

THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KITSAP COUNTY

614 DIVISION STREET, MS-24
PORT ORCHARD, WASHINGTON 98366
(360) 337-7140

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, JUDGE
DEPARTMENT NO. 7
SALLY F. OLSEN, JUDGE
DEPARTMENT NO. 8

MATTHEW L. CLUCAS
COURT COMMISSIONER
FRANK A. MAIOCCO, JR.
COURT ADMINISTRATOR

MEMORANDUM

May 23, 2023

To: Mr. David Lewis, Kitsap County Clerk
Mr. Chad Enright, Kitsap County Prosecuting Attorney
Mr. Steve Lewis, Director, Kitsap County Office of Public Defense
Members of the Kitsap County Bar Association

From: Hon. Jennifer A. Forbes, Presiding Judge
Kitsap County Superior Court

Re: Proposed Amendments to the Kitsap County Superior Court Local Court
Rules

Attached, you will find a copy of proposed amendments and/or newly proposed additions to the local Superior Court rules that are under consideration by the Kitsap County Superior Court Judges:

KCLCR 10(d)(1)	Form of Pleadings and Other Papers: Format Requirements: Font Size and Line Spacing for Typed or Computer-Generated Documents
KCLCR 10(d)(2)	Form of Pleadings and Other Papers: Format Requirements: Stapling of Bench Copies and File Submissions
KCLCR 16(a)(7)	Pretrial Procedure and Formulating Issues: Efforts for Resolution and Certification of Settlement Attempt.
KCLCR 77(k)(10)(C)	Superior Courts and Judicial Officers: Motion Day - Local Rules: Hearing of Motions: Hearing of Ex Parte Matters
KCLFLR 6(a)	Mandatory Settlement Conferences: Mandatory Settlement Conferences
KCLFLR 6(b)	Mandatory Settlement Conferences: Mandatory Settlement Conferences

KCLCrR 3.4(g)	Presence of the Defendant: Use of Restraints During Hearings
KCLCrR 8.1	Calendar Management
KCLCrR 8.2	Form of Pleadings
Exhibit C	Note for Settlement Conference
Exhibit P	Certification of Settlement Attempt

Please forward any comments, concerns, or suggestions to Frank Maiocco, Superior Court Administrator, at fmaiocco@kitsap.gov **no later than Thursday, June 22, 2023**. Comments may also be provided at:

<https://www.cognitoforms.com/KitsapCounty1/KitsapCountySuperiorCourtLocalRuleChangeComments>

In keeping with KCLCR 83(a)(6), and subject to any written comments, objections, or suggestions received in the interim, these proposed rule amendments will be approved and submitted to the Administrative Office of the Courts on or before July 1, 2023, with an anticipated effective date of **September 1, 2023**.

cc: Frank Maiocco

(d) Format Requirements

- (1) Font Size and Line Spacing for Typed or Computer-Generated Documents. All typed or computer-generated documents shall be prepared using a minimum of 12-point font and shall be double-spaced. Exceptions:
 - (A) Block quotations shall be single-spaced.
 - (B) Single spacing may be used when authorized by a mandatory form.
 - (C) Footnotes shall use a minimum of 10-point font.
- (2) Stapling of Bench Copies and File Submissions.
 - (A) Bench Copies (See KCLCR 7). Each multi-page document provided as a Bench Copy shall be individually stapled unless impractical due to size. Multiple documents shall not be stapled together. Binder clips, rubber bands, or notebooks should be used when a document is too lengthy to allow for stapling. Paperclips should otherwise only be used for proposed order submissions.
 - (B) File Copies (To Clerk's Office). Originals documents submitted for filing shall not be stapled. Proposed orders shall not be filed unless directed by a judicial officer.

Adopted, effective September 1, 2023.

KCLCR 16 PRETRIAL PROCEDURE AND FORMULATING ISSUES

(a) Settlement Conferences (civil-non-domestic).

