



Whatcom County Superior Court Local Rules

Effective September 1, 2005

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WCAR 0.1

Purpose and Citation

- (a) **Purpose.** Procedure in the Superior Court of the State of Washington for Whatcom County shall comply with Washington statutes, Rules of Court and these rules.
- (b) **Citation.** These rules are collectively referred to as "Whatcom County Superior Court Local Rules" or "WCLR". Individual rules are known and cited as "WCAR 0.2", "WCCR 54", etc.

[Effective 6/1/91]

WCAR 0.2

Definitions

A rule applying to an "attorney", "counsel", or "lawyer" shall equally apply to a party pro se. Except where otherwise required by law or court rule, the terms "judge" and "court" include commissioners. The term "clerk" includes deputies and other employees authorized to act on behalf of the Clerk of the Superior Court.

[Effective 6/1/91]

WCAR 0.3

Organization of the Court

- (a) The Superior Court of the State of Washington for Whatcom County is organized into three judge's departments, Departments One, Two, and Three. Three court commissioners, mental health commissioners, and a family court commissioner also conduct business of the court.
- (b) The judges shall from time to time designate a Presiding Judge who shall also act as Special Inquiry Judge, unless a different judge is designated.
- (c) The Presiding Judge shall assign the duties and trial responsibilities of each department and the commissioners.
- (d) Court Commissioners shall have authority in all matters allowed by the Constitution of the State of Washington, case law and statutes, including, but not limited to, the authority noted in RCW 2.24.040 to accept guilty pleas.

(e) [Revised 9/1/00]

WCAR 0.4 Suspension of Rules

The court may modify or suspend any WCLR for good cause or upon the court's own motion in order to prevent the failure of justice.

[Effective 6/1/91]

General Rules (WCGR)

WCGR 31 Personal Identifiers - Children

- (1) **Complete names of children, sealed case types:** The complete names of children shall be used in cases that are deemed confidential pursuant to state or federal statutes, including cases filed pursuant to Title 13 RCW (excluding offender cases); Chapter 4.24 RCW, Chapter 26.33 (Adoption) and Chapter 71.34 (Mental Health Services for Minors).
- (2) **Confidential Information Form:** The complete names of children and other identifiers shall be included in the Confidential Information Form or similar document for cases filed under Title 26.
- (3) **Domestic Relations Orders:** Court orders concerning the financial support or the custody or residential schedule of a child (including temporary and permanent parenting plans and similar documents) and orders establishing or disestablishing paternity shall include the full name of the child. The date of birth of a child shall be included in court records only as authorized by GR 22.
- (4) **Child who is alleged to be a victim of a crime:** The complete name of a child who is alleged to be a victim of a crime may be included on subpoenas and in jury instructions. Nothing in this rule requires that subpoenas be routinely filed in the court file.
- (5) **Child who is charged with a crime:** The complete name of a child charged with a crime shall be included in any indictment or information filed with the court pursuant to CrR 2.1 or JuCR 7.2, as part of an affidavit or declaration of probable cause or for any other purpose deemed necessary for the prosecution or defense of the criminal or juvenile offender matter.
- (6) **Orders issued for the protection of or restricting access to a child:** If a child is a person protected by a criminal no contact order issued pursuant to 10.99 RCW, an anti-harassment order issued pursuant to 10.14 RCW, an order of protection under issued pursuant to 26.50 RCW or a restraining order or order of protection issued pursuant to 26.09 RCW, 26.10 RCW, 26.26 RCW, RCW 26.52.020, or any other court order entered for the protection of the child, the child's full name and other identifiers shall be included on petitions and orders as necessary for entry of the order into the Judicial Information System (JIS) and/or the Washington Crime Information Center (WACIC). If access to a child is restricted pursuant to CrR 3.2(d) (1), the court may include the full name of the child on the order, if deemed necessary for effective enforcement of the order.
- (7) **Orders restraining child from contacting or harassing others:** Whenever a child is named as a respondent in an order listed in (3) above, the child's full name and other personal identifiers shall be included on the petition and order as necessary for entry of the order in the Judicial Information System (JIS) and/or the Washington Crime Information

Center (WACIC).

- (8) **General authority:** Nothing in this rule shall prohibit a court from authorizing the use of a child's full name or date of birth when necessary for the orderly administration of justice, consistent with the requirements of GR 22.

[Effective 9/1/05]

Civil Rules (WCCR)

WCCR 4	Order for Service of Summons by Publication
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WCCR 4 Order for Service of Summons by Publication

A party must obtain an Order for Service of Summons by Publication in any case where that party serves summons by publication. The party shall file a Declaration for Service by Publication, which shows that the requirements of RCW 4.28.100 have been satisfied and shows specific facts delineating the attempts that were made to locate the other party.

[Effective 9/1/93]

WCCR 7.1 Reapplication for an Order

An order refused in whole or in part (or granted conditionally and the condition has not been performed) shall not be presented to a different judge or commissioner unless authorized by the judge or commissioner who refused or conditionally granted the order.

[Effective 6/1/91]

WCCR 7.2

Necessary Provisions for Civil Bench Warrant, Non-Domestic Relations Cases

No civil bench warrant for failure to appear shall issue without an affidavit by the attorney for the moving party setting forth:

- (a) a statement that the order requiring the attendance of a party in court contained the following caption:
 -) NO.
 -) ORDER REQUIRING ATTENDANCE
 -) OF PARTY IN COURT

And that the order contained the following notice:

YOUR FAILURE TO APPEAR AT THE TIME, DATE, AND PLACE REQUIRED MAY CAUSE THIS COURT TO ISSUE A BENCH WARRANT FOR YOUR APPREHENSION AND CONFINEMENT IN JAIL UNTIL SUCH TIME AS THIS MATTER CAN BE HEARD AND/OR UNTIL BAIL IS POSTED. THE RELIEF REQUESTED IN THE MOTION MAY ALSO BE GRANTED.

- (b) Confirmation of personal service;
- (c) The date(s) of service;
- (d) The time required by law to lapse between service and granting of relief;
- (e) That such time has in fact lapsed.

[Effective 12/1/92]

WCCR 10.1

Documentary Exhibits

- (a) When a documentary exhibit is used at trial during witness examination and reference to the contents of the exhibit is necessary to understand the issues, counsel shall provide extra copies of the exhibit for opposing counsel and the court.
- (b) An 8.5 by 11 inch photo-reduction of each large-scale exhibit shall be submitted for marking and filing except with permission of the court.

[Effective 6/1/91]

WCCR 10.2

Pleading Requirements

The provisions of CR 10 shall apply. Additionally, the following are required:

- (a) Letter-size paper (8.5 by 11 inches) is required, printed on one side only.
- (b) All pleadings and orders shall bear the signature and bar association membership number of the attorney presenting the order or other paper, and shall identify the party or

parties represented by the attorney. In the event that an attorney represents some but not all of the petitioners/plaintiffs or the respondents/defendants, the signature block shall bear the names of only those parties represented by the attorney.

- (c) Motions, and the orders granting the relief requested in the motions, shall be separate papers.
- (d) Titles of pleadings, orders, and other papers shall be specific. In cases with multiple parties, titles shall include the names of the parties affected by such papers.
- (e) Orders of default against unnamed "Jane Doe" or "John Doe" spouses may be entered. Judgments against unnamed spouses will not be entered against such unnamed spouses unless the file contains adequate affidavits stating reasonable grounds to believe that the defaulting party is married and reciting reasonable efforts made to obtain the complete name of, and service upon, the otherwise unnamed spouse.
- (f) A party appearing pro se shall state on court papers filed by him or her, the telephone number, mailing address, and street address where service of process may be made upon such pro se party.

[Effective 12/1/92]

WCCR 26
Filing of Discovery Materials

Interrogatories, requests for production or inspection, requests for admissions, and the responses thereto shall not be filed with the court or clerk until required to support an application to the court for relief. The originals of such documents, including answers, shall be maintained by the issuing attorney for production at trial.

[Effective 6/1/91]

WCCR 38
Notice of Jury Waiver

When a jury is waived after being demanded, notice shall be immediately given to the Calendar Clerk. Upon violation of this rule, the court may in its discretion assess full costs. A jury demand fee once paid will not be refunded.

[Effective 6/1/91]

WCCR 40.1
Trial Settings

- (a) **Note for Trial Docket.** An attorney who desires to bring an issue of fact to trial shall serve and file a note for trial docket, noting the matter before the Calendar Clerk at the time shown on the Court Calendar Schedule. The note for trial docket shall contain:
 - (1) The title of the court, clerk's file number, a brief title of the cause, the words "Note for Trial Docket,"
 - (2) Name or names of the attorneys, or parties pro se, for both plaintiff and defendant,
 - (3) The nature of the cause, whether to be tried to a jury or to the court, date of service

of last pleading,

- (4) The attorney's or party's certification that all issues have been joined, and that all responsive pleadings as to all named parties have been filed or that proper defaults have been taken.
- (5) An estimate of the time that will be required for trial,
- (6) A statement that the case is not subject to mandatory arbitration (stating the grounds for exception from mandatory arbitration required under WCMAR) or that the cause is an appeal from an arbitration award, and
- (7) The bar association membership number and signature of the attorney filing the note, designating the party(ies) represented by the attorney.
- (8) A statement that either (i) all discovery in the case has been completed, or (ii) that the parties have filed an Agreed Order on Discovery, which order shall specify the order of discovery and completion dates of all discovery in the case and that all discovery will be concluded at least 30 days prior to the appointed trial date. A party who seeks a trial date but who cannot satisfy either (i) or (ii) must note the case for a scheduling conference with the trial judge.

(b) Trial Assignment.

