

**Superior Court of the State of Washington**  
**For Chelan County**

Robert E. Jourdan, Judge  
Department 1  
Travis C. Brandt, Judge  
Department 2



Kristin M. Ferrera, Judge  
Department 3  
Tracy S. Brandt  
Court Commissioner

401 Washington Street  
P.O. Box 880  
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Phone: (509) 667-6210 Fax (509) 667-6588

**May 20, 2022**

Attached you will find the proposed amendments and/or newly proposed additions to the local court rules that are under consideration by the Chelan County Superior Court Judges.

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LAR 1	Courtroom Safety
LAR 2	Presiding Judge
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LR 40	Assignment of Cases
LR 52	Decisions, Findings and Conclusions
LR 77	Superior Courts and Judicial Officers
LSPR 94.04	Family Law Proceedings
NEW SECTION	Guardianships – Generally
NEW SECTION	Guardianship/Conservator Plan
LGALR 98.10	Chelan County Superior Court Guardian Ad Litem and Court Visitor Rotational Registries (Titles 11 and 26)

Please forward any comments, concerns, or suggestions to Fona Sugg, Superior Court Administrator, at [fona.sugg@co.chelan.wa.us](mailto:fona.sugg@co.chelan.wa.us) **no later than Tuesday, June 21, 2022.**

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 and filed with the Chelan County Clerk on or before July 1, 2022, with an anticipated effective date of **September 1, 2022.**

## PREFACE

1. Promulgation. These rules shall be known as the Local Rules for the Superior Court of the State of Washington for Chelan County. Copies of these rules will be filed with the Clerk of Court for Chelan County and will be distributed to all law offices in Chelan and Douglas Counties. Additional copies will be available at the office for the Clerk for Chelan County. These rules shall be effective September 1, ~~2011~~ 2022 and supersede all prior rules of this court.
2. Numbering. Consistent with CR 83(a), Washington Court Rules, these rules conform in numbering system and in format to those rules and facilitate the use of both. The number of each rule is preceded by the abbreviation such as “LR,” designating the rule as local to this court and supplemental to the corresponding Washington Court Rule.
- ~~2.3.~~ Scope of Rules. All proceedings in Chelan County Superior Court shall be conducted in accordance with applicable statutes and Washington State Court Rules, except as modified by these Local Court Rules. Compliance with Chelan County Local Court Rules shall be mandatory, unless waived by the Court for good cause.

LOCAL ADMINISTRATIVE RULES  
(Cite as CCLAR)

LAR -01      COURTROOM SAFETY

No person (except for duly and regularly commissioned law enforcement officers of the State of Washington and other states of the United States of America not appearing on their own family law matter) shall be on the Fifth Floor of the Chelan County Regional Law and Justice Center, Juvenile Justice Center or any other venue when being used for court purposes while armed with ANY firearm or taser or explosive device or any knife having a blade length of more than three inches or any billyclub, blackjack, truncheon or bat, nor shall any such person be in any of the fore-mentioned areas while possessing any gas gun or other device used for the spraying of tear gas, mace or other noxious chemical substance, nor any incendiary device.

Any person found having any of the articles or devices heretofore mentioned which are banned from the fifth floor of the Chelan County Regional Law and Justice Center, Juvenile Justice Center and or any other venue when being used for court purposes is subject to having such articles or devices seized by law enforcement officers, bailiffs on court order, or as otherwise directed by the Court.

Any person violating this rule shall be subject to punishment for contempt of court and prosecuted under RCW 9.41.300.

[Amended September 1, 2022]

## LAR-0 2. PRESIDING JUDGE

- (a) **Election.** The judges of the superior court shall elect a presiding judge and assistant presiding judge as required by GR 29. The first election shall occur on or before July 1, 2002. Each succeeding election shall occur on or before January 1 of even-numbered years, beginning with 2004. The election shall be conducted at a meeting of all judges of the district by open vote.
- (b) **Term.** The term of the presiding judge and assistant presiding judge shall be for two years commencing on January 1 of the year in which the term begins. The term of the initial presiding judge pursuant to this rule shall be from date of election until December 31, 2003.
- (c) **Vacancies.** Interim vacancies of the office of presiding judge or assistant presiding judge shall be filled as provided in LGR 29(a).
- (d) **Executive Committee.** The two judges not serving as presiding judge and the court administrator shall constitute an executive committee to advise the presiding judge. The responsibilities of the presiding judge, as set forth in GR 29, may be shared with members of the executive committee.

[Amended September 1, 2015; September 1, 2022]

## LAR 3. RECORDS SUBMITTED FOR IN CAMERA REVIEW

Upon completion of in camera review of documents in a case, the documents shall be sealed by the clerk and maintained as an exhibit. The order sealing shall indicate the documents were presented to the court for in camera review.

[Adopted September 1, 2022]

## LAR 4. REVISION OF COURT COMMISSIONER'S ORDER OR JUDGMENT

(a) Revision by Motion and Notice. A revision motion shall be filed on a form approved by the Court, with the Clerk of the Court within 10 days after entry of the order or judgment as provided in RCW 2.24.050. The motion must specify each portion of the Order for which revision is sought. The motion shall designate a hearing date approved by the court no later than 30 days after the filing of the motion. The Motion for Revision shall also be noted in accordance with Civil Rules 6 and 7. A copy of the motion for revision shall be served upon the other parties, or their counsel, if represented, within 10 days after the entry of the order or judgment and at least five court days before the hearing date. An additional three days' notice shall be required if service is by mail.

[Adopted September 1, 2022]

LOCAL GENERAL RULES  
(Cite as CCLGR)

LGR 16. COURTROOM PHOTOGRAPHY AND RECORDING BY THE NEWS MEDIA

Chelan County has expanded the number of case types it will hear remotely to ensure the safety and well-being of Court staff, counsel, parties, and members of the public, due to the COVID-19 virus outbreak and intends to continue this practice on a case-by-case basis as requested by the parties. Expanding upon the prohibitions contained in GR 16, the Court adopts the following:

(a) The prohibition on recording proceedings of the Superior Court without prior permission extends to recording the audio or video of remote proceedings.

(b) All lawyers, litigants, participants or observing members of the press or public are prohibited from taking photographs or recordings or recording video or audio during remote proceedings, except with the written authorization by the Presiding Judge or by the judge conducting the hearing.

(c) No person participating in or listening to such a proceeding may rebroadcast, livestream, or otherwise disseminate any live or recorded audio or video of the court proceeding, except with written authorization by the Presiding Judge or of the judge conducting the hearing.

(d) Violation of this Local Rule may subject the offender to removal, contempt of court, and such other penalties as are provided by law.

[Adopted September 1, 2022]

LOCAL CIVIL RULES  
(Cite as CCLCR)

LR 5 SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS

(d) Filing.

