. Box 72  
Okanogan, WA 98840

**TO:** List all Attorneys or Unrepresented Litigants (including yourself) with addresses and telephone numbers.

**TRIAL SETTING**

This case should be set for Non-Jury Trial.

Estimated length of trial \_\_\_\_\_ Day(s)

Dates unavailable for trial (see LR 40(a)):

\_\_\_\_\_ **Interpreter needed (make sure to specify language needed)**

**Language** \_\_\_\_\_

\_\_\_\_\_ **Notice to Support Enforcement Required** (If either party is receiving state benefits)

CERTIFICATION

- 1. I have served the opposite attorney or Party without a Lawyer with this request on the following date: \_\_\_\_\_ and in the following manner: \_\_\_\_\_
- 2. I have reviewed the Okanogan County Superior Court Local rules relating to dissolution myself and with any party I represent.
- 3. I (or the party I represent) have satisfactorily completed the required class, Your Child and Divorce sponsored by the Okanogan County Dispute Resolution Center or will attend the next session and will have the requirement completed an certificate filed prior to the court date. (Any equivalent class approved by a court may be substituted).
- 4. I understand the requirement for 1) the mandatory use of the Court’s property and debt Itemization form and 2) providing a complete and current financial declaration at the time of trial. **Further, I hereby certify that I have complied with LSPR 94.04.01(d) by serving and exchanging Financial Declarations and Asset and Debt Matrixes and the parties have complied with 94.04.03 regarding mediation.**
- 5. If I am appearing as a Party without a Lawyer, I understand that I am required to always have a notice of appearance with my current address and phone number on file with the Superior Court Clerk’s Office. Failure to comply may result in cancellation of my trial.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Requesting Party or Lawyer/WSBA No.

Must be completed:

\_\_\_\_\_  
Print or Type Name

Exchange of Form

Notice to Party: (you may list an address that is not your residential address whrer you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200 with the Court Clerk).

Parties engaged

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Email Address

Local Form A-9: Request for Trial (Civil, Non-domestic, Arbitrability)

**Superior Court of Washington**

**County of Okanogan**

And	Petitioner,	<b>No.</b>
		<b>Request for Trial Setting-Civil</b>
		<b>(Civil Matters Other Than</b>
		<b>Dissolution of Marriage and</b>
		<b>Other Family Law Cases) and</b>
		<b>Statement of Arbitrability</b>
	Respondent.	<b>(RQTH)</b>

**TO:** Okanogan County Superior Court  
P.O. Box 112  
Okanogan, WA 98840

Clerk of the Court  
P.O. Box 72  
Okanogan, WA 98840

**TO:** List all Attorneys or unrepresented litigants (including yourself) with addresses and telephone numbers.

**I. TRIAL SETTING**

This case should be set for  Non-Jury Trial.

- Jury Trial \*       Six person  
 Twelve person

\*No Jury Trial will be set until Jury Demand Fee is paid.

Estimated length of trial \_\_\_\_\_ day(s)

Dates unavailable for trial (see LR 40(a)):

Interpreter needed Yes or No (*please circle one*) Language \_\_\_\_\_

## II. INITIAL STATEMENT OF ARBITRABILITY

\_\_\_\_\_ This case is subject to arbitration because the sole relief sought is monetary and there is no claim in excess of \$100,000, exclusive of attorney fees, interest and costs (MAR 1.2)

\_\_\_\_\_ This case is NOT subject to mandatory arbitration because:

\_\_\_\_\_ Plaintiff's claim exceeds \$100,000.

\_\_\_\_\_ Plaintiff seeks relief other than a money judgement.

\_\_\_\_\_ Defendant's counter or cross-claim exceeds \$100,000.

\_\_\_\_\_ Defendant's counter or cross-claim seeks relief other than a money  
Judgement.

\_\_\_\_\_ The undersigned contends that its claim exceeds \$100,000, but hereby waives any claim in the excess of \$100,000 for purposes of arbitration (MAR 1.2)

\_\_\_\_\_ This case is not subject to mandatory arbitration but the parties wish to stipulate to arbitration and will present a stipulation and order for that purpose.

SERVICE

Date of Service on opposing counsel (or parties): \_\_\_\_\_

DATED: \_\_\_\_\_ Signed \_\_\_\_\_

Attorney for \_\_\_\_\_



**CERTIFICATION**

1. I have/will serve(d) the opposing attorney or unrepresented litigant with this request on or by the following date: \_\_\_\_\_ and in the following manner: \_\_\_\_\_
2. I have reviewed the Okanogan County Superior Court Local rules myself and with any party I represent.
3. If I am appearing as an unrepresented litigant, I understand that I am required to always have a Notice of Appearance with my current address and phone number on file with the Superior Clerk's Office. Failure to comply may result in cancellation of my trial.

Dated: \_\_\_\_\_

Signature of Requesting Party or Lawyer/WSBA No.

\_\_\_\_\_  
Print or Type Name

Notice to party: (you may list an address that is not your residential address where you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing.)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

## **Appendix B**

### **Minimum Qualifications for Superior Court Family Law Mediators**

1. A Jurist Doctor Degree with extensive experience in family law related matter; or
2. A Bachelor's Degree or Master's Degree in Sociology, Psychology or other social or behavioral science plus completion of training in family law mediation upon approval of the court; or
3. A person who has completed a family law mediation training course offered by a law school in the State of Washington or the basic mediation training course and family mediation training offered by the Okanogan County Dispute Resolution Center or such other equivalent mediation training course(s) as shall be approved by the court; or
4. Such other education and experiential qualifications as shall be approved by the Superior Court judge on a case by case basis.