- (1) Attendance and Preparation Required. Settlement conferences are mandatory, unless the parties file proof of each party's participation in a formal mediation.
 - (a) The mediator may not have an interest in the case's outcome and may not be related to a party, and the mediator must be:
 - i. an attorney licensed to practice before the courts of this state having at least five years of experience in the primary subject matter of the action;
 - ii. an individual, who may be an attorney, with special skill or training in the subject matter of this action (e.g. administration of trusts and estates); or,
 - iii. an individual, who may be an attorney, with special skill or training as a mediator.
 - (b) No later than noon of the court day prior, all parties and counsel shall serve a complete memorandum for settlement upon the other parties and provide the original for the settlement conference judge. The original memorandum shall not be filed. The attorney personally in charge of each party's case and trial counsel shall personally attend all settlement conferences and shall come prepared to discuss in detail and in good faith the following, which shall also be addressed in the memorandum for settlement:
 - All liability issues;
 - All items of special damages or property damage;
 - The degree, nature, and duration of any claimed disability;
 - General damages;
 - Explanation of position on settlement. When money damages are at issue, the parties shall include their opening offer to settle the case; and,
 - A brief description of efforts to resolve the case.
- (2) Parties to be Available.
 - (a) *Presence in Person.* The parties shall, in all cases, be present.
 - (b) *Representative of Insurer.* A party whose defense is provided by a liability insurance company shall personally attend said settlement conference and a representative of the insurer of said party shall attend or be available by telephone with sufficient authority to bind the insurer to a settlement.
 - (c) *Court May Excuse Attendance.* Attendance of a party may be excused

KCLCR 16

upon notice to other parties no later than 24 hours prior to the settlement conference at the discretion of the settlement conference judge, preassigned judge, or Presiding Judge for good cause shown.

- (d) Failure to attend the settlement conference in accordance with these rules may result in the settlement conference judge striking the scheduled settlement conference and setting a subsequent settlement conference.
- (3) Mandatory Confirmations. All settlement conferences must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option #2), or by email at supcourtconfirm@kitsap.gov no later than 12:00 noon on the day before the conference, but not earlier than 48 hours in advance.
- (4) Changes or Continuances. Changes or continuances of settlement conferences may be authorized only by the Presiding Judge or preassigned judge on timely written motion and for good cause shown.
- (5) Proceedings Confidential. Proceedings of settlement conferences shall, in all respects, be confidential and not reported or recorded. No party shall be bound unless a settlement is reached. When a settlement has been reached, the Court may, at its discretion, and with the consent of the parties, order any agreement to be placed on the record.
- (6) Judge Disqualified for Trial. A judge presiding over a settlement conference shall be disqualified from acting as the trial judge or exercising discretion in regard to any matters left unresolved after the settlement conference.
- (7) Efforts for Resolution and Certification of Settlement Attempt. Prior to the settlement conference, the parties shall make a good faith effort to resolve the case. It is not a violation of this provision for a party to refuse to settle a case.
 - (A) Prior to the settlement conference, at least one party shall file certification that they contacted the opposing party and attempted to engage in good faith settlement discussions.
 - (i) This requirement is waived in instances where a protective order prevents unrepresented parties from contacting one another directly.
 - (ii) The parties should use the "Certification of Settlement Attempt" form available on the court website for purposes of filing certification. [See Local Court Rule Form Exhibit P].
 - (iii) The certification must be filed no later than the deadline for Mandatory Confirmations set out in KCLCR 16(a)(3).

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- (iv) Failure to timely submit certification may result in the settlement conference being stricken and rescheduled for a later date.

- (8) Failure to confirm the settlement conference and/or to provide a settlement conference memorandum as required in this rule may, at the discretion of the judge, result in the settlement conference judge striking the scheduled settlement conference and setting a subsequent settlement conference.
- (9) Failure to comply with these rules resulting in the resetting of the settlement conference may result in the imposition of terms and/or sanctions as the Court may deem appropriate.

(b) Trial Preparation (civil-non-domestic).

