

Superior Court

Notice to the Bar & Public

June 16, 2010

ATTENTION Law Office Personnel: Please ensure that ALL staff, attorneys and non-attorneys are aware of the contents of this notice.

• **CIVIL TRIAL SETTING**

• **COURTHOUSE PRINTING**

• **PRO TEM JUDGES**

CIVIL TRIAL SETTING: In response to questions and suggestions from the Bar, the Court is returning to its former civil trial setting procedures, effective Friday, July 16, 2010. These procedures supersede local court rules.

- The 1:00 PM Friday Civil Trial Setting Calendar is reinstated, in attorney conference room outside Department 3 Courtroom, 3rd floor.
- The requirement to file Notices of Conflicts is abandoned. Counsel are encouraged, but not required, to exchange conflict dates in order to facilitate agreed orders setting trial dates.
- The Civil Trial Setting Calendar will be staffed by a Judicial Assistant.
- Attorneys and parties are required to present agreed Orders Setting Trial Date and Settlement Conference Dates (*Using the Court's Order, including attached Settlement Conference Instructions*) for domestic relations cases. (*Order on reverse and at www.whatcomcounty.us/superior*)
- Attorneys and parties are required to comply with the Discovery Schedule requirements set forth in WCCR 40.1(a) (8), Juror Questionnaires, WCCR 47.1 and Jury Instructions, WCCR 51.
- Attorneys and parties who are unable to agree to trial/settlement conference dates at the trial setting shall appear before the assigned Judge upon the 1:30 PM calendar that same day and the court shall order the date for trial/settlement conference.
- Weekly the Court will post its Civil & Criminal Trial Calendars on its web site at www.whatcomcounty.us/superior, for the following twelve months. From the home page, click the link to **Calendars**. The posted calendar will be the primary source of information regarding available trial or settlement conference dates. Due to last-minute resolution of criminal cases set for Mondays, the likelihood of a civil trial starting on Tuesday will not be discernible until mid-Monday morning, at the earliest. Scheduling of complex cases requiring significant time for trial more than nine months out may require consultation with the Assigned Judge's Judicial Assistant for a trial date prior to attendance at the Civil Trial Setting Calendar.
- If a trial is bumped by a trial of higher priority, the parties are required to start this process over for a new trial date. That a civil case has been "bumped" one or more times, when called to the attention of the Court, may be a criterion for future setting priorities.

COURTHOUSE PRINTING: *Please be reminded that all the courtrooms in the courthouse are WiFi-accessible, without any password required.*

- In response to suggestions from the Bar, the Superior Court is pleased to enable counsel and parties who wish to edit draft documents in court to be able to print them without leaving the courthouse. Using a thumb drive, one may print the needed documents in the Clerk's office (Suite 301), for the copy fee of 15¢ per page. Users will be directed to a Microsoft Word-enabled public terminal.

It is hoped that the ability to edit/print/sign orders while in the courthouse will enable the orders to be signed and entered without the necessity to note them for later entry or incur ex parte fee expenses.

PRO TEM JUDGES: In response to questions and suggestions from the Bar, the Court reiterates its longstanding policy of accommodating requests for the conduct of civil trials using pro tem judges. The Bar will be compiling and publishing lists of attorneys who have expressed a willingness to serve as pro tem judges. Parties must stipulate to the appointment of any pro tem judge. The Bar lists will probably identify for each attorney specific areas of expertise and whether the attorney may or may not offer her/his services pro bono. Issues which must be addressed for any request for the use of a pro tem judge include, 1) the availability of a courtroom, 2) the availability of a clerk, 3) the cost of a court reporter and 3) the cost of a pro tem judge. Please contact the Court Administrator with pro tem requests.

Available on Court Website: www.whatcomcounty.us/superior
(Under the LOCAL FORMS link)

The form has separate pages of instructions for the conduct of family law Settlement Conferences and detailed instructions for the conduct of jury trials.

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

<p>_____ Plaintiff/Petitioner, vs. _____ Defendant/Respondent.</p>	<p>NO. _____ Assigned Judge: _____ ORDER SETTING TRIAL DATE (Civil) (ORSTD)</p>
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COUNSEL HAVING AFFIRMED THAT: All discovery has been completed or will be completed 30 days prior to the date set for trial, below, that the case is not subject to mandatory arbitration or that the case is noted for a scheduling conference before the assigned judge.

IT IS THEREFORE HEREBY ORDERED THAT:

A Settlement Conference is set for (date) _____ (time) _____ Comm. _____
(Instructions for the Family Law Settlement Conference are attached.)

Trial of the above action is hereby set for:

Date: _____

Department Number: _____

Time: 8:30 am Stacked Calendar 9:30 am 1:30 pm

Length of Trial: _____ days (Counsel must notify the Judicial Assistant if the expected length of trial changes)

A jury demand having been filed and fee paid: Jury Trial: (6 or 12) or Bench Trial

Proposed Juror Questionnaires: Proposed juror questionnaires shall be submitted and processed according to WCCR 47.1.

Motions in limine, other pre-trial matters: Pre-trial motions/matters shall be submitted and processed according to WCCR 40.2.

Jury Instructions: Proposed jury instructions shall be submitted and processed according to WCCR 51

DATE: _____

Judge/Commissioner

Copy to:

Attorney(s) for Plaintiff(s)
Attorney(s) for Defendant(s)
Pro Se Parties