

PCLR 0.4 COMMISSIONERS

(a) Duties. Court Commissioners shall perform duties as assigned by the court. Full-time Court Commissioners have all powers conferred by law, including the authority to accept pleas in criminal matters. The Commissioners preside over and decide matters presented in the following divisions:

(1) Civil Divisions A, B, C, D, and Ex Parte. The Commissioners hear and decide all matters brought before these divisions as set forth below. There are five civil divisions: A, B, C, D, and Ex Parte.

(A) Family Court. The Commissioners hear and decide matters arising in Family Court as set forth in **PCLSPR 94.04(c)**. All cases involving children shall be assigned to a Commissioner at the time of the first motion and all later motions will be heard by that assigned Commissioner while on Family Court rotation, unless exclusive jurisdiction is retained by a specific judicial officer.

(B) Subject Matter. The ~~function of these~~ civil divisions ~~is to~~ hear the following matters:

(i) Family Law Related (Type 3 and 5):

- ~~f~~Family law motions, including contempt;
- Paternity actions;
- Final orders for uncontested/default dissolutions, separations, invalidity petitions, committed intimate relationships (meretricious relationships), domestic partnerships, and non-parent custody petitions;
- ~~p~~Petitions to modify child support;
- ~~, initial d~~Determination of adequate cause on Petitions to Modify/Change Parenting Plans and for Nonparental Custody ~~Petitions~~;
- Injunctive relief and immediate restraining orders in family law matters (for non-family law matters see PCLR 65);
- ~~initial~~Temporary relocation hearings; and
- Defaults eligible for presentation in the Ex Parte Division wherein no notice is required (including uncontested finalization of dissolution, legal separation, and invalidity with attorney representation).

(ii) Civil Matters (Type 2 and 4):

- ~~P~~Probates, trust, and guardianship matters (except for annual periodic reviews which are heard by the assigned judicial department on its Friday motion docket);
- ~~, m~~Minor settlements;
- ~~T~~Transfer of structured settlement payment rights;
- ~~u~~Unlawful detainer actions;
- ~~a~~Applications for appointment of a receiver, injunctive relief and restraining orders in family law matters (for non-family law matters see PCLR 65);
- ~~r~~Replevin actions, defaults eligible for presentation in the Ex Parte Division wherein no notice is required (including uncontested finalization of dissolution, legal separation, and invalidity with attorney representation);
- ~~s~~Supplemental proceedings, paternity actions, adoptions (limited to the appointment of an adoption investigator), contested show cause proceedings;
- ~~d~~Domestic violence protection hearings;
- Anti-harassment and stalking protection hearings
- Vulnerable adult protection hearings;

- ~~sSexual assault protection hearings, uncontested/default dissolutions, committed intimate relationships (meretricious relationships), domestic partnerships, and uncontested/default self represented party dissolutions, and~~
(B)• ~~eEx parte matters.~~

(C) **Schedule.** The **Schedule of Commissioners' Calendars** for each division is contained in Appendix, **Form Q** and at the Pierce County Superior Court website: www.co.pierce.wa.us/superiorcourt and by clicking on "Civil & Family Law".

The Schedule of the Commissioners' Calendars may be changed without formal republication of these rules or appendices. Parties and counsel are advised to verify calendar schedules before noting matters for hearing and by viewing the Pierce County Superior Court website for any revisions to the Commissioners' Calendars.

(2) Juvenile Division. The Commissioners hear and decide matters arising under the juvenile laws and other matters at the request of the Presiding Juvenile Court Judge, including finalization of adoptions.

(3) Civil Mental Health Division. The Civil Mental Health Division hears matters relating to the involuntary commitment, treatment, and release of individuals alleged to be suffering from mental disorders or alcoholism. Protocols for presentation of Less Restrictive Orders are found at the Pierce County Superior Court website: <http://www.co.pierce.wa.us/1023/Court-Commissioners> and by clicking on "Protocols Less Restrictive Alternative Orders" under Civil Mental Health. When a jury trial is requested, all jury trials are assigned to one of the judicial departments by the Presiding Judge.

(4) Criminal Division. In the event a Commissioner is assigned to this Division, this Commissioner hears and decides matters authorized pursuant to **Chapter 2.24 RCW**.

(b) Direction. Commissioners discharge their duties under the general direction of the Presiding Judge, except when serving in the Juvenile Court Division, during which time they are under the general direction of the Presiding Juvenile Court Judge.

(c) Rotation of Commissioner Duties. The above duties rotate among the Commissioners in accordance with a schedule adopted by the Executive Committee. Information as to their current duty assignments can be obtained from the Court Administrator's Office.