

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

In Re the Marriage of:
 In Re the Parentage of:
 In Re the Guardianship of:
 In Re the Committed Intimate Relationship of:

_____, Petitioner
and
_____, Respondent

NO.

TEMPORARY RESTRAINING ORDER
(TMRO)

I. NOTICE TO PARTIES

1.1 An action has been started in this court that affects your family. All parties are now required to obey the following order unless the court changes it. Any party may ask the court to change or clarify this order. The court has the authority to punish violations of this order, including to require the violator to pay attorney fees to the other party for having to bring the violation before the court. The following orders refer to "parties" to be inclusive of the various persons involved in family law proceedings; however, this order does not apply to guardians ad litem or court visitors.

II. ORDER

IT IS ORDERED:

2.1 TEMPORARY ORDERS FOR PARTIES TO DIVORCE/SEPARATION/COMMITTED INTIMATE RELATIONSHIP PROCEEDINGS

- (a) Parties are restrained from transferring, removing, encumbering, concealing, damaging 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 of any extraordinary expenditure made after this order is issued.
- (b) Parties are restrained from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties or of any dependent children, whether medical, health, life or auto insurance, except as agreed in writing by the parties.
- (c) Unless the court orders otherwise, parties are responsible for their own future debts whether incurred by credit card, loan, security interest or mortgage, except as agreed in writing by the parties.
- (d) Parties shall have access to all tax, financial, legal, and household records. Reasonable access to records shall not be denied without order of the court.
- (e) At least sixty (60) days prior to trial, each party shall serve on the opposing party: (1) a Financial Declaration (FL All Family 131), in all cases involving a request for child support, maintenance or attorney's fees. The Declaration shall also be filed with the court; (2) a Verified Statement of Assets and Liabilities (form is Appendix B to Local Court Rules of the Superior Court for San Juan County, website: <https://www.sanjuanco.com/185/Superior-Court>) including both marital and separate assets and liabilities of any kind, in any case involving the division of assets and/or debts. The Verified Statement of Assets and Liabilities shall not be filed with the Court; and (3) Each party shall then file a Declaration of Mailing, attesting that the Financial Declaration and Verified Statement of Assets and Liabilities have been provided to the other party. All parties have a duty to supplement the financial information when additional information becomes available.

RESTRAINING ORDER

LCR 90

Page 1 of 2

FORMS APPENDIX -- A

2.2 TEMPORARY ORDERS FOR PARTIES WITH MINOR CHILD(REN).

- (a) All parties are restrained from changing the residence of the child(ren) until further court order, except as agreed in writing by the parties.
- (b) Each parent and any other party legally entitled shall have full access to the child(ren)'s educational and medical records, unless otherwise ordered by the court.
- (c) Each party shall insure that the child(ren) are not exposed to negative comments about the other parties. No party shall make negative comments about another party in the presence of the child(ren).
- (d) Unless waived pursuant to LCR 92, within 90 days of filing an appearance, answer or other responsive pleading in this action, all parties shall attend a court-approved parent education seminar. Upon completion of the seminar, each party shall file with the court the seminar completion certificate provided by the sponsoring agency or provider.
- (e) At least sixty (60) days prior to trial, each party shall provide the other parties with a Proposed Parenting Plan, if they have not already done so.

2.3 MEDIATION AND SETTLEMENT CONFERENCE

If the parties are not able to agree on a final resolution of their case, they shall be required to participate in mediation in accordance with LCR 93. If, after mediation, there remain unresolved issues, the parties may participate in a settlement conference, pursuant to LCR 16(b).

2.4 EFFECTIVE DATE OF ORDER

The Petitioner is subject to this order from the time of filing the Petition. **The Petitioner shall serve a copy of this on the Respondent(s) and file a declaration of service in the court file.** The Respondent is subject to this order from the time that the order is served. This order shall remain in effect until further court order.