(5) Documents Not to be Filed. Photocopies of reported cases, statutes or texts shall not be filed as an appendix to a brief or otherwise but shall be furnished directly to the judge hearing the matter. Documents or copies thereof produced during discovery and other items, which should properly be received as exhibits rather than as a part of the court file shall not be included in the court file.

(6) Case Information Cover Sheet. Each new civil and domestic case filing shall be accompanied by a Case Information Cover Sheet prepared and submitted by the party filing said new civil or domestic case. [Amended September 1, 2016]

(7) Electronic filing of documents. Electronic filing of documents shall be permitted provided that the electronic transmission of documents is done in a manner approved by the Superior Court Clerk.

(A) Signatures: Use of electronic filing by a party or attorney shall constitute compliance CR11's signature requirement. A printed copy of the electronically filed document with original signatures shall be maintained by the filing party and made available for inspection by other parties or the Court upon request. Documents containing signatures of third-parties (i.e., unopposed motions, affidavits, stipulations, etc.) may also be filed electronically by indicating in the original signatures are maintained by the filing party in paper-format.

(B) Time for Filing and Effect of Use of Efiling: Any pleading filed electronically shall be considered as filed with the Court when transmission is completed ("authorized date and time"). Any document Efiled with the Court by 5:00 PT shall be deemed filed with the Court on that date.

(C) Form of Documents Electronically Filed: All electronically filed pleadings shall be formatted in accordance with the applicable rules governing formatting of paper pleadings.

(D) Payment Of Statutory Filing Fees: All statutory filing fees shall be collected and paid for electronically filed documents according to the then current methods approved by the Clerk of the Chelan County Superior Court.

(8) Evidence Submitted on CD, DVD, Thumb-drive or other external storage device. Evidence submitted to the court on an on CD, DVD, thumb-drive or other external storage device is disfavored. However, when necessary, it shall be presented as a working copy or brought to the hearing or trial and presented as an exhibit. Evidence submitted in any form referenced in this rule shall not be filed with the Superior Court Clerk unless it is presented with an Order Converting Device to an Exhibit. [Adopted September 1, 2022]

[Amended September 1, 2016; September 1, 2022]

## LR 7 PLEADINGS ALLOWED; FORM OF MOTIONS

### (b) Motions and Other Papers.

#### (1) How Made.

(A) Reapplication on Same Facts. When a motion has been denied in whole or in part (unless without prejudice) or when a motion has been granted conditionally and the condition has not been performed, the same motion may not be presented to another judge. Reapplication shall be made in the same manner as a motion to reconsider. NOTE: SEE LR 56 FOR SUMMARY JUDGMENT MOTIONS.

(B) Subsequent Motion; Different Facts. If a subsequent motion is made upon alleged different facts, the moving party must show by affidavit what motion was previously made, when and to which judge, what order or decision was made on it, and what new facts are claimed to be shown.

(C) Notes for Motion Calendar; Time for Filing. Any party desiring to bring any motion prior to trial, other than a motion for summary judgment, must file with the Clerk and serve all parties and the Judge assigned to hear the motion or the Presiding Judge at least five (5) court days before the date fixed for such hearing. **A BENCH COPY OF THE MOTION AND ALL SUPPORTING DOCUMENTS SHALL BE DELIVERED TO THE CHELAN COUNTY COURTHOUSE OR MAILED OT THE JUDGE. THE MAILING ADDRESS FOR ALL JUDGES IS P.O. BOX 880, WENATCHEE, WA 98807-0880.** The documents should include a Note for Motion, the motion and supporting documents. With the exception of documents regarding dispositive motions, including motions for summary judgment, bench copies of all documents for Department 3 (Judge Kristin Ferrera) shall be sent via email to SuperiorCourt.Judge@co.chelan.wa.us The subject line of the email shall include the judge's name, case name, cause number, and date and time of the hearing.

(i) Note for Motion – Dissolution Actions. See Washington Pattern Form.

(ii) Other Actions. The note must contain the title of the court; the date, the time when the same shall be heard; the words "Note for Motion", the names of the attorneys for all parties or parties pro se; the nature of the motion; and by whom the motion is made. Attached as Exhibit B to this Rule is an example form of a Note for Motion that may be used for Chelan County causes. Any sections of Exhibit B that do not apply to the particular motion may be deleted from the form prior to filing. This note for motion must be signed by the attorney or party pro se filing the same, with the designation of the party represented.

(iii) The note or other document shall provide a certificate of mailing of all documents relating to the motion. If a party noting the matter for hearing: (a) has a limited ability to speak or understand the English Language, or (b) knows or, after reasonable inquiry has reason to believe, that any other party to the action has limited ability to speak or understand the English Language, the party noting the matter for hearing shall indicate on the Note for Motion form that an interpreter is needed. The party filing the Note for Motion shall simultaneously with such filing provide a copy of the Note for Motion to Judges Chambers.

LR 7 PLEADINGS ALLOWED; FORM OF MOTIONS (continued)

This paragraph shall not apply to State-initiated child support enforcement or modification actions or to State-initiated paternity actions so long as the State provides an interpreter for such proceedings.

Responding documents and briefs must be filed with the Clerk and copies served on all parties and the Judge scheduled to hear the motion, no later than noon two (2) court days prior to the hearing. Copies of any additional responding or reply documents must be filed with the Clerk and served on all parties no later than noon of the court day prior to the hearing.

(D) Late Filing; Terms. Any material offered at a time later than required by this rule, over objection of counsel, may be rejected by the Court, or the matter may be continued and the court may impose appropriate terms or sanctions.

(E) Remote Appearance for Court Hearing. Any party may request to argue any motion by telephone, audio or video conference call. The preferred method for remote appearance is Zoom video. The requesting party shall ~~contact the judge or commissioner scheduled to hear the motion~~ Judges Chambers or the person responsible for scheduling the assigned judge's calendar at least three (3) days before the hearing for permission under such conditions as ordered by the court. All parties retain the right to argue motions in person, even if the other party appears ~~by telephone~~ remotely.

(F) Special Settings. To special set any matter before the assigned judge you may:

(i) contact the person responsible for scheduling that judge's calendar; or

(ii) contact Judges Chambers at 509-667-6210 or via e-mail at SuperiorCourt.Judge@co.chelan.wa.us.

(2) Proposed Orders. Proposed orders shall be submitted to Court Administration at least three (3) court days prior to the scheduled hearing either by delivering a hard copy or email.

(i) Hard Copies. When delivering in person or by mail. The submitting party shall attach a cover sheet to the order including the date and time of the scheduled hearing and the name of the party proposing the order.

(ii) Email. Emailed submission of proposed orders must be sent to SuperiorCourt.Judge@co.chelan.wa.us. The attached proposed order shall bear the name of the case and the cause number. The subject line of the email shall include the Judge's name, case name, cause number, and date and time of the hearing. The email shall also indicate the name of the party submitting the proposed order.

