

## **FAMILY COURT REMINDERS:**

- Please comply with RCW 26.09.006:  
Mandatory Use Of Approved Forms.
  - (1) Effective January 1, 1992, a party shall not file any pleading with the clerk of the court an action commenced under this chapter unless on forms approved by the administrator for the courts.
  - (2) The parties shall comply with requirements for submission to the court of forms as provided in RCW 26.18.220.
- Note to Counsel and Parties Pro se: It is the duty of the attorney who believes a Commissioner may have a conflict on a case which may require a recusal to notify Commissioner Services at the earliest opportunity. It is not appropriate, given the dockets, to rely on being reassigned on the day of hearing.
- Commissioner Working Copies:
  - Working copies delivered to Commissioner Services Department (CSD) without a Note for Commissioner's calendar attached will not be delivered to Commissioners. A cover page can be substituted for a Note for Commissioner's Calendar. Working copies must include the case name, case number, hearing date and time, and which party is submitting working copies (moving/nonmoving party). Without this information, working copies will not be delivered.
  - Working copies are disposed of when a motion is continued. However, CSD will consider moving working copies that are in bulk (example: documents 2-3 inches thick). Please keep in mind PCLSPR 94.04 (c) (3) on page limitations.
  - Working copies will not be moved or returned. Please submit a new set of working copies for each new hearing date. (This includes hearings that are 'set over' or continued.)
  - Working copies for family law morning show cause hearings will not be accepted late. CSD will not inform parties of rejected working copies.

## **WANTED ATTORNEYS WILLING TO REPRESENT MINORS IN SEXUAL ASSAULT PROTECTION ORDER (PRO BONO)**

If you are willing to represent minors in sexual assault protection order matters, pro bono, please submit your interest to Andra Motyka, Superior Court Administrator, 930 Tacoma Avenue South, Room 334, Tacoma, WA 98402.

## **COURTHOUSE TOUR VOLUNTEERS WANTED**

Pierce County Superior Court is hoping to find energetic people that have some time to share with their community as a Courthouse Tour Guide. Introducing students to court and court proceedings can be a life changing experience and volunteers are critical to make this happen. This opportunity is a rewarding and enjoyable community service for the children and youth of Pierce County. Training will be provided. Retired educators and people from the legal community are encouraged to apply. For more information, please call 798-3654, press 7.

## **PRO BONO SETTLEMENT CONFERENCE PROGRAM**

The Court has had an overwhelmingly positive response to its request for pro bono settlement conference help, with approximately fifty (50) pro tems volunteering to date.

The program is offered to attorneys/pro se litigants as means of having a settlement conference conducted only after the originally assigned settlement conference judge and the Commissioner Services Department are unable to provide a settlement conference date, or the case is referred to the program from the one of the Family Court Departments.

Parties are asked to provide the coordinator with three confirmed dates they are available for a settlement conference. The volunteers will be contacted by the Pro Tem Coordinator in an effort to set up a settlement conference on one of the provided dates. Once the Settlement Conference Officer has confirmed his/her availability, the scheduling party will be sent a confirmation e-mail. It is the scheduling party's responsibility to notify and provide a copy of the confirmation to all parties.

**Please note that once a settlement conference has been scheduled with one of the Pro Bono Settlement Conference Officers, it cannot be rescheduled to a new date. If a new date is needed, parties will need to contact an alternative dispute resolution provider at their expense. A copy of the Alternative Dispute Resolution Providers list is included in the Bar News.**

Contact the Pro Tem Judge Coordinator, at 253.798.3605 to arrange a settlement conference date or to ask any questions you may have regarding the program.

## **SUMMARY OF SIGNIFICANT CHANGES TO PIERCE COUNTY SUPERIOR COURT LOCAL RULES - Effective September 1, 2009**

Attorneys and parties pro se are advised to review the entire text of the **all** rules for all changes

### **Administrative Rule Changes**

#### **PCLR 0.2 Court Organization**

Defines the criminal and civil divisions of Superior Court, including Family Court. Moves the Commissioners' duties and dockets to PCLR 0.4.

#### **PCLR 0.4 Commissioners**

- Defines the Commissioners' duties and rotations, including family court assignment. Clarifies the subject matters which commissioners hear (e.g. added vulnerable adult protection orders, defaults eligible for presentation in the Ex Parte Department wherein no notice is required, committed intimate relationships and domestic partnerships).
- Requires the matters heard on the morning show cause calendar to be docketed by e-filing a Note for Commissioners' Calendar **simultaneously** with a motion and/or Notice Hearing and any supporting pleadings, unless this is a renote of a motion or notice of hearing previously filed.