Dated: _____

JUDGE/ Commissioner

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: _____ 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:

- | | <u>Bank Name/Branch</u> | <u>Account No.</u> |
|----|-------------------------|--------------------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |

- | | <u>Bank Name/Branch</u> | <u>Account No.</u> |
|----|-------------------------|--------------------|
| 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. _____
- 4. _____

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

Other

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

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

COMMUNITY LIABILITIES

Mortgage:

- 1. _____
- 2. _____

Balance at Separation

- \$ _____
- \$ _____

Current Balance

- \$ _____
- \$ _____

Loans (vehicles/student/personal):

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

- \$ _____
- \$ _____
- \$ _____
- \$ _____

- \$ _____
- \$ _____
- \$ _____
- \$ _____

Credit Cards:

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

- \$ _____
- \$ _____
- \$ _____
- \$ _____
- \$ _____

- \$ _____
- \$ _____
- \$ _____
- \$ _____
- \$ _____

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____, at _____, Washington.

Declarant

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

_____, Petitioner/Plaintiff

NO.

vs

_____, Respondent/Defendant

NOTE FOR TRIAL ASSIGNMENT
(Clerk's Action Required)

TO: Clerk of the Court
AND TO: Court Administrator
AND TO: _____

Please take notice that the above captioned action is now at issue. The Clerk is requested to note this case on the regular Trial Assignment Calendar (Every Friday of the month)

Date requested for trial assignment: Friday _____
(This is an administrative calendar only; no personal appearance required)

Nature of this case: _____

Issues in Dispute: _____

Estimated Length of Trial (days): _____

A jury of 6 of 12 has has not been demanded.

Is the Parent Education Seminar requirement under LCR 92 applicable? Yes No
If yes, have the parties attended a court-approved Parent Education Seminar and are the certificates filed with the court? Yes No

Is the mandatory mediation requirement under LCR 93 applicable? Yes No
If yes, have the parties completed mandatory mediation and is the declaration of completion filed with the court? Yes No

Has a Title 26 Guardian ad Litem been appointed? Yes No
If yes, has the GAL Report been filed with the court? Yes No

Dated: _____

Signature / Printed Name
Attorney for _____
WSBA No. _____
Address: _____

**NOTE FOR TRIAL ASSIGNMENT
LCR 40**

FORMS APPENDIX -- C

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

_____, Petitioner/Plaintiff

NO.

vs

_____, Respondent/Defendant

NOTICE OF CONFLICT DATES

TO: Clerk of the Court
AND TO: Court Administrator
AND TO: _____

Please take notice that the above captioned case has been noted for trial assignment on the following date:
Friday _____ (This is an administrative calendar only; no personal appearance
required)

**The following are the undersigned's conflict dates, which are limited to previously scheduled
vacations and trial dates:**

Dates of Counsel's
Unavailability

Reason for
Unavailability

Reference
(Court and Cause No.)

Dated: _____

Signature / Printed Name
Attorney for _____
WSBA No. _____
Address: _____

**NOTICE OF CONFLICT DATES
LCR 40**

FORMS APPENDIX -- D

Exhibit List

Case No.

Case Name:

Hearing/Trial Date

Attorney for Plaintiff/Petitioner:

Attorney for Defendant/Respondent:

Attorney for Plaintiff/Petitioner:		Attorney for Defendant/Respondent:
	1	
	2	
	3	
	4	
	5	
	6	
	7	

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

[] In Re the Marriage of:
[] In Re the Parentage of:

_____, Petitioner
and
_____, Respondent

NO.

ORDER TO SHOW CAUSE RE: PARENT
EDUCATION SEMINAR

Clerk's Action Required: Para./Sect. _____

IT IS HEREBY ORDERED, ADJUDGED AND DECREED

By sua sponte order of the Court:

The Respondent herein, _____, shall complete a court-approved parent education seminar, per LCR 92, no later than _____. Proof of completion shall be filed with the Court no later than _____.

IT IS FURTHER ORDERED:

In the event proof of completion of the class is not filed with the Court by said date, _____ shall appear in person before this court at the place and time set forth below and show cause why he / she should not be held in contempt of court for failure to abide by this order and why sanctions should not be entered for such failure to-wit:

Date: _____ / Time: _____
Place: San Juan County Courthouse
350 Court Street
Friday Harbor, WA 98250
Room: Superior Courtroom, Second Floor
Judge: Honorable Kathryn C. Loring

IF YOU FAIL TO APPEAR IN PERSON AND SHOW CAUSE AT THESE PROCEEDINGS THE COURT MAY ORDER SANCTIONS, INCLUDING CONTEMPT, AND/OR ISSUE A BENCH WARRANT FOR YOUR ARREST WITHOUT FURTHER NOTICE TO YOU.