[Amended September 1, 2015; September 1, 2022]



LR 7 EXHIBIT B

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF CHELAN

,  <div style="text-align: center;">Plaintiff,</div>  vs.  ,  <div style="text-align: center;">Defendant.</div>	No.	NOTE FOR MOTION  <input type="checkbox"/> <b>Interpreter needed<sup>1</sup></b> <input type="checkbox"/> <b>Spanish</b> <input type="checkbox"/> <b>Other language:</b> _____ <div style="text-align: right;">(specify)</div> <input type="checkbox"/> <b>ASL</b>
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TO: CLERK OF THE COURT

AND TO:

NOTE FOR LAW AND MOTION CALENDAR

\_\_\_\_\_ Please note that this matter will be heard on the regularly scheduled Law and Motion Calendar on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at 9:30 a.m. (adoption – 9:00 a.m.).  
Nature of Hearing: \_\_\_\_\_

NOTE FOR SHOW CAUSE CALENDAR

\_\_\_\_\_ Please note that this matter will be heard on the regularly scheduled Show Cause Calendar on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before the Court Commissioner at 1:30 p.m.

NOTE FOR DISSOLUTION CALENDAR

\_\_\_\_\_ Please note that this matter will be heard on the regularly scheduled Dissolution Calendar on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before the Court Commissioner at 1:30 p.m.

NOTE FOR DOMESTIC VIOLENCE CALENDAR

\_\_\_\_\_ Please note that this matter will be heard on the regularly scheduled Domestic Violence Calendar on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ before the Motion Judge at 9:00 a.m.  
Nature of Hearing: \_\_\_\_\_

\_\_\_\_\_  
<sup>1</sup> If an interpreter is needed, a copy of the Note for Motion must be provided to the Judicial Assistant simultaneously with the filing of this document. LR 7(b)(1)(c)(iii)

**NOTE FOR PRO SE SUPPORT MODIFICATION HEARING**

\_\_\_\_ Please note that this matter will be heard on Thursday, the \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, before the Motion Judge at 2:30 p.m.

All summary judgment motions must be special set for the judge assigned to preside over the case.

**NOTE FOR SPECIAL SETTING SUMMARY JUDGMENT**

**All dates and times for special settings must be obtained from the person responsible for scheduling for the Judge or Commissioner before which the motion is to be set.**

\_\_\_\_ Please note that this Summary Judgment has been specially set before the Honorable \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ a.m./p.m.

Note: CONFIRMATION: ON ANY MOTION FOR SUMMARY JUDGMENT, COUNSEL FOR THE MOVING PARTY SHALL CONTACT THE PERSON RESPONSIBLE FOR SCHEDULING FOR THE JUDGE OR COMMISSIONER (LR7(F)) THREE COURT DAYS PRECEDING THE DATE SET FOR HEARING AND ADVISE WHETHER THE MOTION WILL BE HEARD. IF NOTIFICATION IS NOT MADE, THE MOTION WILL BE STRICKEN FOR RESETTING PURSUANT TO LR 56(k).

\_\_\_\_ Please note that this matter has been specially set before Court Commissioner \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ a.m./p.m.

Nature of Hearing: \_\_\_\_\_

USE THIS SECTION ONLY IF NONE OF THE ABOVE APPLY

**NOTE FOR SPECIAL SETTING**

\_\_\_\_ Please note that this matter has been specially set before the Honorable \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ a.m./p.m.

Nature of Hearing: \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

Attorney for \_\_\_\_\_

[Amended September 1, 2015; September 1, 2017; September 1, 2022]

**LR 8 SHOW CAUSE ORDERS**

(g) Certified copies of show cause orders shall not be issued by the Clerk of the Court without payment in advance.

(h) Unlawful Detainer Actions. A plaintiff seeking a writ of restitution must either schedule the matter for trial or schedule a Show Cause Hearing on the issuance of the writ, with proper notice to the defendant of the hearing and notice that failure to attend may result in a default judgment and writ of restitution.

Notice of the hearing must be by an Order to Show Cause which may be served with the Summons and Complaint or at any time thereafter. The Order to Show Cause must include information about how tenants can access remote proceedings in accordance with instructions on the Chelan County Superior Court's website. Unlawful detainer actions based upon the nonpayment of rent must also be filed in accordance with any requirements as established by any current Superior Court Standing Orders.

The Court will not issue an order of default or an order for writ of restitution until the hearing has occurred unless the unlawful detainer is based upon allegations of waste, unlawful business carried out on the property, nuisance, gang-related activity, or lack of permission of the owner to enter upon the premises. A properly served defendant's failure to appear at the show cause hearing will be treated as a default.

[Amended September 1, 2022]

#### LR 16 PRETRIAL PROCEDURE AND FORMULATING ISSUES

(e) Exhibits. Parties shall notify the trial judge and the opposing party by letter if that party anticipates offering 25 exhibits or more at the time of trial. Said notice shall be given no less than two (2) weeks prior to the trial date.

(f) Settlement Conferences

(1) On Motion by Party. Any party in any pending case may serve and file a motion for a settlement conference directed to the department to which the settlement is assigned in accordance with paragraph (5) below.

(2) On Court's Motion. The court to which a case is assigned for trial may, upon its own motion after a trial date has been set, order a settlement conference in any pending case, and a settlement conference shall be held unless all parties file objections thereto.

(3) Subsequent Motion by Party. Where a motion for a settlement conference is defeated by the filing of an objection or objections, any party in said cause may file another motion for a settlement conference after thirty days following the filing of the last previous motion for a settlement conference.

(4) Order for Settlement Conference. Upon the entry of an order for a settlement conference, the judge shall fix a specific date and hour for the conference. If the party

presenting such order has limited ability to speak or understand the English Language, or if such party knows or, after reasonable inquiry has reason to believe, that any other party to the action has limited ability to speak or understand the English Language, the party presenting such Order for entry shall indicate on such order that an interpreter is needed and the language for which the interpretation is needed. The party presenting such order for entry shall, substantially simultaneously with the entry of such order, provide a copy thereof to Judges Chambers.

(5) Assignment of Judge. A judge not assigned to preside over the trial shall conduct the settlement conference.

(6) Preparation and Attendance. The attorney personally in charge of each party's case shall personally attend all settlement conferences and shall, not less than three (3) calendar days prior to the date set for the settlement conference, serve on the assigned judge and the attorney for the opposing party a letter succinctly addressing the following:

- a. A brief factual summary;
- b. Issues regarding liability;
- c. Issues regarding damages, both special and general; and
- d. The party's opening offer.

At the discretion of counsel, a party's opening offer may be set forth in a separate letter that is sent to the judge only.

In family law cases, counsel shall also jointly prepare and provide to the assigned judge a Statement of Assets and Liabilities in the form of Exhibit B to CCLR 94.04, included herein. The matrix shall include each party's opinion as to the values of all of the assets and liabilities, and proposed distribution. It is preferred that counsel also submit the Statement of Assets and Liabilities electronically in Excel form.