- Clarifies the procedure for submitting working copies and encourages the submission of working copies for all other dockets conducted in Civil Divisions A, B, and C.
- Requires that proposed orders be submitted with working copies.

### **PCLR 0.6 Standing Committees**

Eliminates Civil Plus Committee as a standing committee effective June 1, 2009.

### **Civil Rules**

**\*Fax and e-mail are NOT acceptable delivery of working copies for any judicial officer.**

**\*All copies required to be submitted to any judicial officer are referred to as “Working Copies.”**

### **PCLR 1 Case Schedule**

Changes the mandatory review hearing on paternity-parent determinations from 9 months to 12 months.

### **PCLR 3 Pretrial and Settlement Procedures**

Extensively revises the settlement conference procedures. Settlement conferences are only assigned to judicial officers **in family law cases**. All other case may participate in a settlement conference upon the request of either side or the court.

### **PCLR 40 Assignments of Cases to Departments**

- Provides that trial dates shall not be changed, by agreement, without first consulting the trial department judicial assistant for available dates and obtaining the judge’s signature.
- Clarifies the process for assignment of trial dates in nonparental custody matters and petitions to modify parenting plans.

### **Special Proceedings Rules**

#### **PCLSPR 94.04 Family Law Proceedings**

**Extensive changes-please read full text.**

- Changes the language in the verifications required for entry of uncontested/default dissolutions/legal separations, domestic partnerships or committed intimate relationships.
- Requires the matters heard on the morning show cause calendar to be docketed by e-filing a Note for Commissioners’ Calendar **simultaneously** with a motion and/or Notice Hearing and any supporting pleadings, unless this is a renote of a motion or notice of hearing previously filed.
- Clarifies the procedure for submitting working copies.
- Requires that proposed orders be submitted with working copies.

- Clarifies how the assignments of courtrooms are posted.
- Provides that only Family Court may approve additional guardian ad litem fees beyond the initial retainer.
- Provides that when a guardian ad litem is appointed in a family law case, the case will be transferred to Family Court, except for those cases where the guardian ad litem is appointed for the purpose of parentage or minority.
- Clarifies the procedures for nonparental custody, parenting plan modifications and relocation of children cases.
- Provides that the petitioners in nonparental custody and parenting plan modifications must obtain an Order Finding Adequate Cause on or before the date specified in the Case Schedule or the petition will be dismissed without further notice.

**PCLSPR 94.05 Mandatory Seminar-Impact on Children**

Provides that modification cases based solely upon relocations are not required to attend the mandatory impact on children seminar.

**PCLSPR 98.04 Estates-Probate-Notices**

**\*Entirely new rule—read!**

- Defines which matters should be noted for hearing in Civil Division A.
- Requires that working copies be submitted along with proposed orders for estate/probate hearings in Civil Division A.

**PCLSPR 98.16 Settlement of Claims of Minors and Incapacitated Persons**

**Extensive changes, please read the full text.**

- Clarifies the process for obtaining a settlement guardian ad litem.
- Requires submission of proposed orders with working copies
- Requires that claims involving multiple minors have separate court orders which include reference to the minor's birth date.
- Provides that specific language be inserted into any court orders involving a structured annuity settlement for a minor or incapacitated individual.
- Requires that a receipt of deposit of funds be filed with court within 45 days.
- Defines when a settlement guardian ad litem is discharged.
- Requires that motions relating to disbursements from a minor's court approved settlement be docketed and requires notice to specific interested parties.

**PCLSPR 98.20 Guardianships**

**Extensive changes, please read the full text.**

- Clarifies the process for obtaining a guardian ad litem.

- Sets the process for setting hearings in the commissioner's court, Civil Division A.
- Requires the submission of working copies and proposed orders.
- Clarifies the finding necessary for loss of voting rights and the requisite notices.

### **Administrative Policies**

#### **Policy 1 Pierce County Superior Court Administrative Policy re: Guardian ad Litem/Parenting Investigator**

Requires that non attorney guardians ad litem have a bachelor's degree in a related academic discipline and provides that a master's degree in a related academic discipline is preferred.

#### **Policy 2 Pierce County Superior Court RCW 26.09.220 and 26.12.175 Guardian ad Litem/Parenting Investigator Code of Conduct**

Requires that guardians ad litem report to DSHS and the court any child abuse as required by the recent legislative change.

### **Civil Rules Forms**

**Many forms revised to correct scrivener's errors.**

#### **Form E**

Significantly revised to include domestic partnerships/committed intimate relationships.

**Form G eliminated.**

#### **Form Q Commissioners Calendars**

Revised to reflect that Vulnerable Adult Protection Orders are heard in Civil Division A. Courtroom numbers are also corrected.