This order may be served by mail.

Dated: _____

Kathryn C. Loring, Judge

**ORDER TO SHOW CAUSE RE: PARENTING CLASS
LCR 92**

FORMS APPENDIX -- F

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

In Re the Marriage of:

_____, Petitioner

and

_____, Respondent

NO.

REQUEST FOR ENTRY OF DECREE AND
DECLARATION OF JURISDICTIONAL FACTS

REQUEST: The petitioner requests immediate entry of Findings of Fact, Conclusions of Law and • Decree of Dissolution of Marriage, • Decree of Legal Separation, or • Declaration of Invalidity 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 _____, 20____, the date on which the Petition was filed, and _____, 20____, the date on which

1. The Respondent signed an acceptance of service of the Summons and Petition **and**
 - the Respondent has signed the original final documents; **or**
 - the Respondent waived notice **and** the final documents provide for only that relief requested in the petition; **or**
 - an order of default has been entered against Respondent;**or**
2. The Summons and Petition:
 - were personally served upon the Respondent, **or**
 - the summons was first published pursuant to a court order, **or**
 - the summons and petition were mailed pursuant to a court order;**and**
 - an order of default has been entered against Respondent.

MARRIAGE &

SEPARATION: The parties were married on _____, _____, (date) at _____, (city and state) and separated on _____, _____ (date).

- The marriage is irretrievably broken, **or**
- The parties wish to be legally separated, **or**
- The marriage of the parties is invalid.

PREGNANCY:

- Neither party is pregnant.
- (Name) _____ is pregnant. [Note: Under RCW 26.26.116, the other party is the presumed parent. If either party believes the other party is not the parent, this presumption may be challenged up to four years after the birth of the child or as otherwise provided in RCW 26.26.500 through 26.26.625.]

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

LCR 91

FORMS APPENDIX -- G

DEPENDENT CHILDREN: All dependent children of the marriage are identified and the Child Support worksheets are accurate.

PARENTING CLASS: • Petitioner has has not / Respondent has has not completed the mandatory court-approved parent education seminar and the certificate(s) of completion is/are attached.
• The parent education seminar has been waived by the court.

PROPERTY & DEBTS: All property and all debts of the parties are fairly and completely divided in the Decree.

IF DEFAULT: If entry of the Decree is sought after default of the Respondent, the final documents provide for only that relief requested in the petition.

PERJURY DECLARATION: I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this _____ day of _____, 20____, at _____, Washington.

Signature of Petitioner

Presented by:

Signature & Printed Name of Petitioner's Attorney

Approved, Notice of Presentation Waived:

Signature & Printed Name of Respondent's Attorney

Signature & Printed Name of Respondent

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

_____, Petitioner

and

_____, Respondent

NO.

DOMESTIC RELATIONS PRE-TRIAL INFORMATION
SUBMITTED BY: _____

NOTE: This form shall be filed and served by noon two judicial days before trial.

I. INFORMATION

A. Ages: Petitioner _____ Respondent _____

B. Date of Marriage, if applicable: _____

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

A. Petitioner:

1. Employer's name and address: _____

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

Other income: <u>Source</u>	<u>Monthly Amount</u>
_____	\$ _____
_____	\$ _____

B. Respondent:

1. Employer's name and address: _____

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

Other income: <u>Source</u>	<u>Monthly Amount</u>
_____	\$ _____
_____	\$ _____

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 petitioner on the left side of the page and listing the property to be awarded to the respondent on the right side of the page. (See **Sample** on following page.) Such lists should begin with items of community property having the greatest value and should be described in such detail as may be reasonable in

**DOMESTIC RELATIONS PRE-TRIAL INFORMATION
LCR 90**

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.