- (1) Exchange of Exhibit and Witness Lists. Pursuant to the case event schedule, the parties shall exchange: (A) lists of the witnesses whom each party expects to call at trial; (B) lists of the exhibits that each party expects to offer at trial, except for exhibits to be used only for impeachment; and (C) copies of all documentary exhibits except those to be used only for illustrative purposes, and except for those items agreed to by counsel and self-represented parties, such as identical copies of items already produced to avoid unnecessary duplication. Counsel and self-represented parties are encouraged to ascertain that each has full and complete copies of any document to be presented at trial to avoid unnecessary duplication expenses. In addition, non-documentary exhibits, except for those to be used only for illustrative purposes, shall be made available for inspection by all other parties prior to the start of trial. Any witness or exhibit not listed shall not be used at trial, unless the court orders otherwise for good cause and subject to such conditions as justice requires. Copies of the actual exhibits should not be filed and should be presented at the time of the trial before the Court.
- (2) Joint Statement of Evidence. Pursuant to the case event schedule, the parties shall file a Joint Statement of Evidence consisting of (A) a list of the witnesses whom each party expects to call at trial and (B) a list of the exhibits that each party expects to offer at trial. The Joint Statement of Evidence shall include a notation for each exhibit as to whether all parties agree as to the exhibit's authenticity and admissibility.

Amended September 1, 2011; September 1, 2012; amended, effective September 1, 2014; amended, effective September 1, 2021; amended, effective September 1, 2023.

Official Comment:

For rules governing settlement conferences in domestic relations matters see KCLFLR 6 and 9.

X. SUPERIOR COURTS AND CLERKS**KCLCR 77 SUPERIOR COURTS AND JUDICIAL OFFICERS**

- (d) **Superior Court Always Open.** [Rescinded].
- (f) **Sessions.** There shall be one continuous session of Court from January 1 through December 31 of each year.
- (k) **Motion Day - Local Rules.**
- (1) Departmental Matters. Departmental matters will be heard on Fridays at 1:30 p.m.
 - (2) Civil Matters. Probate, guardianship and civil motions (except Civil Rule 56 motions) in cases which are not preassigned to a specific judge will be heard on Friday at 9:00 a.m. Civil matters in cases which have been preassigned shall be heard on that judge's departmental calendar on Fridays at 1:30 p.m.
 - (A) In cases related to debt collections and foreclosure actions, Civil Rule 56 motions will be heard on Friday at 9:00 a.m.
 - (B) Motions pursuant to Civil Rule 56 in cases not solely related to debt collections or foreclosure actions should be noted for Friday at 1:30 p.m. on the "Summary Judgment" calendar. No specific judge should be named in the Note for Motion Docket.
 - (C) In cases other than those related to debt collections, upon filing of a Civil Rule 56 motion, the Superior Court will issue an order of preassignment to a specific judge. The Civil Rule 56 motions will be heard on the assigned judge's Friday departmental calendar at 1:30 p.m. If the matter is noted for the Trial Setting Docket, a case event schedule will issue.
 - (D) For purposes of KCLCR 77(k)(2), "debt collections" refer to cases where:
 - (i) The Complaint requests relief only in the form of a sum certain monetary judgment, with attorney fees, costs, and interest, where applicable; and,
 - (ii) The relief requested in the Complaint is alleged to have been incurred pursuant to a contract between the parties; and,
 - (iii) The Defendant(s) has not raised any Counterclaims.
 - (iv) Examples of debt collections cases under this rule include, but are not limited to: actions seeking monetary judgments based on debt alleged to have been incurred pursuant to a credit card, line of credit, or Promissory Note.

- (E) The purposes of KCLCR 77(k)(2) are to keep lengthy, substantive summary judgment motions off of the civil motions calendar; to ensure such motions receive sufficient review and oral argument before a decision is made; and, to ensure that once a judge has become sufficiently familiar with a case to decide a summary judgment motion, the case will stay with that judge until its final resolution to conserve judicial resources. Counsel should consider these purposes in determining where to note motions for summary judgment.

- (3) Criminal Matters. The Criminal Motion Schedule shall be as follows:

DAILY	9:00	Criminal In Custody Calendars
	10:30	Criminal Out of Custody Calendars
	3:00	Criminal Arraignment Calendars
FRIDAY	9:00	Criminal In Custody Calendars
	11:00	Criminal After Sentencing/Restitution Calendar
	3:00	Criminal Arraignment Calendars

- (4) Ex Parte Matters. Noncriminal ex parte matters shall be heard Monday through Friday at 8:30 a.m.; and, Monday, Thursday and Friday at 3:30 p.m. [See KCLCR 77(k)(10)(C)]

- (5) Domestic Relations Matters.