Each attorney shall be prepared to discuss the foregoing in detail at the settlement conference.

(7) Attendance of Parties. The parties shall in all cases attend the settlement conference. Attendance by videoconference will not be permitted unless expressly approved by the settlement conference judge at least 7 (seven) calendar days in advance of the settlement conference.

Parties whose defense is provided by a liability insurance company need not personally attend said settlement conference, but a representative of the insurer of such party, if such a representative is available in Chelan-Douglas counties, shall attend with sufficient authority to bind the insurer to a settlement. In the event such a representative is not available, counsel representing the party whose defense is provided by the insurer shall make a good faith effort to obtain settlement authority to bind the insurer to a settlement prior to the settlement conference.

Attendance of any party may be excused by the court where by reason of health, or other good and sufficient reason, compelling his personal attendance would be unduly burdensome. Whether or not the attendance of any party is required shall rest in the discretion of the judge

presiding at the settlement conference. Request for excuse shall be made at least three (3) days prior to the hearing.

(8) Proceedings Privileged. Proceedings of said settlement conference shall, in all respects, be privileged and shall not be reported or recorded. No party shall be bound unless a settlement is reached. When a settlement has been reached, the judge may, at the request of any party, in his or her discretion, order the settlement to be reported or recorded.

(9) Sanctions. Where a party has failed to comply with any of the provisions of this rule the court shall make such orders as are just, which shall include the award of reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust.

[Amended September 1, 2015; Amended September 1, 2017; Amended September 1, 2019; }  
September 1, 2022.]

#### LR 40 ASSIGNMENT OF CASES.

(b) Confirmation of Civil Trials. All civil jury trials shall be confirmed by noon five court days before the scheduled trial date. All other bench trials, EXCEPT unlawful detainers, shall be confirmed by noon two court days before the scheduled trial date. Counsel shall confirm trials by calling the Superior Court Administrator's Office, (509) 667-6210 or emailing [superiorcourt.judge@co.chelan.wa.us](mailto:superiorcourt.judge@co.chelan.wa.us) If a trial is not confirmed in accordance with this rule, the trial will be stricken.

(c) Continuances and Settlement. Attorneys shall immediately notify the Court Administrator if a trial has settled or has been continued and submit an agreed proposed order to ex parte striking both the pretrial conference and trial date.

(d) Submission of Exhibits, Motions in Limine, Trial Briefs, Depositions, and Proposed Final Orders.

(1) Deadline. The parties shall provide their exhibits, as detailed in (2), motions in limine, trial briefs, original sealed depositions, and proposed final orders to Court Administration by 12:00 p.m. on the court day before trial.

(2) Exhibits. The parties shall provide two sets of all exhibits (one set of originals and one set of bench copies) in two separate notebooks, packets, or binders. The Court recognizes that exhibits used in rebuttal or for impeachment purposes may be supplemented during trial. In such event, working copies for the Court and the opposing parties shall be made available as practicable.

(3) Numbering. The exhibits should be numbered by either tabs or in the upper right hand corner and organized in numerical order. Plaintiff or petitioner's exhibits shall be numbered 1-100. Defendant or respondent's exhibits shall be numbered 101 - 199. In cases with more than two parties or with more voluminous exhibits, the parties shall either work together on numbering of their proposed exhibits or receive such direction from the Court at the Pre-Trial Conference.

[Adopted September 1, 2022]

## LR 52 DECISIONS, FINDINGS AND CONCLUSIONS

(f) In all actions tried to the court, counsel for each party shall, two (2) days prior to trial, provide the Court and opposing counsel with proposed findings of fact and conclusions of law. Provided, that proposed findings and conclusions are not required in domestic cases of any kind, except that the court may, at its discretion, require proposed findings and conclusions, in a particular case or the parties may voluntarily submit such findings and conclusions.

(g) Time Limit for Presentation. In cases tried to the court, findings of fact, conclusions of law and a proposed judgment shall be presented within twenty (20) days of the court's oral or memorandum decision; provided however, that in the event post-trial motions are filed, the twenty (20) days shall run from the date of ruling on such motions.

In the event that said findings of fact, conclusions of law and the proposed judgment are presented to the court in excess of twenty (20) days of the court's oral decision, the party presenting such findings of fact, conclusions of law and proposed judgment shall, if requested by the court, prepare and file a transcript of the court's oral decision.

(h) Time Limit for Reducing Court's Oral Decision to Writing in Non-Trial Proceedings. In all cases where the Court has issued an oral decision and one or both counsel or unrepresented party has been directed to draft orders for the Court's signature, the proposed orders shall be presented within thirty (30) days or as soon thereafter as possible given the Court's schedule if a presentment hearing is required. Prior to requesting or noting a presentment hearing, counsel or unrepresented parties should exchange proposed orders to determine whether or not an agreed order may be presented for signature ex parte.

If no objection is filed by two days prior to a presentment hearing any objection may be waived. Any objection filed with the court should include alternate proposed language.

[Amended September 1, 2022]

LR 77 SUPERIOR COURTS AND JUDICIAL OFFICERS

(o) Court Calendar

(1) The Motion Judge will hold Probate and Law and Motion Calendars each Friday at 9:30 a.m. Adoption hearings will be heard at 9:00 a.m. on the Law and Motion Calendar.

(2) The Judges rotate as Motion Judge according to the schedule published periodically by the Judges.

The Motion Judge's schedule is as follows:

Monday: Criminal Calendar

Tuesday: 9:00 Domestic Violence Calendar

Wednesday: Criminal Calendar

Thursday: 9:30 Special Set Criminal Matters (week prior to criminal trials)

Friday: 9:30 Law & Motion Calendar/Adoptions at 9:00 AM (Second and Fourth Friday. First and Third Friday the Law & Motion Calendar is presided over by the court commissioner.)

To obtain a special set please call (509) 667-6210 or e-mail [SuperiorCourt.Judge@co.chelan.wa.us](mailto:SuperiorCourt.Judge@co.chelan.wa.us).

A COURT REPORTER WILL NOT BE PROVIDED FOR ANY CIVIL MATTER SCHEDULED UNLESS REQUESTED AT LEAST TWO COURT DAYS BEFORE THE HEARING OR TRIAL. HOWEVER, A COURT REPORTER WILL BE PROVIDED FOR ALL JURY TRIALS.

(3) Except as otherwise provided in LR 77(o)(3)(a) hereof, Domestic Relations and Domestic Show Cause hearings where an attorney has appeared will be held each Monday at 1:30 p.m. The Court Commissioner will preside. Domestic Relations and Domestic Show Cause hearings where the parties are pro se will be specially set before the assigned judge.

(a) Domestic Relations and Domestic Show Cause hearings requiring more than 30 minutes will be scheduled by special setting before the judge assigned to hear the trial. See LR 7(b)(1)(F).

