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April 10, 2026

Rosanna Wadkins, Superior Court Administrator
205 W. Kincaid Street, Room 202
Mount Vernon, Washington 98273

Re: Support for Proposed Modifications to Local Rule 8 – Ejectment and Show Cause Proceeding

Dear Superior Court Administrator,

On behalf of Skagit Legal Aid and the Northwest Justice Project, we write in strong support of the proposed modifications to Local Rule 8 clarifying that ejectments are not summary proceedings entitled to show cause hearings and must be removed from the unlawful detainer calendar or transferred to the civil docket.

This clarification is necessary to address a recurring and increasingly concerning practice in Skagit County: the improper setting of ejectment actions for show cause hearings, despite clear statutory and procedural limitations. Skagit Legal Aid has observed a pattern and practice in which ejectment cases are:

- Filed outside the unlawful detainer statutes;
- Set for show cause hearings reserved exclusively for unlawful detainer proceedings; and
- Advanced on an expedited basis inconsistent with civil procedure requirements.

The consequences of this practice are significant. Defendants in ejectment actions are entitled to standard civil timelines and procedures, and failure to follow those procedures can result in improper default judgments. Allowing ejectment actions to proceed through the unlawful detainer show cause process undermines these protections and raises serious due process concerns.

Washington law draws a clear distinction between:

- **Unlawful detainer actions** (RCW 59.12, 59.18, 59.20), which provide a **summary procedure**, including the availability of show cause hearings; and
- **Ejectment actions** (RCW 7.28), which are **ordinary civil actions** involving broader issues such as title, possession, and damages, and which proceed under standard civil rules.

Show cause hearings are not available in ejectment actions, and attempting to use them to obtain writs of restitution in this context is a legal error. The proposed rule change correctly aligns local

practice with this well-established distinction. The proposed modifications to Local Rule 8 appropriately:

- Clarify that only actions filed under RCW 59.12, 59.18, or 59.20 may be set for show cause;
- Require that improperly set matters be removed from the unlawful detainer calendar; and
- Authorize the Court to strike or transfer such actions to the civil docket.

Skagit Legal Aid and the Northwest Justice Project strongly support adoption of the proposed modifications to Local Rule 8. These changes are necessary to ensure that ejectment actions are handled in accordance with Washington law and that unlawful detainer procedures are not misapplied.

We appreciate the Court's consideration of this issue and would welcome the opportunity to provide further input or assist with implementation.

Sincerely Yours,

Andrew Dugan
Executive Director, Skagit Legal Aid

Gail Smith
Chair, Skagit Legal Aid

Josefina Cerrillo-Ramirez
Managing Attorney, Northwest Justice Project Bellingham and Mount Vernon Field Offices
Board Member, Skagit Legal Aid

Chris Brunetti,
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