

SKAGIT COUNTY DISTRICT COURT LOCAL RULES

I. ADMINISTRATIVE RULES

SLARLJ 2 Scope of rules

Promulgation: These rules shall be known as the Local Rules for the District Court of the State of Washington for Skagit County. The provisions of these local rules are supplemental to the rules adopted by the Supreme Court of the State of Washington for courts of limited jurisdiction, and shall not be construed in conflict with them.

Authorization and amendment: These rules are authorized by GR 7, CRLJ 83, CrRLJ 1.7 and IRLJ 1.3. They may be amended at the discretion of the Skagit County District Court.

Prior rules superseded: These rules are effective September 1, 2019 and supersede all prior rules of this court.

SLARLJ 5 Location of Primary Office and Municipal Departments

The primary office of the Skagit County District Court shall be located in Mount Vernon, Washington. The municipal courts of the Cities of Anacortes, Burlington, and Mount Vernon are duly organized Municipal Departments of the Skagit County District Court sitting in its respective municipality. These rules are binding upon the Municipal Departments of the Skagit County District Court.

SLARLJ 7 Rescinded

SLARLJ 9(b) Rescinded

SLARLJ 30 Rescinded

II. CIVIL RULES

SLCRLJ 7(b)(5) Rescinded

SLCRLJ 40(b) Note for Trial Assignment

Any party may file a notice asking that the case be set for trial. Said notice shall set a hearing date for trial setting. In lieu of appearance at said hearing, the parties may submit their trial conflicts in writing in advance of the date for trial setting. By noting the matter for trial, the moving party certifies that discovery is complete and the case is ready for trial. By not objecting to trial setting, the non-moving party joins in the moving party's certification. A note for trial assignment must be served on the non-moving party at least ten days in advance of the date set for hearing.

SLCRLJ 40(g) Rescinded

SLCRLJ 40(d) Mandatory Mediation for Small Claims Court

Mediation is mandatory before a trial is allowed in Small Claims Court. Mediation is held at the first scheduled appearance date unless continued by the court for good cause. Both parties must attend the mediation. If the plaintiff fails to appear, a dismissal may be entered. If the defendant fails to appear, their answer, if one was filed, may be stricken and default judgment entered. Parties may bring their evidence to the mediation, however, no witnesses are allowed. The purpose of mediation is to settle the case if possible; if no settlement is made at mediation, the case will be set for trial. Attorneys and paralegals may not represent parties at mediation.

SLCRLJ 54 Rescinded

SLCRLJ 56(h) Summary Judgment Motions Against Pro Se Litigants

In all cases where a motion for summary judgment is brought against a litigant who is not represented by an attorney, the moving party must attach a copy of CRLJ 56 to the motion for summary judgment. Said copy shall be attached to the motion filed with the court and the copy of the motion served on the non-moving party. In the event a copy of said rule is not so attached, the motion shall be stricken subject to being re-noted without terms.

SLCRLJ 64.1 Rescinded

III. CRIMINAL RULES

SLCrRLJ 2.5 Rescinded

SLCrRLJ 3.1(e) Rescinded

SLCrRLJ 3.1(g) Rescinded

SLCrRLJ 3.3(f) Rescinded

SLCrRLJ 3.4(a) Presence of the Defendant

Defendant must be present at all stages of the proceedings from arraignment through imposition of sentence. Defendant may waive his/her right to be present unless such waiver conflicts with statute or court rule. The Court retains the right to require Defendant's presence at any given stage of the proceedings. Both Defendant and Defendant's attorney shall be present at trial confirmation. If Defendant does not appear for trial confirmation, all of the Defendant's pending trial dates shall be stricken and a warrant issued for Defendant's arrest.

SLCrRLJ 3.6 Rescinded

SLCrRLJ 4.1(d) Rescinded

SLCrRLJ 4.1(g) Crimes Requiring Defendant's Appearance at Arraignment

A lawyer may not enter a written plea of not guilty on behalf of a client, if the charging document states that one or more of the charges involves domestic violence, harassment, violation of an anti-harassment or protection order, stalking, or driving while under the influence of intoxicants, driving while under the age of 21 after having consumed alcohol, or physical control of a vehicle while under the influence of intoxicants. For such charges, the defendant must appear in person for arraignment; and the court shall determine the necessity of imposing conditions of pre-trial release. Where legislation mandates the defendant's appearance on the next judicial day following arrest, the term "next judicial day" as applied to municipal departments of the Skagit County District Court shall mean the next scheduled court day for the appropriate municipal department into which the charge was written. In District Court, arraignments that are required to be held on the "next judicial day" shall be held at 1:00 p.m. on the next court day following issuance of the citation.

SLCrRLJ 4.12 Rescinded

SLCrRLJ 6.13(b) Rescinded

SLCrRLJ 6.13(f) Rescinded

SLCrRLJ 7.2(g) Rescinded

SLCrRLJ 8.2 Rescinded

IV. INFRACTION RULES

SLIRLJ 3.2(b) Motion for Vacation of Default Judgment for FTA

A defendant against whom a judgment for a traffic infraction has been entered by default for failure to appear, may file a motion in writing, on a form provided by the court, requesting that said judgment be set aside. The motion will then be presented to the court ex parte for determination. If, upon review, the court feels that a hearing upon the motion is necessary, the matter shall be set for hearing. Defendant must be present in the event the matter is set for hearing. The motion will be evaluated in conformity with CRLJ 60(b). If the Court grants said motion, the matter will be set for a hearing of the kind requested by the defendant. Mitigation hearings may be heard at the time of the motion if the calendar allows.

SLIRLJ 3.5(a) Decisions on Written Statements

Hearings on alleged traffic infractions may be held upon written statements pursuant to IRLJ 2.4 (b) (4), 2.6 (c), and 3.5 for alleged infractions which are contested or where the Defendant requests a mitigation hearing.

SLIRLJ 6.6 Certification of Scales Used in the Measurement of Weight for Commercial Motor Vehicles

(a) In General this rule applies only to contested hearings in traffic infraction cases.

(b) [Reserved]

(c) [Reserved]

(d) **Maintaining Certificates as Public Records:** Any document of inspection, test and/or certification of any State scale as set forth in subsection (b) of this rule may be filed with the court and maintained by the court as a public record. The documents will be available for inspection by the public. Copies will be provided on request. The court may charge any allowable copying fees. The documents are available without a formal request for discovery. In the alternative, or in addition, such documents may be maintained on a web site established for that purpose by the Washington State Patrol. The court is entitled to take judicial notice of the fact that the document has been filed with the court or maintained on the web site. Evidence will not be suppressed merely because there is not a representative of the prosecuting authority present who actually offers the document.