- (1) Counsel shall consult with the Calendar Clerk at or before the time of the trial setting calendar to secure a mutually agreeable trial date. If counsel are unable for any reason to obtain an agreed trial date, they shall appear before the Presiding Judge at the time of the trial setting calendar for trial setting.
- (2) To be entitled to a trial assignment, the noting attorney must be present at the trial setting calendar in person or must have previously notified the Calendar Clerk of conflicting dates. However, if the noted attorney appears and requests a trial date, a date will be assigned even if the noting attorney fails to appear or provide conflicting dates. All parties will be held to the date assigned.

(c) Formal Order Required. No trial setting is complete until a judge has signed a formal order.

(d) Service of Order. When an attorney obtains a trial setting order at a case setting calendar when opposing counsel or pro se party has not appeared, the order may indicate on the signature line that the party was noted, but did not appear. If the party was not noted for trial setting, then the order must have opposing counsel's signature on it before it shall be presented for judicial signature. The party presenting the order shall provide a copy of the trial setting order to opposing counsel or pro se party.

(e) Stacked Domestic Relations Calendar. In a domestic relations proceeding, the clerk will ordinarily assign trial of the case to the monthly stacked domestic relations calendar. If more than one or two hours will be required for trial of the case, the case will not be placed on the stacked calendar but will be given a regular trial date.

(f) Department Settings Tentative. A trial setting to a particular department is tentative only and does not assure trial before that department.

[Revised 9/1/98]

WCCR 40.2**Responsibility to be Ready for Trial**

Counsel and parties in cases given a second or third setting shall be ready for trial on the date set. It is the obligation of the attorneys to be aware of the status of the trial calendar, keeping in mind WCCR 40.1 which provides that a case may be transferred to a different department for trial. A party is not released from a trial setting until noon of the last judicial day before trial, although the release time may be extended by the Presiding Judge for good cause.

[Effective 6/1/91]

WCCR 40.3**Trial Continuances**

When a cause is set for trial, it must be tried or dismissed unless good cause is shown for continuance.

No trial continuance will be granted merely upon stipulation of the parties. All motions for continuance shall be in writing and supported by an affidavit. The court may impose terms if a continuance is granted.

[Effective 6/1/91]

WCCR 41.1**Notice of Settlement**

When a cause has been set for trial and then is settled, notice shall be immediately given to the Calendar Clerk. Upon violation of this rule, the court may in its discretion assess full costs. A jury demand fee once paid will not be refunded.

[Effective 6/1/91]

WCCR 51**Jury Instructions**

- (a) Proposed jury instructions must be submitted by the beginning of trial in the following form:
 - (1) Prepare at least four copies of each instruction, including any Washington Pattern Instructions. If there are more than two parties, prepare an additional copy of the instructions for each additional party.
 - (2) Set aside one copy of each instruction, having neither numbering nor citations, to form the basis for instructions actually given to the jury.
 - (3) Assemble the remaining copies: one for the court file (original), one work copy for the judge, one set for the proponent, and one set for each other party. Assemble in the order in which they would be given to the jury. Add citations to these sets, if desired, and number the instructions sequentially; e.g. D-1, P-6, in the lower right-hand corner.
 - (4) On the day of trial, file the original, hand to the judge the work copy and the unnumbered, un-cited set, and distribute the remaining counsel copies.
- (b) In criminal cases, the prosecuting attorney will furnish the proposed instructions for the

case; defense counsel need only furnish additional instructions felt to be applicable to the case.

[Effective 12/1/92]

WCCR 53.2

Review of Commissioner Rulings

- (a) All revisions of Commissioner rulings shall be de novo on the record made by the Commissioner, based only those materials, papers and pleadings in the court file and previously submitted to the Commissioner.
- (b) Any party seeking a revision of a Commissioner's decision shall file a Motion for Revision. Such a motion shall include the following:
 - (1) A statement of the issue or issues sought to be revised
 - (2) A brief statement why the moving party is seeking a revision
 - (3) A transcript of the hearing before the Commissioner
 - (4) Citations to the record where applicable
- (c) Oral arguments shall be limited to ten minutes per side.
- (d) No additional affidavits or other materials shall be filed, other than a brief setting forth the legal issue and argument of the parties. If a brief or legal memorandum was filed by a party before the Commissioner, no new brief or memorandum shall be submitted by that party on the Motion for Revision.

[(Revised 9/1/05)]

WCCR 54

Entry of Orders and Judgments

- (a) In civil cases tried to the court, findings, conclusions, and judgments shall be presented within 20 days of the court's oral order or memorandum decision. Normally, hearings for presentation of judgments and post-trial motions will all be noted for the same time.
- (b) When no appeal is intended, counsel by stipulation may eliminate findings and conclusions and may present a judgment only for signature, if allowed by CR 52.
- (c) No judgment shall be taken upon a negotiable instrument until the original instrument has been filed.
- (d) No judgment shall be taken upon an assigned cause of action until the written assignment is filed.
- (e) Every judgment providing for payment of money shall include on its first page a judgment summary conforming to RCW 4.64.030.
- (f) Presentation:

- (1) *Time*. Orders and judgments may be presented pursuant to CR52 and CR54.
- (2) *Conference or Counsel Required*. The court will not entertain any objection to properly served proposed orders, findings, conclusions and judgments unless counsel has conferred with respect to the objection. Counsel for the objecting party shall arrange for a mutually convenient conference in person or by telephone. If the court finds that counsel for any party has willfully refused or failed to confer in good faith, the court may require counsel or client or both to pay the reasonable expenses, including attorney fees, caused by the failure. The court may continue the hearing.
- (3) *Written Objections*. Though not mandatory, the court urges counsel to prepare written objections so the court can compare paperwork easily. The preferred form is that used in session laws, where undesired language is ~~struck through~~ and new language is underlined.

[Revised 9/1/96]

WCCR 77.1 Courtroom Dress and Decorum

Persons who appear in court should dress in as manner appropriate to the dignity of the forum. Counsel should wear business attire; men should be in coat and tie. Counsel should observe the formality consistent with good courtroom practice. This includes rising to address the court, deference to other counsel while speaking, and professional behavior at all times.

[Effective 6/1/91]

WCCR 77.2 Court Calendar Schedule, Pre-Arranged Settings, Motion Calendar Procedures, Confirmation

- (a) **Court Calendar Schedule**: Non-trial matters are scheduled on various calendars before the Presiding Judge and commissioners. Accompanying these rules as [Appendix A](#) is a copy of the current Court Calendar Schedule that contains information about each of the regular court calendars. The Court Calendar Schedule may be modified from time to time (including one-time changes for holidays or judicial conferences) without formal republication. Current calendar information, including a copy of the latest edition of the Court Calendar Schedule, may be obtained from the Clerk of the Superior Court, 311 Grand Avenue, Bellingham, WA 98225, (360) 676-6777.
- (b) **Pre-Arranged Settings and Confirmation**: Counsel must pre-arrange most non-trial matters by contacting the clerk for a setting in order for the matter to be placed on the appropriate calendar. Likewise, certain settings must be confirmed with the clerk prior to the time for hearing or the matter will not be called in court. The Court Calendar Schedule details which matters require pre-arrangement and/or confirmation.
- (c) **Motion Calendar Procedures**:
 - (1) Motions to be noted on the Motion Calendar shall be filed with the court by noon nine (9) court days prior to the hearing. Motions, other than summary judgment motions,

- shall be filed and served upon all parties nine (9) court days before hearing. A proposed form of an order, which the Court may adopt, modify or reject consistent with the Decision of the Court, shall be served with the motion. Responses shall be filed and served on all parties four (4) court days before hearing. Replies shall be filed and served on all parties-no later than Noon two (2) days prior to the hearing.
- (2) Time for filing and service of motions as prescribed by these rules shall not apply to summary judgment motions. Summary judgment motions shall be served and filed pursuant to CR 56.
 - (3) If no one appears in opposition to a motion, upon proof of proper service the moving party may take the order requested unless the court shall deem it manifestly unauthorized. If no party appears, the motion may be deemed waived or stricken. No more than ten minutes will be allowed to each side for argument unless the court otherwise directs.
 - (4) Counsel shall immediately notify the clerk when matters are continued or stricken by the parties prior to the time set for hearing. Motions may be continued to a subsequent motion day or set down by the court for hearing at other specified times. Continuances are only tentative until a judge signs a written order of continuance.
 - (5) Counsel who fail to timely file papers, serve papers on opposing counsel or submit bench copies as required by these rules may cause matters to be stricken, sanctions imposed, or terms assessed.
 - (6) Parties shall only provide bench copies of pleadings filed three or fewer days before the hearing.

[Revised 9/1/03]

WCCR 78 Furnishing Envelope to Clerk

Whenever a person requests from the clerk a conformed copy of pleadings filed, other written confirmation of duties performed or photocopies, that person shall furnish a stamped, self-addressed envelope or an appropriate pre-paid courier service voucher.

[Effective 9/1/95]

Special Proceeding Rules (WCSPR)

Adoption Proceedings

[WCSPR 93.04](#) Pre-Submission of Adoption Documents;

Domestic Relations Proceedings

[WCSPR 94.04](#) Support Modification

[WCSPR 94.05](#) Domestic Relations Show Cause Hearings and Motion

[WCSPR 94.06](#) Pretrial Information Form, Financial Affidavit and Trial Brief

[WCSPR 94.07](#) Entry of Dissolution Decree by Declaration of Jurisdictional Facts

[WCSPR 94.08](#) Filings in Family Law Cases

Probate and Guardianship Proceedings
[WCSPR 98.16](#) Probate and Guardianship

WCSPR 93.04
Pre-Submission of Adoption Documents

All necessary consents shall be filed and judge copies of the proposed findings, conclusions, and decree of adoption shall be submitted by noon two judicial days prior to the hearing.