SAMPLE

III. ASSETS & LIABILITIES

PROPERTY DIVISION PROPOSED BY PETITIONER

Property to be Awarded to Petitioner:

Real Estate:

Family Home (FMV) \$60,000

Less: Mortgage to

Hometown Bank (30,000)

Net Equity: \$30,000

Motor Vehicles:

1985 Chev. Caprice

(FMV) \$ 8,500

Less: Loan to

Credit Union (5,000)

Net Equity: \$3,500

Household Goods:

Living room furniture \$750

Console TV \$600

Bedroom Furniture \$500

Kitchen Appliances \$300

Misc. Dishes/utensils \$200

Total Household Goods \$2,350

Cash: (from savings acct) \$1,500

Clothing & Personal Effects: \$1,000

Total Value Community Property

Awarded to Petitioner: \$ 38,350

Less Debts Assumed by Petitioner:

Sears \$450

VISA \$600

Total Debts: (\$1,050)

Net Value of Award to Petitioner: \$ 37,300

Less: Lien on Family Home (\$6,375)

**Total Community Property
Awarded to Petitioner: \$ 30,925**

Separate Property:

100 Shares Puget Power (from father) \$ 2,000

Total Award to Petitioner: \$ 32,925

Property to be Awarded to Respondent:

Pension (Present Cash Value

at dissolution) \$20,000

Motor Vehicles:

1983 Ford pickup (FMV) \$ 5,000

Less: Loan to Second

National Bank (\$2,000)

Net Equity: \$ 3,000

Household Goods:

Living Room Furniture \$500

Bedroom Furniture \$350

Misc. Dishes/utensils \$150

Total Household Goods: \$1,000

Cash (from checking & savings) 1,000

Power Tools \$350

Clothing & Personal Effects \$750

Total Value of Community Property

Awarded to Respondent: \$26,100

Less Debts Assumed by Respondent:

Bon Marche \$350

Mastercard \$500

Ace Finance Company \$700

Total Debts: (\$1,550)

Net Value of Award to Respondent: \$24,530

Plus: Lien on family home \$ 6,375

**Total Community Property
Awarded to Respondent: \$ 30,925**

I SWEAR UNDER PENALTY OF PERJURY THAT THE ABOVE IS TRUE AND CORRECT.

Dated: _____

Signature

**DOMESTIC RELATIONS PRE-TRIAL INFORMATION
LCR 90**

Page 2 of 2

FORMS APPENDIX -- H

Eff September 1, 2022

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

In re the Marriage of:

No.

In re the Parentage of:

Sealed Cover Sheet for JIS
Background Check
(Permanent Parenting Plan)

Petitioner(s),

and

CLERK'S ACTION REQUIRED:

Respondent(s).

**(JIS Background Check cannot be completed
unless the information below is provided.)**

The following information is provided for completion of the JIS Background Check required by LCR 90 of the Local Rules for San Juan County.

Permanent Parenting Plan or Residential Schedule to be noted for presentation on:
_____ [date].

Attached is JIS Background Check for **the Petitioner, the Respondent, all minor children over the age of 11 years who reside in the residence of either party, and all other adults who reside in the residence of either party based on the following information provided by the Petitioner, the Respondent, or legal counsel.** Use additional forms, if necessary, for additional children or adults.

I declare under penalty of perjury of the laws of the state of Washington that the information contained herein is true and accurate.

Dated this _____ day of _____, 20____, at _____.
(day) (month) (year) (city and state)

Petitioner: _____

Respondent: _____

County Clerk Received by: _____ Date: _____

CHILD(REN) INFORMATION	
Child's FULL Name (Last, First, MI):	Child's FULL Name (Last, First, MI):
Child's Date of Birth (MO/DAY/YEAR):	Child's Date of Birth (MO/DAY/YEAR):
Child's CURRENT Address:	Child's CURRENT Address:
Child's FULL Name (Last, First MI):	Child's FULL Name (Last, First MI):
Child's Date of Birth (MO/DAY/YEAR):	Child's Date of Birth (MO/DAY/YEAR):
Child's CURRENT Address:	Child's CURRENT Address:

PETITIONER'S INFORMATION			
1 st Petitioner's FULL Name (Last, First MI):		2 nd Petitioner's FULL Name (Last, First MI):	
Has the 1 st Petitioner ever been known by another name? Including hyphenated or maiden names. If so, list name(s):		Has the 2 nd Petitioner ever been known by another name? Including hyphenated or maiden names. If so, list name(s):	
1 st Petitioner's Date of Birth (MO/DAY/YEAR) :		2 nd Petitioner's Date of Birth (MO/DAY/YEAR):	
COURT USE ONLY		COURT USE ONLY	
JIS/JABS Checked <input type="checkbox"/>	Checks attached <input type="checkbox"/>	JIS/JABS Checked <input type="checkbox"/>	Checks attached <input type="checkbox"/>
SCOMIS Checked <input type="checkbox"/>	No information <input type="checkbox"/>	SCOMIS Checked <input type="checkbox"/>	No information <input type="checkbox"/>

RESPONDENT'S INFORMATION			
1 st Respondent's FULL Name (Last, First MI):		2 nd Respondent's FULL Name (Last, First MI):	
Has the 1 st Respondent ever been known by another name? Including hyphenated or maiden names. If so, list name(s):		Has the 2 nd Respondent ever been known by another name? Including hyphenated or maiden names. If so, list name(s):	
1 st Respondent's Date of Birth (MO/DAY/YEAR):		2 nd Respondent's Date of Birth (MO/DAY/YEAR):	
COURT USE ONLY		COURT USE ONLY	
JIS/JABS Checked <input type="checkbox"/>	Checks attached <input type="checkbox"/>	JIS/JABS Checked <input type="checkbox"/>	Checks attached <input type="checkbox"/>
SCOMIS Checked <input type="checkbox"/>	No information <input type="checkbox"/>	SCOMIS Checked <input type="checkbox"/>	No information <input type="checkbox"/>

OTHER MINORS OR ADULTS RESIDING IN PETITIONER'S HOUSEHOLD		OTHER MINORS OR ADULTS RESIDING IN RESPONDENT'S HOUSEHOLD	
Other's FULL Name (Last, First MI):		Other's FULL Name (Last, First MI)	
Has the Other ever been known by another name? Including hyphenated or maiden names. If so, list name(s):		Has the Other ever been known by another name? Including hyphenated or maiden names. If so, list name(s):	
Other's Date of Birth (MO/DAY/YEAR):		Other's Date of Birth (MO/DAY/YEAR):	
Other's FULL Name (Last, First, MI):		Other's FULL Name (Last, First, MI):	
Has the Other ever been known by another name? Including hyphenated or maiden names. If so, list name(s):		Has the Other ever been known by another name? Including hyphenated or maiden names. If so, list name(s):	
Other's Date of Birth (MO/DAY/YEAR):		Other's Date of Birth (MO/DAY/YEAR):	
Other's FULL Name (Last, First MI):		Other's FULL Name (Last, First MI):	
Has the Other ever been known by another name? Including hyphenated or maiden names. If so, list name(s):		Has the Other ever been known by another name? Including hyphenated or maiden names. If so, list name(s):	
Other's Date of Birth (MO/DAY/YEAR):		Other's Date of Birth (MO/DAY/YEAR):	
COURT USE ONLY		COURT USE ONLY	
JIS/JABS Checked <input type="checkbox"/>	Checks attached <input type="checkbox"/>	JIS/JABS Checked <input type="checkbox"/>	Checks attached <input type="checkbox"/>
SCOMIS Checked <input type="checkbox"/>	No information <input type="checkbox"/>	SCOMIS Checked <input type="checkbox"/>	No information <input type="checkbox"/>

**SAN JUAN COUNTY SUPERIOR COURT
CONDUCT AND DRESS CODE**

THE FOLLOWING CONDUCT AND DRESS CODE SHALL
APPLY WHEN COURT IS IN SESSION:

1. No firearms or other weapons, including knives, shall be allowed in the courtroom.
2. No food or drinks, except water, shall be allowed in the courtroom.
3. No cell phones or pagers with audible signals activated shall be allowed in the courtroom.
4. All persons in the courtroom or attending a hearing remotely, except those required to be there because of arrest or court order, shall be attired in a manner appropriate to the dignity and decorum of the courtroom setting. Attorneys shall wear professionally appropriate attire. Hats may not be worn except for religious or health reasons.
5. All persons attending a court hearing shall, in their speech and actions, conduct themselves in a manner appropriate to the dignity and decorum of the courtroom setting. As minimum standards, the following rules shall apply:
 - ◆ Spectators and persons not then actively engaged in court proceedings shall be quiet; any speech which does occur shall be as unobtrusive as possible.
 - ◆ All persons shall refrain from any gestures and from conduct or behavior, which manifest disrespect for the court, counsel, litigants, witnesses, court staff, law enforcement personnel, or other persons.
 - ◆ Children shall be closely controlled by adults inside and outside the courtroom.
6. No cameras or video or audio recording equipment, except members of the press with prior approval of the Court.

COURT DECORUM AND PRACTICE GUIDELINES

PREFACE

The pursuit of justice is a serious undertaking and conduct during the litigation process, both within and outside the courtroom, must at all times satisfy the appearance as well as the reality of fairness and equal treatment. Dignity, order and decorum are indispensable to the proper administration of justice.

A trial is an adversary proceeding, and lawyers must advocate for their clients' positions. However, conduct that may be characterized as discriminatory, abusive, or obstructive impedes the fundamental goal of resolving disputes rationally, peacefully and efficiently. Such conduct tends to delay and often to deny justice.

Attorneys are privileged to participate in the administration of justice in a unique way, and are responsible to their own consciences, to their clients, to one another, and to the public to conduct themselves in a manner which will facilitate, and never detract from, the administration of justice.

A trial is a truth-seeking process designed to resolve human and societal problems in a rational and efficient manner. A lawyer's conduct should be characterized at all times by personal courtesy and professional integrity in the fullest sense of those terms. A judge's conduct should be characterized at all times by courtesy, patience, and fairness toward all participants. The courts belong to the people of this state. The guidelines are intended to facilitate access to the courts for the fair resolution of disputes and should never be applied to deny access.

Application

The purpose of these guidelines is to provide lawyers, judges, and parties with a reasonable standard of conduct in judicial proceedings. However, these guidelines are not intended to homogenize conduct or remove individuality from the courtroom. To facilitate professional growth and foster voluntary compliance with these guidelines, the WSBA Court Congestion and Improvement Committee periodically review these guidelines. Comments are considered by the committee and changes are incorporated as needed.

All participants in judicial proceedings should voluntarily adhere to these guidelines. These guidelines shall not be used as a basis for litigation or for sanctions or penalties. Nothing in these guidelines supersedes or detracts from existing codes or rules of conduct or discipline or alters existing standards by which lawyer negligence may be determined.

COURT DECORUM

I. General Court Hearing Decorum

- A. Always be prompt.
- B. Stand when the judge enters or leaves the courtroom.
- C. Do not make personal attacks on opposing counsel.
- D. Do not interrupt. Wait your turn.
- E. Enhancing courtroom decorum is a cooperative venture among bench and bar. It is appropriate to call to the attention of opposing counsel any perceived violations of these guidelines out of the presence of the jury.
- F. After the court has ruled, ask the court's permission before arguing further.
- G. Advise clients and witnesses of the formalities of the court, the appropriate guidelines, and any rulings on motions in limine. Encourage their cooperation. This applies both to attorneys and to self-represented parties.

COURTROOM DECORUM AND PRACTICE GUIDELINES

LCR 87

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FORMS APPENDIX – K

Eff September 1, 2022

H. If there is a live microphone, remember not to confer with others or rustle papers near the microphone. With the importance of making an accurate court record, be mindful of speaking into the microphone in an audible and clear fashion.

I. Courtrooms equipped for recording may require special precautions, such as remaining near a microphone.

J. Treat everyone in the proceeding with fairness, consideration, and respect. Refrain from conduct that discriminates on the basis of race, color, national origin, religion, creed, gender identity, age, disability, sexual orientation, or marital status.

II. General Trial Conduct

A. Offers of and requests for stipulations are appropriate to facilitate the presentation of a case, but should not be employed to communicate to the jury a party's willingness or unwillingness to stipulate.

