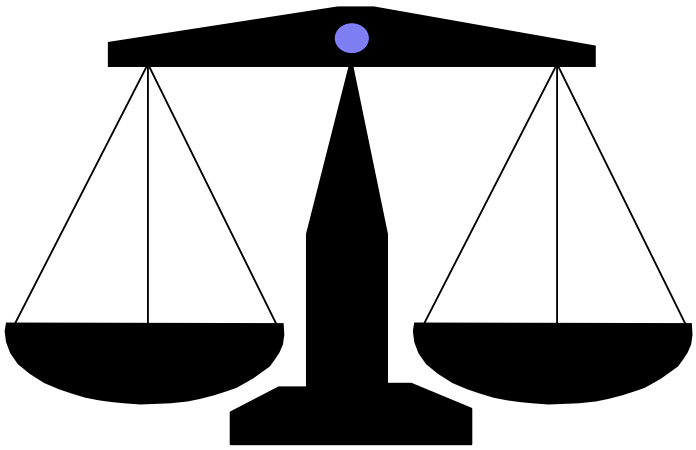
THE SUPERIOR COURT OF WASHINGTON IN AND FOR BENTON AND FRANKLIN COUNTIES



LOCAL RULES

JUDGES:

HONORABLE DAVID L. PETERSEN
HONORABLE JOSEPH M. BURROWES
HONORABLE ANDREW M. HOWELL
HONORABLE NORMA RODRIGUEZ
HONORABLE BRONSON J. BROWN
HONORABLE JACQUELINE I. STAM
HONORABLE JACQUELINE J. SHEA-BROWN

Effective September 1, 2026

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I. LOCAL ADMINISTRATIVE RULE (LAR)

Local Administration Rule 1
JUVENILE COURT DEPARTMENTS

A. Pursuant to the termination of all agreements by the Benton County Board of County Commissioners and the Franklin County Board of County Commissioners to operate and fund the bi-county juvenile court, then effective June 1, 2026, there shall be two juvenile court departments.

1. There shall be a juvenile department of the court in Benton County in which all matters under juvenile court laws shall be heard, which shall be called the Benton County Juvenile Department.

2. There shall be a juvenile department of the court in Franklin County in which all matters under juvenile court laws shall be heard, which shall be called the Franklin County Juvenile Department.

3. All judges and court commissioners of the Benton and Franklin Superior Court are designated as judicial officers for the juvenile courts in each county.

[Adopted Effective June 1, 2026]

Local Administrative Rule 2
TRANSFER OF ADMINISTRATION OF JUVENILE DETENTION

A. Pursuant to RCW 13.04.035 and a unanimous vote of the judges of the Superior Court, and by agreement of Franklin County Board of County Commissioners through Resolution 2026-172, the Superior Court does hereby transfer administration of juvenile detention services for juveniles prosecuted through the Franklin County Juvenile Department of the Franklin County Superior Court, pursuant to the Agreement Regarding the Provision of Juvenile Detention Services in Franklin County dated May 6, 2026 to the executive branch of Franklin County effective June 1, 2026. Such transfer does not include administration of court services or probation services, which remains the responsibility of Benton & Franklin County Superior Court.

B. Pursuant to RCW 13.04.035 and a unanimous vote of the judges of the Superior Court, and by agreement of Benton County Board of County Commissioners through Resolution 2026-141, the Superior Court does hereby transfer administration of juvenile detention services for juveniles prosecuted through the Benton County Juvenile Department of the Benton County Superior Court, pursuant to the Agreement Regarding the Provision of Juvenile Detention Services in Benton County dated March 13, 2026 to the executive branch of Benton County effective June 1, 2026. Such transfer does not include administration of court services or

probation services, which remains the responsibility of Benton & Franklin County Superior Court.

[Adopted Effective June 1, 2026]

Local Administration Rule 4
PRESENTATION OF ORDERS AFTER DENIAL BY JUDICIAL OFFICER

A. Reapplication for Order. When an order has been applied for and denied in whole or in part or has been granted conditionally and the condition has not been performed, the same application for an order must not be presented to any another judicial officer without advising the second judicial officer of the fact that the order was previously refused or conditioned.

[Adopted Effective September 1, 2018; Re-Formatted Effective September 1, 2023; Reformatted Effective September 1, 2026]

II. LOCAL MANAGEMENT RULE (LMR)

Local Management Rule 1
WEBSITE

A. The Court's Website is searchable. Use the magnifying glass icon in the upper right corner of the Website to search by keyword for any subpage or document referenced herein if needed.

B. Any person needing access to the Website or eMotion can use the free public computer terminal in the lobby of the Benton County Justice Center, 7122 West Okanogan Place, Bldg. A, Kennewick, WA, or outside the Superior Court Clerk's office in the Franklin County Courthouse, 1016 North 4th Street, Pasco, WA, during courthouse hours.

[Reformatted Effective September 1, 2024; Amended Effective September 1, 2026]

Local Management Rule 2
ELECTRONIC BENCH COPIES AND READ FIRSTS

A. "Bench copy" means all document(s) filed and properly served on all other party(ies) that a party wants a judicial officer to review before a hearing on a motion.

B. On all case types and for all matters except adult criminal matters, all bench copies, including any proposed order(s), shall be uploaded to eMotion (or jMotion for juvenile court matters) to the correct docket and for the correct docket date in accordance with the timelines noted in LCR 7(A) or (B). See Court Website for instructions on how to use and/or access to eMotion and/or jMotion.

C. If a party does not have an ability to access to eMotion/jMotion, hard copies of any bench copies must be delivered to the Court Administration office no less than three (3) court days

prior to the hearing. The bench copies must be clearly marked with the date of hearing and if a specific judge is assigned.

D. If a party does have access to eMotion/jMotion, bench copies must be uploaded no less than five (5) calendar days prior to the hearing. The Court encourages parties to upload bench copies to eMotion/jMotion as soon as possible to allow for adequate preparation time for the judicial officer. The sole exception to this rule applies to tenants only at show cause hearings in unlawful detainer matters.

E. Failure to upload bench copies to eMotion/jMotion or to provide hard copies of bench copies could result in a matter being continued or stricken at the discretion of the judicial officer.

F. If a matter is continued or re-noted, it is the responsibility of the parties to move their eMotion/jMotion documents to the new docket date on eMotion/jMotion.

G. For all adult civil motions, all domestic dockets, and for the probate and guardianship dockets (matters excluded from this rule are outlined below LMR 2(H)), the moving party for any matter must upload a "Read First" to eMotion or provide a hard copy of a Read First to the Court Administration office if the party does not have access to eMotion, no less than five (5) calendar days prior to a hearing to confirm the matter on the docket. A "Read First" is a one-page document that tells the judicial officer whether the motion will be going as set, will be continued by agreement, if a continuance is requested, an agreed order will be presented, or if agreed upon Final Orders will be delivered to the Court Administration office. Failure to provide a Read First will result in that matter being stricken at the discretion of the judicial officer. Read Firsts are not filed with the Clerk. A sample Read First form can be found on the Website.

H. The following case types are not required to upload a Read First, but may upload one at the discretion of any party for the convenience of the judicial officer assigned to that docket to assist with appropriate preparation for the docket:

1. *Dockets.* Unlawful Detainer Matters, Civil Protection Orders, Adoptions, Child Support, Contempt, Domestic Pro Se, Criminal, All Juvenile Matters, and Minor Guardianship (Benton).

[Adopted Effective September 1, 2024; Amended Effective September 1, 2025; Amended & Reformatted Effective September 1, 2026]

Local Management Rule 3
ELECTRONIC SERVICE FROM COURT AND CLERK

A. The Court and Clerk will send all notices, orders, and other documents to the parties' counsel, or to any self-represented party, via email. The Court and Clerk will utilize the email address for attorneys with the Washington State Bar Association Online Attorney Directory. Any self-represented party may opt-out of receiving electronic notice from the Court and Clerk by filing

a Notice of Address Change (NTACA). The form is available at the Superior Court Administration office, Franklin County Clerk's office, or the Benton County Clerk's office.

[Adopted Effective September 1, 2024; Re-formatted Effective September 1, 2026]

Local Management Rule 4
EX PARTE

A. No matter shall be presented on an ex parte basis unless notice has been given, or good faith efforts have been made to give notice, to all other parties prior to presentment at ex parte for a motion which is not agreed.

1. The following does not apply to ex parte applications:

    a. Civil Protection Orders;
    b. Motions for Orders to Set Show Cause Hearing where no relief is sought other than setting a hearing;
    c. Motions for Fee Waivers;
    d. Motions for Indigency on Appeal;
    e. Motions to Seal Expert Service Provider for criminal matters;
    f. Motions for Immediate Restraining Orders;
    g. Matters where breach of a prior agreement allows a party to move for relief ex parte without notice to the breaching party; or
    h. Any matter where a party has a good faith belief that prior notice of presentment to the other party(ies) will result in actual physical or irreparable harm to the presenting party or a child of the presenting party.

B. Orders in any case type, including Final Orders in domestic relations cases, which have been signed by all parties or stipulated may be presented on an ex parte basis, and will be signed at the discretion of the judicial officer.

C. An attestation indicating whether any judicial officer has been recused or disqualified from any matter shall accompany all matters presented on an ex parte basis. Attestations are available in the respective Clerk's offices or on the Court Website.

[Adopted Effective September 1, 2024; Reformatted Effective September 1, 2026]

Local Management Rule 5
SANCTIONS

A. On any matter and any case type, where a party violates these rules, or any court rule, the Court may order the attorney or party to pay monetary sanctions to the Clerk of the Court, or terms to any other party who has incurred expense as a result of the violation, or both; in addition, the Court may impose such other sanctions as justice requires. This rule does not limit the authority of the judicial officer under any other Court Rule or law and as allowed given the court's inherent authority to impose sanctions for discovery violations. The Court may decline

to impose any sanction or terms for good cause shown. A status hearing will be set when sanctions are ordered to ensure timely payment or appeal of the order.

B. "Terms" means costs, attorney fees, and other expenses incurred or to be incurred as a result of the violation; the term "monetary sanctions" means a financial penalty payable to the Clerk of the Court or any party; the term "other sanctions" includes but is not limited to the exclusion of evidence.

[Adopted Effective April 9, 2002; Amended Effective September 1, 2010; September 1, 2020; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Reformatted Effective September 1, 2026]

Local Management Rule 6
SPECIAL SET REQUESTS

A. Special Set Requests. The Special Set Request rule applies to all adult superior court cases. This rule covers Pre-Assigned Cases, Criminal Cases (not pre-assigned), and all other case types. Motions must be filed (prior to request) in compliance with CR 7 and LCR 7.

1. *Pre-Assigned Cases.* Any litigant requesting a special set hearing for a case pre-assigned to a Benton/Franklin Judicial Officer or an Out-of-County Judicial Officer shall:

    a. Complete the Pre-Assigned Hearing Request Form.
    b. Email the completed form to specialsets@co.benton.wa.us. A conformation email will be sent acknowledging receipt.
    c. Court Administration/Judicial Assistants will provide three (3) available dates for the assigned Judicial Officers.
    d. All parties shall jointly respond within two (2) business days after receipt of the email from Court Administration/Judicial Assistants indicating which date(s) are acceptable.
    e. If parties cannot agree on a date, the designated court staff will select one from the provided options and notify the parties by email.

2. *Criminal Cases (Not Pre-Assigned).* The following must be followed by any litigant requesting a special set hearing on a criminal case that is not pre-assigned.

    a. Parties shall jointly email specialsets@co.benton.wa.us with the following information and attached request form (available on the court's website):

        i. The nature of the requested hearing.
        ii. The reason(s) the hearing cannot be set on an existing criminal regular docket, criminal docket, or preliminary docket, consistent with applicable rules.
        iii. A proposed date certain and/or earliest possible hearing date.

iv. Whether briefing has been completed.
v. Whether the opposing party has been contacted and whether they agree or disagree with the request.
vi. Also, see LCrR 4.11(B) for Special Set Requests on Motion for Acquittal on Grounds of Insanity.

3. *All Other Case Types.* A litigant requesting a Special Set not covered above must first obtain a court order authorizing the special setting.

   a. The Special Set Request Form shall be completed and emailed to specialsets@co.benton.wa.us, with all parties copied on the email.
   b. All sections of the form must be fully completed; "not applicable" must be indicated where appropriate.
   c. TEDRA trial settings are guided by this rule.

4. *All Special Set Requests.*

   a. The party requesting the special set shall file a Note for Motion reflecting the date approved by Court Administration/Judicial Assistant, clearly indicating that the date was approved.
   b. The Note for Motion shall indicate "Clerk's Action Required."
   c. No other motion may be joined with a request for a special set request nor additional time added without approval from the Court.
   d. Special set hearings approved by Superior Court may not be canceled or stricken without prior court approval. If court approval has not been granted before the scheduled hearing date, the matter must be called on the record on the day set to request the cancelation
   e. Special Set Requests shall not be heard sooner than the time periods required by State and Local Rules unless an order shortening time has been entered.
   f. Interpreter information provided during the special set rules is used for scheduling purposes only. Interpreter Requests for all hearings, including special sets, must be submitted as required under the applicable LGR 11.
   g. Failure to comply with the requirements of this rule may result in denial or delay of the special set request.
   h. The required special set request forms shall be completed and submitted with all parties included on the email.

[Adopted Effective September 1, 2026]

Local Management Rule 7
EVIDENTIARY HEARINGS

A. Evidentiary Hearings. Civil Unlawful Detainer and Family Law Relocation Trials.

1. *Applicability.* This rule applies when a judicial officer orders an evidentiary hearing in Civil Unlawful Detainer matters and Family Law Relocation trials.
2. *Requesting an Evidentiary Hearing*. Counsel or self-represented parties must request an evidentiary hearing by submitting a Special Set Request per LMR 6(3) and adhering to all requirements in that rule.
3. *Pre Hearing Filings.* Each party must file the following (at least two weeks before the evidentiary hearing date):
    a. A witness list, including each witness's name, phone number, and a brief summary of expected testimony.
    b. An exhibit list.
4. *Service Requirements.* Each party must serve their witness list, exhibit list, and copies of all exhibits on the opposing party at least two weeks before the evidentiary hearing.

[Adopted Effective September 1, 2026]

III. LOCAL GENERAL RULES (LGR)

Local General Rule 11
COURT INTERPRETERS

A. Interpreter Scheduling Requirements. Requests for interpreters must be made to Superior Court Administration for parties to a case and witnesses.

1. A request for interpreter should be made as far in advance as practical for a hearing or proceeding, but never less than of five (5) business days prior to the scheduled date. (Except for Preliminary Appearance Matters and ITAs).
2. For trial (with a scheduled trial priority), interpreter requests should be submitted before end of business on the day trial priority is held and the court called your trial a "go."
3. If no trial priority, by end of business on the day the court advised your trial is a "go."
4. All trials estimated to last one-half day or longer require two interpreters.
5. For less commonly spoken languages, including American Sign Language (ASL), additional time may be needed to secure a certified or qualified interpreter.

B. Mode of Interpretation. The Court will make every effort to provide in person interpreters. For short or limited matters, the Court may schedule interpretation by telephone when appropriate.

C. Submitting Interpreter Requests. Interpreter Requests must be submitted via email to: SCRequests@co.benton.wa.us in the timeframes out lined above.

1. The email must include the following:

    a. Language Required
    b. Date, Time, & Length of Hearing/Trial
    c. Case Number

d. Interpreter requested to be in person or by WebEx
e. Identify who needs the interpreter for (witness/defendant)

D. Notice Required When Hearing is Stricken/Continued.

1. Any party/attorney who has scheduled a hearing for which an interpreter has been requested and noted must promptly notify SCRequests@co.benton.wa.usif that hearing is continued or stricken. The notice must be prior to the scheduled matter and must be forty-eight (48) hours prior to the scheduled hearing.
2. Notice shall be provided immediately to the court at: SCRequests@co.benton.wa.us.
3. The cost of the interpreter services falls to the requesting party when an interpreter is scheduled but not utilized.

E. Interpreter Requirements. Interpreters must submit their invoices for Benton and Franklin Counties to SCRequests@co.benton.wa.us in accordance with each county's Services Rendered Policy. Invoices due within 30 days of the services provided.

F. Cancellation and Reassignment of Interpreters.

1. The court considers forty-eight (48) hours' notice sufficient to cancel interpreter services without incurring costs.
2. If a hearing settles or cancels with less than 48 hours' notice, the court reserves the right to reassign the interpreter to another matter within the bi-county judicial district for the duration of the originally scheduled time.

[Adopted Effective September 1, 2026]

Local General Rule 29
ADMINISTRATIVE PRESIDING JUDGE
ASSISTANT ADMINISTRATIVE PRESIDING JUDGE

A. Election. The administrative presiding judge and assistant administrative presiding judge shall be elected by a majority vote of the judges. Said elections shall occur at the Fall Judicial Retreat in even numbered years to be effective in the following odd numbered years.

