

## **ADAMS COUNTY LOCAL RULES (ACLR)**

### **RULE 1: SCHEDULING**

#### **A. LOCATION, SESSIONS, AND HOURS**

Adams County Superior Court sessions shall be held in the Adams County Courthouse in Ritzville. On occasion, sessions of the Adams County Superior Court may be held in the Adams County District Court in Othello.

There shall be one continuous session of Court from 9:00 a.m. to 4:30 p.m. each day from January 1<sup>st</sup> through December 31<sup>st</sup> excepting non-judicial days designated by law as legal holidays, or specifically designated as non-judicial days by the State Supreme Court.

#### **B. TELEPHONIC/VIRTUAL APPEARANCES**

1. In general, any attorney, party, or witness seeking to appear virtually or by telephone must obtain permission of the Court by contacting the court administrator prior to the hearing in question. Permission to appear virtually or by telephone will ordinarily be given, unless there is good cause to require in-person attendance or attendance through a specific means. Examples of cases in which in-person attendance will generally be required include jury trials, evidentiary hearings in criminal cases, and hearings in which constitutional rights are being waived. For first appearance hearings in which criminal defendants are appearing virtually or by telephone, counsel may appear virtually or by telephone without first obtaining permission of the Court.
2. Standards for Telephonic/Virtual appearances
  - a. All participants are expected to follow court orders, court rules, and policies on appropriate courtroom decorum during remote appearances.
  - b. Judge, counsel, all parties, and participants attending the hearing must be able to hear and speak as authorized by the Court during proceedings.
  - c. The audio and video connection (if applicable) shall be of sufficient quality to ensure that the audio and any video connections are clear and intelligible.
3. No person participating in, or listening to, any telephonic or virtual proceeding may record, rebroadcast, live-stream, or otherwise disseminate any live or recorded audio or video of the court proceeding, except with written authorization of the Judge presiding over the hearing. Violation of the provisions of this subsection may subject the offender to removal, contempt of court, and such other penalties as are provided by law.

### **C. CIVIL MOTION DOCKET**

The civil motion docket shall be each Wednesday except when the Wednesday is a legal holiday, is cancelled by a prior order of the Court, or occurs on trial week (see ACLR 1(I) . All hearings in civil, probate, family law, adoption, guardianship, and other matters shall be scheduled on the Wednesday civil motion docket for 9:00 a.m. The Court may also schedule the civil motion docket on other days or times, as necessary. Argument shall be limited to ten minutes per side and the moving party may reserve some portion of said ten minutes for rebuttal argument. Hearings requiring more than 30 minutes shall be special set by contacting the court administrator.

### **D. ADULT CRIMINAL DOCKET**

The adult criminal docket shall be each Monday, except when the Monday is a legal holiday, or when cancelled by prior order of the court. Criminal matters shall be scheduled at 9:00 a.m. The Court may also schedule the adult criminal docket on other days or times, as necessary. Motions to admit or suppress evidence and/or dismiss shall be scheduled at 1:30 p.m. Lengthier and/or complicated motions may be special set. The parties shall note CrR 3.5 and CrR 3.6 motions in the omnibus order, after confirming court availability with the court administrator. The presence of the Defendant is not required at omnibus. Agreed omnibus orders may be presented ex parte.

### **E. JUVENILE MATTERS**

Juvenile offender matters shall be heard on the first Thursday of each month at 10:00 a.m., unless said Thursday is a non-judicial day in which case, they shall be heard on the following Thursday which is not a non-judicial day. The Court may also schedule juvenile matters on other days or times, as necessary. Fact-finding hearings shall be scheduled on the first Friday of each month and may be scheduled on other days, as necessary.

Truancy matters shall be heard on the first Thursday of each month at 10:00 a.m., unless said Thursday is a non-judicial day in which case, they shall be heard on the following Thursday which is not a non-judicial day. The Court may also schedule truancy matters on other days or times, as necessary.