A COURT REPORTER WILL NOT BE PROVIDED FOR ANY DOMESTIC RELATIONS SHOW CAUSE HEARING UNLESS REQUESTED AT LEAST TWO COURT DAYS BEFORE THE DATE OF THE HEARING.

LR 77 SUPERIOR COURTS AND JUDICIAL OFFICERS (cont.)

(4) Default Dissolution Hearings will be held on Tuesdays at 1:30 p.m. The Court Commissioner will preside.

(5) Juvenile Calendars will be held on Tuesdays and Thursdays at 8:30 a.m. or such other time as matters are set. The Court Commissioner will preside over juvenile calendars.

(6) Dependency Hearings will be held on Wednesdays or such other time as matters are set. The Court Commissioner will preside.

(7) Holiday Scheduling – any court calendar falling on an official court holiday will be cancelled.

(A) The Judges may, by order, further alter these court schedules as needed and as available courtroom space requires.

(p) Ex parte Matters.

(1) Non-Emergency. Non-emergency ex parte orders shall be delivered to the Chelan County Clerk's Office and will be considered pursuant to the current procedure as set forth by the Clerk and the Court.

(2) Emergency Orders. Emergency orders may be presented directly to Judges Chambers and will be considered by any available judicial officer, or as soon as one becomes available.

(q) Special Settings All of the following shall be specially set at a time arranged with the Court (See LR 7(b)(1)(F)):

(1) Any civil matter which will require more than twenty minutes of argument; shall be specially set at a time arranged with the Court.

(2) Motions under CR 56 and CR 57, and other motions that may be dispositive to the outcome of the matter, including but not limited to, motions made under CR 12(b)(1-7) at least in part and 12(c);

(3) Any discovery motion. See LR 7(b)(1)(F);

(4) Any motion for civil trial continuance; and



(5) Any motion where the combined number of pages filed in support of and in response to the motion exceed 50 pages, except for guardianship hearings where the documents filed exceed 50 pages because they contain financial and/or medical records.-

(r) The Judges will preside over all matters scheduled on a calendar even though the matter is assigned to another department, except for sentencings, motions for summary judgment or matters where there is a conflict.

[Amended September 1, 2015; ~~Amended~~ September 1, 2017; ~~Amended~~ September 1, 2019, September 1, 2022.]

#### LSPR 94.04 FAMILY LAW PROCEEDINGS

A. APPLICABILITY OF THE RULE. Unless otherwise specified, this rule applies to all family law proceedings, including paternity actions and ~~non-parental custody and/or~~ visitation actions, defined as follows: Any proceeding in which the court is requested to adjudicate or enforce the rights of the parties or their children regarding the determination or modification of child custody, visitation, parenting plan, child support or spousal maintenance, or the temporary distribution of property or obligations.

#### B. NON-CONTESTED DISSOLUTION HEARINGS.

(1) Hearing. Non-contested dissolution cases will be heard on a calendar set by the Superior Court Judges and Clerk. The days and times are set forth in LR 77. The Clerk shall not place any case on the non-contested calendar unless the file shows one of the following:

- a. The applicant's opponent has joined in the petition for dissolution of marriage; or
- b. The applicant's opponent has waived notice or has signed a consent to hearing on the date noted; or
- c. An order for default has been applied for or entered; or
- d. The opposing party has signed off on final orders.

The Clerk shall not place any case on the non-contested calendar unless the case has been on file for more than 90 days and either proof is filed that the summons was served more than ninety (90) days before the date selected for hearing or both parties have submitted to the jurisdiction of the court.

(2) Note for Non-contested Calendar-Attorney. A notice of hearing on the non-contested calendar must be filed by counsel with the Clerk at least three court days before the date of the hearing.

(3) Note for Non-contested Calendar- Without Attorney (Self-represented). A notice of hearing on the non-contested calendar by a self-represented party shall be accompanied by pleadings which the party proposes to submit to the court as final orders

that have been pre-approved by the Chelan County Family Court Navigator, a Chelan County Court Facilitator, Douglas County Court Facilitator, a Limited License Legal Technician, or private attorney. Such proposed pleadings shall include Findings of Fact and Conclusions of Law or Waiver of same signed by all parties, Final Divorce Order, Parenting Plan and/or Residential Schedule, Child Support Worksheets, Order of Child Support, and a Residential Time Summary, where applicable.

The Clerk shall not place any case on the non-contested calendar upon application by any self-represented party unless it is accompanied by the party's pre-approved, proposed pleadings.

(4) Order on Non-contested Calendar. The order of the calendars shall generally be as follows:

- a. Matters where attorneys appear;
- b. Self-represented matters in which pleadings are complete for the court's review;
- c. All other matters.

(5) Mandatory JIS Search for All Cases Involving Children. At least three (3) days prior to scheduled hearing for entry of final orders, self-represented parties and attorneys must complete and submit the form in Exhibit 1. If orders are to be presented ex parte, this completed form must accompany the final documents when presented to the court for signature.

(6) Withdrawal of Consent. Before a Final Divorce Order is entered, a party may withdraw any consent or waiver previously given. Withdrawal shall be in writing and filed with the court. The party withdrawing consent or waiver shall also file a response to the petition at the same time.

(7) Disposition of Issues in Final Divorce Order. No Final Divorce Order shall be entered unless the order disposes of all issues over which the court has jurisdiction relating to disposition of property and liabilities of the parties and support or maintenance of either spouse. For good cause shown, the court may in its discretion enter a Final Divorce Order stating that it retains jurisdiction to dispose of issues relating to parenting and child support.

### C. CONTESTED DISSOLUTIONS.

(1) Pretrial Forms. In all final hearings or trials in domestic relations matters, each party shall provide to the judge or commissioner, and serve on the opposing party, a written statement as to the issues in controversy at least three (3) calendar days prior to trial. The written statement may be in any form chosen by the attorney to convey the following:

- (a) A brief factual summary;
- (b) Issues in dispute [whether property, debts or custody];
- (c) Case law, if it will be argued, supporting your position;
- (d) Proposed distribution of assets and liabilities,
- (e) Proposed parenting plan and child support amount, if in dispute;

(f) Areas of agreement.

If one of the parties is seeking maintenance or child support, both parties shall complete the financial declaration contained in Exhibit A to LR 94.04.

In cases involving disputed distribution of property, counsel shall also jointly prepare and provide to the assigned judge a Statement of Assets and Liabilities in the form of Exhibit B to LR 94.04, included herein. The matrix shall include each party's opinion as to the values of all of the assets and liabilities, and proposed distribution. It is preferred that counsel also submit the Statement of Assets and Liabilities electronically in Excel form.

Unless explained otherwise by the parties, the values shown on the pretrial form should include proposed pension, retirement, profit sharing or other deferred benefit or financial security plan; the cash surrender value of all life insurance policies; the amounts of accounts receivable, inheritance due, and trust accounts; the fair market value of all other property including collections, antiques; and in the case of automobiles, the average between wholesale and retail blue book values.