- (A) Settlement Conferences. Settlement conferences are heard Mondays through Wednesdays at 1:30 p.m. and Thursdays at 9:00 a.m., or such other times as set by the Court. [See KCLCR 16(a)(1).]
- (B) Continuances. Matters for continuances in domestic relations cases shall be made in writing to be heard by the Domestic Relations Presiding Judge.
- (B) Pro Se Dissolutions. All pro se dissolutions will be heard at 1:30 p.m. on Tuesday.
- (D) Domestic Violence. Domestic violence matters will be heard at 9:00 a.m. on Thursday.
- (E) Temporary Relief. Show cause hearings and motions for temporary relief will be heard on Friday at 9:00 a.m. [See KCFLR 2.]

- (F) Child Support Modification. All child support modifications, including applications for post-secondary support, shall be heard by affidavit on Tuesday at 3:00 p.m. as set by the Court Scheduler. Each side shall be limited to 10 minutes. Arguments requiring greater than 10 minutes per side shall be specially set by the Court Scheduler upon application of a party. [See KCLCR 77(k)(10).]
- (G) Adoptions. Any adoptions requiring notice, including pro se adoptions, will be heard on Tuesday at 11:00 a.m. All other adoptions may be heard on any Ex Parte Calendar except Friday. [See KCLSPR 93.04.]
- (H) Parentage and State Child Support Calendar. The Parentage Calendar, including State of Washington-initiated actions to establish or modify child support, or to establish parentages, shall be heard on Tuesday at 9:00 a.m. All other motions to modify child support shall be heard in accordance with KCLFLR 77(k)(5)(F).
 - (i) All matters noted on the Parentage calendar must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option 2), or by email at supcourtconfirm@kitsap.gov no later than 12:00 noon one business day before hearings, but no earlier than two business days before hearings.
 - (ii) Motions which are administratively continued must be confirmed by the moving party in order to be heard.
 - (iii) Matters not confirmed may be heard only at the discretion of the Court. [See KCLCR 16(a)(3) (confirmation of settlement conferences).]
- (I) State Civil Contempt Calendar. State of Washington-initiated child support, civil contempt cases shall be heard on Thursday at 1:30 p.m.
- (6) Guardianship Delinquency Matters. Guardianship delinquency matters shall be heard at 10:00 a.m. the first Friday of each month.
- (7) Trial Settings. Trial setting dockets shall be Friday at 9:00 a.m. [See KCLCR 40(b)(1)(A).]
- (8) Minor Settlements. Petitions for settlement of the claims of minors shall be heard on Friday at 9:00 a.m. on the Probate Motions Calendar, except cases which are preassigned shall be heard on that judge's departmental calendar on Friday at 1:30 p.m. [See KCLSPR 98.16.]
- (9) Special Settings. Any hearing requiring special setting shall be arranged through the Court Scheduler. A hearing may be specially set for the following reasons, by way of example only: length of argument; nature of the hearing; or need for a visiting judge. Special set hearings must be confirmed as required by KCLCR 77(k)(10)(A).

(10) Hearing of Motions.(A) Mandatory Confirmations.

- (i) All motions pursuant to CR 12(b)(6) and CR 56 must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option 2), or by email at supcourtconfirm@kitsap.gov no later than 12:00 noon two days before hearings, but no earlier than three business days in advance. Motions which are administratively continued must be confirmed by the moving party in order to be heard.
- (ii) The Court does not require confirmation of unlawful detainer actions filed under RCW Title 59.
- (iii) All domestic relations and parentage matters, including Orders to Show Cause and Presentation of Orders, must be confirmed pursuant to (v) below.
- (iv) All other civil, domestic relations, probate, adoptions and departmental motions which are not covered by, or exempt from confirmation under sections (i), (ii), or (iii) must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option 2), or by email at supcourtconfirm@kitsap.gov no later than 12:00 noon one business day before hearings, but no earlier than two business days in advance.
- (v) Matters not confirmed may be heard only at the discretion of the Court. [See KCLCR 16(a)(3) (confirmation of settlement conferences).]

(B) Hearing of Calendars.