B. Term. The administrative presiding judge and assistant administrative presiding judge shall each serve for a term of two years. The terms of the presiding judge and assistant presiding judge shall commence January1per GR(a)(2).

C. Vacancies. In the event of a vacancy in the office of the administrative presiding judge prior to the completion of the two-year term of the administrative presiding judge, the assistant administrative presiding judge shall serve as administrative presiding judge for the remainder of the un-expired term.

D. Assistant Administrative Presiding Judge. In the event of a vacancy in the office of the assistant administrative presiding judge prior to the completion of the two (2) year term of the assistant administrative presiding judge, a new assistant administrative presiding judge shall be elected by a majority vote of the judges at the next regularly scheduled judge's meeting. The newly elected assistant administrative presiding judge shall serve for the remainder of the un-expired term.

E. Removal. The administrative presiding judge and assistant administrative presiding judge may be removed by a majority vote of the judges after noting the issue on the agenda for the next regularly scheduled judge's meeting.

F. Executive Committee. The Judges of the Superior Court, sitting as a whole as an executive committee, shall advise and assist the administrative presiding judge in the administration of the court.

G. Liaison Judges. Individual judges may be assigned responsibility for certain management areas and court functions. The responsibility of the assigned judge is to act as a liaison between the court and others concerned about matters that fall within the management area or court function. The assigned judge shall keep the administrative presiding judge and executive committee informed about the management area or court function and shall make such reports as are necessary to the executive committee at the regularly scheduled judge's meetings. The court administrator shall maintain the list of the liaison assignments that shall be available, upon request, to the public.

H. Court Administrator. The court administrator shall, under the direction of the executive committee, supervise the administration of the court.

[Adopted Effective September 1, 2026]

Local General Rule 30
ELECTRONIC SIGNATURES AND FILING

A. As authorized by Supreme Court Order No. 25700-B-743, titled Interim Order Permitting the Continued Use of Electronic Signatures, (issued October 23, 2025), Benton & Franklin Counties Superior Court waives the requirements of GR 30 defining "electronic signature."

B. Electronic signatures which comply with GR 30(a)(4) are acceptable for filing.

[Adopted Effective September 1, 2022; Amended & Re-Formatted Effective September 1, 2023; Re-numbered Effective September 1, 2024; Reformatted & Amended Effective September 1, 2026]

Local General Rule 35
AUTHORIZED TRANSCRIPTIONISTS

A. Electronic Recordings and Transcripts. Court proceedings in Benton and Franklin County are electronically recorded in all courtrooms, unless a court reporter is available and assigned. These recordings are maintained by Superior Court.

1. To obtain an official transcript of an electronically recorded proceeding, the requestor must first purchase a digital copy of the recording from the appropriate County Clerk's Office.
2. After obtaining the recording, the requestor must hire a qualified transcriber. Under GR 35, official court transcripts may be prepared and filed only by:

    a. A Certified Court Reporter meeting the requirements of RCW 18.145.080; or
    b. An Authorized Transcriptionist approved by Superior Court to prepare verbatim reports of electronically recorded proceedings.
    c. Certified Court Reporters may apply to be included on the Authorized Transcriptionist list but are not required to do so.

3. A list of current Authorized Transcriptionists is available on the Superior Court Administration's website. The Court cannot contact transcribers, arrange payment, or defer costs; these obligations rest solely with the requestor.
4. GR 35 applies only to transcripts of court proceedings. It does not apply to transcripts of interviews, statements, or any out of court proceedings.

B. Court Reporters. For proceedings not digitally recorded, parties may contact the Benton/Franklin Counties Official Court Reporters to request transcripts.

C. Authorized Transcriptionist. Superior Court accepts applications from individuals seeking to become Authorized Transcriptionists. Qualifications are set forth in GR 35. Authorization applies only to transcripts of court proceedings.

1. *Minimum Qualifications.* Applicants must meet at least one of the following:

    a. Certification as a Court Reporter;
    b. Certification through AAERT (American Association of Electronic Reporters and Transcribers); or
    c. Proof of one year of supervised mentorship with a Certificated Court Reporter or Authorized Transcriptionist.

2. *Submission of Application.* Applications must be complete and include all supporting documents. Application materials are available through the Superior Court's Website. Applications shall be submitted to: SCCourtManagement@co.benton.wa.us.
3. *Continuing Authorization.* Authorization remains effective until withdrawn by the Court. Authorized Transcriptionists must promptly notify the Court if they no longer

meet minimum qualifications or if any information in their application or supporting documents changes.

[Adopted Effective September 1, 2026]

Local General Rule 40
INFORMAL FAMILY LAW TRIALS (IFLT)

A. Informal Trial. Parties may mutually consent to an Informal Family Law Trial (IFLT).

1. *Required Form and Deadline.* At least thirty (30) days prior to the trial date, each party must:

    a. Sign the IFLT Selection Form
    b. File the form in the case
    c. Serve a copy on the other party
    d. Deliver a copy to Superior Court at: SCCourtManagement@co.benton.wa.us

2. *Requesting an Informal Trial.* Once both parties have agreed a request must be made as follows:

    a. Note the Motion on the appropriate docket, or
    b. Make the request during the scheduled settlement conference

3. *Requests to Modify GR 40 Procedures*. If either party seeks to modify the procedures set forth in GR 40 (including limits on declarations or witnesses), they must:

    a. Request a special set hearing as outlined in LMR 6.
    b. The hearing shall occur at least twenty-eight (28) days before the IFLT.
    c. If parties fail to request modifications, it is presumed to have accepted GR 40 procedures without change.

4. *Exhibits and Trial Declarations.*

    a. Each party shall file a list of exhibits to be considered at trial.
    b. Provide a copy of each exhibit (organized and not filed with the clerk)
    c. Exchange exhibits and list at least fourteen (14) days prior to trial
    d. Any rebuttal evidence or evidence shall be resolved at the discretion of the trial judicial officer.

[Adopted Effective September 1, 2026]

IV. LOCAL CIVIL RULES (LCR)

Local Civil Rule 1.1
NOTICE REQUIRED IN SHOW CAUSE HEARINGS FOR CONTEMPT

A. Necessary Provision in Pleadings Relating to Supplemental Proceedings and Show Cause Hearings for Contempt. In all supplemental proceedings wherein, an order is to be issued requiring the personal attendance of a party to be examined in open court, and in orders to show cause for contempt, the order must include the following words in capital letters, "YOUR FAILURE TO APPEAR AS ABOVE SET FORTH AT THE TIME, DATE, AND PLACE THEREOF WILL CAUSE THE COURT TO ISSUE A BENCH WARRANT FOR YOUR APPREHENSION AND CONFINEMENT IN JAIL UNTIL SUCH TIME AS THE MATTER CAN BE HEARD OR UNTIL BAIL IS POSTED." No bench warrant will be issued in such cases for the arrest of the cited person if such language has been omitted.

[Adopted Effective April 1, 1986; Amended Effective August 1, 1990; September 1, 2002; September 1, 2009; September 1, 2011; September 1, 2013; September 2, 2014; September 1, 2015; September 1, 2016; September 1, 2017; September 1, 2018; September 1, 2020; September 1, 2021; September 1, 2022; Amended & Re-Formatted Effective September 1, 2023; Amended and Re-numbered Effective September 1, 2024]

Local Civil Rule 7
BRIEFS AND MOTIONS

A. All Adult Matters, Except Domestic, Juvenile, and Adult Criminal Matters.

1. *Timelines.* The following timelines apply for the filing and service of any Motion and/or supporting briefs or other materials in any case type for all adult matters except domestic, juvenile and adult criminal matters, unless otherwise specified differently herein, by statute, court order, or by general Court Rule (e.g., CR 56 motions, writs, Motions for Injunction, unlawful detainer matters, protection orders, or Motions for Immediate Restraining Orders):

    a. For all motions and supporting materials, not less than eleven (11) calendar days prior to the hearing on the issue;
    b. For all responsive briefs and materials, not less than four (4) calendar days prior to the hearing;
    c. For any reply or strict reply by the moving party, not less than two (2) calendar days prior to the hearing.

2. *Length of Hearing.* For all civil dockets, parties shall designate their motion as an "under 10" or "over 10" depending on the length, in minutes, that the motion is expected to take. This designation shall be on the Note for Docket.

B. Domestic/Family Law Matters.

1. *Timelines.* The following timelines apply for the filing and service of any Motion and/or supporting briefs or other materials in any domestic matter, unless otherwise specified differently herein, by statute, court order, or by general Court Rule. (e.g., protection orders or Motions for Immediate Restraining Orders):

    a. For all motions and supporting materials, not less than twenty-one (21) calendar days prior to the hearing on the issue;
    b. For all responsive briefs and materials, not less than eleven (11) calendar days prior to the hearing;
    c. For any reply or strict reply by the moving party, not less than five (5) calendar days prior to the hearing.

2. *Length of Hearing.* For all domestic dockets, parties shall designate their motion as an "under 10" or "over 10" depending on the length, in minutes, that the motion is expected to take. This designation shall be on the Note for Docket.

C. Motion to Shorten Time. Requirements for Motions to Shorten Time.

1. *Declaration/Affidavit Language.* All motions to shorten time must be in writing and supported by a separate declaration or affidavit that:

    a. Sets forth the exigent circumstances or other compelling reasons requiring a hearing on shortened time, including all relevant facts establishing good cause and the specific harm likely to occur with regular notice.
    b. Demonstrates the moving party's due diligence in providing or attempting to provide notice to all other parties.
    c. If, despite due diligence, a party has been unable to provide notice, the judicial officer may, in their discretion, proceed with the motion.

2. *Presentation on the Ex Parte Docket.* Motions to shorten time must be presented on the ex parte docket no fewer than forty-eight (48) hours before the scheduled hearing, special set, or trial to which the request relates.
3. *Notice Required Once Time is Shortened.* If the court grants the motion, the judicial officer shall specify in the Order Shortening Time the minimum notice that must be provided to the responding party. Except in extraordinary circumstances established in the supporting declaration or affidavit, this notice shall not be less than forty-eight (48) hours.
4. *Contents of Notice.* When notice is required under an Order Shortening Time, it must include:

    a. the specific date and time the order shortening time will be heard;
    b. a copy of pleadings to be filed and proposed orders to be sought;

c. an averment by the movant that either the matter cannot be temporarily resolved pending a regularly set hearing or that the parties attempted to reach a temporary resolution and are at an impasse.

5. *Court Discretion.* The court may deny or grant the motion and impose such conditions as the court deems reasonable (including setting a briefing schedule).

D. Civil Pleadings. Memorandum of Authorities and Affidavits Required.

1. *Moving Party/Parties.* The moving party shall serve and file, with his or her motion, a brief written statement of the motion and a brief memorandum containing reasons and citations of the authorities on which he or she relies. If the motion requires the consideration of facts not appearing of record, he or she shall also serve and file copies of all affidavits and photographic or other documentary evidence he or she intends to present in support of the motion. If the motion relies on facts in documents of record, the motion shall identify the document(s) and the date of filing of each document so identified. The motion shall be contained in a separate document from the Note for Docket addressed hereinbelow. Bench copies shall be submitted as provided in Local Management Rule 2.
2. *Counsel Fees.* Appointed counsel submitting motions for fixing or payment of fees and counsel requesting that the Court fix fees in any other case (except for temporary fees in domestic relation cases) should itemize their time, services rendered, or other detailed basis for the fees requested and attach a copy thereof to the motion.
3. *Action Required by Clerk.* All documents filed with the Clerk, other than a note for motion or trial docket which require any action (other than filing) by the Clerk shall contain a motion in the caption specifying the nature of the document the words: "Clerk's Action Required."
4. *Document Format.* Documents prepared for a judicial officer's signature must contain at least two (2) lines of text on the signature page.

E. Civil Motion Calendar. Any attorney desiring to bring any issue of law on for hearing shall file with the Clerk and serve on all opposing counsel, not later than eleven (11) calendar days prior to the day on which the attorney desires it to be heard, a note for the motion docket which shall contain the title of the court, the cause number, a brief title of the cause, the date when the same shall be heard, the words "Note for Docket," the name or names of each attorney involved in the matter, the nature of the motion, and by whom made.

1. It shall be subscribed by the attorney filing the same and shall bear the designation of whom the attorney represents. The foregoing provisions shall not prohibit the hearing of written and/or oral emergency motions at the discretion of the Court on any docket.

F. Over Ten (10) Minutes for Hearing. If the moving party expects the motion to take more than ten (10) minutes to argue by all sides collectively, the movant shall designate on the Note for Docket that the matter is "over 10 minutes."

G. Removal of Motion. If the Note for Docket, the motion and supporting factual materials and memorandum are not served and filed as detailed in any rules, the Court may strike the same from the calendar.

1. *Service of Notice.* The motion will not be heard unless there is proof of service of notice upon the attorney for the opposing party, or the opposing party if proceeding pro se, or there is an admission of service by opposing counsel or the opposing party if proceeding pro se in the file.
2. *Continuance or Striking of Noted Motions by Parties.* A matter noted on the motion docket may be continued pursuant to the following:

    a. The moving party may strike or continue a motion at any time without cause with adequate notice to the opposing parties. Sanctions may be imposed if the opposing party's appearance at the hearing could have been avoided through due diligence of the moving party.
    b. Upon a showing of cause, the Court, in its discretion, may grant the non-moving party's request for a continuance.
    c. The party striking any matter may give notice to the non-moving parties by any means reasonably likely to provide actual notice. The clerk may be notified either by written notice or by e-mail notification.

        i. Notice to the Franklin County Clerk may be emailed to the following address: CivilClerk@co.franklin.wa.us for civil cases.
        ii. Notice to the Benton County Clerk may be emailed to the following address: Clerk@co.benton.wa.us.

    d. If the matter is stricken and the moving party desires a hearing, a new Note for Docket must be filed with the Clerk. Except for matters continued in open court, a new note for docket is required for motions that are continued.

H. Civil Motion Docket. The causes on the civil docket for each motion day will be called in order, and the moving party, if no one appears in opposition, may take the order moved for upon proper proof of notice, unless the Court shall deem it unauthorized. In order to encourage participation in pro bono legal representation, all motions, where one or both parties are represented by pro bono counsel, shall, at the request of the pro bono attorney, be given priority on the docket. Such priority shall be given without any reference as to the reason why.

I. Continuances by the Court. Any motion or hearing may be continued by the Court to a subsequent motion day or set down by the Court for hearing at another specified time, and the Court may alter the order of hearing as may be necessary to expedite the business of court.

J. Frivolous Motions. Upon hearing any motion, if the Court is of the opinion that such motion is frivolous, or upon granting a continuance of any matter, terms may be imposed by the Court against the party filing such motion, or against the party at whose instance such continuance is granted.

K. Decisions Without Oral Argument. Upon agreement of the parties, or at the Court's discretion, a motion may be determined without oral argument. Matters may be noted for decision without oral argument only on the dates and times established for regular calendars. The moving party shall certify in the note for docket that every party has consented to determination without oral argument.

L. Discovery Motions. The Court will not entertain any Motion or objection with respect to Civil Rules 26, 27, 30, 31, 33, 34, 35 or 36, Civil Rules for Superior Court unless it affirmatively appears that counsel have met and conferred with respect thereto. Counsel for the moving or objecting party shall arrange such a conference. If the Court finds that counsel for any party, upon whom a Motion for an objection with respect to matters covered by such rules is served, willfully refused to meet and confer, or having met, willfully refused or fails to confer in good faith, the Court may take appropriate action to encourage future good faith compliance. In the event of an emergency, the Court will entertain Motion objections which would otherwise be required by the above rules.

[Adopted Effective September 1, 2026]

Local Civil Rule 16
PRETRIAL PROCEDURE

A. Amending Case Schedule Orders and Trial Notices. This rule applies to Civil, Domestic, Paternity and Guardianship cases.

1. *General Requirements.* The Court may modify or amend a Case Schedule, or continue a trial, for good cause on motion of a party, by stipulation of all parties, or on the Court's own motion.
2. *Requirement for Certificate of Judicial Assistant's Pre-Approved Dates.* A Judicial Assistant's Certificate of Pre-Approved Dates is required for:

    a. Any motion or stipulation to amend the Case Schedule; and
    b. Any request to continue trial, even when an amendment of the Case Schedule order is not required.
    c. Parties must obtain the Certificate before filing any motion or stipulation requesting a modification.
    d. The Certificate expires thirty (30) days after the Judicial Assistant's signature, unless otherwise indicated on the form.

3. *Procedure for Requesting Dates.*

    a. Before contacting the Judicial Assistant, the party seeking a modification shall confer with all other parties to determine whether agreement exists.

b. After conferring, the requesting party shall contact the Judicial Assistant to obtain available dates for settlement conference, pretrial conference, trial, or any Case Schedule modifications.
c. Once dates are provided, the Judicial Assistant will issue the Certificate of Judicial Assistant's Pre-Approved Dates.