(2) Enforcement. If either party fails to comply with paragraph C(1) set forth above, the trial judge may order such party or his attorney to pay an appropriate attorney's fee to the opponent for any additional work or delay caused by the failure to comply. If either party fails to comply, the trial date may be stricken.

(3) Continuances. Stipulations or motions to continue a case already on the trial calendar must be in writing, supported by a declaration showing sufficient grounds for the requested continuance. The moving party shall present a written order for entry.

(4) Note for Trial Setting Without Attorney (Self-represented). A notice of trial setting by a self-represented party shall be accompanied by pleadings which the party proposes to submit to the court as final orders that have been pre-approved by the Chelan County Family Court Navigator, a Chelan County Court Facilitator, Douglas County Court Facilitator, Limited License Legal Technician, or private attorney. Such proposed pleadings shall include Findings of Fact and Conclusions of Law or Waiver of same signed by all parties, Final Divorce Order, Parenting Plan and/or Residential Schedule, Child Support Worksheets, Order of Child Support, and a Residential Time Summary, where applicable.

The Clerk shall not place any case on the trial setting docket upon application by any self-represented party unless it is accompanied by the party's pre-approved, proposed pleadings. [Effective September 1, 2016]

D. [Rescinded September 1, 2019]

#### E. DATING AND MAILING OF DECREES AND ORDERS.

(1) When any decree or order is filed in a dissolution matter, the attorney for the party presenting the order, or the party if the matter is presented pro se, shall immediately deliver or mail to the opposing party, or to the opposing party's last known address, or to opposing counsel, a true copy of the decree or order with the date of entry indicated on each copy. A declaration of mailing of such true copy shall be filed.

#### F. HEARINGS – SHOW CAUSE – PRELIMINARY AND TEMPORARY ORDERS

(1) Hearings. See Local Rule 77.

(2) Hearings by Documentary Evidence. All show cause hearings pertaining to requests for temporary support money and/or attorney's fees shall be heard and determined by documentary evidence only, unless the parties request that oral testimony be given and the court, in its discretion, agrees.

(3) Supporting Worksheet. A motion for order to show cause for temporary support shall be supported by a child support worksheet in the form prescribed by state law and may also include a financial declaration in the form designated in Exhibit A attached to this rule. No order shall be signed setting a show cause hearing for temporary support unless the signed worksheet accompanies the motion.

(4) Information Considered Notwithstanding Non-appearance. An affidavit or child support worksheet filed by a non-appearing respondent shall be considered by the court at the time of hearing on show cause hearings and upon hearing default dissolutions.

(5) Limitations on Declarations.

(a) *Application.* This section (5) of this rule does not apply to domestic violence petitions or domestic violence motions.

(b) *Children's statements.* Declarations by minors are disfavored.

(c) *Format:* All filed documents, including declarations and affidavits, shall be legible. If typed or computer printed, documents shall be in 12 point or larger type, double-spaced between the lines.

(d) *Page limits.*

(i.) Generally. Absent prior authorization from the court, the entirety of all declarations and affidavits from the parties and any non-expert witnesses in support of motions (except financial declarations), including any reply, shall be limited to a sum total of twenty-five (25) pages. The entirety of all declarations and affidavits submitted in response to motions shall be limited to a sum total of twenty (20) pages.

(ii.) Exhibits. Exhibits that consist of printouts of text messages or e-mails, or declarations or affidavits of parties or witnesses shall count towards the above page limit. All other exhibits attached to a declaration or affidavit shall not be counted toward the page limit.

(iii.) Financial Declarations. Financial Declarations and financial documents do not count toward the page limit.

(iv.) Expert Reports and Evaluations. Declarations, affidavits, and reports from Court Appointed Special Advocates (CASA), Guardians Ad Litem (GAL) and expert witnesses do not count toward the page limit.

(v.) Miscellaneous Exceptions. Copies of declarations or affidavits previously filed for a motion already ruled upon and supplied only as a convenience to the court in lieu of the court file do not count toward the page limit. Deposition excerpts shall not count toward the page limit.

#### G. DISPOSAL OF PROPOSED PARENTING PLAN.

The Clerk is authorized to remove from the file and dispose of all proposed parenting plans after the Permanent Parenting Plan has been entered and the time for appeal has elapsed.

#### H. MANDATORY INFORMATION EDUCATION WORKSHOP

The Chelan County Superior Court finds that it is in the best interest of any child whose parents or custodians are involved in specific court proceedings to provide such parents with an educational workshop concerning the impact of family restructuring has on their child. The workshop offers parents tools to help ensure that their child's emotional needs will not be overlooked during the legal process, to encourage parents to agree on child-related matters, and to aid in maximizing the use of court time.

(1) Types of Proceedings Required. Each person named as a party in the following types of proceedings filed after January 1, 1997, must comply with LSPR 94.04I:

1. Dissolution of Marriage with child(ren) under 18 years old;
2. Legal Separation or Declaration of Invalidity with child(ren) under 18 years old;
3. Petition to establish custody or visitation including paternity; and/or
4. Post-judgment petition involving custody or visitation.

(2) Service on Parties. The Clerk of the court shall provide the current brochure/registration pamphlet to the initiating party for service upon all parties against whom relief is sought describing the program including contact telephone numbers, addresses, statement of costs, and an explanation of how to request a waiver or deferral of the program registration fee.

(3) Mandatory. Each party who files an appearance in a proceeding of the types described above in Section (1) shall complete the program unless exempted by the court. **No final order approving any residential or parenting plan shall be entered without proof of completion of such education program by the parents or legal guardians unless otherwise ordered by the court.**

(4) Ninety (90) Day Deadline. Each party shall attend and complete an

approved parenting workshop within ninety (90) days of filing a proceeding specified in Section (1) above.

I. MANDATORY JIS SEARCH FOR ALL CASES INVOLVING CHILDREN

At least three (3) days prior to scheduled hearing for entry of final orders, self-represented parties and attorneys must complete and submit the form in Exhibit C to LSPR 94.04. If orders are to be presented ex parte, this completed form must accompany the final documents when presented to the court for signature.

J. SHOW CAUSE HEARINGS WITH SELF-REPRESENTED PARTIES

(1) Self-represented Note for Show Cause Calendar. All self-represented parties, at the time of scheduling a show cause hearing, must provide the Clerk copies of pleadings which the party proposes to submit to the court as temporary orders that have been pre-approved by the Chelan County Family Court Navigator, a Chelan County Court Facilitator, Douglas County Court Facilitator, Limited License Legal Technician, or private attorney. Such proposed pleadings shall include Temporary Orders, Temporary Parenting Plans/Residential Schedules, Temporary Order of Child Support, etc, where applicable.

(2) Self-represented Immediate Orders. Parties shall not be required to obtain pre-approval of pleadings submitted for immediate orders.