## **F. DEPENDENCIES**

Dependency matters shall be scheduled for the first Tuesday of each month at 9:00 a.m., unless said Tuesday is a non-judicial day in which case, they shall be heard on the following Tuesday, which is not a non-judicial day. Dependency matters may also be scheduled on other days or times, as necessary. Upon proper notice, dependency matters may also be heard on the civil motion docket. Shelter Care hearings shall be special set with the court administrator. Social studies and predisposition reports are to be presented to the Court no later than three days prior to disposition, or as otherwise directed by the Court.

## **G. EX PARTE MATTERS**

Ex parte matters shall ordinarily be heard on all judicial days at 11:00 a.m. Ex parte matters may also be heard at other times, depending on availability. Parties are advised to contact the court administrator in advance to ensure judicial officer and clerk availability to hear the ex parte matter.

## **H. CIVIL TRIALS**

When a civil case is ready for trial, it may be noted for trial setting on the motion docket. The party noting the case for trial setting shall specify the nature of the case, whether a jury is demanded, the size of the jury, the estimated trial time, and its trial availability. To note a civil case for trial setting, a party may use the form in Appendix ACLR 1(H). The parties are not required to appear at the trial setting hearing unless there is an objection to the trial setting. Civil jury trials share the same trial term as criminal cases.

Motions in limine shall be heard on the last available civil docket day before trial. Motions in limine shall be filed and served pursuant to ACLR 5.

Jury instructions shall be filed and served no later than the Friday immediately preceding the week of trial.

## **I. CRIMINAL TRIALS, PRE-TRIALS, MOTIONS IN LIMINE**

Criminal trials shall ordinarily be scheduled to begin at 9:00 a.m. on the fourth Tuesday of each calendar month, except for the months of November and December. The Court may also schedule criminal trials on other days or times, as necessary. Jurors will be scheduled to arrive at 8:30 a.m. on the morning of trial.

In every criminal case, there shall be a pretrial hearing. At the pretrial hearing, the anticipated length of trial shall be discussed, as well as logistical issues.

Motions in limine shall be heard on the last available criminal docket day before trial. Motions in limine in shall be filed and served pursuant to ACLR 5.

Jury instructions shall be filed and served no later than the Friday immediately preceding the week of trial.

#### **J. SUPPORT ENFORCEMENT CALENDAR**

The support enforcement calendar shall be heard on the first Wednesday of January, March, May, July, September, and November commencing at 1:30 p.m. The Court may schedule the support enforcement calendar on other days or times, as necessary.

#### **K. INTERPRETERS**

Interpreters are provided, free of charge, consistent with RCW 2.42 and RCW 2.43. Except for emergency or ex parte matters, parties requiring interpreter services shall provide the court administrator with as much notice as possible, but not less than twenty-four-hour notice, of the need for an interpreter.

#### **L. COURTROOM PHOTOGRAPHY AND RECORDING**

Video and audio recording and still photography are allowed in the courtroom during and between sessions only if permission has first been expressly granted by the judicial officer presiding in the courtroom. Requests for permission shall be made to the presiding judicial officer through the court administrator.

## **RULE 2: FILING**

Except in consolidated cases, no documents shall be filed with more than one case number, unless sufficient copies are simultaneously provided for each cause. Where there are multiple case numbers and no copies provided, the Clerk shall place the documents only in the first case number designated.

For all causes wherein an order for consolidation has been entered for the purpose of trial, the caption shall include the separate titles of the consolidated actions, along with the specific cause numbers, and an indication to the clerk of which cause number the pleadings shall be filed under. The party filing the pleadings shall provide copies for each cause listed. If no indication is made and a copy is not provided for each cause, the clerk shall place the pleadings into the lowest or earliest filed cause.

In all cases wherein an order of consolidation has been entered said order shall designate in what action all future pleadings shall be filed, and a copy of said order shall be filed in each case. Said order would be the last document filed in the undesignated case number.

All pleadings, and other papers presented for filing with the Clerk shall be on 8 ½ by 11 paper with double spacing and shall be printed on one side only. The Clerk may refuse to file any papers not in conformance with this rule.

Electronic Filing. Pleadings and other papers may be filed with the Clerk's Office electronically, whenever the Odyssey electronic filing system or another electronic filing system is available, accepted, and functioning in Adams County. Electronic filing and service shall be in accordance with General Rule (GR) 30.