[Effective 6/1/91]

WCSPR 94.04
Support Modification

- (a) **Post-decree discovery.** Post-decree formal discovery requests seeking financial information from an opposing party shall be allowed only when a support modification action has been filed unless:
 - (1) A duty to provide the requested information was imposed by a previous court order; or
 - (2) Discovery has been ordered pursuant to a show cause hearing.
- (b) **Service.** When a party serves a child support modification petition or answer, the party shall also serve the following papers:
 - (1) Washington State Child Support Worksheets and a Financial Declaration (Washington Pattern Form DR 01.0550), completed with all information known to the party;
 - (2) Tax returns for the preceding three years, including all schedules, attachments, and W-2 forms;
 - (3) The party's current pay stub; and
 - (4) If a deviation from the standard calculation of child support is requested, additional affidavits to establish the basis for granting or denying the deviation.
- (c) **Filing, tax returns.** Do not file tax returns, schedules, attachments, or W-2 forms. If a support modification order is appealed, the appellant shall supplement the record on appeal with the tax records referred to at the hearing.
- (d) **Bench copies.** Each party shall provide a bench copy of the following to the commissioner by noon two judicial days prior to the hearing:
 - (1) Pleadings, worksheets, affidavits, tax information, memoranda, wage information, and other information which were served on opposing counsel; and
 - (2) Washington State Child Support Worksheets for the various reasonably possible scenarios, clearly presented in a form which lends itself to comparison and discussion.
- (e) **Trial setting order.** Child support modification matters are heard by a court

commissioner. A written order setting the matter on the support modification calendar is required for the matter to be heard. Issues related to the case other than child support may be heard upon order of the Presiding Judge or by consent of the commissioner.

- (f) **Testimony limited.** Testimony at the hearing will be allowed only upon prior authorization or when deemed necessary by the court. Only brief argument should be required.

[Revised 9/1/95]

WCSPR 94.05

Domestic Relations Show Cause Hearings and Motions

- (a) **Motion Calendar Procedures:** Motions to be noted on the Motion Calendar, including Motions for Show Cause, shall be filed with the court by noon nine (9) court days prior to the hearing. Motions shall be filed and served upon all parties nine (9) court days before hearing. A proposed form of an order, which the Court may adopt, modify or reject consistent with the Decision of the Court, shall be served with the motion. Responses shall be filed and served on all parties four (4) court days before hearing. Replies shall be filed and served on all parties-no later than Noon two (2) days prior to the hearing. The moving party's affidavits shall be served with the motion; the responding party's affidavits shall be served with the response.
- (b) **Confirmation.** A matter noted on the Domestic Relations Calendar must be confirmed by noon two judicial days prior to the hearing. Otherwise, the matter will be stricken from the docket.
- (c) **Financial affidavits.** When temporary support, maintenance, attorney fees, or costs are at issue, both parties shall file and serve with their pleadings a Financial Declaration (Washington Pattern Form DR 01.0550).
- (d) **Bench copies.** Parties shall only provide bench copies of pleadings filed three or fewer days before the hearing.
- (e) **Testimony limited.** Domestic issues will normally be determined by affidavits alone. Where temporary custody is in dispute the court may set a time for taking oral testimony. Oral testimony may be permitted whenever the court feels that unusual circumstances make it necessary or the other party appears in court without counsel.

[Revised 9/1/03]

WCSPR 94.06

Pretrial Information Form, Financial Affidavit, and Trial Brief

In all contested trials in domestic relations matters, except those placed on the stacked calendar, each party shall prepare a written pretrial information form indicating a proposed division of assets and liabilities in the form set forth in Appendix B. If child support, spousal maintenance, attorney fees, or costs are at issue, each party shall prepare a Financial Declaration, (Washington Pattern Form DR 01.0550.) The original forms and trial briefs shall be filed with the clerk and copies served on opposing counsel by noon two judicial days prior to trial.

[Revised 9/1/03]

WCSPR 94.07**Entry of Dissolution Decree by Declaration of Jurisdictional Facts**

The court will enter an agreed or default decree of dissolution of marriage without a final hearing or oral testimony when at least one of the parties is represented by an attorney, the petitioner completes a Request for Entry of Decree and Declaration of Jurisdictional Facts in the form set forth in Appendix C, and:

- (a) The respondent or respondent's attorney approves all of the final papers including the Request for Entry of Decree and Declaration of Jurisdictional Facts, or
- (b) if the respondent is in default, the decree provides for only that relief requested in the petition, or
- (c) If the respondent or co-petitioner joined in the petition and is unavailable to sign the final papers, the decree provides for only that relief requested in the petition.

[Effective 12/1/92]

WCSPR 94.08**Filings in Family Law Cases**

(a) **Application of Rule.** This rule shall apply to:

- (1) All family law petitions seeking dissolution of marriage, legal separation, or declaration of invalidity;
- (2) Actions brought by parties to non-marital personal relationships involving parenting or distribution of assets/liabilities; and
- (3) Actions to modify previously entered parenting plan final orders.

(b) **Court's Automatic Temporary Order.** Upon the filing of a Summons and Petition in any of the actions specified in sections (a) (1) and (2) above, the court on its own motion shall automatically issue a Temporary Order that includes the following provisions:

- (1) The parties be restrained from transferring, removing, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life or as agreed in writing by the parties. Each party shall notify the other party of any extraordinary expenditure made after the order is issued.
- (2) The parties be restrained from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties whether medical, health, life or auto insurance, except as agreed in writing by the parties.
- (3) Each party shall be immediately responsible for his or her own future debts whether incurred by credit card or loan, security interest or mortgage, except as agreed in writing by the parties.
- (4) Both parties must have access to all tax, financial, legal, and household records.

Reasonable access to records shall not be denied.

(5) For those actions in which children are involved:

- (i) Each parent be restrained from changing the residence of the child(ren) until further court order, except as agreed in writing by the parties. Subsequent orders regarding parenting issues supersede previously issued orders to the extent the orders may be inconsistent.
- (ii) Each parent shall insure that the child(ren) not be exposed to negative comments about the other parent. Neither parent shall make negative comments about the other parent in the presence of the child(ren).

(b) **Filing of Parties' Financial Declarations and Verified Statement of Assets and Liabilities.** Within 30 days after the filing of an appearance or answer or other responsive pleading in any of the actions specified in section (a) (1) and (2) above, each party shall serve on the opposing party:

- (1) A Financial Declaration (in all cases involving a request for child support, maintenance or attorney fee, the declaration shall also be filed with the court); and
- (2) A Verified Statement of Assets and Liabilities including both marital and separate assets and liabilities of any kind in the form set out in Appendix E. The Verified Statement of Assets and Liabilities shall not be filed with the court. Each party shall then file with the court a Declaration of Service attesting that the Financial Declaration and Verified Statement of Assets and Liabilities has been provided to the other party within the 30-day time limit. All parties have a duty to supplement the financial information when additional information becomes available.

Required Attendance at Parenting Seminar. Within 30 days after the filing of an appearance or answer or other responsive pleading in any of the actions specified in section (a) above which involves minor children, the parties shall register for a court approved parenting program on the effects of family transitions on children, unless the parties have previously attended such a course. In cases filed pursuant to the Uniform Parentage Act, RCW 26.26, the parenting program is required only if a party petitions for a permanent court-ordered residential schedule when no such schedule currently exists. If domestic violence has occurred in the relationship as evidenced by the criteria set forth in (g) (2)-(4) below, then the parties shall individually attend a court-approved parenting program which includes the effects of family violence on children. Each party shall attend the appropriate seminar within 60 days of registering.

- (c) After completion of the appropriate seminar, each party shall file with the court the seminar completion certificate provided by the sponsoring agency or provider.
- (d) The court may waive attendance at the parenting program upon motion for good cause shown. Unless waived by the court, failure to attend the appropriate parenting program may result in a finding of contempt and imposition of sanctions.
- (e) **Exchange of Parenting Plans.** Within 14 days of completing the appropriate program as described in (d) above, each parent shall provide the other parent with a Proposed Parenting Plan if they have not already done so. The requirement of a "behavioral evaluation" shall be added as a sub-category to non-emergency health care in the Major Decisions section of the Parenting Plan. Where there is joint decision-making, the

following "red flag" behavior provision shall be included in the Parenting Plan:

- (1) The parents shall be responsible to observe and note at-risk behavior of the children, including, but not limited to:
 - (i) Depressed mood or verbalizing suicidal thoughts,
 - (ii) Increase in aggressive behavior or acting out,
 - (iii) Running away from home,
 - (iv) Abnormal amount of physical illness,
 - (v) Changes in sleeping or eating habits,
 - (vi) Undesirable changes in school confirmed by teacher, such as significant drop in grades, missing classes, disciplinary problems, etc.,
 - (vii) Juvenile delinquency problems.
 - (2) If any of the above symptoms or problems occur and last for two weeks or more, the parents shall address the problem with each other and with the child.
 - (3) If the parents see no change in the symptoms or behavior within two weeks, the child's health care physician shall evaluate the child. The parents have designated Dr. _____ as the child's health care physician.
- (f) **Mediation in Contested Cases.** Except as provided in section (g) below, in all cases specified in section (a) having unresolved issues (except child support issues), both parties shall in good faith engage in mediation with a court approved mediator in an effort to resolve the case. The parties may either agree to a mediator from the court-approved list or the mediator will be determined by use of a strike list. The cost of mediation shall be paid by the parties in proportion to their incomes. Either party may seek a court apportionment of the cost of mediation.
- (g) **When Mediation Is Not Required.** Mediation shall be required as provided in section (f), except in the following cases:
- (1) For good cause shown upon motion and approval by the court; or
 - (2) Where a domestic violence restraining order or protection order (excluding ex-parte orders) involving the parties has been entered by a court at any time within the previous 12 months;
 - (3) Where a domestic violence no contact order exists pursuant to RCW 10.99;
 - (4) Where the court upon motion finds that domestic abuse has occurred between the parties and that such abuse would interfere with arms length mediation.
- (h) Notwithstanding the foregoing, either party may by motion seek a court order requiring mandatory mediation in a case where it would not be required as set forth in (g)(2), (g)(3) or (g)(4) above if the moving party believes that the parties would be able to mediate their dispute at arms length under the particular circumstances of the case.