4. *Presenting the Motion or Stipulation.* After obtaining the Certificate, the party seeking modification shall:

    a. File and serve a motion or stipulation to modify, supporting declaration, and certificate.
    b. The Motion shall be noted on the appropriate docket or, if stipulated, presented at ex parte.
    c. The Certificate shall be attached to the Motion or Declaration.
    d. A copy of all orders continuing trial or amending the Case Schedule Order shall be provided to the Judicial Assistant within three (3) days of entry.

[Adopted Effective September 1, 2026]

B. Settlement Conferences. In all cases governed by a Civil Case Schedule Order, the Court shall schedule a settlement conference.

1. *Preparation for Conference*

    a. No later than the date listed on the civil case schedule order for submission of the Settlement Position Statement, all parties shall prepare a settlement position statement which shall be submitted to the Court via eMotion or hard copies delivered to the Court Administration office. Settlement position statements shall not be filed in the court file. No party shall be required to provide a copy of the position statement to any other party, but may provide a copy if so desired. The position statement shall include the following:
    b. A brief non-argumentative summary of the case;
    c. A statement of whether liability is admitted, and if not, the plaintiff's theory or theories of liability and the defendant's theory or theories on non-liability;
    d. A list of all items of special damages claimed by the plaintiff and a statement of whether any or all of those are admitted by the defendant;
    e. An explanation of the general damages, including a summary of the nature and extent of any claimed disability or impairment; and
    f. A statement of what settlement offers have been made thus far, if any.
    g. The position statement is to be a summary only and shall not exceed five (5) pages. The summary should take the form of a letter.

2. *Parties to Be Available.* The parties and counsel shall attend the settlement conference in person unless they have been given prior permission to attend by Webex or

telephone. Information on how to seek permission to attend by Webex or telephone is found on the Court's Website.

3. *Representative of Insurer and Guardians ad Litem.* Parties whose defense is provided by a liability insurance company need not personally attend the settlement conference, but a representative of the insurer of said parties shall be available by telephone or in person with sufficient authority to bind the insurer to a settlement.
4. *Guardian ad Litem.* Guardian ad Litems shall be available by telephone or appear in person.
5. *Proceedings Privileged.* Settlement conferences shall be privileged and not reported or recorded. No party shall be bound to any agreement(s) unless a settlement is reached. When a settlement has been reached, the judicial officer may in his/her discretion order the settlement agreement in whole, or, in case of a partial agreement, then the terms thereof, to be reported or recorded.
6. *Judicial officer disqualified for trial.* The Judicial officer presiding over a settlement conference shall be disqualified from acting as the trial judicial officer in that matter, as well as any subsequent summary judgment motions, unless all parties agree otherwise in writing.
7. *Notice of Settlement.* If a matter is settled outside of court and a settlement conference is no longer needed, parties are required to notify the Civil Judicial Assistant of settlement of the matter at least five (5) days prior to their settlement conference date so that the settlement conference can be stricken, and a Notice of Settlement must be filed at least five (5) days prior to the settlement conference. The pretrial conference is still required per LCR 16(C)(4).

C. Pretrial Procedure.

1. *Private Mediation.* Regardless of whether mediation is court-ordered, parties may seek an order allowing them to opt out of the settlement conference by filing a stipulation and order with Court Administration. The request must include a letter from a mediator and signed on behalf of all parties that the case has been mediated or that mediation has been scheduled to occur on or before the date of the settlement conference.
2. *Continuances.* Continuances of settlement conferences may be authorized only by the Court on timely application.
3. *Pretrial Power of Court.* If the case is not settled at a settlement conference, the judicial officer may nevertheless make such orders as are appropriate in a pretrial conference.
4. *Pretrial Conference Hearing/Trial Exhibits.* In cases that are governed by a Case Schedule, the Court shall schedule a Pretrial Conference Hearing, which shall be attended by the lead trial attorney of each party who is represented by an attorney and by each party who is not represented by an attorney. The parties must jointly prepare a Trial Management Report.
5. *Trial Management Report.* In cases governed by a Civil Case Schedule Order, the parties must jointly prepare a Trial Management Report. The plaintiff shall prepare an initial report and serve it upon all opposing parties no later than two weeks prior to the date it is due under the Civil Case Schedule Order. The Report shall be filed with the Court and uploaded to eMotion.

6. *The Report shall contain:*

    a. Nature and brief, non-argumentative summary of the case;
    b. List of issues that are not in dispute;
    c. List of issues that are disputed;
    d. Index of exhibits (excluding rebuttal or impeachment exhibits);
    e. List of plaintiff's requests for Washington Pattern Jury Instructions;
    f. List of defendant's requests for Washington Pattern Jury Instructions;
    g. List of names of all lay and expert witnesses, excluding rebuttal witnesses;
    h. Suggestions by either party for shortening the trial.

7. *Confirmation in Completing Report.* The attorneys for all parties in the case shall confer in completing the Trial Management Report. If any party fails to cooperate in completing the report, any other party may file and serve the report and note the refusal to cooperate.
8. *Form of Trial Management Report.* A trial management report will be in generally the following form as prescribed by the court.

D. Pre-Assignment of Judicial Officers. Judicial officers will be pre-assigned to cases only upon entry of a court order, upon a showing of good cause, and in the order listed on the rotation maintained by the Court Administration office.

1. *Pre-Assigned Case Request Procedure.*

    a. All requests for pre assignment must be presented to the Presiding Judge or Assistant Presiding Judge by written Motion.
    b. A copy of the Motion shall be emailed to: SpecialSets@co.benton.wa.us
    c. Requests for pre assignment will not be heard on ex parte or regular court dockets.
    d. The Court's decision regarding a request for pre assignment will be communicated to the requesting party by administrative staff.

2. *Bench Copies and Proposed Orders.* Whether the case is assigned to a Benton/Franklin Counties Superior Court judicial officer or an out of county Superior Court judicial officer, all bench copies and proposed orders must be uploaded through eMotion unless otherwise ordered by the preassigned judicial officer.
3. *Ex Parte Orders in Pre-Assigned Cases*. All orders in a pre-assigned case must be signed by the pre-assigned judicial officer.
4. *Out-of-County.* For out of county pre-assigned cases, ex parte motions and proposed orders must be uploaded to eMotion and immediately emailed to : specialsets@co.benton.wa.us. Indicate urgency in the email subject line when applicable.
5. *Out-of-County Communication.* All communication regarding out of county pre-assigned cases shall occur through the Benton Franklin Counties Superior Court

Administration office. Parties shall not email, call, or visit the out of county judicial officer directly, unless specifically instructed to do so by the judicial officer.

6. *Hearing Requests.* To request a hearing in a pre-assigned case, parties shall follow LMR 6(D)(1) and (4).

E. Trial Priority/Readiness Docket. The trial priority/readiness rules apply to Criminal, Domestic, Civil (including Administration Law Review), and Minor/Adult Guardianship matters.

1. *Docket.* Trial Readiness/Priority Docket is scheduled on Mondays (9:00 am in Benton County and 3:00 pm in Franklin). These dates/times may be adjusted for court operations or holidays. Cases will generally be called in the following order: Criminal, Domestic, Guardianship, and Civil.
2. *Appearance.* All counsel and all self-represented parties must appear, either in person or via WebEx, and be ready to proceed at the start of the docket.
3. *Status Hearing Form.* Each attorney and each self-represented party must file and upload (to eMotion) a Trial Priority/Readiness Status Hearing Form.

    a. The form must be submitted by the Wednesday preceding the Monday docket, in both counties.

4. *Notice of Hearing for Trial Priority/Readiness.* Trial Priority/Readiness Trial form remains required.

    a. For criminal matters, notice is given in court.
    b. For domestic matters, written notice will be provided to the parties following settlement/pretrial conference if the matter does not resolve.
    c. For civil matters, written notice will be provided to the parties following pretrial management conference.
    d. For minor guardianship matters, written notice will be given following the pretrial hearing.
    e. For adult guardianship matters, written notice will be given after the hearing held pursuant to RCW 11.130.275 when the matter is set for a contested trial, with or without jury.
    f. For cases not governed by case schedule order (including administrative law reviews), written notice will be given after receipt of certificate of readiness as outlined in LCR 16(F)(2).

F. Case Schedule. Except as otherwise provided below or ordered by the Court when an initial pleading is filed when filing a new case, the Superior Court Clerk shall prepare and file a scheduling order (referred to in this rule as a "Case Schedule Order") and will provide one copy to the party filing the initial pleading.

1. *Initial Filing.* Judicial Assistants will prepare and file any scheduling orders (providing copies to all parties) after the initial filing of a case and initial scheduling order is provided by the clerk.
2. *Cases Not Governed by Civil Case Schedule.* Listed below are the cases not governed by a Civil Case Schedule Order. The clerk will not prepare/file a scheduling order as described above.

    a. Change of name;
    Proceedings under RCW title 26;
    Harassment (RCWchapter10.14);
    Proceedings under RCW title13;
    Unlawful detainer;
    Foreign judgment;
    Abstract or transcript of judgment;
    Petition for Writ of Habeas Corpus, Mandamus, Restitution, or Review, or any other Writ;
    Civil commitment;
    Proceedings under RCW chapter 10.77;
    Proceedings under RCW chapter 70.96A;
    Proceedings for isolation and quarantine;
    Injunction;
    Guardianship/Petitions under TEDRA;
    Probate;
    Proceedings under RCW chapter 36.70C (Land Use Petition Act/LUPA);
    Tax Warrants;
    Administrative Law Reviews (Appeals of Administrative Agency Decisions);
    Emancipation of a Minor;
    Minor Settlements;
    Condemnations;
    Petitions for Transfer of Structured Settlements under RCW 19.205;
    Tax Foreclosures;
    Actions brought under the Public Records Act, RCW 42.56.

3. *Request for Schedule Order.* A party may request a Case Schedule from the Court by filing a motion. Any motion should address the time and/or deadlines needed for the Case Schedule. Upon entry, a copy is to be provided to the Civil Judicial Assistant, who will provide the parties with the pre-approved trial dates.
4. *Issuance of Schedule Order.* The Civil Judicial Assistant will then issue a Case Schedule Order in accordance with the selected trial date and the Court's ruling. Any Case Schedule Orders not in the required format shall be provided by the moving party after approval from the court.
5. *Service.* The party filing the initial pleading shall promptly provide a copy of the Case Schedule to all other parties by:

a. serving a copy of the Case Schedule on the other parties along with the initial pleading, or
b. serving the Case Schedule on the other parties within 10 days after the later filing of the initial pleading or service of any response to the initial pleading, whether that response is a notice of appearance, an answer, or a CR 12 motion (with proof of service).

6. *Joining Party.* A party who joins an additional party in an action shall serve the additional party with the current Case Schedule together with the first pleading served on the additional party.
7. *Amendment of Case Schedule.* The rule for amending Case Schedules is outlined in LCR 16(A).
8. *Case Schedule Order Format.* A Case Schedule for each type of case, which will set the time period between filing and trial and the scheduled events and deadlines for that type of case, will be established by the LCR 16(F), based upon relevant factors, including statutory priorities, resources available to the Court, case filings, and the interests of justice.
9. *Form.* A Case Schedule will generally be in the form as prescribed by the court and available on Benton/Franklin Superior Court Website.
10. *Disclosure of Possible Lay and Expert Witnesses.* Disclosure of Primary Witnesses: Each party shall, no later than the date for disclosure designated in the Case Schedule, disclose all persons with relevant factual or expert knowledge whom the party believes are reasonably likely to be called at trial.
11. *Disclosure of Rebuttal Witnesses:* Each party shall, no later than the date for disclosure designated in the Case Schedule, disclose all persons whose knowledge did not appear relevant until the primary witnesses were disclosed and whom the party reserves the option to call as witnesses at trial.
12. *Scope of disclosure:* Disclosure of witnesses under this rule shall include the following information:

    a. All witnesses: Name, address, and phone number;
    b. Lay witnesses: A brief description of the anticipated subject matter of the witness testimony; and/or
    c. Experts*:* A summary of the expert's opinions and the basis therefor and a brief description of the expert's qualifications.

13. *Exclusion of Testimony:* Any person not disclosed in compliance with this rule may not be called to testify at trial, unless the Court orders otherwise for good cause and subject to such conditions as justice requires, including the payment of terms.
14. *Discovery Not Limited:* This does not modify a party's responsibility under court rules to respond to or promptly supplement responses to discovery or otherwise to comply with discovery before the deadlines set here.
15. *Monitoring.* At such times as, the Presiding Judge may direct, the Judicial Assistants will monitor cases to determine compliance with these rules.

a. If the Court finds that an attorney or party has failed to comply with the Case Schedule, failed to provide all of the information required in witness disclosures or disclosed witnesses that are not reasonably likely to be called at trial, or has failed to disclose witnesses and has no reasonable excuse, the Court may order the attorney or party to pay monetary sanctions to the Court, or terms to any other party who has incurred expense as a result of the failure to comply, or both; in addition, the Court may impose such other sanctions as justice requires.
b. As used with respect to the Case Schedule, "terms" means costs, attorney fees, and other expenses incurred or to be incurred as a result of the failure to comply; the term "monetary sanctions" means a financial penalty payable to the Court; the term "other sanctions" includes but is not limited to the exclusion of evidence.

G. Cases Not Governed by Civil Case Schedule Order.

1. *Note for Trial Docket.* Any party desiring to bring any issue of fact to trial, except for cases governed by Case Schedule Order, shall file with the Clerk, deliver a copy to the Judicial Assistants and serve upon the other parties or their attorneys a Notice of Trial Setting and Certificate of Readiness which shall contain:

    a. the title for the court;
    b. a brief title of the case;
    c. the case number;
    d. the nature of the case;
    e. whether jury or non-jury;
    f. whether there has been a 12-person jury demand;
    g. whether a 6-person jury would be acceptable;
    h. estimated trial time; the name, address, e-mail and telephone number of each attorney assigned to the case;
    i. whether there should be a pre-trial conference; preferential trial dates or times; and
    j. anything further that would assist the Court in setting a trial date, and shall be subscribed by the attorney filing the same.

2. *Certification by Filing Party.* An attorney/party noting a case for trial thereby:

    a. certifies that the case is at issue;
    b. that there has been a reasonable opportunity for discovery;
    c. that discovery will be complete by the trial date;
    d. that necessary witnesses will be available; and
    e. that to his/her knowledge, no other parties will be served with a summons and no further pleadings will be filed prior to trial.

3. *Confirmation with other Parties.* The attorney/party noting the case for trial shall confer with all other counsel prior to noting the case for trial setting to determine if there is any objection to setting.
4. *No Objections.* If there is no objection, the attorney shall so certify on the notice of setting.
5. *Objections.* If there is an objection and the setting attorney believes the objections to readiness are not justified, the attorney shall so indicate on the setting notice and the matter shall be noted on the civil motion docket to argue the matter of trial setting.
6. *Objections to Dates.* In the event all parties agree the case is ready for trial or will be ready for trial by a specific date, but have objections to particular dates, they shall notify the Judicial Assistants of unavailable dates within five (5) days after receiving the notice of trial setting.

H. Assignment of Cases.

1. *Judicial Assistant to Assign Dates.* The Judicial Assistants shall assign trial dates under the supervision of the Presiding Judge, who shall be in direct charge of the trial calendar. To the extent practical, cases shall be set chronologically according to the noting date, except for cases having statutory preference.
2. *Jury and Non-Jury Trials.* Upon the serving and filing of a "Notice of Trial Setting and Certificate of Readiness," The Judicial Assistant shall forthwith assign a specific trial date and notify the Clerk and counsel of the date assigned. Cases set for trial shall be set for a pre-trial conference hearing by the Judicial Assistant.
3. *Advancing Trial Dates.* Any case assigned a specific date may, at the discretion of the Presiding Judge, be advanced to an earlier date or may be reset if the court calendar permits. Notice shall be given at least five (5) days prior to the new trial date assigned.

[Adopted Effective April 1, 1986; Amended Effective September 1, 2000; September 1, 2002; September 1, 2003; September 1, 2007; September 1, 2009; September 1, 2011; September 1, 2012; September 1, 2013; September 2, 2014; September 1, 2015; September 1, 2016; September 1, 2017; September 1, 2018; September 1, 2020; September 1, 2021;September 1, 2023; September 1, 2024; September 1, 2025; Amended September 1, 2026]

Local Civil Rule 42
CONSOLIDATION; SEPARATE TRIALS

A. Consolidated Cases for Trial Only. When two or more cases are consolidated for trial only, an original Order to Consolidate, reflecting the cause number to be used as the lead case in which all subsequent documents will be filed, shall be submitted in each case. Consolidated cases shall be presumed to be consolidated for trial only, unless otherwise indicated.

B. Consolidated Cases. When two or more cases are consolidated, an Order to Consolidate reflecting the cause number to be used as the lead case and all other numbers relevant to the consolidation shall be submitted in each relevant case.