### **RULE 3: JUVENILE OFFENDER MATTERS [reserved]**

[Adopted September 1, 2017; rescinded effective September 1, 2024]

### **RULE 4: JUVENILE NON-OFFENDER MATTERS [reserved]**

[Adopted September 1, 2017]

### **RULE 5: DOMESTIC RELATIONS MATTERS**

#### **A. AUTOMATIC MUTUAL TEMPORARY ORDER**

1. **Contents.** Upon the filing of a summons and petition in Title 26 cases (besides child support actions) the Court, on its own motion, shall automatically issue a mutual temporary order that includes the following provisions unless specifically otherwise ordered by the Court:
  - a. The parties are restrained from transferring, removing, encumbering, concealing, or in any way disposing of any property except in the usual course of business or for the immediate necessities of life or as agreed upon in writing by the parties. Each party shall notify the other party of any extraordinary expenditure made after the order is issued.
  - b. The parties are restrained from assigning, transferring, borrowing, lapsing, surrendering, or changing entitlements of any insurance policies of either or both parties, whether medical, health, life, or auto insurance, except as agreed in writing by the parties.
  - c. Each party is immediately responsible for any debts that party incurs after the order is issued, whether by open account, credit card, loan, security interest or mortgage, except as agreed in writing by the parties.
  - d. Each party shall have access to all tax, financial, legal, and household records and reasonable access to such records shall not be denied.
  - e. In every action in which children are involved:
    - i. Each parent is restrained from changing the residence of the child(ren) until further order of the court, except as agreed in writing by the parties.
    - ii. Each parent shall ensure that the child(ren) not be exposed to negative comments about the other parent.
2. **Effective Date.** The petitioner is subject to the order from the time of its entry upon filing of the summons and petition. The petitioner shall serve a copy of the order on the respondent. The respondent is subject to the order from the time that it is served. The order shall remain in effect until further order of the court.

## **B. UNCONTESTED FAMILY LAW MATTERS**

No testimony shall be required in cases in which the parties have stipulated to entry of the decree or final order or in cases in which the relief requested is the same as the relief requested in the petition and the other party is in default.

## **C. AFFIDAVITS AND DECLARATIONS**

Absent prior authorization from the court, each affidavit or declaration in all domestic relations matters, shall not exceed ten (10) double spaced pages (exclusive of exhibits). Each responsive affidavit or declaration shall not exceed ten (10) double spaced pages (exclusive of exhibits) and shall be served and filed no later than 12:00 p.m. (noon) three (3) court days (excluding holidays and weekends) prior to the time set for the hearing. Reply affidavits or declarations shall be similarly filed and served no later than 12:00 noon on the court day (excluding holidays and weekends) before the hearing. Each reply affidavit or declaration shall be limited to a maximum of five (5) double spaced pages and shall be in strict reply to the responsive affidavit or declaration. No affidavits or declarations shall be considered by the Court unless opposing counsel or the self-represented litigants have been timely provided with copies. If the Court finds that one or more of the parties has violated this rule, the Court, may in its discretion, assess terms, strike or continue the matter, or refuse to consider the materials that violate this rule.

## **D. DECLARATIONS BY MINORS**

Declarations by minors are disfavored.

## **E. SHOW CAUSE HEARINGS**

In all show cause orders where a party is directed to “personally” appear and show cause, said party shall appear in person and subject themselves to examination by counsel. Any such party must be given at least five days’ notice of the time and place of the show cause hearing.