- (i) **Settlement Conferences.** If, after mediation in good faith, or where mediation is not required, there remain unresolved issues in any case specified in section (a), the parties shall personally participate in a settlement conference conducted by a judicial officer or, for good cause shown, a person approved by the court in advance. Five days prior to the settlement conference, each party shall submit their list of unresolved issues to the settlement officer. The settlement conference shall take place no later than 2 weeks prior to trial.
- (j) **Exchange of Settlement Offers.** If the settlement conference does not result in complete resolution of the case, each party shall submit to the other a written settlement proposal addressing all unresolved issues. This offer shall be submitted within 5 days of the settlement conference.
- (k) **Failure to Comply.** A party's compliance with the provisions of this rule may be enforced upon Motion and Order to Show Cause. Unless compliance is waived by the court for good cause shown, the court may order appropriate sanctions including costs, attorney's fees, and adoption of the complying party's proposal.
- (l) **Award of Attorney's Fees.** Requests for fees at the conclusion of trial shall not be considered unless the settlement proposals required in section (i) 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 9/1/05]

WCSPR 98.16
Probate and Guardianship

- (a) **Probate.** Wills may be admitted and personal representative appointed upon either oral testimony or appropriate affidavits. An original death certificate shall be filed unless otherwise ordered by the court.
- (b) **Guardianship.**
 - (1) All interim and final reports, together with a proposed order, shall be filed with the clerk and a copy provided to the court by noon two judicial days prior to the hearing.
 - (2) The report shall contain a statement of compliance with the Internal Revenue Code.
 - (3) All accounts shall list the opening balance, receipts, disbursements, and ending balance. Vouchers and receipts shall be available for inspection but shall not be filed unless ordered by the court.
 - (4) Time sheets of guardians and attorneys are encouraged to assist the court in fixing fees.
 - (5) Failure without excuse to file reports as required by law or by this rule may result in sanctions by the court and imposition of terms, including but not limited to denial or reduction of requested fees.

[Effective 6/1/91]

Guardian ad Litem Grievance Procedures (WCGAL)

[WCGAL 7.1](#) Guardian ad Litem Advisory Committee

[WCGAL 7.2](#) Submission of Complaints

[WCGAL 7.3](#) Review of Complaint

[WCGAL 7.4](#) Response and Findings

[WCGAL 7.5](#) Confidentiality

[WCGAL 7.6](#) Complaint Processing Time Standards

[WCGAL 7.7](#) Removal from Registry

WCGAL 7.1

Guardian ad Litem Advisory Committee

The Court's Guardian ad Litem Advisory Committee, hereinafter referred to as the "Committee," will administer complaints about guardians ad litem.

[Effective 9/1/00]

WCGAL 7.2

Submission of Complaints

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

[Effective 9/1/00]

WCGAL 7.3

Review of Complaint

Upon receipt of a written complaint, the Court Administrator shall convene the Committee to review the complaint. Upon review of the complaint, the Committee shall either:

- (a) 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 guardian ad litem's report or testimony. In such cases the Committee and its members shall perform its role in such a manner as to assure that the trial judge remains uninformed as to the complaint; or
- (b) Make a finding that the complaint has no merit on its face, and decline to review the complaint and so inform the complainant; or
- (c) Make a finding that the complaint appears to have merit and request a written response from the Guardian ad Litem within 10 business days, detailing the specific issues in the complaint to which the Committee desires a response. The Committee shall provide the Guardian ad Litem with a copy of the original complaint. In considering whether the complaint has merit, the Committee shall consider whether the complaint alleges the Guardian ad Litem has:

- (1) Violated a code of conduct;
- (2) Misrepresented his or her qualifications to serve as a Guardian ad Litem;
- (3) Breached the confidentiality of the parties;
- (4) Falsified information in a report to the court or in testimony before the court;
- (5) Failed, when required, to report abuse of a child;
- (6) Communicated with a judicial officer ex-parte concerning a case for which he or she is serving as a guardian ad litem;
- (7) Violated state or local laws or court rules; or,
- (8) Taken or failed to take any other action which would reasonably place the suitability of the person to serve as a Guardian ad Litem in question.

[Effective 9/1/00]

WCGAL 7.4 Response and Findings

- (a) Upon receipt of a written response to a complaint from the Guardian ad Litem, the Committee shall make a finding as to each of the specific issues in the complaint to which the Committee desires a response, as delineated in the Committee's letter to the Guardian ad Litem. Such findings shall state that either there is no merit to the issue based upon the Guardian ad Litem's response or that there is merit to the issue.
- (b) The Committee shall have the authority to issue a written admonishment, a written reprimand, refer the Guardian ad Litem to additional training, or recommend to the Presiding Judge that the Court suspend or remove the Guardian ad Litem from the registry. In considering a response, the Committee shall take into consideration any prior complaints that resulted in an admonishment, reprimand, referral to training, or suspension or removal from a registry. If a Guardian ad Litem is listed on more than one registry, the suspension or removal may apply to each registry the Guardian ad Litem is listed on, at the discretion of the Committee.
- (c) The complainant and the Guardian ad Litem shall be notified in writing of the Committee's decision following receipt of the Guardian ad Litem's response.

[Effective 9/1/00]

WCGAL 7.5 Confidentiality

- (a) A complaint shall be deemed confidential for all purposes unless the committee has determined that it has merit under WCGAL 7.4, above.
- (b) Any record of complaints filed which are not deemed by the committee to have merit shall be confidential and shall not be disclosed except by court order.

[Effective 9/1/00]

WCGAL 7.6**Complaint Processing Time Standards**

- (a) Complaints shall be resolved within twenty-five (25) days of the date of receipt of the written complaint if a case is pending.
- (b) Complaints shall be resolved within sixty (60) days of the date of receipt of the written complaint if the complaint is filed subsequent to the conclusion of a case.

[Effective 9/1/00]

WCGAL 7.7**Removal from Registry**

- (a) 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 a notice of such removal to the Office of the Administrator for the Courts.
- (b) When the Court Administrator receives notice from the Office of the Administrator for 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 Administrator shall advise the Presiding Judge of such removal.

[Effective 9/1/00]

Criminal Rules (WCCrR)

[WCCrR 3.1](#) Counsel Fees in Criminal Cases

[WCCrR 7.2](#) Criminal Sentence Financial Obligations

WCCrR 3.1**Counsel Fees in Criminal Cases**

- (a) Following a two-week period for evaluation, a commitment to represent a person in a criminal proceeding and the acceptance of fees requires the attorney to continue representing the client throughout the proceedings.
- (b) A commitment to represent includes an assessment of the investigation required, the need for experts and the client's ability to pay fees and costs. Ordinarily, the court will not order payment for expert and investigation costs at public expense where private representation has been retained. In any event, the county will not pay for expenses incurred without prior court order authorizing such expense to be incurred.

[Effective 6/1/91]

WCCrR 7.2**Criminal Sentence Financial Obligations**

This rule applies to any criminal judgment and sentence that orders a defendant to pay a fine, assessment, restitution, court costs, or attorney fees. This rule shall be referred to and incorporated by reference in any such judgment and sentence.

- (a) **Time Payments.** The ordered financial obligations shall be paid in equal monthly installments sufficient to completely pay the entire amount during the defendant's term of supervision by the Department of Corrections, unless a different rate is set by the court. The first payment shall be due 30 days after the date of judgment or defendant's release from total confinement, whichever occurs last. Subsequent payments shall be due on the same day of each following month.
- (b) **Failure to Pay, Report by Defendant.** If a monthly payment is not made when due, the defendant shall, by the payment due date, submit to the Department a written report. The report may be submitted on a form available from the Department. It shall contain the following information:
 - (1) Gross **income of defendant and spouse from all sources** for the prior calendar month;
 - (2) All mandatory **deductions** from gross income (income tax, FICA, union dues, etc.);
 - (3) All **fixed monthly obligations** paid (rent, mortgage, loans, purchase contracts, etc.), setting out the name and addresses of the payees and the purpose of the payments;
 - (4) All **other expenditures**, setting out the name and addresses of the payees and the purpose of the payments. ("Miscellaneous" expenditures shall not exceed five percent of the gross monthly income.)
 - (5) **Employment.** If the defendant claims that the failure to make a monthly payment was due to lack of employment of the defendant or spouse, the report shall state all efforts made by the defendant or spouse to obtain employment, setting out the name and address of the prospective employers or employment resources or agencies contacted and the name of the person to whom application for employment was made.
 - (6) **Employment Termination.** If the defendant claims that the failure to make a monthly payment was due to employment termination of the defendant or spouse, the defendant shall attach to the report a written statement of the employer stating the reasons for the employment termination.
 - (7) **Disability.** If the defendant claims that the failure to make a monthly payment was due to a physical or emotional inability to obtain or hold employment, the defendant shall attach to the report a written physician's statement setting out the nature and cause of the physical or emotional disability.
 - (8) **Defendant's Signature.** The report shall be signed by the defendant under penalty of perjury, and shall be admissible in a hearing held pursuant to RCW 9.94A to determine whether a condition or requirement of a sentence has been violated.
- (c) **Failure to Pay or Report, Effect.** If the defendant fails to make a required monthly payment and also fails to file a required report, the court may modify its order of judgment and sentence and impose further punishment in accordance with RCW 9.94A.
- (d) **Petition to Modify.** The defendant may, at any time, petition the court to adjust the

amount of installment payments or adjust the total amount due to fit the defendant's changed financial situation, or to relieve undue hardship to the defendant or the defendant's dependents.