[Adopted Effective August 1, 1990; Amended Effective September 1, 2007; Re-Formatted Effective September 1, 2023]

Local Civil Rule 52
FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. **Entry of Findings of Fact and Conclusions of Law.** Unless the judicial officer presiding over a matter directs that entry of Findings of Fact and Conclusions of Law are to be handled differently, the Findings, Conclusions and Judgment or Order shall be entered in the following manner:

1. *Application.* This rule only applies to the entry of Findings of Fact and Conclusions of Law when the same are required under CR 52 and does not apply to entry of orders or judgments or orders unless Findings of Fact and Conclusions of Law are required.
2. *Submission.* Not more than fifteen (15) days after the decision is rendered, the prevailing party shall submit Findings of Fact and Conclusions of Law and shall deliver the same, together with the Proposed Judgment or Order, to the opposing counsel or opposing party if not represented by counsel. If the prevailing party fails to submit proposed findings in a timely manner, the other party may do so, and shall thereupon note the matter for presentment, giving the prevailing party at least seven (7) court days' notice of the hearing.
3. *Objections.* A non-prevailing party objecting to the Findings, Conclusions or Judgment or Order shall, within fifteen (15) days after receipt of the same, deliver to opposing counsel or unrepresented party two (2) copies of the objections thereto in writing, and the proposed substitutions. Upon receipt of the objections, the opposing counsel or unrepresented party shall deliver the proposed Findings, Conclusions and proposed Judgment or Order, together with one (1) copy of the objections and the proposed substitutions received from opposing counsel to the presiding judicial officer through the Judicial Assistant.

    a. If there are no objections received within the fifteen (15) day period aforesaid, counsel may forward the submittal to the judicial officer who shall, within ten (10) days thereafter, either (a) sign the proposed Findings of Fact, Conclusions of Law and Judgment or Order and forward to the Clerk for filing with conformed copies to all counsel, or (b) return the Findings of Fact, Conclusions of Law and Judgment or Order, if deficient, to all counsel noting the Court's requested changes or additions thereto.
    b. The Court has discretion to order a hearing to be set on the issues of contested Findings of Fact, Conclusions of Law and Judgment or Order.

4. *Intent.* It is the intent of this rule that Findings of Fact, Conclusions of Law and Judgment or Order will be settled and filed as soon as possible, and that such matters shall not be noted on the Motion Docket; provided however, that if the Findings of Fact, Conclusions of Law and Judgment or Order are not settled within sixty (60) days after

the Court's oral or written decision, either party may note entry of the Findings of Fact, Conclusions of Law and Judgment on the Motion Docket.

[Adopted Effective April 1, 1986; Amended Effective September 1, 2011; September 2, 2014; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024]

Local Civil Rule 54
PROPOSED ORDERS AND ORDERS AFTER HEARING

A. Rule for Presenting a Proposed Order Before a Hearing. When a party is required to provide a proposed Order before a hearing on any Motion, or elects to do so, parties shall do so in the following manner:

1. *Moving Party.* The moving party shall prepare and file and serve a Proposed Order along with the motion and provide a bench copy of the proposed order in accordance with LMR 2. The opposing party shall file and serve their proposed order with their responsive materials and provide a bench copy as well.
2. *Proposed Orders/Word Version.* For matters set on the Benton County and/or Franklin County Civil docket and Civil Summary Judgment docket (except unlawful detainer matters) only, the moving party and any party opposing a motion must email a WORD version of any proposed order(s) to SCProposedOrders@co.benton.wa.us no later than three (3) calendar days before a hearing, and all parties must be copied on any email message sent to that email.
3. *Domestic Cases.* Proposed Orders for domestic cases (case types 3 and 5) are governed by Local Domestic Rules outlined below.

B. Rule for Presenting Orders After an Oral Ruling at a Hearing. If an order is not signed at the hearing on a matter where the judicial officer has made an oral ruling on any issue, entry of the written order consistent with the judicial officer's ruling shall be as follows:

1. *Submission.* The prevailing party shall send a proposed order to each opposing counsel and/or unrepresented party no more than seven (7) calendar days after the hearing. If the prevailing party fails to submit a proposed order as required by subparagraph (1) above, the other party may do so in the same manner as if they were the prevailing party.
2. *Objections.* A party who did not prepare a proposed order may object to a proposed order. Any objection to a proposed order shall be:

    a. Delivered to each other party within (5) days after receipt of the proposed Order;
    b. Be presented on pleading paper in accordance with GR 14; and
    c. Include a proposed alternative Order.

3. *Response to Objections.* After receiving an objection to a proposed order or the expiration of time in which an objection to a proposed order may be raised, the party who initially prepared the proposed order shall:

a. Send the initial order, the proposed alternative order and the pleading outlining the objections to the Judicial Officer via the Judicial Assistant in hard copy;
b. File the documents with the Clerk; and
c. Serve a copy of the filing on all other parties.

4. *Entry of Order.* The judicial officer may enter a proposed order as proposed, modify a proposed order, enter their own order, or set a hearing to resolve objections to a proposed order.

    a. If there are no timely objections received, the party who initially prepared the order shall send it to the Judicial Officer by bringing/delivering a hard copy to the Court Administration office.
    b. This rule does not apply to criminal matters (adult or juvenile), or to entry of Final Orders in Domestic cases, which are governed by the Local Domestic Rules below.

[Adopted Effective September 1, 2024; Reformatted Effective September 1, 2026]

Local Civil Rule 56
SUMMARY JUDGMENT

A. Motion and Proceedings.

1. *Briefs.* Briefs, or memorandum of points and authorities, shall be mandatory with respect to all motions for summary judgment. The original is to be filed with the Superior Court Clerk and properly served on all other parties. Bench copies shall be submitted in accordance with LMR 2.
2. *Continuance and Confirmation.* Any motion to continue a Motion for Summary Judgment/Partial Summary Judgment for any reason, including reasons stated in CR 56(f), shall be scheduled to be heard at least one week before the scheduled date of the summary judgment hearing. In the event the moving party unreasonably refuses to continue the case, or the opposing party unreasonably is not prepared for the hearing, terms may be assessed.
3. *The Moving Party.* The moving party shall confirm with the Clerk that the motion will be heard on the date set during the time periods set forth in the rules outlined below. The moving party shall specify with particularity the documentary evidence, including depositions, on which the motion is based.
4. *Confirmation of Summary Judgment and Over-Ten-Minute Hearings.* The moving party shall confirm with the clerk that summary judgment and over-ten-minute hearings will be heard on the date set during the following time periods:

    a. Benton County: Summary judgment and over-ten-minute hearings shall be confirmed no sooner than Friday at 8:00 am and no later than Monday noon the week preceding the date the motion is noted for hearing.

i. If Friday is a holiday, the deadline is moved to Thursday. If Monday is a holiday, the deadline is moved to Tuesday by 12:00 pm. (See Website for example)
ii. Confirmation shall be emailed to: civilconfirmations@co.benton.wa.us within the time outlined above.
iii. No Phone Call Confirmations will be allowed.

b. Franklin County: Summary judgment and over-ten-minute hearings shall be confirmed no sooner than Wednesday at 8:30 am and no later than Friday noon the week preceding the date the motion is noted for hearing.

i. If Wednesday is a holiday, the deadline is moved to Tuesday. If Friday is a holiday, the deadline is moved Thursday noon the week preceding the date the motion is noted for hearing. (See Website for example) Confirmations shall be emailed to: civilclerk@franklincountywa.gov within the time outlined above.

5. *Confirmations Allowed.* The Clerk (Franklin County) or Judicial Assistant (Benton County) shall not allow more than two (2) Summary Judgment hearings to be confirmed for any one date. If there are two Summary Judgement matters confirmed for a date, only one (1) Over Ten matter shall be set. If a hearing date has only one (1) Summary Judgement matter set, the Clerk (Franklin County) or Judicial Assistant (Benton County) may set no more than two (2) Over Ten matters to that hearing date. No Summary Judgment and Over Ten docket shall have more than three (3) total matters set for hearing. Any increase in the number of hearings that may be confirmed must be authorized solely by the judicial officer presiding over the docket.
6. *No Confirmation.* Failure to confirm a Motion for Summary Judgment will result in that Motion being stricken.
7. *Maximum Confirmations.* A moving party contacting the clerk (Franklin County) or Judicial Assistant (Benton County) to confirm a summary judgment for a date for which the maximum number of summary judgments and over-ten- minute hearings have previously been confirmed may continue the hearing to the next reasonably available setting and provide notice of the continuance to the other parties in the action and shall re-confirm the continued setting in accordance with the above rules. Twenty-eight (28) days' notice is not required for setting a new hearing hereunder. The new hearing date may be after the last date specified for filing dispositive motions in the Civil Case Schedule Order, but in no event less than fourteen (14) days before trial.
8. *Argument Limitations.* Argument on the civil docket shall be limited to 30 minutes per case.
9. *Continuance After Confirmation.* Once confirmed, no summary judgment hearing shall be continued without permission of the presiding judicial officer, and the moving party must appear at the docket.
10. *Confirmation by the Moving Party.* In the event the moving party unreasonably refuses to continue the case, or the opposing party unreasonably is not prepared for the hearing, terms may be assessed.

[Adopted Effective April 1, 1986; Amended Effective September 1, 1998; September 1, 2003; September 1, 2006; September 1, 2009; September 1, 2011; September 1, 2013; September 2, 2014; September 1, 2017; September 1, 2020; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024]

Local Civil Rule 59
REVISIONS AND RECONSIDERATIONS

A. Procedure for Revision or Reconsideration.

1. *Motion Content and Service Deadlines.* A party seeking revision of a Court Commissioner's ruling pursuant to RCW 2.24.050 and CR 53.2(e), reconsideration pursuant to CR 59, shall file and serve a Motion for Revision or Motion for Reconsideration within ten (10) days of entry of the order with the Clerk. The motion must set forth specific grounds for each claimed error and argument and legal authorities in support thereof.

    a. Within 10 days of entry of the court's ruling, the moving party shall file the motion with the Clerk; and serve the motion on all other parties appearing in the case, through counsel if represented.
    b. The moving party shall file with the Clerk proof of service at the same time as filing said motion.
    c. Upon filing the motion with the Clerk, the moving party shall send email confirmation of filing, a copy of the motion, any attachments, proof of service, and Microsoft WORD format of the proposed order (subject to technology access), to the Judicial Assistants at: Reconsideration-Revision@co.benton.wa.us. The email must include all parties and/or attorneys on the distribution, unless otherwise required by law.
    d. Failure to comply with the requirements a through c of this rule may result in the motion being denied.

2. *Opposing Documents and Service Deadlines*. The opposing party shall file and serve opposing documents in the timeline and manner outlined below:

    a. Within 10 days after service of the Motion, opposing counsel or the opposing party, if not represented at the time of filing of the motion, shall file opposing documents with the Clerk; and serve the opposing documents on all other parties appearing in the case, through counsel if represented.
    b. The 10-day period may be extended an additional ten (10) days for a total of twenty (20) days either by the court for good cause or by the parties' written stipulation.
    c. The opposing party/attorney shall file with the Clerk proof of service at the same time as filing said opposing documents.
    d. Upon filing the opposing documents with the Clerk, the responding party shall send email confirmation of filing, a copy of the response, any attachments, proof of service, and Microsoft WORD format proposed order (subject to technology access), to the Judicial Assistants at:

Reconsideration-Revision@co.benton.wa.us. The email must include all parties and/or attorneys on the distribution, unless otherwise required by law.

e. The opposing party's failure to comply with the requirements a through d of this rule may result in the motion being granted without consideration of the response.

3. *Review is De Novo for Motions for Revision.* Review of the Commissioner's order shall be de novo based on the pleadings submitted and without oral argument unless requested by the reviewing Judge.
4. *Effect of Order During Pendency of a Motion for Revision or Reconsideration*. The judicial officer's order shall remain effective unless and until stayed by the judicial officer pending proceedings related to the motion for revision or reconsideration.
5. *Oral Argument.* Oral Argument on Motions for Reconsideration or Revision will not be noted/scheduled unless the court directs otherwise after review of the Motion/Response. The Judicial Assistant will reach out to parties at the direction of the court.

[Adopted Effective September 1, 2026]

Local Civil Rule 64
SEIZURE OF PERSON OR PROPERTY

A. All bench warrants issued in a civil proceeding shall be valid for one year from the date of issuance, unless quashed earlier. All such warrants issued in a civil proceeding shall contain substantially the following language: This warrant shall expire at the end of one year from the date of issuance.

[Adopted Effective August 1, 1990; Amended Effective September 1, 2003; Re-Formatted Effective September 1, 2023]

Local Civil Rule 72
LOWER COURT APPEALS

A. Scope of the Rule. This rule governs civil and criminal appeals from the following courts of limited jurisdiction from Benton District Court, Franklin District Court, and Pasco Municipal Court.

B. Standard Case Schedule. All appeals from courts of limited jurisdiction are subject to the case scheduling orders issued by the Superior Court.

1. *Applicability.* Unless otherwise ordered by the court, the following deadlines apply in all appeals from courts of limited jurisdiction after filing of the Notice of Appeal.

    a. Filing of Appellant's Designation of Record (RALJ 6.2(a)) 14 Days
    b. Filing of Appellant's Brief and Service on all Parties and Court 60 Days
    c. Status Conference at 8:30 AM (Mandatory in Person Hearing) 65 Days
    d. Filing of Respondent's Brief and Service on all Parties and Court 90 Days
    e. Filing of Reply Brief and Service on all Parties and Court 100 Days

f. Oral Argument Hearing (Mandatory in Person) 105 Days

C. Compliance Requirement. All parties shall comply with the above schedule. The appearance of the parties at the Status Conference and the Oral Argument Hearing is mandatory.

D. Notice to Parties. The Case Schedule Order is the notice to the parties.

E. Failure to Comply. Failure to comply with this rule, the case scheduling order, or the Rules for Appeal of Decisions of Courts of Limited Jurisdiction (RALJ), or using said Rules for the purpose of delay, may result in one or more of the following sanctions:

1. An order directing a party or attorney to pay monetary terms;
2. An order immediately lifting any stay of enforcement of the judgment entered below;
3. An order conditioning a party's participation in the appeal upon compliance with the RALJ and further orders of the Court;
4. Dismissal of the appeal.

F. Record of the Lower Court. The appellant is responsible for obtaining and filing the record from the lower court in accordance with RALJ and Local Court Rules.

[Adopted Effective September 1, 2026]

Local Civil Rule 77
SUPERIOR COURTS, JUDICIAL OFFICERS, RECUSALS

A. Court Hours. Court will be in session, unless otherwise ordered on all judicial days except Saturdays, Sundays and Legal Holidays. Court hours will be from 8:00 a.m. to 4:30 p.m., except the Court shall be closed for lunch from 12:00 p.m. to 1:00 p.m. The hours of operation for both the Benton and Franklin County Clerks of the Court can be found on their respective Websites. All parties and counsel shall be present in court at 8:30 a.m. on the first day of a jury trial. In criminal cases, defense counsel shall have the defendant in court at 8:30 a.m. the first day of trial unless the defendant is in custody.

B. Court Administration. The Court Administration office shall be open 8:00 a.m. to 4:00 p.m., except the office shall be closed for lunch from 12:00 p.m. to 1:00 p.m. Notifications of emergency court closures or delays due to inclement weather will be posted on the Court's Website on the "Inclement Weather" page as soon as possible following notification by each County of any delay or closure due to inclement weather. Other important and urgent updates can be found on the "What's New" page of the court's website.

C. Notice of Disqualification/Request for Recusal. Under RCW 4.12.050, a copy of the motion and/or affidavit for notice of disqualification shall be delivered to the Court Administration office. Notices of disqualification are not applicable to court commissioners. Instead, court commissioner decisions are subject to revision under RCW 2.24.050 and Local Civil Rule 59. A party requesting the recusal of the judge or commissioner shall deliver a copy to the Court Administration office or orally request on the record.

[Adopted Effective April 1, 1986; Amended Effective September 1, 1998; September 1, 2003; September 1, 2004; September 1, 2005; September 1, 2009; September 1, 2011; September 1, 2018; September 1, 2021; September 1, 2022; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Amended Effective September 1, 2025; Amended Effective September 1, 2026]

V. DOMESTIC RULES (LDR)

These rules supersede civil rules unless stated otherwise herein.

Local Domestic Rule 1
GENERAL RULES

A. Applicability. This rule shall apply to proceedings under RCW Title 26 and non-statutory family law proceedings (e.g., committed intimate relationship, defacto parentage, etc.).

B. Update of Address. Each party must update their mailing address with the County Clerk's office immediately upon a change of address. The mailing address provided does not have to be the same as the residence of a party, but it must be an address where the party agrees to receive mail. The change of address must also be mailed or otherwise provided to the opposing party within seventy-two (72) hours of the address change. This requirement is in addition to, not a substitute for, any other Rule or Law regarding notice, including the Relocation Act.

C. Issues Regarding Venue/Jurisdiction. If venue or jurisdiction is an issue, either party may apply to the Court for an expedited hearing on this issue, which shall be heard promptly prior to a hearing on the merits.