- (i) *Calling of Calendar.* The causes on the Civil Calendar and Domestic Relations Calendar for each motion day will be called in order, oldest causes first.
- (ii) *Noting of Tuesday morning Parentage and Friday Morning Domestic Relations Calendar Matters.* Notes for Tuesday morning Parentage calendars and Friday morning Domestic Relations motion calendars, including any special set matters under KCLCR 77(k)(9), shall be filed in the office of the Clerk of Court by 4:30 p.m. at least fourteen (14) calendar days before the hearing, simultaneous with a Motion and Notice of Hearing and any supporting pleadings, unless it is a re-note of a motion or a notice for hearing previously filed, in which event only the Note for hearing shall be filed. Notes should be substantially in the form found in Exhibit E.

- (iii) *Noting of All Other Calendar Matters.* Notes for all other motion calendars shall be filed in the office of the Clerk of Court by 4:30 p.m. at least five (5) calendar days before the hearing, simultaneous with a Motion and Notice of Hearing and any supporting pleadings, unless it is a re-note of a motion or a notice for hearing previously filed, in which event only the Note for hearing shall be filed. Notes should be substantially in the form found in Exhibit E.
- (iv) *Failure of Party to Appear.* If no one appears in opposition to a duly noted motion, the Court may grant the relief requested upon proper proof of notice. If no one appears for a motion, it will be stricken.
- (v) *Continuances of Motions.* Counsel, by agreement, may continue any noncriminal motion by filing a notice of continuance, signed by at least one attorney. Forms are available in the courtroom. *See* Exhibit F. Criminal motions shall be continued only with the consent of the Criminal Motions Judge. Continuances shall not be granted by telephone. Summary judgment motions which have been confirmed shall not be continued without the Civil Calendar or preassigned judge's approval.

A party who has noted a matter for hearing may unilaterally strike or re-note the hearing for a new date, except that once confirmed the hearing may be stricken or re-noted only with prior notice to the other parties.

- (vi) *Time Allowed for Argument.* Each side shall be limited to 10 minutes. Argument requiring more than 20 minutes total time may be placed by the judge or court commissioner at the end of the calendar.

If the Court desires to hear further arguments after expiration of 20 minutes, the matter may be placed in order at the end of the calendar for further argument or continued to a specified date.

(C) Hearing of Ex Parte Matters.

- (i) *Scope.* This rule applies to all temporary restraining orders, orders to show cause, and all other ex parte matters. It includes all criminal matters except dismissal at end of probation.
- (ii) *Notice to Opposing Counsel or Party.* Unless notice is specifically excluded by statute [or local rule](#), or on an articulated emergency, no ex parte order shall be presented without notice to opposing

counsel or opposing party if appearing without counsel. If counsel for any party, or a party, has appeared either formally or informally, notice is required. If necessary, notice may be by telephone. This rule applies regardless of whether service is required on the attorney or a party pursuant to CR 5(b)(4).

(iii) Notwithstanding (ii), above, without notice or oral argument, a party may move for an order to show cause un unlawful detainer cases.

(iv) *Reapplication for Order. Reserved.* [See KCLCR 7(b)(1)(C) (reapplication for order).]

(v) [Rescinded].

Amended September 1, 1996; September 1, 1997; September 1, 1998; July 1, 1999; September 1, 2002; September 1, 2005; amended on an emergency basis effective April 1, 2006; amended on a permanent basis effective September 1, 2006; amended effective September 1, 2007; amended on an emergency basis effective January 18, 2008; amended on a permanent basis effective September 1, 2008; amended effective September 1, 2009; September 1, 2011; September 1, 2012; amended on an emergency basis effective October 1, 2012; September 1, 2013; amended on an emergency basis, effective November 1, 2013, January 22, 2014; April 21, 2014; amended, effective September 1, 2014; amended, effective September 1, 2016; amended, effective September 1, 2017; amended, effective September 1, 2018; amended, effective September 1, 2020; 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, effective September 1, 2022; amended, effective September 1, 2023.

