

**Amendments/New Rules are Highlighted in Yellow Below**

**PROPOSED AMENDMENTS TO LOCAL COURT RULES**

LAR 4.  
MOTION CALENDARS

(a) Law and Motion Calendars. Except as otherwise ordered from time to time as necessary in the administration of the courts, regular law and motion calendars will be heard as follows:

Civil Department:

Protection orders: Tuesday, 9:00

Civil motions: Friday, 9:00

Adoption motions and hearings: Friday, 11:00

Sentence compliance: 1st and 3rd Friday, 1:30

Criminal Department:

Criminal motions: Monday and Tuesday, 9:00

CrR 3.5, CrR 3.6 hearings: Wednesday and Thursday, 10:00

Commissioner Department:

Dependency docket: Tuesday, 1:30

Paternity, support enforcement: Thursday, 9:00

Domestic and family law:

Motions, decrees with counsel: Friday, 9:00

Pro se dockets: Friday, 1:30

Juvenile Court:

Truancy, at-risk youth: Monday, 9:00

Offender motions: Monday, 1:30

(b) Holiday Schedule. When Monday is a court holiday, the criminal docket will be called on the following Tuesday and Wednesday, and the Monday Juvenile truancy and offender dockets will be called on the following Wednesday, unless otherwise ordered by the Court. When Friday is a court holiday, all regularly scheduled dockets will be called on the preceding Thursday, unless otherwise ordered by the Court. When a court holiday falls on a Tuesday, Wednesday or Thursday, there will be no docket.

[Amended effective September 1, 2018; amended effective September 1, 2021.]

LCR 7.  
PLEADINGS

(e) Required special settings. The following matters may not be noted on the court's regular dockets, but must be specially set with the Court Administrator: motions for summary judgment; TEDRA petitions; arguments on the merits in appeals from lower courts or tribunals; child hearsay (Ryan) hearings. Once a time and date for a special setting are obtained from the Court

Administrator, the moving party must file and serve a notice of the setting in the same manner in which motions are noted for regular dockets.

**Section (e) will be removed from LCR 7 and will be LAR 8.**

(f) Telephonic argument. Arguments on motions are to be conducted in person, except that, by specific arrangement with the Court Administrator for exceptional circumstances, not out of convenience, at least two days before a hearing, argument may be made by telephone, Provided, (1) that all parties agree to telephonic argument; (2) that the judicial officer before whom the hearing will be conducted approves of telephonic argument. A party may withhold agreement to telephonic argument only for reasonable, articulable cause. For good cause shown, on motion of a party, the court may order telephonic argument of a motion in the absence of such agreement. A motion to require telephonic argument shall itself be argued by telephone unless all affected parties are before the court when the motion is made.

**Section (f) will be removed from LCR 7 and will be LAR 9.**

(g) Working copies for judicial officer. (1) Working copies of papers requiring thorough consideration by the Court shall be delivered to the Court Administrator. Working copies shall be delivered at the time of filing unless the hearing has not been set, in which event the working copies shall be delivered at the time a party obtains a hearing date. (2) Working copies for the courts use shall be provided as follows: all summary judgment matters including briefs and supporting materials; all briefs and supporting materials for any specially set matter; trial briefs, motions in limine, witness lists and similar material. Working copies of exhibits should be provided to the Court during all civil trials. All working copies must have the hearing date and time on the upper right hand corner.

**Section (g) will be removed from LCR 7 and will be LAR 10.**

#### LCR 60. MOTIONS FOR REVISION

(a) Deadline for Hearing Motion. A motion for revision of an order entered by the Court Commissioner must be filed with the Clerk within ten (10) days of the entry of the order from which the motion arises. At the time it is filed, a motion for revision shall be noted for hearing on a normal Friday civil motion docket. A revision motion not heard within thirty (30) days after filing shall be deemed denied unless the Court extends such time for hearing for good cause.

(b) Form of Motion. The motion must clearly identify the order from which revision is sought, specify those portions of the order allegedly in error, identify the documents that were submitted to the Court Commissioner for hearing on the ruling from which revision is requested, and include a summary of the legal and factual grounds upon which the moving party relies. At the time the motion is filed, a copy of the order from which revision is sought, along with a copy of all documents relied upon by the Court Commissioner, shall be submitted to the Court Administrator as a working copy for the judge who hears the motion on revision.

