

# Superior Court

## Notice to the Bar & Public

January 26, 2007

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

- **Court Rule Change, WCSPR 94.08(n)** (Award of Attorney Fees)
- **Request for Entry of Decree** (Declaration of Jurisdictional Facts)
- **Friday 1:15 Pro Se Domestic Calendar**
- **Guardianship Monitoring**
- **Family Law Settlement Conferences**
- **Judicial Assistants**

### Court Rule Change, WCSPR 94.08(n) (Award of Attorney Fees)

#### **WCSPR 94.08(n)** **Filings in Family Law Cases...**

- (n) **Award of Attorney's Fees.** Requests for fees at the conclusion of trial ~~shall not be considered~~ may be denied unless the settlement proposals required in section (i) (l) are filed with the court. In no event shall the settlement proposals be filed or otherwise communicated to the court until after trial. In awarding fees and costs the court may, in addition to other considerations required by law, consider the settlement proposals. [Revised 01/18/2007]

### WCSPR 94.07

**Request for Entry of Decree** (Declaration of Jurisdictional Facts): The **Request for Entry of Decree** form has been modified to unequivocally restate the parenting seminar requirement. The updated form is attached hereto and is available on the court's web site at [www.whatcomcounty.us/superior/forms](http://www.whatcomcounty.us/superior/forms). If the filing attorney certifies that both parents have completed the class and the certificates of completion are attached the Decree may be presented ex parte. If the Request fails to affirmatively certify class completion the Request and Decree will be reviewed by the Facilitators and a Commissioner before entry.

**Friday 1:15 Pro Se Domestic Calendar:** Effective February 2, 2007 pro se dissolutions will be noted before the assigned judge on Fridays at 1:30, instead of 1:15. The revised court calendar (by subject) appears on the court web site at [www.whatcomcounty.us/superior/calendar](http://www.whatcomcounty.us/superior/calendar) and is attached hereto.

**Guardianship Monitoring:** The court has been aware for some time that too often guardianship cases have needed attention. Sometimes guardians have died or are unable or unequipped to administer to the needs of the ward and annual reports are not being filed. A number of sister county courts have established guardianship monitoring programs. The Whatcom County Superior Court is committed to instituting a guardianship monitoring program. Initially, the court will identify which guardianship cases may bear scrutiny, based on inactivity in the case. The court may seek research assistance to examine each case, either from interns, volunteer attorneys or hired temporary/trained assistants. Once the initial list is researched and needs identified the court will, with the advice and assistance of attorneys, implement a regular ongoing program to continuously monitor the cases. The first analysis will be large, but it is anticipated that the ongoing effort will be nominal once regular monitoring procedures are in place. If any attorney is interested in assisting the court in the initial effort and/or in the ongoing effort, please contact the Administrator at [nfjackson@whatcomcounty.us](mailto:nfjackson@whatcomcounty.us), via phone (676-7688) or memo.

**Family Law Settlement Conferences:** There is a significant backlog of settlement conferences, such that one may not schedule one until June or July of 2007. With some 800 eligible cases each year and only 150 opportunities to schedule them under the present scheme, the backlog will increase. The court is seeking to address this need. We are considering several weeks of three or four conferences per day, to address the backlog, and perhaps a monthly “settlement conference week” when three or four conferences per day may be scheduled. We seek input from the bar in the following regards:

- Do mediation and settlement conferences help settle cases?
- How could settlement conferences be improved?
- Should we continue to use full time commissioners to conduct settlement conferences, or would retired judicial officers or contracted attorneys be effective?
- If we offer several weeks of “marathon” settlement conferences to address the current 6-month backlog, how should it be offered: nearest first/latest first/first-come, first-served?

**Judicial Assistants:** The Court will soon be hiring judicial assistants for each of the elected judges. It is contemplated that the assistants will provide the following services:

- Telephone reception
- Correspondence
- Judge Copies management (all are to be delivered to the Clerk’s office, not chambers)
- Calendar support (special sets scheduling, file review)
- Courtroom bailiff