KCLFLR 6 MANDATORY SETTLEMENT CONFERENCES

- (a) **Mandatory Settlement Conferences.** In each dissolution, declaration of invalidity, or legal separation, counsel and the parties shall participate in a settlement conference presided over by a judge, court commissioner, or court approved pro tem judicial officer. This requirement may be waived if the parties file proof of each party's participation in a formal mediation.
- (1) The mediator may not have an interest in the case's outcome and may not be related to a party, and the mediator must be:
- (A) an attorney licensed to practice before the courts of this state having at least five years of experience in the primary subject matter of the action;
- (B) an individual, who may be an attorney, with special skill or training in the subject matter of this action (e.g. administration of trusts and estates); or,
- (C) an individual, who may be an attorney, with special skill or training as a mediator.
- (2) Engagement with the dispute resolution center does not waive the requirement for participation in a settlement conference with a judicial officer.
- (b) Prior to setting a settlement conference, at least one party shall file certification that they contacted the opposing party and attempted to engage in good faith settlement discussions.
- (1) This requirement is waived in instances where a protective order prevents unrepresented parties from contacting one another directly.
- (2) The parties may include this certification as part of the "Note for Settlement Conference or Support Modification Hearing and Trial Setting" [See Local Court Rule Form Exhibit C].
- (3) Failure to file a certification of a settlement attempt may result in the settlement conference request being denied.
- (c) **Attendance and Preparation Required.** No later than noon the day prior to a settlement conference that has been scheduled pursuant to section (a), each party shall have submitted to the other party and the Court a completed settlement conference memorandum and a completed "Domestic Relations Form" in the form of Exhibit G. The attorneys shall come prepared to discuss in detail and in good faith all unresolved issues in the case and, in addition, all pretrial matters if the case is not settled.
- (1) Failure to Serve Settlement Conference Memorandum and "Domestic Relations Form"/Exhibit G. Failure to serve a completed settlement conference

memorandum and a “Domestic Relations Form” in the form of Exhibit G and/or an equivalent upon the other parties and provide the original for the settlement conference judge, as required, may, at the discretion of the judge, result in the settlement conference judge striking the scheduled settlement conference and setting a subsequent settlement conference on the Court’s next available date.

- (d) **Mandatory Confirmations.** All settlement conferences must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option 2), or by email at supcourtconfirm@kitsap.gov no later than 12:00 noon one day before hearings, but no earlier than 48 hours in advance. Failure to confirm may result in the imposition of terms and/or sanctions as the Court may deem appropriate.
- (e) **Judge Disqualified at Trial.** A judge presiding over a settlement conference shall be disqualified from acting as the trial judge or exercising discretion on any matters left unresolved after the settlement conference.

Adopted, effective September 1, 2011; amended September 1, 2012; September 1, 2013; amended, effective September 1, 2021; [amended, effective September 1, 2023.](#)

KCLCrR 3.4 PRESENCE OF THE DEFENDANT

(g) Use of Restraints During Hearings. Except under extraordinary circumstances, all in-custody defendants shall appear before the court unshackled when their case is called. In the event that there is a request to have a defendant appear in shackles before the court, a record shall be made as to the circumstances, including but not limited to: the seriousness of the present charge against the defendant; defendant's temperament and character; the defendant's age and physical attributes; the defendant's past record; past escapes or attempted escapes, and evidence of a present plan to escape; threats to harm others or cause a disturbance; self-destructive tendencies; the risk of mob violence or of attempted revenge by others; the possibility of rescue by other offenders still at large; the size and mood of the audience; the nature and physical security of the courtroom; and the adequacy and availability of alternative remedies.

An individualized inquiry into the use of restraints shall be made prior to every court appearance.

Adopted, effective September 1, 2023.

8. MISCELLANEOUS

KCLCrR 8.1 CALENDAR MANAGEMENT

Absent judicial approval, no matters shall be added onto any criminal calendars once the caseload cap has been reached. Caseload caps for the criminal calendars shall be established by written policy approved by the Superior Court Bench in consultation with the Clerk's office. This rule does not apply to matters set in court by a judicial officer or to trial settings.

Adopted, effective September 1, 2023.

KCLCrR 8.2 FORM OF PLEADINGS

All briefs or memoranda filed in criminal matters shall comply with the formatting requirements under KCLCR 10.

Adopted, effective September 1, 2023.



