

VIII. LOCAL JUVENILE COURT RULES (LJuCr)

Local Juvenile Court Rule 1.8 PUBLICATION

- A. **Generally.** Any party may file with the Clerk of the Court a Motion and Affidavit requesting an Order for the publication of Notice and/or Summons.
- B. **Procedure.** Upon the issuing of an Order to publish with the Clerk of Court, the Clerk shall forward the notice and summons and order for publication to the newspaper that is named in said order. Upon receipt of an Affidavit of Publication, the Clerk shall file the original affidavit and provide copies to appropriate parties.
- C. **Costs.** The costs of publication shall be borne by the county in which the underlying case was filed. Nothing in this Rule shall prevent the court from ordering a party to reimburse the county for the costs of publication.

[Adopted Effective April 1, 1988; Amended Effective September 1, 2013; September 1, 2021; Re-Formatted Effective September 1, 2023]

Local Juvenile Court Rule 1.12 BRIEFS AND OTHER DOCUMENTS

- A. All original pleadings, including motions, briefs, proposed findings of fact and conclusions of law and proposed judgments, pertaining to dependency (but excluding initial petitions for Shelter Care), termination, Title 13 guardianship, and juvenile offender proceedings shall be served and filed with the respective Superior Court Clerk not less than five (5) calendar days prior to the hearing, unless an Order to Shorten Time has been signed, or other timelines apply by statute or court rule. The originals of all social worker court reports and GAL Reports shall be filed with the Superior Court Clerk and bench copies submitted to the Court via uploading to jMotion. In juvenile offender matters, a copy will also be given to Juvenile Legal Processing Unit. When hearings are continued, it is the responsibility of the parties to amend the hearing date in jMotion associated with all bench copies submitted electronically.
- B. Parties without access to a computer and/or the Internet shall deliver bench copies to the Benton Franklin Counties Juvenile Court Legal Process Staff, 5606 W. Canal Place, Suite 106, Kennewick, WA 99336. All bench copies must be submitted not later than 9:00 a.m. one court day prior to the scheduled hearing, proceeding or trial.
- C. Pursuant to GR 30(b)(4) participants in dependency, termination and guardianship cases are deemed to electronically accept service of all documents as of the time and date the documents are uploaded to jMotion. This does not preclude parties from serving documents as authorized in CR 5. This shall not apply to service of original process.

[Adopted Effective September 1, 2012; Amended Effective September 1, 2013; September 1, 2015; September 1, 2016; September 1, 2021; September 1, 2023; Amended Effective September 1, 2023]

Local Juvenile Court Rule 1.13

LEGAL PROCESSING UNIT

- A.** Participants in dependency, termination, and guardianship cases are required to contact the Benton-Franklin Counties Juvenile Court Legal Processing Unit (LPU) Staff, 5606 W. Canal Place, Suite 106, Kennewick, WA 99336, to request available court dates for the setting of a motion hearing. Parties shall submit a copy of the motion and the note for docket (with a date that LPU provided) to the Benton-Franklin Counties Juvenile Court Legal Process Staff upon filing with the appropriate clerk’s office, and upload copy(ies) to jMotion to the appropriate date and docket.

[Adopted Effective September 1, 2022; Amended Effective September 1, 2024]

SHELTER CARE PROCEEDINGS

Local Juvenile Court Rule 2.3

SHELTER CARE HEARINGS – NOTICE TO ATTORNEY GENERAL

- A. Generally.** Juvenile court staff shall immediately notify the Attorney General’s office of any dependency cases initiated by an individual or agency other than the Department of Social and Health Services.

[Adopted Effective April 1, 1988; Amended Effective September 1, 2006; September 1, 2021; September 1, 2023; Amended Effective September 1, 2024]

Local Juvenile Court Rule 7.15

MOTIONS – JUVENILE OFFENSE PROCEEDINGS

- A. Generally.** Motions, including motions to suppress evidence, motion regarding admissions, and other motions requiring testimony, shall be heard at the time of trial unless otherwise set by the Court.
- B.** Except for motions to amend Conditions of Release, all motions shall be filed together with a brief and/or declaration which shall include a summary of the facts upon which the motions are based, not later than five (5) days before the hearing. Reply briefs shall be served and filed with the Court no later than 9:00 a.m. two (2) court days before the hearing.
- C.** Motions to Amend Conditions of Release shall be filed, along with a Note for Docket and a brief and/or declaration which shall include a summary of the facts upon which the motion is based not less than 72 hours before the hearing unless the Court finds emergent

circumstances involving serious threat to safety of the community or the Respondent requiring an immediate hearing.

[Adopted Effective April 1, 1988; September 1, 2023; Amended Effective September 1, 2024]

Local Juvenile Court Rule 7.18
VIOLATIONS OF COMMUNITY SUPERVISION

- A. Generally.** Probation counselors shall have the authority to file with the respective Clerk of the Court a motion and affidavit alleging a violation of community supervision.
- B. Procedure.** Once the motion and affidavit alleging a violation of community supervision has been filed, the probation counselor shall contact the appropriate juvenile court unit to ensure the matter is scheduled and all appropriate parties are notified of the hearing date, time and place.
1. The probation counselor shall prepare a written report of the alleged violations. Copies will be provided to all appropriate parties no later than one (1) day prior to the hearing.
 2. The probation counselor shall be present at such hearing to respond to questions concerning the matter.

[Adopted Effective April 1, 1988; Amended Effective September 1, 2013; September 1, 2021; September 1, 2023; Amended Effective September 1, 2024]

Local Juvenile Court Rule 9.4
REQUIREMENTS OF NON-LAWYER GUARDIAN AD LITEM

- A. Certification.** No guardian ad litem shall be appointed to a child until that GAL has successfully completed an approved training course supervised by the court and administered an oath of office by the court. A guardian ad litem shall be free of influence from anyone interested in the result of the proceeding.
- B. Reports.** In all proceedings, the guardian ad litem shall submit a written report to the court addressing all relevant factors and making a recommendation to the court as to an appropriate disposition in the best interests of the child. All reports submitted by a guardian ad litem will be provided to the court and parties no later than ten (10) calendar days prior to the scheduled hearing. A report received within five (5) calendar days of a hearing may constitute good cause of a continuance if a party requests a continuance.

[Adopted Effective April 1, 1988; Amended Effective September 1, 2008; September 1, 2015; September 1, 2016; September 1, 2021; Amended Effective September 1, 2024]