[Effective 6/1/91]

Mandatory Arbitration Rules (WCMAR)

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SCOPE AND PURPOSE OF RULES

WCMAR 1.1 Application of Rules - Purpose and Definitions

(a) **Purpose.** The Whatcom County Mandatory Arbitration Rules (hereinafter referred to as WCMAR) implement RCW 7.06 and the Superior Court Mandatory Arbitration Rules (MAR) adopted by the Supreme Court. Mandatory arbitration provides a simplified and economical procedure for obtaining the prompt and equitable resolution of disputes. Mandatory Arbitration Rules (MAR) as supplemented by these local rules (WCMAR's) are not designed to address every question that may arise during the arbitration process, and the rules give considerable discretion to the arbitrator. The arbitrator should not hesitate to exercise that discretion. Arbitration hearings should be informal and expeditious, consistent with the purpose of relevant statutes and rules.

(b) **"Director" Defined.** In these rules, "Director" means the Director of Arbitration for the Whatcom County Superior Court. The appointment of the director and other administrative matters are addressed in WCMAR 8.6, Administration.

[Effective 9/1/05]

WCMAR 1.2 Matters Subject to Mandatory Arbitration

Any civil action filed in Whatcom County Superior Court, other than an appeal from a court of limited jurisdiction or in which the parties are obligated to arbitration by contract, is subject to mandatory arbitration under these rules if the sole relief sought is as money judgment (a) in which no party asserts a claim in excess of the amount authorized by RCW 7.06.020, exclusive of attorney fees, interest, and costs, or, (b) in which all parties for purposes of arbitration waive claims in excess of the amount authorized in RCW 7.06.020, exclusive of attorney fees, interest, and costs. Parties are encouraged to stipulate to the arbitration of any matter in controversy. See WCMAR 8.1.

[Effective 9/1/05]

WCMAR 1.3 Relationship to Superior Court Jurisdiction and Other Rules - Motions

All motions before the court relating to arbitrability or the assignment of an arbitrator shall be noted on the civil motions calendar in accordance with WCCR 77.2, except as

otherwise provided in these arbitration rules. Once cases have been transferred to arbitration, all motions shall be heard by the arbitrator. In the event that motions concerning arbitrability or the assignment of an arbitrator are filed after a case has been transferred to arbitration but before an arbitrator has been assigned, then such motions may be noted for consideration by the Superior Court or may be noted for consideration by the arbitrator once assigned. See also WCMAR 2.2 and 3.2.

[Effective 6/1/91]

TRANSFER TO ARBITRATION AND ASSIGNMENT OF ARBITRATOR

WCMAR 2.1 Transfer to Arbitration

- (a) **Demand for arbitration.** In every civil case, when any party has determined that the case is ready for trial and that the case is subject to mandatory arbitration, such party shall file with the clerk its Note for Motion Docket and Demand for Arbitration, setting the matter on the Motion Docket not earlier than the next motion calendar after the expiration of 14 days from the date such Demand is filed. At the same time the party demanding arbitration shall submit its proposed order on the form prescribed by the court. Cases shall be transferred to arbitration only by court order.
- (b) An order of transfer to arbitration may be secured:
- (1) Upon stipulation and order submitted by all the parties;
 - (2) Upon Demand for Arbitration filed by a party, set for hearing on the court's motion docket, when no objection has been filed prior to the hearing;
 - (3) By order of the Court after hearing on the merits.
- (c) **Response to a demand for arbitration.** Within 14 days after the date the Demand for Arbitration, Note for the Motion Docket, and Order have been filed and mailed to all parties or their attorneys, or the later of such dates, any party disagreeing with the Demand for Arbitration shall serve and file a response to the Demand for Arbitration with the clerk and on all other parties. In the absence of such response, the Demand for Arbitration shall be deemed correct and the non-responding party shall be deemed to have stipulated to arbitration. Responses asserting that the case is not subject to mandatory arbitration shall be heard on the date noted for hearing on the Demand for Arbitration.
- (d) **Failure to file - amendments.** A party failing to serve and file an original response within the time prescribed may later do so only upon leave of court. A party may amend the Demand for Arbitration or response at any time before the hearing on the Demand for Arbitration.
- (e) **Stipulation.** A cause in which all parties file a stipulation to arbitrate under MAR

8.1(b) may be transferred to arbitration by court order presented to the court with the stipulation.

[Effective 9/1/05]

WCMAR 2.2 Hearing to Determine Arbitrability

A motion to establish whether a case is subject to arbitration shall be governed by the state and local rules pertaining to civil motions practice. See WCMAR 2.1(c).

[Effective 6/1/91]

WCMAR 2.3 Assignment of Arbitrator

- (a) **Generally; stipulations.** The parties are encouraged to stipulate to an arbitrator. A master list of arbitrators will be furnished upon request. In the absence of a stipulation, a list of five arbitrators will be provided to the parties and the arbitrator will be chosen from among the five proposed arbitrators in the manner defined by this rule.
- (b) **Response by parties.** Each party may, within 14 days after a list of proposed arbitrators is mailed to the parties, nominate one or two arbitrators and strike two arbitrators from the list. If both parties respond, an arbitrator nominated by both parties will be appointed. If no arbitrator has been nominated by both parties, the Director will appoint an arbitrator from among those not stricken by either party.
- (c) **Response by only one party.** If only one party responds within 14 days, the Director will appoint an arbitrator nominated by that party.
- (d) **No response.** If neither party responds within 14 days, the Director will appoint one of the five proposed arbitrators.
- (e) **Additional arbitrators for additional parties.** If there are more than two adverse parties, such parties may request the Director to include additional proposed arbitrators on the list, with the above principles of selection to be applied. The number of adverse parties and the number of additional proposed arbitrators shall be determined by the Director, subject to review by the Presiding Judge.

[Effective 6/1/91]

ARBITRATORS

WCMAR 3.1 Qualifications

- (a) **Minimum qualifications.** An arbitrator must be a member of the Washington

State Bar Association who has been admitted to the Bar for a minimum of five years and who is a current member of the Whatcom County Bar Association, or who is a retired judge. By stipulation, the parties to a case may waive this requirement.

- (b) **Arbitration panel.** There shall be a panel of arbitrators in such numbers as the Administrative Committee may from time to time determine. A person desiring to serve as an arbitrator shall complete an information sheet on the form prescribed by the court. A list showing the names of arbitrators available to hear cases and the information sheets will be available for public inspection in the Director's office. The oath of office on the form prescribed by the court must be completed and filed prior to an applicant being placed on the panel.
- (c) **Refusal; disqualification.** The appointment of an arbitrator is subject to the right of that person to refuse to serve. An arbitrator should notify the Director if his impartiality might reasonably be questioned. Counsel knowing any facts that would raise a reasonable question of the impartiality of the assigned arbitrator shall notify the arbitrator and the Director. In the absence of such notice, the grounds therefore are deemed waived. If disqualified, the arbitrator must immediately return all materials in a case to the Director.

[Effective 9/1/05]

WCMAR 3.2 Authority and Responsibility of Arbitrators

An arbitrator has the authority and the responsibility to:

- (a) Conduct the arbitration in an equitable and impartial manner, in accordance with applicable statutes and rules, and to make awards;
- (b) Determine the time, place, and procedure to present a motion before the arbitrator.
- (c) Require a party or attorney representing such party, or both, to pay the reasonable expenses, including attorney's fees, caused by the failure of such party or attorney, or both, to obey an order of the arbitrator, unless the arbitrator finds that the failure was substantially justified or that other circumstances make an award of expenses unjust. The arbitrator shall make a special award for such expenses and shall file such award with the County Clerk, with proof of service on each party. The aggrieved party shall have 10 days thereafter to appeal the award of such expenses in accordance with the procedures prescribed in RCW 2.24.050. If within 10 days after the award is filed no party appeals, a judgment shall be entered in a manner described generally under MAR 6.3;
- (d) Award attorney's fees as authorized by these rules, by contract or by law, as if the matter were tried in court;
- (e) Issue a subpoena in accordance with MAR 4.3.

[Revised 9/1/95]

PROCEDURES AFTER ASSIGNMENT

WCMAR 4.2 Discovery

- (a) **Generally.** In determining when additional discovery beyond that directly authorized by MAR 4.2 is reasonably necessary, the arbitrator shall balance the benefits of discovery against the burdens and expenses. Authorized discovery shall be conducted in accordance with the Civil Rules except that motions concerning discovery shall be determined by the arbitrator.
- (b) **Discovery pending at the time arbitrator is assigned.** Discovery pending at the time the case is assigned to an arbitrator is stayed unless reinstated by the arbitrator, except as the parties may stipulate or as authorized by MAR 4.2.
- (c) **Admissibility of discovery.** All discovery admissible under the Civil Rules or Rules of Evidence will be admissible at the arbitration hearing, whether or not such discovery was produced before or after the appointment of an arbitrator.

[Effective 6/1/91]

HEARING

WCMAR 5.1 Notice of Hearing - Time and Place - Continuance

An arbitration hearing may be scheduled at any reasonable time and place chosen by the arbitrator. The arbitrator shall give reasonable notice of the hearing date and any continuance to the Director. The parties may stipulate to a continuance without court order. However, no continuance, or combination of continuances, shall be for more than 60 days, without a court order.

[Effective 6/1/91]

WCMAR 5.2 Pre-Hearing Statement of Proof - Documents Filed With Court

In addition to the requirements of MAR 5.2, at least 14 days prior to the date of the arbitration hearing, each party shall furnish the arbitrator with copies of pertinent pleadings previously filed by such party, a list of witnesses whom the party intends to call at the arbitration hearing and any other documents contained in the court file which that party deems relevant. The court file shall remain with the County Clerk.