D. Hearing Requirement. If a Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) hearing is required, both parties shall complete and file a UCCJEA information form.

1. The parties must also provide a copy to the Domestic Judicial Assistant. See UCCJEA form on the Court's Website.
2. This rule includes Civil Protection Orders per RCW 7.105.085.

E. Automatic Temporary Restraining Order. The Clerk of the Court shall issue an Automatic Temporary Restraining Order in all domestic matters except child support actions. See Automatic Temporary Restraining Order on the Website for an example of the order.

1. *Effective Date.* The petitioner is subject to the order from the time of its entry upon filing of the summons and petition. The petitioner shall cause a copy of the Automatic Temporary Restraining Order to be served on each respondent. Each respondent is subject to the order from the time that it is served.

F. Domestic Case Scheduling Order. When an initial pleading is filed in a new case, the Domestic Judicial Assistant will prepare a Domestic Case Schedule Order, and the Superior

Court Clerk will issue and file the Domestic Case Scheduling Order and will provide one copy to the party filing the initial pleading (except for Petitions to Modify Child Support).

1. *Form:* The Domestic Case Scheduling Order (DCSO) shall be in the form available on the Court's Website.
2. *Service.* The party filing the initial pleading shall promptly provide a copy of the Domestic Case Scheduling Order to all other parties within ten (10) days of receiving the same from the Clerk.
3. *Modifying an Existing Case Schedule Order.* The Court, either on motion of a party, or on its own initiative, may modify the Domestic Case Scheduling Order for good cause. The rules for modifying an existing case schedule order are outlined in LCR 16(A).
4. *Mandatory Appearances.* Mandatory court appearances are noted in bold on the Scheduling Order. Failure to appear at a mandatory court appearance could result in an order of default being entered against the non-appearing party, sanctions, terms or other relief as justice may require.
5. *Disclosures.* By the deadline set forth in the Domestic Case Scheduling Order, the parties shall file and serve the opposing party with a copy the following documents:

    a. Proposed Child Support Worksheets (if applicable);
    b. Tax returns and W-2 statements for the past two calendar years;
    c. Partnership and corporate tax returns, if any, for the past two calendar years, to include all schedules and attachments;
    d. Wage stubs for the past six months or since January 1 of the calendar year, whichever period is greater; and
    e. Declaration of Financial Documents must be given to Opposing Party. Failure to file and give to the opposing party or their attorney the Declaration of Financial Documents may subject the non-complying party and/or their attorney to sanctions or other equitable relief.

6. *Compliance.* All parties must comply with the domestic case schedule order.
7. *Adequate Cause Found/Modifications.* The Domestic Judicial Assistant shall issue a Domestic Case Scheduling Order and shall provide copies to the parties, upon establishment of adequate cause for Motions/Petitions to Modify/Change a Parenting Plan/Residential Schedule.

G. Mandatory Parenting Seminars. In all new cases involving children, all parties shall complete a parenting seminar conducted by a Court-approved provider. A list of approved providers may be found on the Court's Website. Parties are not required to attend a seminar together.

1. *Timing.* Parties shall complete an approved parenting seminar prior to entry of a permanent parenting or residential plan and file a copy of the certificate of completion of the course with the Clerk and serve the same on the other party. The Court may waive a party's attendance at such seminar or extend the time required for good cause. Parents are encouraged to complete the parenting seminar as soon as possible following filing

of an action which involves children. The Court will not enter final orders regarding children if both parents have not completed the mandatory parenting seminar except for good cause.

2. *Cost.* Each party attending a seminar shall pay a fee charged by the approved provider, which may be waived for indigent parties.
3. *Failure to Comply.* Willful refusal to timely participate in a parenting seminar may constitute contempt and subject the contemnor to terms including but not limited to:

    a. imposition of monetary terms, striking of pleadings, limiting non-complying parent's visitation, or
    b. denial of affirmative relief to a party not in compliance with this Rule.

[Adopted Effective September 1, 2026]

Local Domestic Rule 3
MEDIATION

A. Mediation Required for All Disputed Issues. All disputed issues, including petitions alleging Committed Intimate Relationships, shall be submitted to mandatory mediation except for child support and post-secondary support. Matters involving allegations of domestic violence or child abuse are exempt from the requirement to mediate pursuant to RCW 26.09.016. Mediation shall be completed pursuant to the Domestic Case Scheduling Order. Mediation may be waived only by the Court in a written order after a motion and hearing demonstrating good cause.

B. Attendance. Attendance by the parties at mediation sessions is mandatory. Mediation shall include the parties (and their counsel) only, but may, by written agreement of the parties and the mediator, at least 24 hours before the mediation, include other persons.

C. Declaration of Completion. Within seven (7) days of completion, a declaration of completion shall be filed by the mediator. The mediator shall advise the Court only whether an agreement has been reached by the parties or not.

D. Confidentiality. The work product of the mediator and all communications during mediation shall be privileged and not subject to compulsory disclosure. The mediator shall not appear or testify in any court proceedings. However, if the mediator believes that one party has acted in bad faith, the mediator is permitted (but not required) to disclose the acts of bad faith to the Court in a written declaration, sworn under penalty of perjury.

Local Domestic Rule 4
DOMESTIC LAW MOTIONS

A. Domestic Law Motions. Domestic law motions shall be scheduled on the domestic law dockets in Benton and Franklin Counties in accordance with the docket schedule approved by the Superior Court judges. Docket days and times are available through the Superior Court Administration Office and on the Court's website.

1. *Timelines for Filing Motions:* The timelines for filing a motion, response, and strict reply are noted above in Local Civil Rule 7. The Court will not consider any issues raised for the first time in the strict reply document. The Court, either on its own or after an objection, will determine whether an averment, argument, or evidence is a new issue for purposes of this Rule, thereby striking it from consideration.
2. *Confirmation/Strike Rules:* Motions must be confirmed by the moving party no later than 3:00 p.m. five (5) calendar days prior to the hearing or the motion will be stricken or continued at the Court's discretion. "Confirmed" means completing and filing on eMotion a "Read First" LMR 2. If the moving party fails to appear after confirming the motion, the Court may strike the motion, deny the motion, impose terms, and/or order any other relief the court deems appropriate. If the responding party fails to appear, the Court may grant the relief requested.
3. *Which docket do I set my hearing on?* See the Court's Website for information on which domestic docket to set a hearing in Benton or Franklin County under the "Schedules and Calendars" then "Benton & Franklin Dockets – Weekly Schedule" tab from the homepage.
4. *Time for Argument:* The Court shall have complete discretion to administer the docket as justice so requires, including ruling on motions without oral argument, with limited oral argument, or expanded oral argument, or in the ordinary course as follows:

    a. Each side on the Over 10 docket is allowed seven (7) minutes for argument.
    b. Each side on the Under 10 docket is allowed three (3) minutes for argument.
    c. Each side on the Over 20 docket is allowed fifteen (15) minutes for argument.
    d. Court shall notify litigants in advance of a ruling without oral argument by indicating it on the docket if time permits, otherwise, the Court shall notify the litigants at roll call at the start of the docket.

5. *Page Limits:* Absent prior authorization from the Court, the moving party (litigant filing the motion requesting relief) shall be limited to twenty-five (25) pages and the responding party shall be limited to twenty (20) pages, per motion. Failure to comply with this Rule is sanctionable; the Court, in its discretion, may impose terms, strike all pleadings of that noncomplying party, or any other relief the Court deems appropriate. Motions to exceed the page limit shall be made in writing, at least one (1) week before the hearing on the merits. The following documents do not count towards the page limit:

    a. cover pages (declaration of counsel cover page, fax cover page, etc.);
    b. financial declarations;
    c. child support worksheets and attachments;
    d. financial documents (including but not limited to paystubs, W-2s, bank records, and tax returns and attachments);
    e. Information on Temporary Parenting Plan form;
    f. expert reports and evaluations (including declarations, affidavits, and reports from Guardians ad Litem and/or a Parenting Evaluator);

g. school records/letters, grade reports, school attendance reports; and
h. pleadings from other filed cases, (e.g., Petition for Domestic Violence Protection Order; however, if the pleading is a declaration or affidavit from another court case, then those pages shall count towards the page limit), and copies of pleadings clearly marked as previously filed for a motion already ruled upon and supplied only as a convenience.

6. *Pleading format:* All declarations and affidavits must comply with GR 14 (format for pleadings and other papers), be legibly hand-printed or typed in at least twelve (12) point type.
7. *eMotion and bench copies:* Bench copies must be provided in accordance with LMR 2 above.
8. *Motions for Immediate Orders.*

    a. Immediate (or emergency) orders in family law matters that restrain one party from the family home or from contact with the other party or children shall not be entered unless the Court finds (and the order provides) that irreparable injury could result if the order is not entered.
    b. Present Danger to Child. Immediate (or emergency) orders in family law matters that request changing the custody of minor child(ren) shall not be entered unless the court finds a clear showing of present danger to a child(ren) and/or that the custodial person will, unless custody change is immediate, remove the said child(ren) from the State of Washington.
    c. Orders to Show Cause Notice. No notice is required to the other party when simply obtaining an Order to Show Cause to set a motion hearing, and there are no actual orders being taken in the Order beyond setting the motion hearing itself. This does not affect service rules.
    d. Reopening motions: No party shall remake the same motion to a different Judge or Commissioner without identifying the motion previously made, including when it was made, to which judicial officer it was made, what the order or decision was, and any new facts or other circumstances that would lawfully justify seeking a different ruling from the previous Judge or Commissioner.

B. Presentation of Proposed Orders. This rule applies only to the dockets listed below.

1. *Benton County Dockets Covered by this Rule.* Proposed Orders must be delivered to the Superior Court Administration office, Kennewick by 3:00 pm the day before the scheduled hearing. Unused paper-based Proposed Orders will be discarded the following business day. This rule applies to the following dockets:

    a. Tuesday
    8:15 AM: Domestic – Over Tens
    10:30 AM: Paternity
    1:15 PM: Domestic – PM

b. Wednesday
   8:30 AM: Domestic – Under Tens
   9:00 AM: Domestic – Over 20

2. *Franklin County Docket Covered by this Rule.* Proposed Orders must be delivered to the Superior Court Administration office (Drop Box), Pasco by 3:00 pm the Friday before the scheduled hearing. Unused paper-based Proposed Orders will be discarded the following business day.

   a. Monday
      8:30 AM: Domestic

3. *Compliance with Rules.* All parties must comply with applicable rules regarding Proposed Orders, bench copies, and service requires. Submission under this rule does not satisfy the party's obligation to:

   a. Serve Proposed Orders on opposing parties, or
   b. Upload Proposed Orders to eMotion.

4. *Paper Submission Only.* Both the moving and opposing parties shall submit paper versions of all Proposed Orders to the Superior Court Administration office. Orders must not be marked as "proposed" anywhere in the document (caption, body, footer).
5. *Cover Sheet Requirement.* Proposed Orders must include the designated cover sheet (found on the court's website). Orders submitted without the required cover sheet will be rejected at delivery or returned through legal process service (where applicable). Mailed documents will not be held or returned.
6. *Conformed Copies.* If conformed copies are submitted with Proposed Orders, they will be processed by the Clerk's Office. Parties must follow Clerk's Office requirements for conformed copies.
7. *Continued, Stricken, or Re-Noted Hearings (both counties).* If the hearing is continued, re-noted, or stricken then the previously submitted Proposed Orders will not be retained. Parties must submit new Proposed Orders as outlined above.

Local Domestic Rule 5
AGREED FINAL ORDERS & DEFAULT

A. Scope. This rule applies only to Agreed Final Orders and Default Orders for which a hearing has already been scheduled. Parties without a scheduled hearing date shall not submit orders under this rule.

B. Required Information.

1. Parties must provide the following on the required Final Order Submission Coversheet at the time of submission:

a. Case Number
b. Judicial Officer (if known)
c. Whether the filing consists of agreed final pleadings or default final pleadings
d. The docket on which the hearing is set

C. Submission Deadline. All Agreed Final Orders and Default Final Orders, together with the required Final Order Submission Coversheet, must be submitted to the Court Administration office no later than 3:00 p.m., five (5) court days prior to the scheduled hearing.

1. *Benton County.* The below timelines shall be followed when submitting the Agreed Final Orders/Default Final Orders. The Benton County orders shall be delivered to Benton County Superior Court, Kennewick.

    a. Pro Se/Self-Represented Litigant Docket. Held Tuesdays at 1:30 pm. Order must be submitted by 3:00 pm the Tuesday prior.
    b. Domestic Releations Under 10 Docket (Wednesdays at 8:30 am) - Orders must be submitted by 3:00 pm the Wednesday prior.

2. *Franklin County.* The below timelines shall be followed when submitting the Agreed Final Orders/Default Final Orders. The Franklin County orders shall be delivered to Franklin County Superior Court, Pasco.

    a. Domestic Relations Docket (Mondays at 8:30) - Order must be submitted by 3:00 pm the Monday prior.

D. Submission Method. Agreed final orders and default orders must be submitted to the Court Administration office in paper form only, accompanied by the early mentioned required Final Order Submission Coversheet.

1. *Printing Required.* Final Orders submitted through eMotion that require printing by the Judicial Officer will not be accepted. Judicial Officers will not print agreed final orders or default orders uploaded to eMotion for the parties.
2. *Continuance.* If final orders are uploaded to eMotion instead of submitted properly in paper form, the hearing must be continued by the Court with time to submit final/default orders per the rules outlined herein.

E. Requested Copies. Parties requesting conformed copies shall prepare as outlined below:

1. *Legal Process Service.* Provide a copy for the Clerk to conform and return to you through legal process service; and/or
2. *US Postal Service.* Provide a copy and a self-addressed stamped envelope for the Clerk to conform and to send to you through the US Postal Service;
3. *No Copies Provided.* If no copies are provided the submitting party must contact the Clerk's office after two (2) days for copies and pay the costs associated with the request.

Local Domestic Rule 6
MANDATORY SETTLEMENT & PRETRIAL CONFERENCES

A. **Domestic/Paternity Settlement & Pretrial Conferences.** See Court Website for any procedures and processes related to Domestic Settlement and Pre-Trial Conferences to include links to the two forms (Position Statement and Order Re: Pretrial Statement) that shall be submitted as outlined in the Case Schedule Order.

1. *Mandatory In-Person Attendance.* In-person attendance at settlement conference and pretrial conference is mandatory for all parties and their counsel, if represented, unless prior approval for appearance by Webex or by telephone is obtained from a judicial officer for good cause. Information on how to obtain permission to appear by Webex or telephone for good cause can be found on the Website outlined in Extreme Hardship processes.
2. *Failure to Appear/Default.* Failure to appear at the settlement conference, without prior permission of the court, shall constitute an act of default. The present party may file a motion for default pursuant to CR 55. Notice of default and the proposed final documents are required pursuant to Court/Civil Rules to be served on the opposing party. The purpose of the conference is to explore settlement of all issues and to identify disputed issues. Parties are not bound by the settlement recommendations of the Court but are required to attend and participate.
3. *Failure to Appear/Sanctions.* Failure to appear at the settlement conference (without prior permission of the court) or failure to timely submit a Position Statement, may subject the non-complying party and/or their attorney to a sanction of $200, paid to the Clerk of the Court. Payment shall be due within twenty (20) days of the order. A party or attorney may petition the Court for relief from sanctions, which shall be filed within the same 20-day period and shall be noted for hearing.
4. *Position Statements.* Both parties shall exchange position statements prior to the Settlement Conference. The Parties shall submit with the Judicial Assistant (or eMotion) and serve/exchange their position statement, three (3) days prior to the settlement conference. Position statements shall not be filed in the court file. Failure to timely submit the required Position Statement and Order Re: Pretrial Statement (required immediately after an unsuccessful settlement conference) may result in the imposition of monetary sanctions. The dates are outlined on the Case Schedule Order.
5. *Joint Pretrial Statement.* At the conclusion of the settlement conference, if the case is not then settled, a Joint Pretrial Statement and Pretrial Order shall be prepared cooperatively between the parties and the Court. The Pretrial Order must be signed by the Judicial Officer. Exhibit and witness lists shall be filed and served, and exhibits served, not later than two (2) weeks before the trial date, unless otherwise stated in the Pretrial Order.

B. **Order Striking Settlement Conference/CR2A Agreements.** This rule guides entry of final orders when a settlement/pretrial conference and trial are stricken due to the entry of a CR2A Agreement.

1. *Striking Hearings.* If a CR2A agreement is entered, the settlement/pretrial conference and trial shall be stricken. The striking of hearings must be accompanied by an order to strike and entry of finals within 60 days.
2. *Entry of Finals.* Final orders shall be entered not more than 60 days after the originally scheduled settlement conference date.
3. *Court Action for Non-Compliance.* If no response is received and no final orders are entered within the designated timeframe, the court shall schedule a hearing. The hearing will be set for entry of finals or dismissal of the matter, with notice to all parties. The hearing shall be placed on the appropriate docket.

