

SUMMARY OF CHANGES TO YAKIMA COUNTY SUPERIOR COURT LOCAL RULES Effective September 1, 2020

The Yakima County Superior Court has updated its local court rules. Our purposes for doing so include: (1) Correcting references; (2) Removing unnecessary, wasteful, and duplicative rules; (3) Use a consistent format; and (4) Bringing the rules in line with the current practice of the Court. To that end, the Court has changed many rules, sometimes slightly and sometimes more significantly. Where those changes might impact the practices of the attorneys and parties to cases heard by the Court, a summary appears below.

Attorneys and parties should be aware of several general changes:

- The subsections of some rules have been updated to be consistent with the format of the state rules.
- Where the statewide rule now contains the substance of our local rule, the local rule is repealed or that subsection is deleted.
- Forms are now referenced by their titles, not exemplar numbers.

LGR – General

LGR 15, concerning the sealing of documents, is repealed. This court previously suspended LGR 15 on January 23, 2015. The statewide GR 15 was amended on April 28, 2015, and no further local rule is needed.

LGR 16 is added to our local rules. It contains the Court's policy on electronic hearings.

LCR – Civil

LCR 33, Interrogatories to Parties, is repealed as the statewide statute covers the subject.

LCR 38, Jury Trial of Right, is a new local rule. If a case is subject to arbitration, no party has to pay a jury demand fee until after arbitration is completed and a trial de novo is requested.

LCR 40 was updated to make it consistent with the other rules. The only substantive change is to repeal Section (g), Affidavit of Prejudice, which is now covered by CR 40(f) and RCW 4.12.050.

LCR 71 is repealed. The Court Administrator no longer needs to receive a copy of any notices of withdrawal, substitution, or appearance by a subsequent attorney.

The Court will be considering more substantive changes for 2021.

LCAR – Civil Arbitration

The statewide arbitration rules, formerly known as the Superior Court Mandatory Arbitration Rules (MAR), were amended effective December 3, 2019, and are now known as the Superior Court Civil Arbitration Rules (SSCAR). Our local rules are now called Yakima County Superior Court Local Civil Arbitration Rules (LCAR) (formerly LMAR).

LCAR 1.2 is amended to increase the arbitration limit to \$100,000, as allowed by RCW 7.06.020. This change was intended in 2018 when LCAR 2.1 was amended.

LCAR 2.1 no longer has the requirement of a Note for Trial before the case goes to arbitration (similar to the changes made in the civil rules).

LCAR 6.2 now allows any judicial officer, not just the Presiding Judge, to grant an extension of time for the filing of an award.

LMAR 6.3, Judgment on Award, is repealed as amendments to SSCAR 6.3 makes our rule unnecessary.

The Court will be considering more substantive changes for 2021.

LFLR – Family Law

LSPR 94.04G, Alternate Residential Time Guidelines for Yakima County, is repealed.

LSPR 94.04H, Local Rule Requiring Parenting Class, is repealed.

LSPR 94.04W, Family Law Proceedings, is repealed, after being split into eight new rules, each corresponding to a section of the old rule. The new rules are renamed Local Family Law Rules, or LFLRs.

LSPR 98.01, Local Guardianship Rule for Yakima County, is repealed.

LCrR – Criminal

Several rules are repealed because the state rules have been amended, and our rules are no longer necessary:

- LCrR 1.1
- LCrR 1.2
- LCrR 1.3
- LCrR 3.3
- LCrR 4.7
- LCrR 6.1(e)
- LCrR 7.4
- LCrR 8.9

Two other rules, LCrR 4.1.1 and 4.1.2, are now repealed, with all useful sections combined into a new rule, LCrR 4.5 Omnibus Hearing and Subsequent Hearings. That rule also now provides that the defendant's presence is mandatory only at preliminary appearance, arraignment, triage, and special set motion hearings, as well as trial, unless otherwise required by the court.

New LCrR 8.2 replaces the now repealed LCrR 7.4. Note that hearings will not be set until all required documents are filed with a copy to the Court Administrator.

LJuCR – Juvenile Court

LJuCR 7.3 is repealed because it is no longer necessary.

LRALJ – Appeals from Lower Courts

LRALJ 1.2 is repealed because it is no longer necessary. The final sentence of LRALJ 9.2 is repealed, as it conflicts with the requirements of the statewide rule.

LAR – Administrative

The administrative rules have been renumbered, as the subjects of our local rules do not correspond with the statewide administrative rules (AR). The old and new numbers are:

- The old LAR 1 is now LAR 11
- The old LAR 2 is now LAR 12
- The old LAR 3 is now LAR 13
- The old LAR 6 is now LAR 14
- The old LAR 7 is now LAR 15
- The old LAR 8 is now LAR 16
- The old LAR 9 is now LAR 17
- The old LAR 10 is now LAR 18

Forms

Forms names no longer contain an exemplar number, but are referenced by their titles.