## **RULE 6: CRIMINAL MATTERS**

### **PROCEDURE FOLLOWING ARREST WITHOUT WARRANT**

- A. [See CrR 3.1(d)] Appointment of counsel for indigent defendants shall be made by the Court as soon as is feasible following arrest. Upon such an appointment, the Court shall promptly provide defense counsel with notice of their appointment.
- B. Indigent criminal defendant appealing from District Court Judgments shall, within five days after giving Notice of Appeal, request the Superior Court for appointed counsel. If appropriate, the Court shall appoint counsel by written order.
- C. [See CrR 3.1(e)] No defense counsel, whether retained or appointed, shall be permitted to withdraw as such without prior Court approval; provided, however that after a verdict has been entered, counsel may withdraw without prior approval by the Court.
- D. Discovery. [See CrR 4.7] The Prosecuting Attorney shall provide to the Defendant, either directly or through the Defendant's counsel, a copy of all criminal history record information in a Prosecutor's possession no later than the date scheduled for the Omnibus hearing.
- E. [See CrR 3(b), (c), (d)] All persons arrested on felony charges and held in custody shall, as soon as feasible during the first day upon which the Court is open, be brought before the Superior Court at 11:00 a.m. to be advised of their rights. This hearing may be scheduled at a different time, as necessary.
- F. A person arrested without a warrant shall have a determination of probable cause no later than forty-eight (48) hours following the person's arrest. Non judicial days shall not be excluded in the calculation of said forty-eight (48) hours. The Court shall determine probable cause on the sworn testimony of a peace officer or prosecuting attorney. The sworn testimony may be by declaration or written affidavit or electronically recorded, and in any case the testimony shall be preserved.

[Adopted effective September 1, 2017; amended effective September 1, 2024]



## **RULE 7 CIVIL MATTERS [reserved]**

[Adopted September 1, 2017]

## **RULE 8: SPECIAL PROCEEDINGS MATTERS [reserved]**

[Adopted September 1, 2017]

## **RULE 9: PLEADINGS/MOTIONS**

### **A. APPLICABILITY**

This rule applies to all criminal and civil matters, including all domestic relations matters.

### **B. TIME FOR FILING**

Parties desiring to submit an application to the Court, legal brief, memorandum of authorities, and any supporting affidavits or other documents on a motion, hearing, or trial to be heard shall, unless otherwise particularized under a specific State or local rule, serve and file the same with the Clerk of the Court no later than ten (10) court days (excluding holidays and weekends) before the date the party wishes the motion to be considered. Any responsive materials shall be served and filed with the Clerk of the Court by 12:00 noon three (3) court days (excluding holidays and weekends) prior to the time set for the hearing or trial. Any documents in strict reply shall be similarly filed and served no later than 12:00 noon on the court day (excluding holidays and weekends) before the hearing. No documents shall be considered by the Court unless opposing counsel or the self-represented litigants have been timely provided with copies. If the Court finds that one or more of the parties has violated this rule, the Court, may in its discretion, assess terms, strike or continue the matter, or refuse to consider the materials that violate this rule.

### **C. REAPPLICATION FOR ORDER**

When an order has been applied for and refused in whole or in part (unless without prejudice) or has been granted conditionally and the condition has not been performed, the same application for an order shall not be made except upon an alleged different statement of facts or law. It shall be shown by affidavit what application was made, when, and to what judge; what order or decision was made thereon; and what new facts or law are claimed to be shown.

#### **D. DELIVERY OF WORKING COPIES**

Working copies of papers requiring thorough consideration by the Court shall be delivered to the Judge's chambers. Working copies need not be delivered until a hearing has been set in the cause of action involved.

#### **E. DOCUMENTS**

Such papers shall include briefs, memorandums of authority, lengthy affidavits, pleadings, and admitted exhibits. Said briefs or memorandums of authority shall contain statements of the legal issues involved and the authority supporting the same. Nothing herein shall be construed to restrict the right of any parties to submit further briefs or memorandums of authority at any other time during the trial of the case.

#### **F. PLEADINGS**

All pleadings, motions, and other papers filed with the court shall be legibly written or printed. The use of letter-size paper (8-1/2 by 11 inches) is mandatory. The writing or printing shall appear on only one side of the page and shall be double-spaced. The top margin of the first page shall be a minimum of three inches, the bottom margin shall be a minimum of one inch and the side margins shall be a minimum of one inch. All subsequent pages shall have a minimum of one inch margins.

#### **G. LENGTH**

Absent prior authorization of the court, no pleading shall exceed fifteen pages in length exclusive of exhibits thereto. This rule does not apply to court forms that are inherently lengthy, such as petitions for protection orders, orders in dependency cases, or bi-lingual court forms. If the Court finds that one or more of the parties has violated this rule, the Court, may in its discretion, assess terms, strike or continue the matter, or refuse to consider the materials that violate this rule.