The Clerk shall not file said proposed pleadings, but shall instead hold all proposed pleadings until the hearing.

JK. COURT'S AUTOMATIC TEMPORARY RESTRAINING ORDER IN CASES INVOLVING CHILDREN WITH SELF-REPRESENTED PARTIES

Upon the filing of a Summons and Petition in any dissolution or parenting plan case, the court shall issue an Automatic Temporary Restraining Order, for which no fees will be imposed, using the form set forth in Exhibit D to LSPR 94.04. The Petitioner is subject to this order from the time of filing the Petition. The Petitioner shall serve a copy of this order on the Respondent and file a declaration of service in the court file. The Respondent is subject to this order from the time that the order is served. [Effective September 1, 2016]

L. TIME LIMIT FOR REDUCING COURT'S ORAL DECISION TO WRITING IN NON-TRIAL PROCEEDINGS

In all cases where the Court has issued an oral decision and one or both counsel or unrepresented party has been directed to draft orders for the Court's signature, the proposed orders shall be presented within thirty (30) days or as soon thereafter as possible given the Court's schedule if a presentment hearing is required. Prior to requesting or noting a

presentment hearing, counsel or unrepresented parties should exchange proposed orders to determine whether or not an agreed order may be presented for signature ex parte.

If no objection is filed by two days prior to a presentment hearing any objection may be waived. Any objection filed with the court should include alternate proposed language.

[Adopted September 1, 2022]

[Amended September 1, 2015; September 1, 2016; September 1, 2017; September 1, 2019; September 1, 2022]

**New Section: GUARDIANSHIPS – GENERALLY**

(a) Definitions. The term "guardian ad litem" is used for both guardians ad litem and court visitors throughout the Chelan County Local Court Rules. The term "guardian" and "guardianship" shall also apply to conservators and conservatorships under Title 11 unless stated otherwise. All references to ward, alleged incapacitated person, or incapacitated person shall mean respondent, or individual subject to a guardianship.

(b) Ex Parte. All guardianship matters that are not contested and in which notice is not required by statute, rule, or duly filed request for notice or where such notice has been waived, may be done ex parte.

[Adopted September 1, 2022]

**New Section: Guardianship/Conservator Plan.**

(a) The following notice may be used in compliance with RCW 11.130.340 & 11.130.510 to provide notice of filing if used in substantially similar form:

**SUPERIOR COURT OF WASHINGTON, COUNTY OF CHELAN**

In re:

Guardianship/Conservatorship of:

, Individual.

CASE NO.

NOTICE OF GUARDIAN/  
CONSERVATOR'S PLAN

TO: ("Individual")

PLEASE TAKE NOTICE that the Guardian, ("Guardian") hereby gives notice of filing of the Guardian/Conservator's Plan, a copy of which is attached hereto.

IF YOU OBJECT TO THE GUARDIAN/CONSERVATOR'S PLAN, you must respond within fourteen (14) days of the date of this notice. Objections shall be served upon the Clerk of the Chelan County Superior Court at 350 Orondo Ave. Ste 501, Wenatchee, Washington 98801 and

upon the undersigned counsel at \_\_\_\_\_, or electronically if approved in writing in advance.

PLEASE NOTE THAT IF YOU FAIL TO OBJECT WITHIN 30 DAYS OF THE DATE OF THIS NOTICE, THE COURT MAY ENTER AN ORDER APPROVING THE GUARDIAN/CONSERVATOR PLAN WITHOUT FURTHER HEARING OR NOTICE.

[Adopted September 1, 2022]

LGALR 98.10 CHELAN COUNTY SUPERIOR COURT GUARDIAN AD LITEM AND COURT VISITOR ROTATIONAL REGISTRIES (TITLES 11 AND 26)

SCOPE/PURPOSE

This local rule covers the maintenance and administration of the Guardian ad Litem and Court Visitor Registries maintained by the Registry Administrator.

DEFINITIONS

None.

POLICY

A. Registry Administration

- 1.1 The Court Administrator or his/her designee shall maintain and administer the guardian ad litem (GAL) and court visitor (CV) registries. These registries are limited to Titles 11 and 26. These requirements and procedures also apply to persons not listed on a registry who are appointed to serve as a Guardian ad Litem in a field for which there is a registry.
- 1.2 The Court Administrator shall maintain an application form and background information records pertaining to each person on a registry. Persons listed on the registry shall reapply and update background information annually on a date specified for the registry. All application and background information, with the exception of personal identifying information in family law cases and pending complaints, shall be available for public inspection.
- 1.3 Persons shall be selected to serve on the registry at the discretion of the Court giving due consideration to: (1) having a sufficient number of GALs and CVs available to fulfill the requests for appointment; (2) achieving and maintaining diversity; and (3) retaining panels of persons with substantial experience and special knowledge within given fields. In some cases there may be more qualified applicants that will be needed or would benefit the program, so that not all persons applying will be selected.
- 1.4 The court shall periodically sponsor or approve training programs which registry applicants shall be required to attend to maintain and improve their level of proficiency. Training programs may be co-sponsored or offered by the state or local bar association under the oversight of the court.



- 1.5 The registry may be reconstituted periodically after an open application period has been announced. The court may allow additional applicants to be added to the registry periodically.
- 1.6 The court may impose an application processing fee and/or charge a fee for the training programs.

B. Education and Experience Requirements

2.1 Attorneys

- a. Member of the Washington State Bar Association in good standing; and
- b. For initial placement on registry, completion of any training as required by statute. For retention on registry, completion of any continuing training, as may be required by statute or the court from time to time.

2.2 Non-attorneys

- a. Family Law Registry (Title 26) or Court Visitor Registry (Title 11)
  - (1) Bachelor level degree in any of the following fields: social work, psychology, counseling, nursing, medicine or equivalent field; or
  - (2) Certified by the State of Washington as a social worker, mental health therapist or marriage and family counselor, or licensed as a psychologist, nurse or physician, in good standing; or
  - (3) Proof of successful completion of any training required by statute or court rule and proof of four completed guardian ad litem assignments for any Washington State superior court within the past five years

or

Proof of successful completion of any training required by statute or court rule and proof of successful completion of two supervised GAL or CV assignments as follows:

- (i) One GAL or CV assignment done in conjunction with a mentor GAL or CV which shall include accompanying the mentor on all visits, attendance at all interviews, participation in preparation of a report, and attendance at all court hearings. The mentor is the GAL or CV of record and this assignment is without compensation to the applicant.
- (ii) One GAL or CV assignment done under the supervision of the same mentor GAL or CV which shall include more active participation on the part of the applicant, i.e., requesting documents, conducting interviews, preparing reports under the supervision of the mentor. The mentor is the GAL or CV of record and this assignment is without compensation to the applicant.

b. Adult Guardianship Registry (Title 11)

- (1) Two (2) years of experience in the needs of impaired elderly people, physical disabilities, mental illness, developmental disabilities/ and/or other areas relevant to the needs of incapacitated persons, and

- (2) Successful completion of any training required by the Revised Code of Washington or court rule.

