DISTRICT COURT I OF CLALLAM COUNTY
LOCAL RULES

TABLE OF RULES

I. CIVIL PROCEEDINGS

LRCRLJ	
6.40(g)	MEDIATION FOR SMALL CLAIMS COURT
904.1	ADMISSIBILITY OF EVIDENCE- DOCUMENTS

II. CRIMINAL MATTERS

LRCrRLJ	
2.1(a)(1)(i)	PROSECUTION RESPONSIBLE FOR DIVERSION OF DWLS3
2.2.(b)(5)	WARRANTS ISSUED FOR FAILING TO APPEAR
3.2.1(e)(3)	PROCEDURE AT PRELIMINARY APPEARANCE
3.4.1	VIDEO CONFERENCIE PROCEEDINGS
4.1(d)(1)	APPEARANCE BY DEFENDANT'S LAWYER
4.5(a)	PRETRIAL HEARING
4.8(b)(1)(a)	DRIVING WHILE SUSPENDED SUBPOENA DUCES TECUM
8.1(c)(1)	MOTIONS

III. INFRACTIONS

LRIRLJ	
2.4(4)	WRITTEN STATEMENT FOR MITIGATING CIRCUMSTANCES
3.1(b)(1)	CONTESTED HEARINGS DISCOVERY

I. CIVIL PROCEDURES

LRCRLJ 6.40(g)
MEDIATION FOR SMALL CLAIMS COURT

(1) Filing: Small Claims cases shall be filed on a form approved by the Court.

(2) Mediation Mandatory: Mediation is mandatory before a trial is allowed. A date for mediation will be set on or after the return calendar. All parties must attend the mediation. If the plaintiff fails to appear, a dismissal will be entered. If the defendant fails to appear, defendant's answer will be stricken and a default judgement entered. Parties must bring their evidence to the mediation, however, no witnesses are allowed. The purpose of mediation is to provide the parties an opportunity to settle the case if possible without a trial; if no settlement is made after mediation, the court will set a trial date. Attorneys and paralegals may not represent parties at mediation. If the parties have already submitted the case to another type of mediation or arbitration service, or if the court finds good cause to waive mediation, the case may proceed directly to trial.

(3) Continuance of Mediation and Trial of Small Claim Cases: Any party requesting a continuance of a scheduled mediation session or small claim case must contact the court in writing and explain the circumstances which may require the mediation session or trial to be continued to another date and time. If all parties agree to a continuance, the court will grant the request. If all parties do not agree, the case may be continued by the Court upon a showing of good cause for a continuance. If the request is not granted by the court, the mediation and trial will proceed as currently scheduled. The Court, upon its own motion, may continue a trial for any reason.

[July 1, 2019]

LRCRLJ 904.1
ADMISSIBILITY OF EVIDENCE- DOCUMENTS

Subject to the time lines established in ER 904, the written statement of any witness, including the written report of an expert witness and including a statement of opinion, which the witness would be allowed to express if testifying in person, is deemed admissible if it is made by affidavit or by declaration under penalty of perjury. Any other party may subpoena the author or maker of a document admissible und this rule, at the party's expense, and examine the author or maker as if under cross examination.

[July 1, 2019]

II. CRIMINAL PROCEDURES

LRCrRLJ 2.1(a)(1)(i)
PROSECUTION RESPONIBLE FOR DIVERSION OF DWLS3

The Prosecutor from each jurisdiction may implement a pre file diversion program for DWLS3, as authorized by law. All complaints and citations for DWLS3 shall be reviewed prior to being filed with the court for eligibility into the Prosecutor's program.

[July 1, 2009]

LRCrRLJ 2.2.(b)(5)
WARRANTS ISSUED FOR FAILING TO APPEAR

Defendants that fail to appear, or to provide documentation to the court that they have completed their conditions of Judgment and Sentence prior to the scheduled review hearing, will have warrants issued for their arrest.

[July 1, 2005]

LRCrRLJ 3.2.1(e)(3)
PROCEDURE AT PRELIMINARY APPEARANCE

(1) Any accused detained in jail must be brought before the court before the close of business on the next court day as specified by CrRLJ 3.2.1(d)(1).

(2) Any defendant given a preliminary appearance date by citation, criminal complaint, or summons shall appear as scheduled.