#### **H. PRO SE PLEADINGS**

Pro Se pleadings shall contain the party's mailing address and street address where service of process and other papers may be made upon them.

[Adopted effective September 1, 2017; amended effective September 1, 2024]

## **RULE 9A: NEW TRIAL, RECONSIDERATION AND AMENDMENT OF JUDGMENTS**

### **A. MOTION FOR RECONSIDERATION, TIME FOR MOTION, CONTENTS OF MOTION**

A motion for reconsideration shall be filed and noted not later than 10 days after entry of the judgment, decree, or order. The Motion shall be noted on the Court's motion docket to be heard not sooner than 30 but not later than 40 days after entry of the judgment, decree, or order unless the Court directs otherwise. The documents shall be clearly identified as a motion for reconsideration, and shall clearly state the date of the judgment, decree, or order was entered, and the names and addresses of opposing counsel.

### **B. HEARING ON MOTION FOR RECONSIDERATION**

A motion for reconsideration shall be submitted on briefs and affidavits of the moving party only. No response shall be submitted by the opposing party, nor shall oral argument be heard, unless the Court so directs. The Court shall notify the parties, not later than 10 days before the hearing, whether: (1) The motion has been denied and the hearing stricken; or (2) oral argument and/or responsive pleadings will be allowed.

## **RULE 10: PROPOSED JURY INSTRUCTIONS**

- A. Proposed jury instructions shall be typewritten. Each instruction shall be typed on a separate sheet of paper which bears no marking identifying either the party or the attorney presenting the instruction. No citation or other extraneous matter shall appear on a proposed instruction, except as hereinafter provided.
- B. Unless otherwise ordered, the proposed instructions shall be distributed on or before the last Friday prior to trial as follows:
  - 1. One assembled and numbered copy containing citations of authority, including the number of any applicable Washington Pattern Instruction, shall be filed with the Clerk;
  - 2. The original, unassembled, unnumbered and without citations shall be delivered to the Court;
  - 3. One copy numbered, assembled, and containing the citations of supporting authorities, including the number of any applicable Washington Pattern Instruction, shall be delivered as follows: one to the Court and one to opposing counsel.
- C. Copies of Washington Pattern Instructions are not provided by the Court. If such instructions are proposed, they must be submitted in typed form with the suitable number of copies as outlined above.

## **RULE 11: EXHIBITS**

### **A. PRE-MARKING**

Counsel shall arrange with the Clerk for the marking of all exhibits no later than two (2) court days prior to the trial.

### **B. COPIES**

Unless the making of copies is impractical, legible copies of exhibits shall be furnished to opposing counsel and the court and numbered the same as marked by the Clerk. This rule shall not apply to rebuttal or impeachment exhibits not required to be offered in the party's case in chief.

### **C. DESCRIPTIVE LIST**

A descriptive list of the proposed exhibits shall be provided to the clerk no later than three (3) court days prior to the trial date.

## **RULE 12: COURT REPORTING**

- A. Pre-trial and post-trial civil motions and other proceedings will not be recorded by a reporter unless requested by a party to the action, or as directed by the Court.
- B. Civil trials will be reported only on a request of a party to the action, which party shall arrange for a court reporter to be in attendance. The cost of such reporter shall be an expense of the requesting party or parties.
- C. In criminal matters, all pre-trial motions and appearances will be recorded electronically, and the Court may arrange for a court reporter to be in attendance for criminal trials at the expense of Adams County.

[Adopted effective September 1, 2017; amended effective September 1, 2024]

## **RULE 13: JURORS**

### **A. EXAMINATION OF JURORS**

1. At the commencement of trial, the Clerk will assign numbers randomly, beginning with the number one, to all jurors called for trial. If a criminal defendant objects to this procedure, the numbers will be drawn by the Clerk in open court at the beginning of the trial.
  - A. Prior to the questioning of prospective jurors by counsel, the Court will allow time for counsel to review juror profiles and questionnaires.
  - B. Prospective jurors will be given placards with their assigned numbers on them. These will be large enough to be easily read by the Court, counsel, and the court reporter. The jurors will arrange themselves in order as directed by the Court.
  - C. If alternate jurors are to be selected, the parties may stipulate that all preemptory challenges will be exercised against the entire panel. Otherwise, each side will only be allowed the number of peremptory challenges against the alternate juror(s) as allowed by CR 47(b).
  