[Revised 9/95]

WCMAR 5.3 Conduct of Hearing - Rules of Evidence

- (a) **Conduct of hearing.** The hearing shall be conducted pursuant to MAR 5.3.
- (b) **Recording.** Any party at the party's expense may record the hearing electronically or otherwise.
- (c) **Rules of evidence, generally.** The Arbitrator shall determine to what extent the Rules of Evidence shall apply.
- (d) **Certain documents presumed admissible.** The documents listed below, if relevant, are presumed admissible at an arbitration hearing, subject to the discretion of the Arbitrator, but only if (1) the party offering the document serves on all parties a notice identifying the documents to be introduced, accompanied by a copy of the document and the name, address, and telephone number of its author or maker, at least 14 days prior to the hearing in accordance with MAR 5.2; and (2) the party offering the document similarly has furnished all other parties copies of all other related documents from the same author or maker. This rule does not restrict argument or proof relating to the weight of the evidence admitted, nor does it restrict the arbitrator's authority to determine the weight of the evidence after hearing all of the evidence and the arguments of opposing parties. The documents presumed admissible under this rule are:
- (1) A bill, report, chart, or record of a hospital, doctor, dentist, registered nurse, licensed practical nurse, physical therapist, psychiatrist, psychologist, or other health care provider, on a letterhead or billhead;
 - (2) A bill for drugs, medical appliances, or other related expenses on a letterhead or billhead;
 - (3) A bill for, or an estimate of, property damage on a letterhead or billhead. In the case of a bill for repairs completed, a paid receipt showing that the repairs were made, stating whether the bill represents complete or partial repairs and in the case of partial repairs an estimate of the cost to complete the remaining repairs;
 - (4) A police, weather, wage loss, or traffic signal report, generated in the normal course of business, without the need for formal proof of authentication or identification;
 - (5) A standard life expectancy table provided in Appendix "B" to the Washington Pattern Instructions (WPI);
 - (6) A photograph, x-ray, drawing, map, blueprint, or similar documentary evidence, without the need for formal proof or authentication or identification;
 - (7) The written statement of any other 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, if it is made by affidavit or by declaration under penalty of perjury;

(8) A document not specifically covered by any of the foregoing provisions but having equivalent circumstantial guarantees of trustworthiness, the admission of which would serve the interests of justice.

(e) **Opposing party may subpoena author or maker as witness.** Any other party may subpoena the author or maker of a document admissible under this rule, at that party's expense, and examine the author or maker as if under cross examination.

[Effective 6/1/91]

AWARD

WCMAR 6.1 Form and Content of Award

(a) **Form.** The award shall be prepared on the form prescribed by the court.

(b) **Return of exhibits.** When an award is filed, the arbitrator shall return all exhibits to the parties who offered them during the hearing, after allowing opportunity for opposing counsel to make copies, when requested.

[Effective 6/1/91]

WCMAR 6.2 Filing of Award

A request by an arbitrator for an extension of time for the filing of an award under MAR 6.2 may be presented to the Director, ex parte. The Director may grant or deny the request, subject to review by the Presiding Judge. The arbitrator shall give the parties notice of any extension granted.

[Effective 6/1/91]

WCMAR 6.3 Judgment on Award

(a) **Presentation.** Any party may note the arbitration award on any civil law and motion calendar, on five days' notice in accordance with MAR 6.3.

(b) **Modification or correction of award.** Any application for the modification or correction of any award permitted by statute shall be made in accordance with RCW 7.04.090.

[Effective 6/1/91]

TRIAL DE NOVO

WCMAR 7.1 Request for Trial De Novo - Calendar

When a trial de novo is requested as provided in MAR 7.1, the party requesting the trial de novo shall simultaneously file with the clerk its note for trial setting, its jury demand and jury fee, if appropriate.

[Effective 6/1/91]

WCMAR 7.2 Procedure at Trial

The clerk shall seal any award if a trial de novo is requested.

[Effective 6/1/91]

WCMAR 7.3 Costs and Attorney Fees

MAR 7.3 shall apply only to costs and reasonable attorney's fees incurred since the filing of the request for a trial de novo.

[Effective 6/1/91]

GENERAL PROVISIONS

WCMAR 8.1 Stipulations - Effect on Relief Granted

If a case not otherwise subject to mandatory arbitration is transferred to arbitration by stipulation, the arbitrator may grant any relief that could have been granted if the case were determined by a judge.

[Effective 6/1/91]

WCMAR 8.4 Title and Citation

These rules are known and cited as the Whatcom County Superior Court Local Mandatory Arbitration Rules. "WCMAR" is the official abbreviation.

[Effective 6/1/91]

WCMAR 8.5 Compensation of Arbitrator

- (a) **Generally.** Arbitrators shall be compensated in the same amount and manner as judges pro tempore of the Superior Court. Hearing time and reasonable preparation time are compensable, and reasonable costs incurred by the arbitrator are reimbursable.
- (b) **Form.** When the award is filed, the arbitrator shall submit to the Director a request for payment on a form prescribed by the court. The Director shall determine the amount of compensation and costs, if any, to be paid. The

decision of the Director will be reviewed by the Presiding Judge at the request of the arbitrator. Compensation to the arbitrator and costs reimbursement shall not exceed amounts set by statute, in any case, without special approval by the Presiding Judge.

[Effective 6/1/91]

WCMAR 8.6 Administration

- (a) The Presiding Judge shall designate a person to serve as Director of Arbitration. The Director, under the supervision of the Presiding Judge, shall supervise arbitration under these rules, and perform any additional duties which may be delegated by the Presiding Judge.
- (b) There shall be an Administrative Committee composed of the Presiding Judge, the Assistant to the Superior Court, and three members of the Whatcom County Bar Association. The members of the Whatcom County Bar Association shall be appointed by said Association and shall serve for staggered three year terms during which terms they shall not be eligible to serve as an arbitrator hereunder. They may be reappointed.
- (c) The Administrative Committee shall have the power and duty to:
 - (1) Appoint the panel of arbitrators provided in Local Mandatory Arbitration Rule 23.1(b);
 - (2) Remove a person from a panel of arbitrators;
 - (3) Establish procedures for selecting arbitrators not inconsistent with the Mandatory Arbitration Rules or these rules; and
 - (4) Review the administration and operation of the arbitration program at least annually and make recommendations, as it deems appropriate to improve the program.

[Effective 6/1/91]

Appendices

The Whatcom County Superior Court Local Rules and appendices are available in print and on the Whatcom County web site at <http://www.whatcomcounty.us/superior/>.

- Appendix A, [Court Calendar Schedule](#)
- Appendix B: [Domestic Relations Pre-Trial Information](#)
- Appendix C: [Request for Entry of Decree and Declaration of Jurisdictional Facts](#)
- Appendix D, Sample Arbitration Forms:
 - [Demand for Arbitration & Note for Motion Docket](#)
 - [Response to Demand for Arbitration](#)
 - [Amendment to Demand for Arbitration or Response](#)
 - [Order on Demand for Arbitration](#)
 - [Order Transferring to Arbitration](#) (on Stipulation)
 - [Stipulation to Arbitrator](#)

Arbitration Award

Appendix E: Verified Statement of Assets and Liabilities


**COURT CALENDAR SCHEDULE
WHATCOM COUNTY SUPERIOR
COURT**

[July 2, 2002]

Current calendar information, including a copy of the latest edition of this schedule, may be obtained from the Clerk of the Superior Court, 311 Grand Avenue, Bellingham, WA 98225; (360) 676-6777.

Matter	Time and Place	Clerk Setting and Confirmation
ADOPTION - Final Hearing, uncontested only	8:30 – 9:30 am - Wed Judge's Chambers	Call Calendar Clerk at 676-7687 for setting.
CIVIL LAW & MOTION CALENDARS - Summary Judgment, Injunctive Relief, Discovery, Revisions, Writs, Supplemental Examinations, Civil Lower Court Appeals, etc.	1:30 pm – Friday Assigned Judge's Courtroom	Must confirm by calling Calendar Clerk at 676-7687 by noon 2 judicial days before hearing
CRIMINAL – Arraignments, Omnibus, Violation Hrgs	9:30 am – Friday Comm. Courtroom, 2 nd floor	Call Pros. Office at 676-6784 for setting.
Drug Court	3:00 pm – Thursday Judge Moynihan's Courtroom	
First Appearances	In-custody; 3:00 pm daily Jail Courtroom Out-of-custody; 9:30 am Friday Comm. Courtroom, 2 nd floor	Call Pros. Office at 676-6784 for setting.
Guilty Pleas/ Sentencing/LC Appeals/Motions	8:30 am – Thursday Presiding Judge's Courtroom	
Suppression/Confession Hearings	8:30 am – 9:30 am Trial Judge's Courtroom	Call Calendar Clerk at 676-7687 for setting.
Trial Settings/Case Scheduling	8:00 am – Friday Dept. 2 Jury Room, with Clerk	
DOMESTIC RELATIONS - Child Support Modification Calendar	10:00 am, last two Thursdays each month Comm. Courtroom, 2 nd floor	Call Clerk at 676-6777, ext. 50007 for setting. Trial setting order required. Must confirm by calling Clerk at 676-6777, X50007 by noon 2 judicial days before hearing.
Domestic Relations Motions & Show Cause (1 st hearing <u>only</u> before Commissioner – all subsequent hearings to Assigned Judge)	1:30 pm, Tues/ Wed/Fri Comm. Courtroom, 2 nd floor See local rule WCSPR 94.05(a) for Show Cause Order nine-day notice requirement.	Call Clerk at 676-6777, ext. 50007 for setting. Must confirm by calling Clerk at 676-6777, X50007 by noon 2 judicial days before hearing.
Domestic Relations Motions/Show Cause/ Revisions - Assigned Judge	9:00 am – Friday Assigned Judge's Courtroom	Must confirm by calling Calendar Clerk at 676-7687 by noon 2 judicial days before hearing
Domestic Violence and Transferred Anti-Harassment Petitions	9:00am, Mon/Wed / 8:30am, Thurs Comm. Courtroom, 2 nd flr [weeks with Monday holiday will have a DV calendar on Tuesday]	Call Domestic Violence Office at 676-6803 for setting.
Final Dissolution Hearing, uncontested only	9:00 am – Friday Assigned Judge's Courtroom	Must confirm by calling Calendar Clerk at 676-7687 by noon 2 judicial days before hearing
Parentage, Support Enforcement	10:00 am, first two Thursdays each month Comm. Courtroom, 2 nd floor	Call Clerk at 676-6777, ext. 50007 for setting. Must confirm by calling Clerk at 676-6777, X5007 by noon 2 judicial days before hearing.
Settlement Conferences	as scheduled Comm. Jury Room, 2 nd floor	Call Calendar Clerk at 676-7687 for setting
Stacked Domestic Calendar	8:30 am, last Monday of month Presiding Judge's Courtroom	Call Calendar Clerk at 676-7687 for setting. Trial setting order required.
EX PARTE CALENDAR	8:30 – 9:00 am, Mon/Wed/Fri Becca Courtroom, 4th floor	No setting required
GUARDIANSHIP/PROBATE	9:00 am – Friday Assigned Judge's Courtroom	Must confirm by calling Calendar Clerk at 676-7687 by noon 2 judicial days before hearing
JUVENILE – Dependency, Shelter Care, Term.	Becca Courtroom, 4 th floor	Call Juvenile Probation at 676-6780 for setting.
Dependency Drug Court	10:00 am - Thursday Becca Courtroom, 4 th floor	
Offender Drug Court	3:00 pm - Tues.(start date to be set) Juvenile Courtroom, 5 th floor	
Offender Hearings, Trial Settings	Juvenile Courtroom, 5 th floor	Call Pros. Office at 676-6784 for setting.
Truancy, CHINS, At-Risk	Becca Courtroom, 4 th floor	Call Juvenile Probation at 676-6780 for setting.
MENTAL COMMITMENT HEARINGS	1:30 pm, Mon - Fri St. Joseph Hospital, South Campus	Call Clerk at 676-6777, ext. 50007 for setting.
TEEN COURT	6:00 pm, 2nd Wed. of month 3 rd floor Courtrooms	
TRIAL SETTINGS [Civil Trials, Small Claims Court Appeals & Domestic Trials only]	1:00 pm – Friday 3 rd floor Atty. Conference Room/Court See local rule WCCR 40.1 for trial setting procedure.	Must confirm by calling Calendar Clerk at 676-7687 by noon 2 judicial days before hearing