(3) At the preliminary appearance, the defendant shall sign a Rights Form and Conditions of Release. Preliminary appearance of the defendant shall only be excused under unusual circumstances by order of the court. When preliminary appearance is excused the Promise to Return and Conditions of Release shall be entered, setting arraignment date and conditions of release, by telephonic record in open court. The clerk shall forward a copy of this Order to counsel for the plaintiff and defendant, or defendant if pro-se, thereby providing notice for arraignment.

[July 1, 2005]

LRCrRLJ 3.4.1
VIDEO CONFERENCE PROCEEDINGS

Clallam County District Court I authorizes the use of video conference proceedings pursuant to CrRLJ 3.4(d) and (e).

[July 1, 2019]

LRCrRLJ 4.1(d)(1)
APPEARANCE BY DEFENDANT'S LAWYER

The defendant must appear in person for arraignment with their lawyer unless the defendant knowingly and voluntarily waives his/her right to counsel in writing. Appearance at arraignment is not waived by the defendant's lawyer filing an appearance and plea of not guilty on behalf of a client. At arraignment appearance of either the defendant or lawyer shall only be excused under unusual circumstances by order of the court. When the defendant and the defendant's lawyer are present at the regular scheduled preliminary appearance calendar arraignment may be conducted. The entry of plea, conditions of release on the Promise to Return and Order Pending Trial, and Order Setting Schedule and Directing Pretrial Procedure may all be entered; thereby, eliminating the need for a separate arraignment appearance.
[July 1, 2009]

LRCrRLJ 4.5(a)
PRETRIAL HEARINGS

(1) Pretrial Motions: Written CrRLJ and 8.3(c) and 3.6 motions shall be filed within 28 days of the arraignment. Failure to file a written motion by that date shall constitute a waiver unless the date is extended by the court for good cause.

(2) Jury Readiness Hearing: Jury Readiness hearings are at 1:30 the Tuesday two weeks prior to trial the date. All parties and counsel shall be present and all pretrial matters shall be concluded. The presence of the defendant may not be waived except under extraordinary circumstances by order of the court. Failure of the defendant to be present at the Jury Readiness Hearing will result in the issuance of a bench warrant and the striking of the trial date.

(3) Trial Confirmation: On Tuesday the day before trial at 1:00, a Trial Confirmation Hearing will be held. After the Trial Confirmation Hearing is held, notice not later than 4:30pm must be given to the Court Clerk to cancel the jury or costs may be assessed to the appropriate party.
[July 1, 2013]

LRCrRLJ 4.8(b)(1)(a)
DRIVING WHILE SUSPENDED SUBPOENA DUCES TECUM

A defendant accused of a charge of Driving While Suspended may, through his/her attorney, issue a subpoena Duces Tecum upon the Department of Licensing in Olympia for records reasonably relating to the existence and service of the drivers license suspension alleged. Said subpoena shall permit the Department of Licensing no less than 14 days from the completion of service to comply with the subpoena. The subpoena shall also permit the Department of Licensing to comply by fax or first class mail, postage pre-paid to the attorney's business address.
[July 1, 2005]

LRCrRLJ8.1(c)(1)
MOTIONS

When setting a hearing on a jurisdictional calendar a notice of issue along with an agreed order shortening time shall be filed with the court by 12:00 on the day prior to the jurisdictional calendar.

When setting a hearing on a non-jurisdictional calendar a motion shall be filed in accordance with CrRLJ 8.1(c). In extraordinary circumstances the court may allow a motion and order shortening time.

[July 1, 2013]

III. INFRACTIONS

LRIRLJ2.4(4)
WRITTEN STATEMENT FOR MITIGATING CIRCUMSTANCES

Submitting a written statement explaining mitigating circumstances, is authorized. Prior to submitting the statement a person must promise to pay the monetary penalty authorized by law if the infraction is found to be committed. Written statements may be submitted to the court by email at: https://websrv7.clallam.net/mitigations/mitiform.php?CourtID=1

[July 1, 2015]

LRIRLJ3.1(b)(1)
CONTESTED HEARINGS DISCOVERY

Speed measuring device certifications are not subject to discovery through the court. Local speed measuring devices certification documents can be obtained from the court clerk during normal business hours prior to a contested hearing. Washington State Patrol's speed measuring device certifications are located at: https://fortress.wa.gov/wsp/smdsearch/Display/CertificateCourtList

[July 1, 2011]