2. The Court will then ask general questions of the prospective jurors.
  - A. "General questions" mean those questions that are designed to discover those jurors who should be excused for cause (e.g., those prospective jurors who are related to a party or who cannot be available for the full time the trial is estimated to take).
  - B. Counsel may request general questions to be asked by the Court if they meet the definition in section (2)(A) above.
  
3. After prospective jurors have been excused for cause, Counsel will then question the remaining prospective jurors.
  - A. Each side will have sixty (60) minutes for questioning. Each side may reserve that amount of the allotted time as allowed by the Court for additional questions following the questioning by the other side. Any time expended in arguing a challenge for cause will not be charged to either side.
  - B. The time limit set forth in section (4)(A) may be expanded by the Court prior to the commencement of jury selection for good cause shown, such as an extremely complicated case, a highly publicized case, or a case with multiple parties.
  - C. Counsel may use their allotted time in any manner and may question prospective jurors in any order. Counsel may ask group questions or ask jurors to respond to remarks made by other members of the jury panel (e.g., the first question may be addressed to juror #3 in the box, then a question addressed to the entire panel, or just to jurors #3 and #9, etc.).
  - D. Objections to questions are made in the usual manner.

- E. For cause challenges may be made outside the presence of the jurors.
  - F. The entire panel of prospective jurors is passed for cause when counsel so announces.
4. The parties then exercise their peremptory challenges.
- A. Peremptory challenges may be made outside the presence of the jurors.
  - B. Challenges may be made to jurors who are not seated in the box.
  - C. When a peremptory challenge is exercised, the next juror on the bench with the lowest number shall replace the juror who was excused from the jury box.
  - D. Upon request of counsel, time will be allowed between voir dire and the exercise of peremptory challenges.
5. Additional provisions
- A. Counsel may submit, and the Court may allow, special questionnaires focused to the specific case (or type of case) to be submitted to the jurors to answer on the morning of trial before the voir dire process begins. Copies will be made and available to counsel during the questioning of the jurors. Counsel must submit proposed questionnaires to the Court and serve copies on opposing counsel no later than the Friday immediately preceding the week of trial.
  - B. Jurors shall be called on a one trial/one day basis. Those persons selected to serve on a jury will be obligated for the duration of that one trial.



## **RULE 14: GUARDIAN AD LITEM TRAINING, QUALIFICATIONS, AND GRIEVANCE PROCEDURE**

### **A. REGISTRY**

The court administrator shall maintain a registry of persons who are willing and qualified to act as guardians ad litem in guardianship matters. The Court will select as guardians ad litem only persons appearing in the registry, except in extraordinary circumstances.

### **B. ELIGIBILITY**

In order to be eligible for the registry, a person must file their qualifications with the court administrator as required by statute and complete all training required by statute.

### **C. GRIEVANCE PROCEDURE**

The following policies and procedures shall govern the filing, investigating, and adjudication of grievances made by or against guardians ad litem under Titles 11, 13, and 26 RCW:

#### **i. Submission of Complaints**

All complaints must be in writing and must be submitted to the Superior Court Judge. All complaints must bear the signature, name, and address of the person filing the complaint.

#### **ii. Review of Complaint**

Upon receipt of a written complaint, the Presiding Judge shall review the complaint or in the case of a conflict, refer the complaint to another Judge or Court Commissioner.

