

BENTON & FRANKLIN COUNTIES SUPERIOR COURT
JUDICIAL RESOLUTION NO. 15-001
AUTHORIZING COLLABORATIVE COURT
PILOT PROJECT

WHEREAS, RCW Chapter 7.77, known as the Uniform Collaborative Law Act (the "Act"), authorizes the courts in facilitate the resolution of disputes in civil matters through a collaborative process, conducted under the provisions of that Act; and

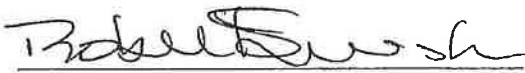
WHEREAS, attorneys have asked that the Benton-Franklin Counties Superior Court adopt local rules authorizing the resolution of domestic cases through a collaborative process under the Act; and

WHEREAS, it is desirable for the effective, and efficient operation of Benton Franklin Counties Superior Court to create a pilot program to evaluate the feasibility of resolution of domestic cases through a collaborative process under the Act.

NOW THEREFORE, BE IT RESOLVED, that effective May 1, 2015, Benton Franklin Counties Superior Court shall implement a pilot program to evaluate the feasibility of resolution of domestic cases through a collaborative process under the Act subject to the following:

1. **Types of Cases:** The following case types shall be eligible for resolution through a collaborative process under the Act: (a) Dissolutions; (2) Legal Separations; (c) Parenting plans; (d) Parentage actions; (e) Third party custody actions; and Modifications thereof. Both parties must be represented by attorneys.
2. **Process for Initiating Collaborative Process:** Resolution of domestic cases through a collaborative process shall be initiated by entry of an agreed order in the form attached hereto as Exhibit "A". The parties may stipulate to other orders consistent with the Act, thereby establishing procedures for exchange of information, discovery, restraining orders, confidentiality, expert witnesses; temporary parenting plans, mediation, the role and conduct of collaborative counsel, termination of the collaborative process, and any other matter deemed necessary, and not inconsistent with the Act, and for the just and timely resolution of the case. Upon entry of an order initiating the collaborative process, the domestic case scheduling order is stayed and the role of the court limited to those matters authorized under the Act and this Resolution.
3. **Case Schedule Order:** Upon entry of an order initiating the collaborative process, Court Administration shall schedule status conferences every two months, and send notices thereof to counsel of record. Status conferences will be scheduled on Fridays, to be held in chambers or a jury room.
4. **Monitoring of Status:** The parties shall attend at least the first status conference. The presiding judicial officer may excuse parties from attending subsequent status conferences. Attorneys shall attend all status conferences. At each status conference, the court shall evaluate the progress of the collaborative process for failure to comply with any scheduling order or other unreasonable delay or failure to prosecute the matter.

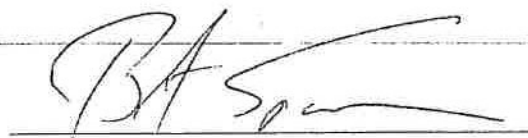
5. **Abuse of Collaborative Process:** If the court concludes that the collaborative process is being used as a means to delay resolution of cases, the court will terminate the pilot project, and thereafter prohibit the use of the RCW Chapter 7.77 collaborative process.
6. **Guardian Ad Litem:** In every case where child placement is at issue, a guardian ad litem will be assigned to investigate and make recommendations to the court if a final parenting plan has not been entered within 6 months after the date of commencement of the matter.
7. **Termination of Collaborative Process by the Parties:** At any time any party may serve notice upon the other party(ies) terminating further participation in the collaborative process. A copy of said notice shall be provided to Court Administration. A new case schedule order shall be issued. In creating the new case schedule order, attempt shall be made to preserve of the original trial date, and if that is not feasible, to set a trial date as soon as practicable, with due consideration to the fact that the collaborative attorneys are disqualified from further participation in the case.
8. **Termination of Collaborative Process by the Court:** Upon notice to the parties, the court may terminate the collaborative process for failure to comply with any scheduling order or other unreasonable delay or failure to prosecute. A new case schedule order shall be issued. In creating the new case schedule order, attempt shall be made to preserve of the original trial date, and if that is not feasible, to set a trial date as soon as practicable, with due consideration to the fact that the collaborative attorneys are disqualified from further participation in the case.
9. **Collaborative Attorneys:** The collaborative attorneys shall conduct themselves as directed by the Act, this Resolution, any other order entered in the case.
10. **Duration of Pilot Program:** The pilot program shall remain in effect until modified or terminated by further resolution of the Court.

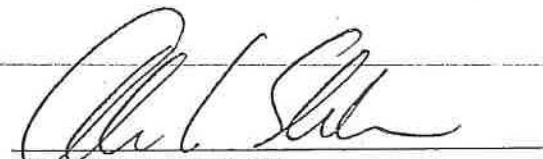

HONORABLE ROBERT G. SWISHER
PRESIDING JUDGE
Dated: 5-14-15


HONORABLE VIC VANDERSCHOOR
ASSISTANT PRESIDING JUDGE
Dated: 5/14/15


HONORABLE CARRIE L. RUNGE
Dated: 5/14/15


HONORABLE CAMERON MITCHELL
Dated: 5/14/15


HONORABLE BRUCE A. SPANNER
Dated: 5/14/15


HONORABLE ALEX EKSTROM
Dated: 5/27/2015