C. Application

Each person requesting to be listed on a GAL or CV registry shall submit an application on the current form provided by the court. The application form and requirements may be obtained from the Court Administrator's office.

D. Appointment of a Guardian ad Litem or Court Visitor from Registry

- 4.1 When the need arises for the appointment of a GAL or CV in a case involving a subject for which there is a registry, the court shall appoint a person from the registry, unless good cause is found and findings are entered supporting the appointment of a person not listed on the registry.
- 4.2 Appointments from the registries shall be made in the exercise of the court's sound discretion. In making appointments from a registry, among other factors, the court will consider the facts of the case, and the skills, experience and knowledge of persons on the registry.
- 4.3 Appointment Procedure
- (a) Family Law Registry (Title 26)
1. Private Pay: If the parties agree on the appointment of a GAL, they may choose any GAL from the court registry for consideration by the Court. If the parties cannot agree, the Court Administrator or her/his designee shall appoint the next available GAL on the rotational list.
2. County Pay: The requesting attorney/party shall contact the Court Administrator or her/his designee who shall appoint the next available GAL on the county-pay rotation.
- (b) Adult or Minor Guardianship Registry (Title 11)
- Except in cases where extraordinary circumstances exist, such as the need for particular expertise, the petitioning party shall contact the Court Administrator or her/his designee to request the appointment of the next GAL or CV on the rotational registry (either private pay or county pay). In cases with extraordinary circumstances, the petitioning party may motion the court to deviate from the rotation to appoint a person who has particular expertise.
- 4.4 The person appointed by the Registry Administrator shall serve upon the parties a notice of appointment.

E. Retention on Registry

- 5.1 Persons on the registry shall promptly inform the court of any temporary unavailability to serve, or of their intent to resign from the registry.

- 5.2 A person who files an annual update when the same is requested by the Registry Administrator shall remain on the registry unless the person is removed or suspended as set forth in Section F.
- 5.3 A person may be denied listing on, or may be temporarily suspended from, the registry for any reason that places the suitability of the person to act as GAL or CV in question.
- 5.4 A GAL or CV who ceases to be on the registry and who still has active or incomplete cases shall immediately report this circumstance to the Court Administrator, who shall reassign such cases.
- 5.5 A person's retention on the registry shall be reviewed upon the court's receipt of a complaint regarding performance in office or the court's receipt of adverse information regarding the suitability of a person to serve as a GAL or CV. Complaints shall be reviewed in accordance with Section F.

F. Complaint Procedure

- 6.1 There shall be a complaint review committee consisting of the Superior Court Presiding Judge, the Juvenile Court Administrator and a representative of the Chelan/Douglas Counties Bar Association.
- 6.2 All complaints must be in writing and must be submitted to the Superior Court Administrator at PO Box 880, Wenatchee, WA 98807-0880 or by hand delivery to 401 Washington Street, Level 5, Wenatchee, WA 98801. All complaints must bear the signature, name and address of the person filing the complaint.
- 6.3 Upon receipt of a written complaint, the Court Administrator shall convene the Complaint Review Committee within 10 business days to review the complaint. Upon review of the complaint, the complaint Review Committee shall either:
  - 6.3.1 Make a finding that the complaint is with regard to a case then pending in the court and decline to review the complaint and so inform the complainant. In such instances the Committee shall advise the complainant that the complaint may only be addressed in the context of the case at bar, either by seeking the removal of the guardian ad litem or by contesting the information or recommendation contained in the GAL's or CV's report or testimony; or
  - 6.3.2 Make a finding that the complaint has no merit on its face, and decline to review the complaint and so inform the complainant; or
  - 6.3.3 Make a finding that the complaint does appear to have merit and request a written response from the GAL or CV within 10 business days, detailing the specific issues in the complaint to which the Committee desires a response. The Committee shall provide the GAL or CV with a copy of the original complaint. A GAL's or CV's failure to respond within the required 10 business days will result in the immediate suspension of the GAL or CV from all registries.
  - 6.3.4 In considering whether the complaint has merit, the Complaint Review Committee shall consider whether the complaint alleges the GAL or CV has:
    - 1. Violated the code of conduct;

2. Misrepresented his or her qualifications to serve as GAL or CV;
3. Not met the annual update requirements set forth in Paragraph 1.2 of this policy;
4. Breached the confidentiality of the parties;
5. Falsified information in a report to the court or in testimony before the court;
6. Failed to report abuse of a child;
7. Communicated with a judicial officer ex-parte;
8. Represented the court in a public forum without prior approval of the court;
9. Violated state or local laws, rules, or this policy in the person's capacity as a GAL or CV; or,
10. Taken or failed to take any other action which would reasonably place the suitability of the person to serve as GAL or CV in question.

- 6.4 Upon receipt of a written response to a complaint from the GAL/CV, the Complaint Review Committee shall, within 10 business days, make a finding as to each of the issues delineated in the Committee's letter to the GAL/CV that either there is no merit to the issues based upon the GAL/CV's response or that there is merit to the issue. The Review Committee may, at their discretion, extend the time for entering findings to conduct additional investigation if necessary, however, in no case shall that extension be for more than 20 business days and the GAL/CV shall be notified.
- 6.5 The Complaint Review Committee shall have the authority to issue a written admonishment, a written reprimand, refer the GAL/CV to additional training, recommend to the court, upon its own motion to remove the GAL/CV from the instant case, or suspend or remove the GAL/CV from the registry. In considering a response, the Committee shall take into consideration any prior complaints which resulted in an admonishment, reprimand, referral to training, removal of the GAL/CV from a particular case, or suspension or removal from a registry. If a GAL/CV is listed on more than one registry, the suspension or removal may apply to each registry the GAL/CV is listed on at the discretion of the Committee.
- 6.6 The complainant and the GAL/CV shall be notified in writing of the Committee's decision within 10 business days of receipt of the GAL/CV response.

G. Payment of Guardian ad Litem

- 7.1 There shall be no payment of a GAL/CV by anyone, except as authorized by order of the court.
- 7.2 Each order appointing GAL/CV shall set forth the hourly rate of compensation for the investigative/legal work; source of payment, if determined; and unless waived, shall require the GAL/CV to seek court authorization to provide services in excess of those specifically approved in the order appointing GAL/CV.

- 7.3 The order appointing a GAL/CV may include a provision for a retainer fee, as evidenced by itemized accounting, shall be assessed to the parties according to their proportionate responsibility for payment of the GAL/CV.
- 7.4 All fee requests by the GAL/CV submitted to the court shall contain time records, which distinguished investigative/legal, administrative/clerkical, and travel time and shall also be served upon the parties.
- 7.5 GAL/CV fees shall be the responsibility of a party or parties unless the court has entered an order authorizing payment at public expense.

| [Amended September 1, 2022]