Local Domestic Rule 7
TRIAL READINESS

A. Trial Readiness Hearing. No attorney shall call ready for trial on any matter which conflicts with another trial already set for that attorney absent exigent circumstances. At the time of a trial readiness hearing, attorney(s) shall notify the presiding judicial officer of any conflicts with any other trial setting to avoid being double set for trial.

Local Domestic Rule 8
TRIAL

A. Assets and debts. If distribution of assets and/or debts is an issue, each party shall, no less than two (2) days before trial, serve the other party and upload to eMotion (or delivery to the Court Administration office if the party is unable to use eMotion), a list of assets and debts known to the party and that party's good faith position as to the fair market value of each. The parties shall also designate the asset or debt as community property or separate property and shall state their position as to what they believe the final distribution of the assets and/or debts should be.

B. Trial brief. If a party intends to submit a trial brief, the party shall file and serve a trial brief no less than two (2) court days before trial begins detailing the legal points and authorities related to the issues to be resolved at trial. A bench copy of the trial brief must be uploaded to eMotion or a hard copy delivered to the Court Administration office no less than two (2) court days prior to the start of trial.

C. Final Documents after Trial. At the conclusion of trial and unless otherwise directed by the Trial Court judicial officer the moving party (party who started the most recent petition) shall submit proposed final documents as follows:

1. *Timeline of Initial Submission*. The moving party must submit proposed final documents to the responding party within thirty (30) days of receiving the judicial officer's written decision (or oral ruling).
2. *Objections by Responding Party.* If the responding party objects, they must provide written objections and proposed changes to the moving party within fifteen (15) days of receiving the proposed final documents.

3. *Submission to the Judicial Officer Following Objections.* Upon receiving objections, the moving party shall deliver all of the following to the Trial Court Judicial Officer at Benton/Franklin Superior Court, (Kennewick for Benton County cases and Pasco for Franklin County cases).

    a. the proposed final documents
    b. proof of delivery to the other party
    c. the other party's objections and proposed changes
    d. cover page must state the name of the Judicial Officer and the dates of trial.
    e. the Court may schedule a hearing, sign the proposed documents, or make modifications.

4. *No Objections Filed.* If no objections are received within the allowed period, the moving party may submit the proposed final documents directly to the Trial Court Judicial Officer with proof of delivery to the other party. The same cover page requirements apply. The judicial officer may sign and forward the documents for filing or may return them to the parties with instructions for revision.
5. *Failure to Moving Party to Submit Final Documents.* If the moving party fails to submit proposed final documents within thirty (30) days of the written decision, the responding party may submit them. The responding party must set the matter for an Entry of Final Documents hearing before the Trial Court judicial officer through the special set process and must give the moving party at least 21 days' notice. Proof of notice must be brought to the hearing.
6. *Oral Rulings and Transcripts.* If the Trial Court Judicial Officer issues an oral ruling and a transcript is ordered, all timelines and procedures in this rule begin within twenty-four (24) hours of all parties' receipt of the transcript.
7. *Post-Trial Issues on Regular Domestic Dockets.* If a post-trial issue (such as child support) remains to be resolved on the regular domestic docket, these procedures still apply to all other final documents. Once the Court issues its decision on any pending post-trial matter, the procedures in this rule commence within twenty-four (24) hours of that decision.
8. *Requests for Clarification.* Any request for clarification regarding submission of final documents must be directed to the Trial Court Judicial Officer through the Court Administration office. The other party must be copied on all communications, and the dates of the trial must be included.
9. *Informal Family Law Trial (IFLT).* See Local General Rule 40.

Local Domestic Rule 9
POST-DECREE MATTERS

A. Modification of Final Divorce Orders/Dissolution Decree. Any motions filed after a case has been closed (that is, a case that is post-decree and final orders have been entered) requesting to vacate, change, modify, or clarify a Final Divorce Order or Dissolution Decree shall require an Order to Show Cause to set the motion hearing.

1. *Spousal Maintenance.* As part of any petition to modify spousal maintenance, unless the party is disputing cause/adequate cause to modify, each party shall disclose within sixty (60) days of filing the petition and response their year-to-date paystubs as well as tax returns for the preceding two (2) years.

B. Modification of Final Order of Child Support. If a petition is filed to modify any order, judgment, or decree as to support of minor children only, then it shall be heard upon affidavit only, unless either party has obtained leave of Court to hear said matter upon oral testimony, in which event the notice of hearing shall so provide. As part of any petition to modify child support, unless the party is disputing cause/adequate cause to modify, each party shall disclose within sixty (60) days of filing the petition and response their year-to-date paystubs as well as tax returns for the preceding two (2) years.

C. Modification of Final Parenting Plan or Residential Schedule.

1. *Initiating the Action.* A party seeking modification of a Final Parenting Plan or Final Residential Schedule shall note an adequate cause hearing under RCW 26.09.270 on the appropriate motion calendar. The notice shall state the time, date, and place of the hearing and must advise the other party of their right to file opposing affidavits.
2. *No Adequate Cause Established.* If adequate cause is not established based on the affidavits, the petition for modification shall be denied, and no further action will be taken by the Court.
3. *Adequate Cause Established.* If adequate cause is established, the Court will issue an Order on Adequate Cause to Change a Parenting/Custody Order, requiring the other party to show cause why the requested modification should not be granted.
4. *Copy of Adequate Cause Order.* Parties or counsel must provide a conformed copy of the signed Order establishing Adequate Cause to the Judicial Assistant within one week of entry.
5. *Issuance of Case Schedule Order.* Upon receipt of the conformed Order, the Judicial Assistant will issue a Domestic Case Scheduling Order and provide a copy to each party or attorney of record.

D. Motions for Temporary Change of Residential Time on Modifications. Except in pending dissolution, legal separation, or invalidity actions, motions for temporary changes to residential time will not be heard until adequate cause has been established, unless an immediate restraining order has been granted.

1. *Adequate Cause Established.* Once adequate cause is established, the Court may proceed to hear the temporary residential time motion immediately or continue the hearing as necessary.
2. *Child Support Modifications.* This section does not apply to motions seeking modification of child support orders.

[The rules herein have in total been previously modified as follows: Adopted Effective January 1, 1997; Amended Effective September 1, 1999; September 1, 2018; September 1, 2019] [Adopted

Effective September 1, 2007; Amended Effective September 1, 2013; September 2, 2014; September 1, 2015; September 1, 2017; September 1, 2018; September 1, 2019] [Adopted Effective September 1, 1998; Amended effective September 1, 2008; September 1, 2011; September 1, 2013; September 2, 2014; September 1, 2015; September 1, 2016; September 1, 2018; September 1, 2019; September 1, 2021; September 1, 2022; February 1, 2023; Amended & Re-Formatted Effective September 1, 2023; Amended, Re-Formatted and Re-numbered Effective September 1, 2024; Amended Effective September 1, 2025, Amended, Effective January 1, 2026; Amended Effective September 1, 2026]

Local Domestic Rule 10
CHANGE OF NAME OF STEPCHILD

A. When a change of name to that of a stepparent is sought for a child under eighteen (18) years of age, notice must be given to the natural parent(s) in the manner of giving notice to a non-consenting parent in an adoption, and in addition, written consent will be required of any child over fourteen (14) years of age, unless good cause is shown as to why such notice should not be given.

[Adopted Effective April 1, 1986; Re-formatted and renumbered effective September 1, 2024]

Local Domestic Rule 11
DE FACTO PARENTING PROCEEDINGS

A. Court Review. All petitions adjudicating a claim of de facto parentage under RCW 26.26A.440 require Court Review. To initiate the Court Review process, do not note the matter for a hearing on a docket; instead, when service and timing requirements are satisfied, submit FL Parentage Form 343 (Request for Court Review – De Facto Parentage) on the ex parte docket. Request for Court Review shall be delivered to the judicial officer assigned to the docket presiding over the case. Upon After receipt of Form #343, the assigned judicial officer shall complete the Order After Review of Petition (Form #344) and determine the appropriate course of action, which may include setting the matter for an expedited hearing to determine standing, setting the case for trial, dismissing the petition, or any other action permitted by law.

B. Case Schedule Order. If the matter is set for trial, the court shall issue a Case Schedule Order, outlining deadlines for filings, discovery, and hearings in accordance with local court procedures.

C. Compliance. All proceedings under this rule shall comply with RCW 26.26A.440 regarding adjudication of de facto parentage.

[Adopted Effective September 1, 2025; Reformatted Effective September 1, 2026]

VI. LOCAL GUARDIAN AD LITEM RULES (LGALR)

Local Guardian ad Litem Rule 5
APPOINTMENTS OF GUARDIAN AD LITEM/COURT VISITOR

A. Title 11 Adult Guardianship/Conservatorship Registry.

1. *Request for Appointment/Adult Guardianships.* A party needing an appointment for Guardian ad Litem (GAL) from the Guardian ad Litem/Court Visitor registry shall provide a written request.

    a. Written Request must be submitted to the Guardianship Monitoring Program at: GMP.Registry@co.benton.wa.us.
    b. The requesting party will receive a Notice of GAL/CV Rotation with three (3) Guardians ad Litem whose names appear next on the Registry and meet the requirements of RCW 11.130.155.
    c. Court Visitors are appointed using the next name on the Registry as described above.

2. *Selection.* The requesting party shall contact the GALS/CVS in the order listed to determine their availability and suitability to the appointment.

    a. Once a GAL/CV has accepted the appointment, the requesting party shall return the Notice of GAL/CV Rotation form to the Judicial Assistant with the name of the selected GAL/CV indicated clearly on the form.
    b. The requestor shall present the Order of Appointment to the court. The order can be presented at ex parte.
    c. The requestor shall have an Order of Appointment approved by the Court and parties served per statute.

3. *Statement of Qualifications.* A Court Visitor appointed shall file with the Court & serve upon the parties a Statement of Qualifications in conformance with RCW 11.130.280 and RCW 11.130.380 on Minor conservatorships.

4. *Compensation.* Guardians' ad Litem/Court Visitors appointed pursuant to RCW Title 11 shall be compensated in accordance with the law. In the event that the county should be responsible for such costs, the fees shall not exceed the case cap set by the Court.

    a. If additional fees beyond the case cap are requested, such request shall be by a separate motion supported by appropriate affidavits and shall be made before fees beyond the case cap are incurred.
    b. Failure to get pre-approval shall result in waiver of all such fees exceeding the case cap. The order authorizing disbursal of County funds shall provide that those fees shall be reimbursed to the county in the event the estate obtains, within a reasonable period of time, sufficient assets.

5. *Registry Requirement.* Should any person appointed herein fail to accept such appointment more than twice in a calendar year or fail to accept a County pay appointment if the Guardian ad Litem/Court Visitor is selected on the rotational registry, such person's name may be deleted from the registry at the Court's discretion.
6. *Declinations.* Any declination of appointments will require a declaration outlining the reason for the declination.

B. Title 11 Minor Guardianship Court Visitor.

1. *Selection Process.* The Court will appoint a Court Visitor as required in RCW 11.130.195. The Court Visitor will be appointed using the next name on the Registry as described above.

    a. The court will enter an Order appointing upon the Judicial Assistant providing the next name.
    b. The Court Visitor will be provided a copy of the order within 2 days of entry. The Judicial Assistant will also provide party information for the Court Visitor's review.
    c. The Court Visitor shall notify the Judicial Assistant immediately of any conflicts with the appointment. The Judicial Assistant will select the next name on the list and present an Amended Order Appointing to the Judicial Officer.
    d. See LGALR 5 for all requirements.

C. Title 26 Family Law Registry.

1. *Selection Process.* Upon either the motion of the court or motion by the party/parties, and subsequent decision by the court to appoint a Guadian ad Litem (GAL), each party shall request a strike list using the Title 26-GAL Strike List Request form available on the Benton County website.

    a. Each party will receive a list of three randomly selected GALs plus one alternate (required background information pursuant to RCW 26.12.175(3) and hourly rates can be found on the court's website).
    b. Each party may strike one name within seven judicial days. If one or more names remain, the Court will appoint the first GAL not stricken. In the event all three are stricken, the Court will appoint the alternate.
    c. Parties must file the Order Appointing Guardian ad Litem within 30 days of selection. Retainer fees and intake packets must be submitted to the GAL prior to filing the order.
    d. The GAL shall immediately begin their work upon filing of the Order Appointing Guardian ad Litem.
    e. Parties may stipulate to a GAL only after reaching out to the GAL to make sure there are no conflicts and if the GAL accept the case. The GAL shall

sign the Order of Appointment. The judicial officer shall determine if the stipulated appointment is appropriate.

f. A copy of the signed order must be provided to the GAL immediately.

2. *Good Cause Appointment.* For good cause shown and with written findings, the Court may appoint a specific GAL upon the parties' recommendation. Good cause may include specialized expertise or prior involvement in the case. A GAL's hourly rate does not constitute good cause.
3. *County-Paid Appointments.* All Title 26 Guardians ad Litem (GALs) listed on the registry must accept up to two county-paid abuse or neglect appointments per calendar year. Appointments shall be made in alphabetical rotation. Failure to accept two county-paid appointments in a row may result in removal from the GAL registry. Any declination of appointments will require a declaration outlining the reason for the declination.

    a. The court shall limit the scope of work in the Order Appointing a County-Paid GAL for abuse or neglect cases.
    b. A GAL shall not provide or require services beyond the scope authorized by the court unless authorized by motion and adequate notice consistent with GALR 2(j).
    c. County-Paid GALs shall file a preliminary report and shall attend the status hearing as required in the Order Appointing County-Paid Guardian ad Litem.
    d. The preliminary report shall assist the judicial officer in making temporary placement decisions.
    e. The judicial officer shall determine whether supplemental or final reports are necessary and require prior judicial approval before investigation or filing, unless immediate communication of relevant or emergent information is necessary pursuant to GALR 2(i).
    f. A GAL shall not exceed the County Pay Rates posted on the court's website. Prior court authorization is required for any additional hours, and such authorization must be obtained before additional work is performed. Failure to obtain prior authorization may result in denial of additional fees.

[Adopted Effective September 1, 2026]

Local Guardian ad Litem Rule 7
GRIEVANCE PROCEDURES

A. Purpose Statement. The procedures for handling grievances and/or imposing discipline against a Guardian ad Litem (GAL) or Court Visitor provided herein are intended to facilitate a process that is fair, expedited, and protective of all participants, as well as respectful of judicial time and resources.

B. Filing the Grievance (Complaint).

1. *Who May File.* Only a party to a case may file a grievance (complaint) against a GAL or Court Visitor.
2. *Form.* Grievances shall be made in writing, signed under penalty of perjury, and addressed to the Superior Court Administrator. Neither the grievance nor any documentation related to the grievance, including any decision on the grievance, shall be filed in the court case file.
3. *Method of Submission*; In addition to any electronic submission allowed by Superior Court Administration, the filing party must deliver one hard copy of the grievance to Superior Court Administration for the correct county in which the case is filed.

    a. Delivery may be made in person or by mail delivery. The envelope or package shall be prominently labeled "Confidential. GAL Grievance."
    b. Items mailed shall be deemed received three (3) days after the date of mailing.

4. *Required Contents.* The grievance must include:

    a. The name, mailing address, telephone number, and e mail address of the party filing the grievance;
    b. The case number and case name;
    c. The name of the Judge or Court Commissioner hearing the case;
    d. The trial date;
    e. Whether the party filing the grievance has discussed the grievance with the GAL/Court Visitor;
    f. What action the GAL/Court Visitor has taken to address the grievance;
    g. Which provision(s) of the Order Appointing GAL/Court Visitor or these policies the party claims were violated;
    h. A complete statement of the specific facts underlying each alleged violation;
    i. What corrective action is requested and why.

5. *Grounds for the Grievance.* The grievance must specify the acts or failures to act related to grounds which are also grounds for denial of listing on, removal from, or temporary suspension of the GAL/Court Visitor registry, including:

    a. Violation of the GAL/Court Visitor Code of Conduct;
    b. Misrepresentation of qualifications;
    c. Failure to meet annual update requirements; and/or
    d. Any reason questioning suitability to serve, including but not limited to:
    e. Breach of confidentiality;
    f. Falsifying information on the application;
    g. Falsifying information in a court report;
    h. Failure to report abuse of a child;
    i. Ex parte communication;
    j. Representing the court in a public forum without prior approval;
    k. Violations of state or local laws or court rules while serving;
    l. Dissemination of any bi-county police information.