(c) Transcript Required. At least five (5) court days before the hearing on the revision motion, the moving party shall file a **written** transcript of the hearing before the Court Commissioner, serve a copy on all opposing parties, and provide a copy to the judge who will hear the motion. The person preparing the transcript shall certify, under penalty of perjury, that it is an accurate transcription of the record.

(d) Confirmation. Motions for revision must be confirmed with the Court Administrator not later than four (4) court days before the date and time set for the hearing. Once the hearing is confirmed, the motion may not be stricken or continued without approval of the judge assigned to hear the motion. The Court shall strike unconfirmed motions from the calendar.

(e) Stay of Court Commissioner's Order. The filing of a motion for revision does not stay the Commissioner's order. The moving party may seek a stay of said order from the Court Commissioner who signed the order.

[Amended effective September 1, 2020; amended effective September 1, 2021.]

#### LCrR 3.5. CONFESSION HEARING

At or before the omnibus hearing, the prosecution shall serve on the defendant and file with the Court a brief description of the defendant's statements the prosecution intends to offer in evidence at trial. Not later than twenty four hours before a hearing pursuant to CrR 3.5, the parties may file memoranda of legal authorities relating to admission or exclusion of the defendant's statements. **Before the parties set the hearing, the parties will confirm that none of their witnesses has a scheduled vacation, training or any other preexisting commitment which will make them unavailable for the scheduled hearing date.**

[Adopted April 1, 1997 as LR 9(a); amended 2005; amended and re-numbered effective September 1, 2012; amended effective September 1, 2021.]

#### LCrR 3.6. SUPPRESSION HEARING

At least one week prior to a hearing under CrR 3.6, the defendant shall serve on the Prosecutor and file with the Court a written motion for suppression, identifying the item(s) to be suppressed and briefly stating the grounds. The defendant shall serve and file with the motion a memorandum of authorities upon which defendant relies for suppression.

The prosecution shall file a memorandum of authorities upon which it relies for admissibility of the challenged evidence not later than twenty-four hours before the hearing. **Before the parties set the hearing, the parties will confirm that none of their witnesses has a scheduled vacation, training or any other preexisting commitment which will make them unavailable for the scheduled hearing date.**

[Adopted April 1, 1997 as LR 9(b); amended 2005; amended and re-numbered effective September 1, 2012; amended effective September 1, 2021.]

LCrR 4.5.  
OMNIBUS AND READINESS HEARINGS

The scheduling order required by LCrR 4.1 shall establish dates for omnibus hearing, readiness hearing, and trial, each of which the defendant shall attend unless excused in advance by the Court. The omnibus hearing shall be conducted in the manner anticipated in CrR 4.5. At the omnibus hearing, the parties will inform the court of any dates over the next 90 days where any of the parties, attorneys, or witnesses are unavailable due to scheduled vacation, training, or any other preexisting commitment.

At the readiness hearing, the Court will confirm that all parties are ready to proceed to trial, or will continue trial to a date certain. No later than the readiness hearing, all parties shall complete and file with the Court a Statement on Trial Readiness (Form LR8-G). A matter will not be called ready for trial and will not proceed to trial unless each party has completed and filed with the Court a Statement on Trial Readiness.

[Adopted April 1, 1997 as LR 5(b); amended 2005; amended, re-numbered and re-codified effective September 1, 2012, amended effective September 1, 2019; amended effective September 1, 2021.]

**PROPOSED NEW RULES**

**LCR 80.**

**UNLAWFUL DETAINER CASES**

**Unlawful Detainer Cases – Eviction Resolution Pilot Program (ERPP) and Right to Counsel**

(i) **Standing Order.** The Court may adopt an eviction resolution pilot program (ERPP) pursuant to Chap. 115, Laws of 2021 Sec. 7 by issuing a standing order.

(ii) **Right to Counsel.** Now and after the Office of Civil Legal Aid’s implementation of right to counsel for qualified tenants pursuant to Ch. 115, Laws of 2021, Secs. 8-9, hearings in unlawful detainer cases may be continued to afford the tenant an opportunity to obtain counsel at the court’s discretion and for time frames as allowed by law.

[Effective September 1, 2021.]

**LCrR 7.1**

**PRESENCE OF IN-CUSTODY DEFENDANTS**

For all in-custody hearings not scheduled to be heard on the Monday and Tuesday motion calendar days, outlined in LAR 4, it is the responsibility of the Defense Attorney to notify the jail to produce a client in court for a hearing.

[Effective September 1, 2021.]