

SUPERIOR COURT OF WASHINGTON FOR KITSAP COUNTY

IN RE:

LOCAL RULES OF THE SUPERIOR COURT OF WASHINGTON FOR KITSAP COUNTY

EMERGENCY ORDER AMENDING LOCAL COURT RULES

Pursuant to Civil Rules for Superior Court, the Superior Court of the State of Washington for Kitsap County hereby adopts and/or renews the following emergency local rules, local rule amendments, and/or associated forms exhibits, to be effective December 1, 2025:

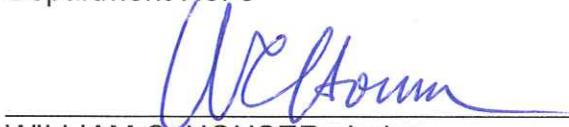
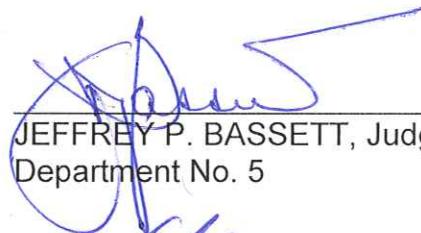
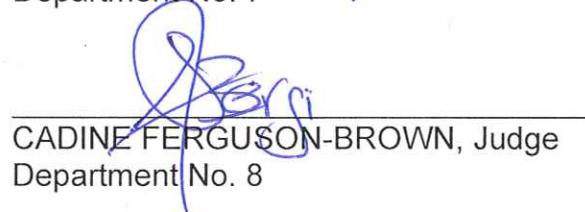
KCLCR 11(a)	Signing and Drafting of Pleadings, Motions, and Legal Memoranda; Sanctions; Accuracy of Pleadings
KCLCR 47(a)	Jurors; Examination of Jurors
LCLFLR 12	Motions for Revision

Copies of these rules are attached.

DATED and SIGNED this 24th day of November, 2025.



TINA ROBINSON, Judge
Department No. 1


MICHELLE ADAMS, Judge
Department No. 2
MELISSA A HEMSTREET, Judge
Department No. 3
WILLIAM C. HOUSER, Judge
Department No. 4
JEFFREY P. BASSETT, Judge
Department No. 5
KEVIN. D. HULL, Judge
Department No. 6
JENNIFER A. FORBES, Presiding Judge
Department No. 7
CADINE FERGUSON-BROWN, Judge
Department No. 8

KCLCR 11 SIGNING AND DRAFTING OF PLEADINGS, MOTIONS, AND LEGAL MEMORANDA: SANCTIONS

(a) Accuracy of Pleadings

1. Attorneys and unrepresented litigants are cautioned against submitting to the Court any pleading, written motion, or other paper drafted using generative artificial intelligence (e.g., ChatGPT, Harvey.AI, generative AI services) without checking the submission for accuracy as certain technologies may produce factually or legally inaccurate content and should never replace the lawyer's independent legal judgment. Any attorney or unrepresented litigant who signs a pleading, written motion, or other paper submitted to the Court will be held responsible for the contents of that filing under CR 11, regardless of whether generative artificial intelligence drafted any portion of that filing.
2. Any pleading offered by an attorney or unrepresented party that contains references to caselaw or statutes that do not exist shall be subject to sanctions – including nonmonetary directives, striking of a pleading, a penalty payable to the court, or payment to the opposing party of attorney's fees and expenses directly resulting from the violation—if, after notice and a reasonable opportunity to respond, the Court determines that CR 11 has been violated.
3. Attorneys are professionally trained to do legal research and are subject to the Rules of Professional Conduct which carry with it an explicit duty of candor to the court and other parties. As such, any violation of KCLCR 11(a)(2) by an attorney shall carry with it a presumptive sanction of \$2,000 per violation which may be increased, decreased, or waived by the court depending on the circumstances. Any such sanction shall be entered as a judgment against the attorney personally and not their client.

Amended on an emergency basis August 1, 2025, effective September 1, 2025; amended/renewed on an emergency basis, effective December 1, 2025.

KCLCR 47 JURORS

(a) Examination of Jurors.

