

Pierce County Superior Court
Summary of 2020 Proposed Local Rule Changes
April 1, 2020

The Pierce County Superior Court Local Rules Committee hereby submits its proposed rule changes **to take effect September 1, 2020**. We are soliciting input and comment from the Tacoma-Pierce County Bar. We request all comments to be submitted **no later than May 4, 2020**. Comments may be submitted to Judge Tim Ashcraft: SUPCRTDEPT2@co.pierce.wa.us.

The following is a summary of the primary proposed changes. You should review the document (changes and additions are marked) for the complete proposed changes.

The Committee proposes to change the local rules as follows:

PCLR 0.4 was clarified to identify the areas in which Commissioners provide rulings.

PCLGR 30(b)(5)(C) was amended and clarified to reflect the rules regarding working copies for motions before a judge and when paper working copies are required. It also requires a new set of working copies when a motion is re-noted. (See also, **PCLR 7(a)(7)** below.)

A new rule, **PCLGR 35**, has been proposed. This rule provides that the County will maintain a list of approved transcribers and that all transcripts must be from an approved transcriber.

PCLR 7 has been amended as follows:

- 1) It clarifies that contested venue motions must be heard before a judge. (**PCLR 7(a)(1)**);
- 2) Proof of service of all motions is required to be filed no later than the time for confirming motions. (**PCLR 7(a)(4)**);
- 3) Requiring new working copies to the Court when a motion is re-noted (**PCLR 7(a)(7)**);
- 4) Clarifying the timeframe for when a motion can be confirmed - no earlier than five court days before the motion and no later than three court days (at noon) prior to the motion. (**PCLR 7(a)(9)**);
- 5) Clarifying that for summary judgment motions, the note for motion, motion, and all supporting documents must be filed and served at the same time. This eliminates the practice of filing a note for motion only, and then later filing the remaining documents. (**PCLR 7(a)(11)**);
- 6) For motions for revision, amending the rule to provide that the motion can be heard anytime within 30 days from the order sought to be revised. (**PCLR 7(a)(12)(A)**). Additionally, regarding transcripts, the rule has been clarified to reflect that anytime sworn testimony is taken a transcript is required. Moreover, transcripts must be in compliance with PCLGR 35 (requiring an authorized transcriber) and the transcript, if

required, must be filed at least six court days prior to the scheduled hearing date.
(PCLR 7(a)(12)(E));

- 7) **PCLR 7(b)** has been amended to reflect the proper circumstances to use Form T and Form U. **(PCLR 7(b)(1)(A), (b)(1)(F))**. See also, **PCLSPR 98.04(c), PCLSPR 98.16W(e), PCLSPR 98.18(h), and PCLSPR 98.20(c)**.

PCLR 16 has been amended to reflect that when a trial brief is filed, it must be filed by noon at least three court days prior to the start of trial. If a trial is scheduled to start on a Monday, the trial brief must be filed by noon on the previous Wednesday. Note that this rule does not require that a trial brief must be filed. The rule also limits trial briefs to 24 pages, including attachments, without prior authority of the court. **PCLR 16(b)(5)**.

PCLR 40 has been amended to reflect that the new guardian ad litem fee is \$125 per hour.
PCLR 40(e)(2).

The rules formerly known as the **PCLMAR** (Pierce County Local Mandatory Arbitration Rules) have been renamed as the **PCLSCCAR** (Pierce County Local Superior Court Civil Arbitration Rules). All references throughout these local rules have been updated to reflect the new name. No substantive changes have been proposed.

As always, we welcome your input and your comments.

Thank you,
Judge Tim Ashcraft
Chair, Pierce County Superior Court Local Rules Committee