B. During trial, maintain appropriate respect for witnesses, jurors, and opposing counsel, avoiding informality. Address adults by their titles or surnames unless permission has been given to use first names. Avoid referring to adults by biased and demeaning expressions or labels such as "girl," "gal," or "boy." Address jurors individually or by name only during voir dire.

C. Treat jurors with respect and dignity, avoiding fawning, flattery, or pretended solicitude. Suggestions regarding the comfort or convenience of jurors should generally be made to the court out of the jury's hearing.

D. During the opening statement and argument of opposing counsel, never inappropriately divert the attention of the court or the jury.

E. Avoid expressing an opinion to the jury about the testimony of a witness, a ruling of the court, or argument of counsel through exaggerated facial expressions or other contrived conduct.

F. When practical, give the court advance notice of any legal issue that is likely to be complex, difficult, and which you expect to require argument.

G. Do not argue the case in the opening statement.

H. Counsel should not express to the jury personal knowledge or personal opinions about the evidence.

I. Address your remarks to the court, not to opposing counsel except when extending necessary courtesies, e.g., thank you.

J. Only attorney, parties, court personnel, and witnesses, when called to the stand, are permitted within the bar of the courtroom, unless otherwise allowed by the court.

III. Examination of Witnesses

A. When examining a witness, avoid undue repetition of the witness' answer.

B. Make objections for evidentiary reasons without delivering a speech or guiding a witness. Recapitulate testimony only as needed to put an objection in context.

C. If a witness was on the stand at a recess or adjournment, have the witness ready to proceed when the court is resumed.

D. Attempt to anticipate witness scheduling problems and discuss them with opposing counsel and the court. Try to schedule witnesses in advance of trial.

IV. Exhibits and Documents

A. Premark exhibits with the clerk for identification prior to trial where appropriate and in accordance with the applicable rules.

B. Return all exhibits to the clerk at each adjournment.

C. Whenever referring to an exhibit, identify the exhibit by its exhibit number.

COURTROOM DECORUM AND PRACTICE GUIDELINES

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FORMS APPENDIX – K

COUNTY OF SAN JUAN
SUPERIOR and DISTRICT COURTS
350 Court Street, Friday Harbor, WA 98250

EVALUATION STANDARDS

A defendant, who is required by the court to obtain an evaluation of any kind, must ensure that the evaluator complies with the minimum requirements set forth below. The defendant must also sign a waiver of confidentiality so that the court, probation officer and prosecutor may provide the evaluator with pertinent information, and the evaluator can provide evaluations and progress reports to the court, probation officer and prosecutor.

THE EVALUATOR must meet all certification and registration requirements for the State of Washington. The evaluation must be conducted in person. As part of the evaluation process, the evaluator must comply with all procedures required by the State of Washington and **MUST ALSO OBTAIN AND CONSIDER THE FOLLOWING:**

1. The arrest and criminal history of the defendant;
2. The driving record of the defendant (if charge is driving related);
3. The police reports relating to the incident underlying the charges;
4. Any prior relevant evaluations;
5. Information from at least one collateral contact who has significant knowledge of the defendant;
6. Any additional information provided by the District Court probation officer;
7. The defendant must submit a urinalysis for alcohol and drug testing (if charge is alcohol/ drug related).

AUTHORIZATION TO RELEASE INFORMATION

I understand that federal and state laws and regulations provide that information obtained by drug, alcohol, mental health counselors and treatment agencies are confidential and may not be disclosed without my specific written consent, unless otherwise permitted by such regulations. A general authorization for the release of medical or other information is not sufficient to allow disclosure. I also understand that I may revoke this consent at any time EXCEPT to the extent that action has been taken in reliance on it for purposes of sentencing, probation or parole. I have read the above evaluation standards, and understand that the evaluator must comply with those standards.

I HAVE READ AND UNDERSTAND the evaluation standards set forth above and **AGREE TO COMPLY** with these standards and to **PROVIDE A COPY** of these standards to the person or agency that will be conducting my evaluation.

I AUTHORIZE the court, prosecutor, sheriff and probation department to release any arrest, criminal, and driving records, incident reports, and any prior evaluations relating to me, to the person(s) or agencies named below who will perform a court-ordered evaluation in this case.

