

Superior Court

Notice to the Bar & Public

March 11, 2010

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

Due to the loss of the Calendar Clerk position in the Clerk's office, it is necessary for the Court to adjust the way it manages its caseload. Trial setting will be managed by the assigned Judge's Judicial Assistant.

Changes to Civil Trial Setting Procedures: Effective Monday, April 5, 2010 the Court will modify its civil Friday **Trial Setting Calendar** procedures. The Court will adopt a practice used in many other Washington courts, wherein a party Notes a matter for Trial Setting, according to the notice requirements set forth in WCCR 77.2, listing unavailable dates. In response, Counsel for the opposing side provides similar unavailable dates. The trial date is then set administratively with a Court order, without appearances by counsel, copies of which will be sent to parties.

Counsel and parties will continue to note the case for trial setting on the Court's Friday 1:00 PM Trial Setting Calendar and confirm the setting, using the new Note for Trial Setting form, submit the Notice of Conflicts and await the Court's issuance of the Order Setting Trial Date soon after the scheduled Trial Setting Calendar.

The Court's policy remains that a trial setting in a particular department is tentative and does not assure trial before that department.

The Note for Trial Setting, any Note for Motion Docket, Notices of Conflicts, Notice of Settlement, waiver of jury, changes in the number of days expected for trial, and any stipulated orders of dismissal should be filed with the County Clerk and a copy provided for and marked for the assigned Judge's Judicial Assistant.

In accordance with CR 38, jury demand and payment of jury fees are due at or prior to the time of trial setting or a jury trial will be deemed waived.

Three new forms are adopted to implement the changes.

- **Note for Trial Setting** (Formerly a part of the combined Note for Motion Docket/Trial Setting)
- **Notice of Conflicts** (To be filed by the party noting the matter for trial setting, and opposing counsel)
- **Order Setting Trial Date** (Issued by the Court without appearance at Trial Setting Calendar)
- **Note for Motion Docket** (For motion only)

Word and **PDF** versions of the four new forms are posted on the court web site at www.whatcomcounty.us/superior

Those with internet access may obtain copies of the forms at the Clerk's office.