Superior Court of Washington
County of Kitsap

Petitioner,
vs.

Respondent.

No. _____

**NOTE FOR SETTLEMENT CONFERENCE
OR SUPPORT MODIFICATION HEARING
AND TRIAL SETTING**

DOMESTIC RELATIONS – TRACK III
(NTC)

TO COURT SCHEDULER AND OPPOSING COUNSEL:

Please take notice this case will be placed on the setting docket for assignment on the _____ day of _____, 20____ at 9:00 a.m.

☐ **1 SETTLEMENT CONFERENCE:**

A. Nature of Issues

- | | | |
|--|---|--------------------------------------|
| <input type="checkbox"/> Property Division | <input type="checkbox"/> Debt Division | <input type="checkbox"/> Maintenance |
| <input type="checkbox"/> Custody | <input type="checkbox"/> Parenting Plan | <input type="checkbox"/> Visitation |
| <input type="checkbox"/> Other: _____ | | |

B. Preferred Settlement Conference dates within 45 days from this note:

C. Dates unavailable for settlement conference:

D. Settlement conferences are mandatory in all domestic relations cases except support modifications.

E. All parties must attend and be prepared to seriously negotiate settlement.

☐ **2. SUPPORT MODIFICATIONS:**

A. Preferred Support Modification hearing dates within 60 days from this note:

B. Dates unavailable for Support Modification hearing:

☐ **3. CHECK APPROPRIATE SQUARE:**

☐ I have contacted by telephone or mail opposing counsel/party/guardian ad litem who agrees the settlement conference/support modification may be set anytime after _____ (date).

☐ I have contacted the opposing counsel/party/guardian ad litem by telephone or mail and have received no response. The Court is requested to set the hearing/settlement conference date.

NOTE FOR SETTLEMENT CONFERENCE
OR SUPPORT MODIFICATION HEARING OR
TRIAL SETTING . . 1

Exhibit C

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Exhibit C

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- ☐ I have contacted the opposing counsel/party/guardian ad litem by telephone or mail and am unable to obtain agreement on hearing dates. The Court will set the hearing/settlement conference date.

4. Attestation Regarding Settlement Efforts (Required before a Settlement Conference is set per KCLFLR 6(b)):

- ☐ Unless prohibited by the terms of a protective order, I have made a good faith effort to engage in settlement negotiations. Settlement discussions have been unsuccessful, requiring the need to proceed with the mandatory settlement conference.

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I hereby represent to the Court that this case is at issue. If the case is not settled at the pre-trial conference, the Court is requested to assign a trial date.

DATED: _____

Signed: _____

Lawyer for: _____

Address: _____

Telephone: _____

Names, addresses and telephone numbers of other attorneys or pro se parties and guardian ad litem in this case:

Name: _____

Name: _____

Lawyer for: _____

Lawyer for: _____

Address: _____

Address: _____

Telephone Number: _____

Telephone Number: _____

Name: _____

Name: _____

Lawyer for: _____

Lawyer for: _____

Address: _____

Address: _____

Telephone Number: _____

Telephone Number: _____

Name: _____

Name: _____

Lawyer for: _____

Lawyer for: _____

Address: _____

Address: _____

Telephone Number: _____

Telephone Number: _____

NOTE FOR SETTLEMENT CONFERENCE
OR SUPPORT MODIFICATION HEARING OR
TRIAL SETTING . . . 2



Superior Court of Washington
County of Kitsap

**SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KITSAP COUNTY**

,
Petitioner(s)/Plaintiff(s)
v.
,
Respondent(s)/Defendant(s)

No.

**CERTIFICATION OF
SETTLEMENT ATTEMPT**

COMES NOW the ☐ Petitioner/Plaintiff ☐ Respondent/Defendant who hereby certifies that s/he affirmatively contacted the opposing party/attorney on _____ at _____

am / pm to attempt good faith settlement discussions per KCLCR 16(a)(7) or KCLFLR 6(b).

Settlement discussions have been unsuccessful, requiring the need to proceed with the mandatory settlement conference scheduled on _____.

Dated: _____, 20____

☐ Petitioner/Plaintiff/Attorney of Record
☐ Respondent/Defendant/Attorney of Record