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

In Re the Marriage of		
		No. _____
Petitioner,		
vs. 		DOMESTIC RELATIONS
		PRE-TRIAL INFORMATION
		SUBMITTED BY _____
Respondent.		

Note: This form shall be filed and served by Noon two judicial days before trial.

I. GENERAL INFORMATION

- A. Ages: Wife _____ Husband _____
- B. Date of Marriage: _____
- C. Dependent children living with either party:
 - (1) Of this marriage:
Name _____ Age _____ With Whom Residing _____

(2) Children of former marriages:

Name Age With Whom Residing _____

II. INCOME & EMPLOYMENT

(1) Employer's name and address: _____

(2) Net take-home pay per month: \$ _____

(3) Other income: Source Monthly Amount

(1) Employer's name and address: _____

(2) Net take-home pay per month: \$ _____

(3) Other income: Source Monthly Amount

A. Husband:

B. Wife:

III. ASSETS & LIABILITIES

Instructions: Indicate your proposed division of assets and liabilities on a sheet of paper divided in the middle, vertically, by listing the property to be awarded to the Wife on the left side of the page and listing the property to be awarded to the Husband on the right side of the page. (See Sample on following page) Such lists should begin with the items of community property having the greatest value and should be described in such detail as may be reasonable in view of the total assets of the marital community.

Generally, assets having an individual value of more than \$500 should be listed separately. Any property subject to an encumbrance or security interest should disclose the nature of such security interest, the unpaid balance owing at the time of trial and the net fair market value of such asset after the deduction of such encumbrance.

The proposed property division should conclude with a list of liabilities to be assumed by each party, including, except as may be disclosed above, the name of the creditor, amount of the monthly payment, the unpaid balance on each such debt and the total amount of all such liabilities to be assumed by each party.

Deduction of the total amount of liabilities to be assumed by each party from the net total fair market value of the community property awarded to such party will constitute the net fair market values for your proposed property division. This should be followed by a list of separate property to be awarded to each spouse.

SUPERIOR COURT OF WASHINGTON COUNTY OF WHATCOM

In Re the Marriage of:

Petitioner,
and

Respondent.

No. _____

**REQUEST FOR ENTRY OF DECREE
AND DECLARATION OF
JURISDICTIONAL FACTS**

Judge: _____

REQUEST The petitioner requests immediate entry of findings of fact, conclusions of law and decree of dissolution of marriage without a final hearing, and states:

RESIDENCE I was a resident of the state of Washington when the petition was filed.

TIME LIMITS More than 90 days have elapsed since the later of _____, _____, the date on which the

AND JURISDICTION petition was filed, and _____, _____, the date:

OVER RESPONDENT the respondent signed an acceptance of service or joined in the petition.
 the summons and petition were personally served upon the respondent.
 the summons and petition were mailed pursuant to an order for service by mail.
 the summons was first published pursuant to an order for service by publication.

MARRIAGE AND The parties were married on _____, _____, at [city, state] _____

SEPARATION _____ and separated on _____, _____.

PREGNANCY The marriage is now irretrievably broken.

DEPENDENT CHILDREN The wife is not now pregnant.

All dependent children of the marriage are identified in the proposed decree and child support order. The proposed parenting plan is in the children's best interest; the child support worksheets are accurate.

PROPERTY/DEBTS All property and all debts of the parties are fairly and completely divided in the decree.

DEFAULT Respondent is in default; an order of default has been presented; the decree provides for only that relief requested in the petition.
 Respondent is NOT in default; either Respondent or Respondent's attorney has approved this request for entry of decree as shown by his/her signature below.

PERJURY I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true

DECLARATION and correct

Dated: _____, _____,

[Signed] _____

at _____, Washington.

Petitioner

Presented by:

Approved, notice of presentation waived:

[Signed] _____

[Signed] _____


Attorney for Petitioner

Respondent or Respondent's Attorney

WSBA # _____

WSBA # _____

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

Plaintiff/Petitioner, vs.  Defendant/Respondent	 	No. _____ DEMAND FOR ARBITRATION & NOTE FOR MOTION DOCKET
---	--	---

I hereby affirm that this case is at issue; that no affirmative pleading remains unanswered; that to my knowledge no other parties will be served with summons; and that the case is in all respects ready for trial or arbitration.

DEMAND FOR ARBITRATION: (Check appropriate choices)

- This case is subject to arbitration subject to WCMAR 1.3.
- The undersigned contends that the claim exceeds the maximum amount authorized under RCW 7.06.020, but for purposes of arbitration waives any claim in excess of such amount.

NOTE FOR MOTION DOCKET:

Please take note that the issue of arbitrability will be heard on the date set out below and the Clerk is requested to note the same on the Motion Docket for that date, which date is the next Friday after the expiration of 14 days from the date this Demand and Note is filed:

Date of Hearing: _____ **Time of Hearing:** _____

Any response to this Demand for Arbitration must be filed with the Clerk and a copy served upon counsel within 14 days of the date this Demand and Note is filed and mailed. WCMAR 2.1(b)

CERTIFICATE OF MAILING:

I certify that I mailed a copy of this document to the attorneys listed hereon, postage prepaid on the _____ day of _____, 20_____.

Signed: _____

NOTE:

File the original of this document with the County Clerk.

SUBMITTED BY:

Signed: _____ Date: _____

Typed Name: _____

Address/Phone: _____

Attorney for: _____

OTHER ATTORNEY/PARTY:

Name: _____

Address/Phone: _____

Attorney for: _____

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

vs.	Plaintiff/Petitioner, Defendant/Respondent	No. _____ RESPONSE TO DEMAND FOR ARBITRATION
-----	---	--

The undersigned responds to  for Demand for Arbitration filed in this cause and:

- AGREES TO ARBITRATION**
- OBJECTS TO MANDATORY ARBITRATION**, because:
 - Opposing party's claim exceeds the amount authorized by RCW 7.02.020;
 - Opposing party seeks relief other than a money judgment;
 - A party's counter or cross claim exceeds the amount authorized by RCW 7.06.020;
 - A party's counter or cross claim seeks relief other than a money judgment; or
 - This case is an appeal from a lower court not subject to mandatory arbitration.
 - Other: _____

CERTIFICATE OF MAILING:

I certify that I mailed a copy of this document to the attorneys listed hereon, postage prepaid on the _____ day of _____, 20_____.

Signed: _____

NOTE:

File the original of this document with the County Clerk.

SUBMITTED BY:

Signed: _____ Date: _____

Typed Name: _____

Address/Phone: _____

Attorney for: _____

OTHER ATTORNEY/PARTY:

Name: _____

Address/Phone: _____

Attorney for: _____

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

vs.	Plaintiff/Petitioner, ARBITRATION OR RESPONSE Defendant/Respondent	No. _____ AMENDMENT TO DEMAND FOR ARBITRATION
-----	---	---

- This form amends the undersigned's **Demand for Arbitration**; or
 This form amends the undersigned's **Response to Demand for Arbitration**.