6. *Initial Screening of Grievance.* The Court Administrator shall forward the grievance to the Administrative Presiding Judge for initial screening. If it is clear on the face of the grievance that it is without merit, the Administrative Presiding Judge shall dismiss it and provide copies of the dismissal to the complaining party and to the GAL/Court Visitor. The Administrative Presiding Judge shall endeavor to complete initial screening within fourteen (14) days. Dismissed grievances shall be retained as a confidential, sealed record unless merit has been found.
7. *Grievances Filed During the Pendency of a Case.* If a grievance is not dismissed as outlined above and pertains to a pending case or a case in trial, the Court Administrator shall forward it within three (3) business days to the Administrative Presiding Judge or, if trial is underway, to the judicial officer hearing the trial.

    a. A copy shall be sent to the GAL/Court Visitor.
    b. If assigned to the Administrative Presiding Judge, he/she may assign the matter to another judicial officer or to a committee of three judicial officers.
    c. The GAL/Court Visitor may file a response within fourteen (14) days, providing a copy to the complaining party and sending the original to the Court Administrator for delivery to the judicial officer handling the grievance. An investigation may include interviews with relevant persons.
    d. Upon receipt of the response, or upon expiration of the response period, the judicial officer shall review the matter, complete the investigation, and issue a final written or oral disposition. The judicial officer will endeavor to issue the final decision no later than forty-five (45) days after filing. The original disposition shall be placed in the confidential grievance file, with copies provided to the parties.

8. *Dismissal.* If found frivolous or not brought in good faith, sanctions or costs may be imposed against the grieving party.

9. *Founded.* If the grievance is well founded by a preponderance of the evidence, discipline may include:

    a. Verbal or written reprimand;
    b. Removal from the pending case;
    c. Suspension from the registry for up to one year;
    d. Suspension pending completion of additional training;
    e. Monetary sanctions or terms;
    f. Permanent removal from the registry for Title 11, 13, and/or 26 cases.

10. *Removal.* If permanent removal occurs, notice shall be sent to the Office of the Administrator for the Courts for statewide circulation. The file shall be retained at least six (6) years.
11. *Reassignment.* GAL/Court Visitor who ceases to be on the registry and has active or incomplete cases shall immediately notify the Court Administrator for reassignment.

12. *Grievances Filed After Conclusion of the Case or After Discharge.* If the grievance pertains to a concluded case or to a discharged GAL/Court Visitor, the Court Administrator shall forward it within three (3) business days to the judicial officer who presided over the trial or signed the final orders.
13. *Interim Suspension.* For grievances handled under Sections D and E, the Administrative Presiding Judge or judicial officer for the grievance may suspend the GAL/Court Visitor's participation in the registry pending resolution. The GAL/Court Visitor must immediately notify the Court Administrator of any active or incomplete cases, which may then be reassigned.
14. *Reconsideration.* A GAL/Court Visitor may seek reconsideration by submitting a written request to the Superior Court Administrator, who will forward it and supporting documents to the judicial officer for final decision. Written notice of the decision will be provided.
15. *Timelines.* Receipt by Mail. Timelines may be modified for good cause by the Administrative Presiding Judge or judicial officer for the grievance.
16. *Confidentiality.* All grievance materials and dispositions are confidential administrative records maintained by the Court Administrator and shall not be filed in the court case file.

[Adopted Effective September 1, 2026]

VII. LOCAL SPECIAL PROCEEDINGS RULES (LSPR)

Local Special Proceeding Rule 98.08W
TRUST AND ESTATE DISPUTE RESOLUTION ACT (TEDRA)

A. Trial settings for TEDRA matters shall be scheduled using the Special Set Request rule outlined in LMR 6(A)(3)(c).

[Adopted Effective September 1, 2026]

Local Special Proceedings Rule 98.18W
COURT-CREATED TRUSTS

A. Special Needs Trusts and Trusts governed by SPR 98.16W shall be approved in accord with the procedure as set forth on the Court's Website.

[Adopted Effective September 1, 2009; September 1, 2022; Amended & Re-Formatted Effect September 1, 2023; Amended Effective September 1, 2024]

Local Special Proceedings Rule 98.19W
CONSERVATORSHIP & ADULT GUARDIANSHIP INITIAL AND PERIODIC REPORTING – FORMS

A. Forms. Parties are required to use the state guardianship/conservatorship forms as available.

1. See: https://www.courts.wa.gov/forms/?fa=forms.static&staticID=14#Guardianship.
2. The court may provide additional forms for local practice. See the Court's Website for approved additional forms.
3. Do not delete language from the standard State forms.
4. Parties may bold or underline additional language and strike (by lining through) inapplicable language.

[Adopted Effective September 1, 2009; Amended September 1, 2013; September 1, 2015; September 1, 2016; September 1, 2021; September 1, 2022; Amended & Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Re-Formatted Effective September 1, 2026]

Local Special Proceedings Rule 98.21W
EMERGENCY MINOR GUARDIANSHIP & MINOR GUARDIANSHIP MATTERS

A. Forms. Parties are required to use the state forms for Emergency / Minor Guardianship and Conservatorship matters. The court may provide additional forms for local practice.

B. Local Court Instructions. When an initial Petition for an Emergency Minor Guardianship or Minor Guardianship is filed, the Clerk shall issue "Local Court Instructions" and provide a copy to the Petitioner at the time of filing. Petitioner shall serve the "Local Court Instructions" on all parties requiring service. See *Local Court Instructions* form as prescribed by the Court and available on the Court's Website.

[Adopted Effective September 1, 2023; Amended Effective September 1, 2024; Amended Effective September 1, 2025]

Local Special Proceedings Rule 98.30W
UNLAWFUL DETAINER CASES – EVICTION RESOLUTION PROGRAM

A. See Civil Rule 7 and Local Court Rule 7.

[Adopted Effective September 1, 2021; Amended & Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Amended Effective September 1, 2026]

VIII. LOCAL SUPERIOR COURT CIVIL ARBITRATION RULES (LSCCAR)

Local Superior Court Civil Arbitration Rule 1
SCOPE AND PURPOSE OF RULES

A. Authority & Purpose. These rules implement and supplement Washington's Superior Court Civil Arbitration Rules (SCCAR) and RCW 7.06 for civil mandatory arbitration in Benton & Franklin Counties.

B. Applicability. These rules apply to all civil cases subject to or transferred to arbitration under SCCAR and these local rules, unless otherwise ordered by the Court.

C. Program Administration. The Court Administrator, under the supervision of the Presiding Judge or Arbitration Presiding Judge, shall administer all arbitration procedures, including maintaining forms, managing deadlines, and supporting arbitrator assignments.

1. *Arbitration Judge.* The Presiding Judge or Arbitration Presiding Judge shall:

    a. Supervise the Court Administrator;
    b. Select and appoint attorneys to the arbitrator panel;
    c. Remove panel members when appropriate;
    d. Establish selection procedures consistent with rules and RCWs;
    e. Review the arbitration program periodically and implement improvements.

Local Superior Court Civil Arbitration Rule 2
TRANSFER TO ARBITRATION AND ASSIGNMENT OF ARBITRATOR

A. Transfer to Arbitration. Following commencement of the action, and no later than the date set forth in the case schedule order, any party may complete and file a Statement of Arbitrability, with payment of the required fee to the Clerk.

1. *Form.* The Statement of Arbitrability shall be filed on the court prescribed form found on the Court's Website. The filing party must file the statement with the clerk, delivery a duplicate to the Judicial Assistant and serve all parties.
2. *Failure to File.* A party failing to timely file a Statement of Arbitrability is deemed to have waived arbitration and may subject the matter to arbitration only upon leave of court for good cause and payment of the filing fee.
3. *Responses & Objections.* Any party objecting to arbitrability must file and serve a Response within 10 court days and note any objection for hearing. Absent such Response, the Statement of Arbitrability is deemed correct.
4. *Case Schedule Impact.* Upon filing a Statement of Arbitrability indicating the case is subject to arbitration, any civil case schedule order is stricken, unless an objection to arbitrability has been noted.
5. *Assignment of Arbitrator.* Not less than 90 days following filing and service of the Statement of Arbitrability, the Judicial Assistant shall provide parties a list of five (5) proposed arbitrators.

6. *Arbitrator Panel.* A master list of approved arbitrators shall be publicly available on the Court's website.
7. *Selection & Strikes.* Each party may select one or two names and strike one or two names from the list within 10 court days of mailing.
8. *Appointment Rules.* If both parties respond, an arbitrator selected by both parties shall be appointed.

    a. If no mutual selection exists, the Judicial Assistant appoints the first name remaining on the random strike list.
    b. If only one party responds, the first arbitrator nominated by that party is appointed.
    c. If neither party responds, the Judicial Assistant appoints the first name on the random strike list.

9. *Multiple Adverse Parties.* If more than two adverse parties exist, two additional arbitrators will be added to the list. The Judicial Assistant, at the direction of the presiding judge, determines the number of adverse parties, subject to court review.
10. *Confidentiality.* Parties do not serve their selections on each other. Returned lists are retained until expiration of the trial de novo period.

Local Superior Court Civil Arbitration Rule 3
ARBITRATORS

A. Qualification and Appointment. Arbitrators shall be active members of the Washington State Bar in good standing, with the experience required under SCCAR.

B. Authority of Arbitrator. Arbitrators have all powers granted by SCCAR, RCW 7.06, and these LSCCAR, including issuing scheduling orders, managing hearings, and ruling on evidence.

C. Removal or Disqualification. An arbitrator may be disqualified under SCCAR 3.2 or removed by the Presiding Judge for good cause.

Local Superior Court Civil Arbitration Rule 4
PROCEDURES AFTER ASSIGNMENT

A. Discovery Limitations. Discovery is limited under SCCAR and LSCCAR unless expanded by stipulation or court order.

B. Permitted Interrogatories.

1. The following interrogatories are the only interrogatories allowed:

    a. State the amount of general damages.
    b. State each item and amount of special damages.

c. List liability witnesses and contact information.
d. List damages witnesses and contact information.
e. List experts and state opinions, bases, and subject matter.
f. Describe present physical condition if claiming bodily injury.
g. Provide health-care providers (10 years prior and post-incident).
h. Identify any applicable insurance agreements and coverage documents.
i. Identify parties not properly served.

C. Medical Records. Records identified in Interrogatory 1 must be produced unless the requester is provided a medical authorization sufficient to obtain records independently.

D. Depositions Upon Written Questions. Parties may use CR 31 to obtain records through written-question depositions.

E. Prehearing Exchange. Exhibits and witness lists must be exchanged as required by SCCAR, LSCCAR, or the arbitrator's order.

F. Information Not Provided to Arbitrator. Discovery materials shall not be provided to the arbitrator unless necessary to resolve bona fide issues of coverage, offset, or setoff.

Local Superior Court Civil Arbitration Rule 5
HEARING

A. Scheduling. The arbitrator shall set the date, time, and place of the hearing and provide reasonable written notice. Hearings must be held no sooner than 21 and no later than 75 days after appointment unless extended for good cause.

B. Continuances. Any hearing date beyond 120 days from appointment, or any continuance exceeding 60 days from the original date, must be approved by the Presiding/Arbitration Judge. Short continuances may be granted by the arbitrator for good cause.

C. Settlement. Notice of Settlement must be filed within 5 days of settlement, or before the arbitration hearing, whichever is sooner. Any party may file the notice if the plaintiff does not.

D. Dismissal. Dismissal orders must be entered within 60 days of filing the Notice of Settlement, the scheduled hearing date, or a written request for proof of settlement whichever is earlier.

Local Superior Court Civil Arbitration Rule 6
AWARD

A. Filing of Award. All arbitration awards shall be filed under seal with the Clerk. The arbitrator must give Notice of Filing to the Executive Assistant and all parties.

B. Time for Filing. The arbitrator may request an extension to file the award by presenting an ex parte request to a Superior Court Judicial Officer and must notify all parties if granted.

C. Fees, Costs, and Interest. Requests for attorney fees, costs, or interest shall be made and determined under SCCAR and applicable law. If granted after the initial award, the arbitrator shall file an amended award.

Local Superior Court Civil Arbitration Rule 7
TRIAL DE NOVO

A. Request. A party seeking a trial de novo must comply with this rule. Upon timely filing, the Court will assign a trial date.

B. Attorney-Fee Motions. If a party moves for attorney fees, the 20-day trial de novo period does not begin until the arbitrator has filed and served the amended award or written denial of attorney fees.

C. Amended Case Schedule. Upon a request for trial de novo, a new case schedule will be issued by the Judicial Assistant with the default deadlines (from date of issuance).

1. *Default Deadlines:*

    a. Plaintiff's witness disclosures/1 month
    b. Defendant's witness disclosures/3 months
    c. Plaintiff's rebuttal/4 months
    d. Defendant's rebuttal/5 months
    e. Discovery cutoff/5.5 months
    f. Settlement position statements/6 months
    g. Dispositive motions heard/6 months
    h. Settlement conference/6.5 months
    i. Trial management report/7 months
    j. Pretrial conference/7 months
    k. Trial documents (motions in limine, jury instructions, etc.)/2 weeks before trial
    l. Trial priority hearing/1 week before trial
    m. Trial/9 months

D. Jury Demand. Jury demands must be filed and served in compliance with CR 38.

Local Superior Court Civil Arbitration Rule 8
LOCAL RULES

A. Dismissal on Court's Own Motion. If dismissal is not timely entered under LSCCAR 5(D), The Judicial Assistant, at the direction of the presiding judge, may file a motion for dismissal for want of prosecution, with notice of hearing to attorneys of record and arbitrator.

[Adopted Effective September 1, 2026]

IX. LOCAL CRIMINAL RULES (LCrR)

Local Criminal Rule 1
REVIEW OF SEALED AFFIDAVITS AND SEARCH WARRANTS

A. Review. The court may review orders sealing search warrants and/or affidavits in support thereof at any time upon the request of the prosecuting attorney or upon motion of the court.

B. Notice to and Response from Prosecuting Attorney. In each case in which the court reviews a previously entered order sealing a search warrant and/or affidavit in support thereof, the prosecuting attorney will be provided at least fourteen (14) days prior written notice of such review. Prior to such review the prosecuting attorney may submit to the court a memorandum generally setting forth the state's position with regard to unsealing all portions of or none of the sealed affidavit and/or search warrant.

C. Filing of Responsive Memoranda. The original of any memorandum submitted pursuant to subsection (B) will be filed, unsealed, with the order sealing the affidavit and/or search warrant, and the prosecuting attorney will provide a bench copy to the court via eMotion or hard copy provided to the Court Administration office. The court will consider any requests by the State to seal all or portions of any affidavits or declarations filed in support of the State's memorandum, and, if granted, enter an appropriate order.

D. Order on Review. After considering the State's position and reviewing *in camera* the order and the affidavit and/or search warrant sealed pursuant thereto, the court will enter an order that (a) the affidavit and/or search warrant continue to be sealed as previously ordered, (b) designated portions of the affidavit and/or search warrant continue to be sealed and that the remainder thereof be unsealed, or (c) the affidavit and/or search warrant be unsealed.

[Adopted Effective September 1, 2004; Re-Formatted Effective September 1, 2023; Amended and Re-numbered Effective September 1, 2024]

Local Criminal Rule 3.1
RIGHT TO AND ASSIGNMENT OF COUNSEL

A. Services Other than Counsel. Pursuant to the authority under CrR 3.1(f), all requests and approval for expert services expenditures are hereby delegated to the Franklin County Office of Public Defense for Franklin County matters and to the Benton County Office of Public Defense for Benton County matters. Where services are denied in whole or in part, the defendant may move for *de novo* review to the Presiding Judicial officer.

B. Upon Appeal. In cases involving appeals from another court to the Superior Court in which the defendant wishes counsel to be appointed in the Superior Court on the basis of indigence, the following will apply:

1. The trial attorney shall be responsible for:

a. Perfecting the appeal to the Superior Court;
b. Noting the issue of appointment of counsel upon the next criminal motion docket following the perfection of the appeal;
c. Preparing an affidavit of indigence;
d. Representing the defendant at such hearing; and
e. The defendant shall be present at the hearing upon the motion to establish indigence.

[Adopted Effective April 1, 1986; Amended Effective September 1, 2003; September 1, 2009; Amended & Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024]

Local Criminal Rule 3.2
RELEASE OF ACCUSED

A. New Conditions of Release. In the event that bail is forfeited for any reason, new conditions of release must be entered and a new bond posted. No order reinstating a previously forfeited bond shall be issued by the court; however, the court may, for good cause shown, vacate the judgment of forfeiture.

B. Separate Bond Required. All case filings wherein conditions of release requiring bail are set shall require a separate and distinct bond posted by the surety in the specific amount specified for each case. A bond in the aggregate amount for multiple cases will not be allowed, nor shall any order be presented to the court that fails to specify the exact amount of bail for each matter addressed in the order.

C. Bench Warrant after Failing to Appear in Response to a Summons. Any time a defendant fails to appear in response to a summons where it is shown that the summons was not deliverable to the address where sent, and a bench warrant is issued, bail shall be initially set at the sum of $100.00.

[Adopted Effective September 1, 2026]

Local Criminal Rule 3.4
COURT APPEARANCE OF DEFENDANTS

A. All preliminary and timely arrangements for the court appearances of any defendant held in custody shall be the responsibility of the Prosecutor in charge of the case.