I AUTHORIZE _____
(name, address & tel. of agency) to release tests results, evaluations and progress reports to the court clerk, prosecuting attorney, and District Court probation department in San Juan County.

DATE:

Superior Court: 360-370-7480
County Clerk: 360-378-2163
District Court: 360-378-4017
Prosecutor: 360-378-4101
D.C. Probation: 360-378-8208
Juvenile Court: 360-370-7442

Defendant
Address: _____

Telephone Number: _____

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

In re the Marriage of:
 In re the Parentage of:
 In re the Intimate Committed Relationship of:
 In re the Guardianship of:
 In re the Estate of:
_____ Plaintiff(s)/Petitioner(s),
and
_____ Defendant(s)/Respondent(s).

No.
STIPULATION TO MODIFY EMAIL SERVICE RULE

COME NOW THE PARTIES ABOVE-NAMED, by and through their respective counsel of record or individually if pro se, and hereby stipulate as follows:

The San Juan County Local Court Rule (LCR) 5(l) regarding email service of pleadings or other papers after original service of process is hereby modified as follows:

- No party shall be entitled to serve by email.
 - Documents served by email shall be limited to _____ size per __ day/ __ email.
 - Each party agrees to service of __ discovery requests/ __ discovery responses by email.
 - _____ party does **not** wish to have hard copies delivered after email service.
 - Confirmation of email service shall be by: _____
- _____
- The parties further stipulate as follows: _____
- _____
- _____

DATED: _____

DATED: _____

NAME OF FIRM or party

NAME OF FIRM or party

Signature of attorney/party
WSBA# _____
Attorney for _____

Signature of attorney/party
WSBA # _____
Attorney for _____

**LCR 5(I)
Stipulation to Modify Email Service Rule**

FORMS APPENDIX -- M

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SAN JUAN**

In the Guardianship of:

,

Incapacitated Person.

No.

ORDER CONVERTING
RCW 11.88 GUARDIANSHIP TO
RCW 11.130 GUARDIANSHIP &
CONSERVATORSHIP

This matter came on for a [] annual, [] biannual, [] triennial guardianship review hearing on _____, with the Guardian's regular _____ report having been filed on _____. The Guardian originally was appointed as the full/limited Guardian of the person/estate for _____ on _____.

The Court, on its own motion, considers the conversion of the existing guardianship under RCW Ch. 11.88 to a guardianship and conservatorship under the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act, RCW Ch. 11.130. which became effective as to adult proceedings on January 1, 2022.

Further, the Court has considered whether protective arrangements less restrictive than guardianship and conservatorship are available, and has determined that given the needs of _____, such less restrictive arrangements would not be appropriate or sufficient here. Additional findings if applicable:

_____.

NOW, THEREFORE, THE COURT ENTERS THE FOLLOWING ORDERS:

1. The Clerk is directed to convert the existing guardianship to a guardianship and a conservatorship under RCW Ch. 11.130.
2. Upon the filing of the Acceptance of Appointment of Guardian and Conservator, the Clerk is directed to issue new letters of office appointing _____ as the full/limited guardian/conservator for _____. The new letters shall expire _____ (180 days from the end of the reporting period).
3. _____ is required to shall serve the person subject to the guardianship/conservatorship and all other persons entitled to notice the Notification of Rights provided on the Washington pattern form or as otherwise provided by RCW 11.130.315, .425, & .655, within 30 days from the date of this order.

///

4. _____ shall file and serve on all persons entitled to notice a Guardian's Plan pursuant to RCW 11.130.340 and/or a Conservator's Plan pursuant to RCW 11.130.510 on the Washington pattern forms within 90 days from the date of this order (if these have not already been filed/served). Upon receipt, the Court shall determine whether any further review hearing is necessary. _____ shall lodge proposed orders approving said plans, also on the pattern forms, at the same time as filing the plans.
5. _____ is required to complete the online lay guardian training and to file proof of completion within 90 days from the date of this order. The training is available through the Washington Courts Guardian Portal.
6. The Court separately enters an order approving the Guardian's report for the prior reporting period, which sets future reporting and review dates.

Dated: _____

JUDGE KATHRYN C. LORING