THE UNDERSIGNED NOW CONTENDS THAT THIS CASE:

- SHOULD BE ARBITRATED**, because:
 the sole relief sought is a money judgment and it involves no claim in excess of the amount authorized by RCW 7.06.020, exclusive of attorney fees, interest and costs.
 The undersigned contends that its claim exceeds the amount authorized by RCW 7.06.020, but for purposes of arbitration waives any claim in excess of such amount.
- IS NOT SUBJECT TO MANDATORY ARBITRATION**, because:
 Opposing party's claim exceeds the amount authorized by RCW 7.02.020;
 Opposing party seeks relief other than a money judgment;
 A party's counter or cross claim exceeds the amount authorized by RCW 7.06.020;
 A party's counter or cross claim seeks relief other than a money judgment; or
 This case is an appeal from a lower court not subject to mandatory arbitration.
- Other: _____

An amendment to a Demand for Arbitration or a Response thereto must be filed with the Clerk and a copy served upon counsel prior to the date it is set for hearing as to arbitrability. WCMAR 2.1©

CERTIFICATE OF MAILING:

I certify that I mailed a copy of this document to the attorneys listed hereon, postage prepaid on the _____ day of _____, 20_____.

Signed: _____

NOTE:

File the original of this document with the County Clerk.

SUBMITTED BY:

Signed: _____ Date: _____

Typed Name: _____

Address/Phone: _____

Attorney for: _____

OTHER ATTORNEY/PARTY:

Name: _____

Address/Phone: _____

Attorney for: _____

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

vs.	Plaintiff/Petitioner, Defendant/Respondent	No. _____ ORDER ON DEMAND FOR ARBITRATION
-----	---	---

THIS MATTER having come on for an order concerning arbitrability and it appearing that the matter is properly before the Court upon due notice to all parties, the Court having heard [redacted] argument, and the Court being fully advised in the premises, NOW THEREFORE, IT IS ORDERED that this case

IS SUBJECT TO MANDATORY ARBITRATION and is hereby transferred to arbitration.

IS NOT SUBJECT TO MANDATORY ARBITRATION, because:

- Opposing party's claim exceeds the amount authorized by RCW 7.02.020;
- Opposing party seeks relief other than a money judgment;
- A party's counter or cross claim exceeds the amount authorized by RCW 7.06.020;
- A party's counter or cross claim seeks relief other than a money judgment; or
- This case is an appeal from a lower court not subject to mandatory arbitration.

Other: _____

DONE IN OPEN COURT this the ____ day of _____, 20____.

Judge

CERTIFICATE OF MAILING:

I certify that I mailed a copy of this document to the attorneys listed hereon, postage prepaid on the ____ day of _____, 19____.

Signed: _____

NOTE:

File the original of this document with the County Clerk.

SUBMITTED BY:

Signed: _____ Date: _____

Typed Name: _____

Address/Phone: _____

Attorney for: _____

APPROVED FOR ENTRY:

Name: _____

Address/Phone: _____

Attorney for: _____

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

vs.	Plaintiff/Petitioner, Defendant/Respondent	No. _____ ORDER TRANSFERRING TO ARBITRATION ON STIPULATION
-----	---	--

BASED ON THE FOLLOWING STIPULATIONS:

That the case may be transferred to arbitration,
 That this case is at [redacted] that no affirmative pleading remains unanswered; that no other parties will be served with summons; and that the case is in all respects ready for arbitration,
 That the following person has been selected and has agreed to serve as arbitrator: *(leave blank if the parties are not stipulating to an arbitrator)*

NAME: _____

ADDRESS/PHONE: _____

IT IS THEREFORE ORDERED that this case is transferred to arbitration under the provisions of WCMAR.

DONE IN OPEN COURT this the ____ day of _____, 20____.

<p>PRESENTED BY:</p> <p>_____ Attorney for Plaintiff</p> <p>Typed Name: _____</p> <p>Address/Phone: _____</p> <hr/> <p>OTHER ATTORNEY/PARTY:</p> <p>Name: _____</p> <p>Address/Phone: _____</p> <p>_____ Attorney for: _____</p>	<p align="center">Judge</p> <hr/> <p>SIGNED:</p> <p>_____ Attorney for Defendant</p> <p>Typed Name: _____</p> <p>Address/Phone: _____</p> <hr/> <p>OTHER ATTORNEY/PARTY:</p> <p>Name: _____</p> <p>Address/Phone: _____</p> <p>_____ Attorney for: _____</p>
--	--


[File with County Clerk]

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR WHATCOM COUNTY

vs.	Plaintiff/Petitioner,		No. _____
	Defendant/Respondent		STIPULATION TO & ORDER APPOINTING ARBITRATOR

THE UNDERSIGNED ATTORNEYS/PARTIES STIPULATE:

That the following person has been selected and has agreed to serve as a arbitrator:

NAME: _____ 

ADDRESS/PHONE: _____

IT IS THEREFORE ORDERED that this case is transferred to arbitration under the provisions of WCMAR.

DONE IN OPEN COURT this the ____ day of _____, 20____.

Judge

<p>SUBMITTED BY:</p> <p>Signed: _____ Attorney for Plaintiff</p> <p>Typed Name: _____</p> <p>Address/Phone: _____</p> <p>_____</p> <p>OTHER ATTORNEY/PARTY:</p> <p>Signed: _____</p> <p>Typed Name: _____</p> <p>Address/Phone: _____</p> <p>_____</p> <p>Attorney for: _____</p>	<p>SIGNED:</p> <p>_____ Attorney for Defendant</p> <p>Typed Name: _____</p> <p>Address/Phone: _____</p> <p>_____</p> <p>OTHER ATTORNEY/PARTY:</p> <p>Signed: _____</p> <p>Typed Name: _____</p> <p>Address/Phone: _____</p> <p>_____</p> <p>Attorney for: _____</p>
---	---

The original, signed stipulation must be returned to: Director of Arbitration, Whatcom County Superior Court, 311 Grand Avenue, Bellingham, Washington 98225

(DO NOT FILE WITH COUNTY CLERK)

DO NOT FILE THIS DOCUMENT WITH THE COURT

VERIFIED STATEMENT OF ASSETS AND LIABILITIES (Attach additional sheets in the same form if necessary.)

Petitioner: _____ Respondent: _____ Case #: _____

Date of separation from Spouse: _____ Date Petition for Dissolution filed: _____

1. I am the [] Petitioner [] Respondent in this action.
2. To my knowledge, as of the date of separation, the following community and separate assets and liabilities existed. (Note: Generally "**Community assets**" means those assets that were acquired during marriage, except by inheritance or gift. "**Community liabilities**" means all debts incurred during the marriage, regardless of whose name the debt is in. "**Separate assets**" means those assets owned before marriage, or acquired after separation, or acquired during the marriage by inheritance or gift. "**Separate liabilities**" means those debts incurred before the marriage or after separation.

COMMUNITY ASSETS

SEPARATE ASSETS

Real Property:

1. _____
2. _____

1. _____
2. _____

Vehicles (autos, trailers, boats, etc.):

1. _____
2. _____
3. _____
4. _____

1. _____
2. _____
3. _____
4. _____

Bank Accounts:

Bank Name/Branch Account No.

1. _____
2. _____
3. _____
4. _____

Bank Name/Branch Account No.

1. _____
2. _____
3. _____
4. _____

Pensions/Retirement Accounts:

1. _____
2. _____

1. _____
2. _____

Business Interests:

- 1. _____
- 2. _____

- 1. _____
- 2. _____

Stocks/Bonds/Investments:

- 1. _____
- 2. _____
- 3. _____

- 1. _____
- 2. _____
- 3. _____

Life Insurance:

- 1. _____
- 2. _____

- 1. _____
- 2. _____

**Household Goods/furnishings/
Appliances valued over \$250:**

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

Sporting Goods/Tools & Equipment valued over \$250:

- 1. _____
- 2. _____
- 3. _____
- 4. _____

- 1. _____
- 2. _____
- 3. _____
- 4. _____

Jewelry/Artwork valued over \$250:

- 1. _____
- 2. _____
- 3. _____
- 4. _____

- 1. _____
- 2. _____
- 3. _____
- 4. _____

Electronics and Accessories valued over \$250:

- 1. _____
- 2. _____
- 3. _____

- 1. _____
- 2. _____
- 3. _____

4. _____

4. _____

Other:

1. _____

1. _____

2. _____

2. _____

3. _____

3. _____

COMMUNITY LIABILITIES

Mortgage:

Balance at Separation

Current Balance

1. _____

\$ _____

\$ _____

2. _____

\$ _____

\$ _____

Loans (vehicles/student/personal):

1. _____

\$ _____

\$ _____

2. _____

\$ _____

\$ _____

3. _____

\$ _____

\$ _____

4. _____

\$ _____

\$ _____

Credit Cards:

1. _____

\$ _____

\$ _____

2. _____

\$ _____

\$ _____

3. _____

\$ _____

\$ _____

4. _____

\$ _____

\$ _____

5. _____

\$ _____

\$ _____

6. _____

\$ _____

\$ _____

Other (overdue utility/phone bills, IRS, hospital/doctor bills, collection):

1. _____

\$ _____

\$ _____

2. _____

\$ _____

\$ _____

3. _____

\$ _____

\$ _____

4. _____

\$ _____

\$ _____

5. _____

\$ _____

\$ _____

6. _____

\$ _____

\$ _____

Business Debts:

- 1. _____ \$ _____ \$ _____
- 2. _____ \$ _____ \$ _____
- 3. _____ \$ _____ \$ _____
- 4. _____ \$ _____ \$ _____

SEPARATE LIABILITIES

Describe type:

- 1. _____ \$ _____ \$ _____
- 2. _____ \$ _____ \$ _____
- 3. _____ \$ _____ \$ _____
- 4. _____ \$ _____ \$ _____
- 5. _____ \$ _____ \$ _____

Since the time of separation, there has been the following substantial change in the assets listed above: (NOTE: Describe how, when and why any of the above assets were sold, traded, consumed or otherwise disposed.)

I anticipate receiving the following in the future:

- a) Inheritance Yes No
- b) Settlement proceeds from a lawsuit Yes No
- c) Settlement proceeds from a work-related injury Yes No
- d) Money owed to me by another Yes No

I declare under penalty of perjury of the laws of the State of Washington that the above is true and correct to the best of my knowledge.

DATED this _____ day of _____, 20____.

Declarant