B. Appearance by the defendant is mandatory at any Pre-Trial hearing if the defendant is calling ready for trial, and at any Trial Readiness/Trial Priority hearings, because appearance by the Defendant at such hearing(s) is necessary to advance a defendant's case and for the orderly and efficient administration of court resources. "Appearance" means in person, or by Webex, unless ordered to appear in person by the court. Failure of a defendant to appear at any hearing, including Trial Readiness/Trial Priority, could result in a "Failure to Appear" to be noted by the Clerk, a bench warrant to be issued, and/or the matter to be reset to the regular criminal

docket to reset trial dates at the discretion of the judicial officer. This local court rule shall not be construed to limit the authority of a judicial officer to order the in-person appearance of any defendant for any hearing for good cause pursuant to CrR 3.4(d).

[Adopted Effective April 1, 1986; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Amended Effective September 1, 2025]

Local Criminal Rule 3.5
CRIMINAL MOTION DOCKET

A. Order of Proceedings. CrR 3.5 and CrR 3.6 matters shall be scheduled and heard prior to submission of the joint pre-trial report.

B. Criminal Motion Docket. All motions filed pursuant to CrR 3.5 or CrR 3.6 shall be noted on the Criminal Motion docket in the respective County where the matter is filed. Matters noted on the Criminal Motion docket must be confirmed by the moving party in accordance with the rules outlined below.

1. *Benton County.* Held every **Friday** from 8:30 a.m. to 12:00 p.m. and consist of three of three (3) sessions:

    a. 8:30 a.m. to 10:00 a.m., with two cases set for 45 minutes each;
    b. 10:00 a.m. to 10:15 a.m.; and
    c. 10:30 a.m. to 12:00 p.m.

2. *Franklin County*. Held every **Wednesday** from 2:30 p.m. to 4:00 p.m.

C. Time Limits. No party may schedule a matter that is reasonably expected to exceed the allotted session time. Such matters must be set as special-set hearings under LMR 6 (A)(2) and (4).

D. Judicial Discretion. The presiding judicial officer may extend the time for a matter if no other matter is scheduled in the session or may extend a session if the following session contains no scheduled matter.

E. Matters Heard on the Criminal Motion Docket.

1. The Criminal Motion Docket is limited to the following matters:

    a. CrR 3.5 and 3.6 hearings;
    Bail hearings expected to exceed ten minutes;
    Knapstad motions;
    Motions to withdraw pleas;
    Lengthy sentencing hearings;
    DOSA revocation hearings;
    Contested restitution hearings;

Motions under CrR 8.3;
Motions under CrR 7.4;
Motions under CrR 7.5;
CrR 7.8 motions not referred to the Court of Appeals;
Motions for joinder, consolidation, or severance under CrR 4.3, 4.3.1, and 4.4;
Pre-trial or post-judgment proceedings requiring testimony.

2. Matters deemed too lengthy by a judicial officer. The name of the judicial officer who made that determination must be on the Note for Docket.

F. Matters Not Permitted. Changes of plea, motions to continue, and similar matters are not permitted on the Criminal Motion Docket unless prior authorization is obtained from a judicial officer. Such authorization shall be noted on the Note for Criminal Motion Docket.

G. Briefing Requirements. The moving party shall serve and file a brief and witness list, if applicable, for any CrR 3.6 matters, or a witness list for any CrR 3.5 hearings, at the same time as filing the Note for Docket. The responding party shall serve and file any response and/or witness list no later than two (2) court days before the hearing. Bench copies shall be provided in accordance with LCrR 8.11.

H. Witness Lists. Any party intending to call witnesses shall file and serve a witness list with a two- to three-sentence summary of the anticipated testimony of each witness. The witness list shall be filed, served, and uploaded to eMotion at the same time and under the same deadlines applicable to the Note for Docket and briefing.

I. Scheduling Procedure. Hearings shall not be scheduled or announced on regular criminal dockets. Counsel or unrepresented litigant scheduling a matter on the Criminal Motion Docket shall:

1. File and serve a Note for Criminal Motion Docket at least five (5) business days prior to the requested hearing date; and
2. File and serve all documents required under CrR 8.2, CR 7, and applicable local rules.

J. Out-of-Custody Defendants. Out-of-custody defendants, or counsel authorized under CrR 3.4 or emergency court rules, must sign the Note for Criminal Motion Docket to confirm notice.

K. Forms. Note for Criminal Motion Docket forms for Benton County and Franklin County shall be available in all courtrooms. Additional forms are available at www.courts.wa.gov/forms.

L. Interpreters. Parties requiring interpreters shall submit requests outlined in Local General Rule 11.

M. Confirmation. Parties shall confirm scheduled matters by email during the designated confirmation windows:

1. *Franklin County:* criminalconfirmations@franklincountywa.gov. Shall be confirmed on Monday between 7:00 and 11:00 a.m. prior to the docket. Unrepresented in-custody defendants may confirm by phone.
2. *Benton County:* criminalconfirmations@co.benton.wa.us. Shall be confirmed on Wednesday between 7:00 and 11:00 a.m. prior to the docket.

    a. The first two matters confirmed for the 8:30 a.m. session shall be scheduled in that session.
    b. The Judicial Assistant shall coordinate with the assigned judicial officer to designate the hearing times and shall transmit the docket to the criminal department clerks for each county.
    c. Criminal clerks shall post and distribute the final docket pursuant to standard procedure.

[Adopted Effective September 1, 2024, Amended Effective January 1, 2026; Amended September 1, 2026; Reformatted Effective September 1, 2026]

Local Criminal Rule 4
PROCEDURES PRIOR TO TRIAL/DOCKETS

A. Benton and Franklin Counties.

1. At 9:00 a.m. (or as soon thereafter as possible), the Court will call all out of custody arraignment matters.
2. For any defendant with multiple cases on the docket, all of that defendant's cases will be called together using the first case that appears numerically.
3. If a matter is not ready to proceed when called, the Court may continue or strike it as appropriate.

B. County Specific Case Call Order.

1. Benton County: After arraignments, the Court will call the docket in numerical order.
2. Franklin County: The Court will first call in custody change of plea and sentencing matters, followed by out of custody matters and sentencing matters. The docket will then proceed in numerical order after the 9:00 a.m. arraignments.

C. Arraignments. Defendants must appear in person for arraignments unless the Court finds good cause to waive the requirement, such as the defendant residing out of state. See CrR 3.4(b).

D. Continuances and Waivers of Speedy Trial. Waivers of speedy trial, defense continuance requests, and agreed continuances must be memorialized in writing using the form provided by the Court.

E. Pre-Trial Setting. Pre-trials shall be set at least two weeks before trial, such that when a Joint Pre-Trial Report is filed, the Trial Readiness hearing will be set on the second Monday (both

counties) after pre-trial provided that such settings respect the rights of the parties as provided by law and/or court rule.

F. Modification/Termination of No Contact Orders. The prosecuting attorneys for Benton and Franklin Counties are responsible for coordinating the scheduling of hearings on the Criminal Docket with victims and with individuals requesting modification or termination of No-Contact Orders. They are also responsible for uploading all related court documents to eMotion.

G. Disqualification/Recusal. The court will schedule a conflict judge on the Benton County criminal dockets (if a judge is available). If a conflict judge is not available, the matter shall be continued for one week for good cause.

1. Parties may not request a conflict judge.
2. Parties shall not contact the Court Administration office/Judicial Assistants to request a conflict judge.
3. In the case of a critical stage hearing where continuance would affect a fundamental right of a party or person with an interest in the matter and provided the Court has notice thereof, the Court may vary this rule.

[Adopted Effective September 1, 2026]

Local Criminal Rule 4.2
PLEAS

A. Guilty Pleas and Sentencings. Defendants shall appear in-person for any change of plea and/or sentencing.

B. Change of Pleas on Prelims. Change of Pleas and/or Sentencings that need to be addressed promptly may be scheduled on the Preliminary Appearance docket if the matter is expected to last 20 minutes or less.

1. Change of Plea and/or Sentencings may also be set on the Criminal Docket if the matter does not need to be addressed promptly. Rules related to scheduling a Change of Plea and/or Sentencing on the Preliminary Appearance docket are outlined below:

    a. When a Court Commissioner is scheduled to preside over the Preliminary Appearance docket, a conflict judge may be assigned.
    b. Two (2) judges will not be assigned to preside over the Preliminary Appearance docket if the assigned judge has a conflict. The matter will need to be rescheduled. Parties should review the court's website for "today" and "tomorrow's" daily schedule.
    c. Requests to special set a Change of Plea and/or Sentencing (20 minutes or less) outside of the Preliminary Appearance docket will not be approved unless the case is pre-assigned.

2. Change of Plea and/or Sentencings anticipated to last up to 45 minutes may be placed on the Criminal Motion Docket and are subject to the requirements outlined in those rules.
3. A Change of Plea and/or Sentencing anticipated to last more than 45 minutes shall be specially set following LMR 6(2) and (4).

C. Court Commissioners. Superior Court Commissioners appointed under Article 4, Section 23 of the Washington State Constitution or RCW 2.24.010 are authorized to accept and enter a plea of guilty.

[Adopted Effective September 1, 2026]

Local Criminal Rule 4.5
OMNIBUS HEARINGS

A. General Provisions. If all parties agree that an omnibus hearing would not be beneficial, then prior to the Omnibus hearing date, the Omnibus Order shall be presented ex parte along with a stipulation and order striking the Omnibus hearing which shall be signed by the prosecuting attorney and defense counsel or the *pro se* defendant.

[Adopted Effective April 1, 1986, Amended Effective September 1, 2011; September 1, 2018; September 1, 2019; September 1, 2021; February 1, 2023; Amended & Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024]

Local Criminal Rule 4.11
CRIMINAL SPECIAL SET HEARINGS

A. General Provisions. No request by a party for a special setting in a criminal matter will be considered unless the parties have jointly emailed SpecialSets@co.benton.wa.us and have followed the Special Set rules as outlined in LMR 6(2) and (4).

B. Motion for Acquittal on Grounds of Insanity. For any motion filed under RCW 10.77.515 in which a pre-assigned judge has been designated, the filing party must submit a bench copy of the motion and supporting materials to: SpecialSets@co.benton.wa.us.

1. The moving party shall provide the date of speedy trial expiration in the said email, and the opposing party/counsel shall detail speedy trial expiration, if in disagreement.
2. Upon receipt of the bench copy, the Superior Court Administration's office will schedule a special-set hearing before the pre-assigned judge. The hearing date will be provided to the parties by the Court Administration's office.
3. The requesting party shall follow the special set rules outlined in LMR 6(2) and (4).

[Adopted Effective September 1, 2021; Amended & Re-Formatted Effective September 1, 2023; Amended and Re-numbered Effective September 1, 2024; Amended September 1, 2026]

Local Criminal Rule 4.12
EXPEDITED CONSIDERATION OF MOTIONS

A. As necessary, to expedite the business of the court and in order to ensure the best use of judicial and court resources, criminal matters may be noted on a shortened-time basis on the daily preliminary docket, provided the note for docket cites to this rule.

[Adopted Effective September 1, 2017; Re-Formatted Effective September 1, 2023; Re-numbered Effective September 1, 2024; Amended Effective September 1, 2025]

Local Criminal Rule 8.11
BENCH COPIES FOR ADULT CRIMINAL MATTERS

A. Not less than twenty-four (24) hours prior to any special set matter including sentencings, to any motion hearing, and/or any matter where the Department of Corrections or any treatment provider has filed any reports necessary for such hearing, including Pre-Sentencing Investigation reports, treatment compliance reports, or violation report(s), the moving party shall upload to eMotion bench copies of any document that either party intends to rely upon for the hearing, including bench copies of any briefing, memorandum of law, affidavits, reports, victim impact statements, etc. If a party does not have access to eMotion, hard copies of all bench copies must be provided to the Court Administration office no less than twenty-four (24) hours prior to the hearing.

[Adopted Effective September 1, 2024]

Local Criminal Rule 8.2
MOTIONS FOR RECONSIDERATION AND REVISION

A. A Motion for reconsideration shall be governed by Local Civil Rule 59 as outlined in CrR 8.2. Revision by Court see RCW 2.24.050 and Local Civil Rule 59.

[*Adopted Effective September 1, 2026*]

X. <u>LOCAL JUVENILE COURT RULES (LJuCr)</u>

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/Costs. In a dependency or termination of parental rights proceeding where notice by publication is required, the petitioner, rather than the clerk of court, is responsible for publishing notice of the petition and hearing date. The petitioner must pay for the cost of

publication, except if the petitioner is a minor, the Office of Civil Legal Aid (OCLA) must pay for or reimburse the publication costs, and if the petitioner is an indigent parent or legal guardian, the Office of Public Defense (OPD) must pay for or reimburse the publication costs. The requirement that the publication be in a legal newspaper "printed in the county" is eliminated.

[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 Bench copy will be given to Juvenile Legal Processing Unit and uploaded to jMotion. 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 relevant county's: Benton County Juvenile Court located at 5606 W. Canal Place, Suite 106, Kennewick, WA 99336, or Franklin County Juvenile Court located at 1016 N. 4th Ave., Pasco, WA 99301. 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; Amended Effective September 1, 2026]

Local Juvenile Court Rule 1.13
LEGAL PROCESSING UNIT

A. Participants in dependency, termination, and guardianship cases are required to contact the relevant County Juvenile Court Legal Processing Unit (LPU) Staff to request available court dates for the setting of a motion hearing. LPU Staff can be contacted as follows:

1. Benton County Juvenile Court: 5606 W. Canal Place, Suite 106, Kennewick, WA 99336;
2. Franklin County Juvenile Court: 1016 N 4th Ave., Pasco, WA 99301.
3. Parties shall submit a copy of the motion and the note for docket (with a date that LPU provided) to the Juvenile Court Legal Process Staff upon filing with the appropriate clerk's office, and upload bench copies to jMotion to the appropriate date and docket to all parties.

[Adopted Effective September 1, 2022; Amended Effective September 1, 2024; Amended Effective September 1, 2026]

SHELTER CARE PROCEEDINGS

Local 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 Children, Youth, and Family 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. Upload copy of violation to jMotion 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 select 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]

RESCINDED RULES EFFECTIVE SEPTEMBER 1, 2026

Local Administrative Rule 5
TRANSFER OF ADMINISTRATION OF JUVENILE DETENTION
[Adopted Effective January 1, 2025; Rescinded Effective September 1, 2026]

Local General Rule 1
WEBSITE
[Rescinded Effective September 1, 2026]

Local General Rule 2
ELECTRONIC BENCH COPIES AND READ FIRSTS
[Adopted Effective September 1, 2024; Amended Effective September 1, 2025; Amended Effective September 1, 2026; Rescinded Effective September 1, 2026]

Local General Rule 3
BRIEFS AND MOTIONS
[Adopted Effective September 1, 2024, Rescinded Effective September 1, 2026]

Local General Rule 4
PROPOSED ORDERS AND ORDERS AFTER HEARING
[Adopted Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local General Rule 5
ELECTRONIC SERVICE FROM COURT AND CLERK
[Adopted Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local General Rule 6
EX PARTE
[Adopted Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local General Rule 7
AMENDING CASE SCHEDULE ORDERS/CONTINUING TRIALS
[Adopted Effective September 1, 2024; Amended Effective September 1, 2025; Rescinded Effective September 1, 2026]

Local General Rule 8
SANCTIONS
[Adopted Effective April 9, 2002; Amended Effective September 1, 2010; September 1, 2020; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local General Rule 9
ELECTRONIC SIGNATURES AND FILING
[Adopted Effective September 1, 2022; Amended & Re-Formatted Effective September 1, 2023; Re-numbered Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local General Rule 10
AUTHORIZED TRANSCRIPTIONISTS
[Adopted Effective September 1, 2016, September 1, 2022; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local General Rule 11
REVISIONS AND RECONSIDERATIONS
[*Rescinded Effective September 1, 2026*]

Local Domestic Rule 2
GUARDIAN AD LITEMS (GALs)
(See LGALR 5 and 7)
[Rescinded Effective September 1, 2026]

Local Civil Arbitration Rule 2.1
TRANSFER TO ARBITRATION AND ASSIGNMENT OF ARBITRATOR

[Adopted Effective September 1, 1996; Amended Effective September 1, 1998; September 1, 1999; September 1, 2002; September 1, 2003; September 1, 2011; September 1, 2015; September 1, 2021; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local Civil Arbitration Rule 3.1
ARBITRATORS
[Adopted Effective September 1, 1996; September 1, 2003; September 1, 2011; September 1, 2021; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local Civil Arbitration Rule 4.2
PROCEDURES AFTER ASSIGNMENT
[Adopted Effective September 1, 1996; Amended Effective September 1, 1998; September 1, 2003; September 1, 2010; September 1, 2011; September 1, 2018; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Rescinded Effective September 1, 2026]

Local Civil Arbitration Rule 7.1
TRIAL DE NOVO
[Adopted Effective September 1, 1996; Amended Effective September 1, 1998; September 1, 2000; September 1, 2003; September 1, 2015; September 1, 2019; September 1, 2021; September 1, 2022; Re-Formatted Effective September 1, 2023; Amended Effective September 1, 2024; Rescinded Effective September 1, 2026]