#### **iii. Findings and Action on Complaint**

The reviewing Judge shall either:

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 Judge 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 guardian ad litem's report or testimony;
2. Make a finding that the complaint has no merit on its face, and decline to review the complaint and so inform the complainant;

3. Make a finding that the complaint appears to have merit and request, via written letter, a written response from the guardian ad litem or other person against whom the complaint is brought within 10 business days, detailing the specific issues in the complaint to which the reviewing Judge desires a response. The reviewing Judge shall provide the guardian ad litem or other person against whom the complaint is brought, with a copy of the original complaint. In considering whether any complaint against a guardian ad litem has merit, the review Judge shall consider whether the complaint alleges the guardian ad litem has:
  - i. Violated a code of conduct;
  - ii. Misrepresented his or her qualifications to serve as a guardian ad litem;
  - iii. Breached the confidentiality of the parties;
  - iv. Falsified information in a report or in testimony before court;
  - v. Failed, when required to report abuse of child;
  - vi. Communicated with a judicial officer ex parte concerning the case for which they are serving as a guardian ad litem;
  - vii. Violated state or local laws or court rules;
  - viii. Taken or failed to take any other action which would reasonably place the suitability of the person to serve as guardian ad litem in question

#### **iv. Response and Findings on Complaint**

Upon receipt of a written response to a complaint, the reviewing Judge may schedule a hearing, request additional materials, or enter a decision based upon the review of the record alone. The reviewing Judge shall make a finding as to each of the specific issues in the complaint to which the reviewing Judge desired a response as delineated in the Judge's letter to the person against whom the complaint is brought. Such finding shall state that either there is no merit to the issue based upon the response or that there is merit to the issue.

#### **v. Forms of Discipline**

The reviewing Judge shall have authority to issue a written admonition or a written reprimand, refer the guardian ad litem to additional training, or suspend or remove the guardian ad litem from the registry. In considering an appropriate form of discipline, the Judge shall take into consideration any prior complaints that resulted in an admonition, reprimand, referral to training, or suspension or removal from the registry. If the guardian ad litem against whom the discipline is directed is listed on more than one registry, the suspension or removal may apply to each registry on which the guardian ad litem is listed, at the direction of the reviewing Judge.

**vi. Notice of Decision**

The complainant and the person against whom the complaint is brought shall be notified in writing of the reviewing Judge's decision following the receipt of the response to the complaint.

**vii. Confidentiality**

A complaint shall be deemed confidential for all purposes unless the Judge reviewing the complaint has determined that the complaint has merit. Any record of complaints filed which are not deemed by the Judge to have merit shall be confidential, and shall not be disclosed except by court order, upon good cause shown, after the person against whom the complaint was brought has been given notice and an opportunity to be heard.

**viii. Processing Standards**

Complaints shall be resolved within 25 days of the date of receipt of the written complaint if a case is pending. Complaints shall be resolved within 60 days of receipt of the written complaint if the complaint is filed after the conclusion of the case.

**ix. Removal from Registry**

When a guardian ad litem is removed from the court's registry pursuant to the disposition of a grievance hereunder, the court administrator shall send notice of such removal to the Administrative Office of the Courts. When the court administrator receives notice from the Administrative Office of the Courts that a guardian ad litem on the court's registry has been removed from the registry of any other Washington Superior Court, the court administrator shall advise the Judge of such removal.

## **RULE 15: RESCISSION, MODIFICATION OR RENEWAL OF NO-CONTACT ORDERS**

Motions to rescind, modify, or renew a no contact order shall be noted to the motion docket and be served personally upon the respondent at least five days in advance thereof. In the case of no contact orders issued in a criminal case, the office of the Adams County Prosecuting Attorney, and defense counsel shall also be served.

If a no contact order is rescinded, modified, or renewed, the order rescinding, modifying, or renewing the original order shall be forwarded to applicable law enforcement agencies by the Clerk of the Court.

[Adopted effective September 1, 2017; amended effective September 1, 2024]

**RULE 16: SUSPENSION OR MODIFICATION OF RULES**

The Court may suspend or modify any of the foregoing rules, in any given case, upon good cause being shown therefore or upon the Court's own motion.

[Adopted effective September 1, 2017]

## **RULE 17: EFFECTIVE DATE**

These rules replace and supersede all existing Adams County Superior Court Rules and become effective September 1, 2024. These rules shall be cited as ACLR (Adams County Local Rules).

[Adopted effective September 1, 2017; amended effective September 1, 2024]