- (1) At the commencement of trial, the clerk will assign numbers randomly, beginning with the number one, to all jurors called for trial.
 - (A) Prior to the questioning of prospective jurors by counsel, the Court will allow time for counsel to review juror profiles and questionnaires.
 - (B) These jurors will be given large badges with their assigned numbers on them. These will be large enough to be easily read by the Court, counsel, and the court reporter. The jurors will arrange themselves in order as directed by the Court.
 - (C) If alternate jurors are to be selected, the parties are encouraged to stipulate that all peremptory challenges will be exercised against the entire panel. Otherwise, each side will only be allowed the number of peremptory challenge(s) against the alternate juror or jurors as allowed by CR 47(b).
- (2) The Court will then ask general questions of the prospective jurors.
 - (A) “General questions” means those questions that are designed to discover those jurors who should be excused for cause (e.g., those prospective jurors who are related to a party or who cannot be available for the full time the trial is estimated to take).
 - (B) Counsel may request general questions to be asked by the Court as long as they meet the definition in section (2)(A) above. The purpose and proper scope of voir dire is to learn the state of mind of prospective jurors, to determine if a basis exists for a challenge for cause, and to determine the advisability of a peremptory challenge. Counsel will generally not be permitted to educate the jury as to the facts of the case, to compel jurors to commit themselves to vote a particular way, to argue the law, or to instruct the jury as to matters of law.
- (3) After prospective jurors have been excused for cause, the Court may excuse those jurors who are in excess of the number needed for the trial. The number needed for trial will be equal to 12, plus the number of alternates, plus the total number of peremptory challenges to which all parties are entitled, plus two to five additional as a cushion for possible additional challenges for cause.
- (4) Counsel will then question the remaining prospective jurors.
 - (A) Each side will be allotted time by the Court for questioning. The amount of time shall be determined by the Court prior to jury selection

commencing. Each side may reserve that amount of the allotted time as allowed by the Court for additional questions following the questioning by the other side.

- (i) Any time expended in arguing a challenge for cause will not be charged to either side.
- (B) Counsel may use their allotted time in any manner and may question prospective jurors in any order. Counsel may ask group questions or ask jurors to respond to remarks made by other members of the jury panel. (e.g., the first question may be addressed to juror #3 in the box, then a question to juror #21 on the benches, then to juror #9 in the box, then back to juror #3 in the box, then a question addressed to the entire panel, or just to jurors #3 and #9, etc.)
- (C) Challenges for cause must be made when they are discovered but should be made outside the presence of the jury panel.
- (D) Objections to questions are made in the usual manner.
- (E) If counsel is pursuing an important issue that relates to the qualifications of the prospective jurors to serve, and time has run out, counsel may request that the Court grant additional time.
- (F) The entire panel of prospective jurors is passed for cause when counsel so announces or when the time allotted has been consumed.
- (G) The procedure set forth in this rule shall not apply to cases involving charges of aggravated first degree murder as defined by RCW 10.95.020 if a notice of special sentencing proceeding has been filed.

(5) The parties then exercise their peremptory challenges.

- (A) All peremptory challenges shall be exercised in open court.
- (B) Challenges may be made to jurors who are not seated in the box.
- (C) When a peremptory challenge is exercised, the next juror on the bench with the lowest number shall replace the juror who was excused from the jury box.
- (D) Upon request of counsel, time will be allowed between voir dire and the exercise of peremptory challenges.

(6) Additional provisions.

(A) Counsel may submit, and the Court may allow, special questionnaires focused to the specific case (or type of case) to be submitted to the jurors to answer on the morning of trial before the voir dire process begins. Copies will be made and available to counsel during the questioning of the jurors. Counsel must submit proposed questionnaires to the Court and serve copies on opposing counsel at least five days prior to trial. If this is not done, the Court, in its discretion, may not allow special questionnaires. (If a standard questionnaire has been adopted by the Court for particular types of cases, counsel may refer to the standard questionnaire rather than serving copies.)

(k) **Jury - Jurors.** Jurors shall be called on a one trial/one day basis. Those persons selected to serve on a jury will be obligated for the duration of that one trial. Those not seated on a jury by the end of the selection will have fulfilled their jury obligation.

Amended June 21, 2011; effective September 1, 2011; amended on an emergency basis, effective November 3, 2025; amended on an emergency basis, effective December 1, 2025.

KCLFLR 12 MOTIONS FOR REVISION

- (a) A motion to revise a court commissioner's decision shall be filed within 10 days after the entry of a written order or judgment of the court commissioner and shall be noted on the Domestic Presiding Calendar. All orders, both oral and written, granted by the court commissioner shall remain valid and in effect pending the outcome of the motion for revision unless stayed pending the outcome of a motion for revision by the court commissioner granting the order or by the Presiding Domestic Relations Judge.
- (b) All motions for revision of a commissioner's order shall be based on the written materials and evidence originally submitted to the commissioner, including documents and pleadings in the court file. No new, additional or supplemental materials shall be received. The moving party shall provide the assigned judge a bench copy of all materials submitted to the commissioner in support of and in opposition to the motion.
- (c) Oral arguments on a motion to revise shall be limited to 10 minutes per side. Bench copies shall be submitted pursuant to the requirements of KCLCR 7.
- (d) The presiding Domestic Relations Judge or their designee may, in their sole discretion order the motion for revision to be decided on the submitted material and without oral argument.

Adopted June 21, 2011; effective September 1, 2011; amended effective September 1, 2013; amended, effective September 1, 2019; amended by emergency order December 15, 2020, effective January 1, 2021; amended by emergency order March 1, 2021, effective April 1, 2021; amended by emergency order June 25, 2021, effective July 1, 2021; amended, effective September 1, 2021; amended by emergency order September 22, 2025, effective October 1, 2025; amended/renewed on an emergency basis, effective December 1, 2025.