

THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR KITSAP COUNTY

614 DIVISION STREET, MS-24  
PORT ORCHARD, WASHINGTON 98366  
(360) 337-7140

**TINA ROBINSON**, JUDGE  
DEPARTMENT NO. 1  
**MICHELLE ADAMS**, JUDGE  
DEPARTMENT NO. 2  
**MELISSA A. HEMSTREET**, JUDGE  
DEPARTMENT NO. 3  
**WILLIAM C. HOUSER**, JUDGE  
DEPARTMENT NO. 4  
**JEFFREY P. BASSETT**, JUDGE  
DEPARTMENT NO. 5  
**KEVIN D. HULL**, JUDGE  
DEPARTMENT NO. 6

**JENNIFER A. FORBES**, JUDGE  
DEPARTMENT NO. 7  
**CADINE FERGUSON-BROWN**, JUDGE  
DEPARTMENT NO. 8  
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**MATTHEW L. CLUCAS**  
COURT COMMISSIONER  
**LYNN K. FLEISCHBEIN**  
COURT COMMISSIONER  
**FRANK A. MAIOCCO, JR.**  
COURT ADMINISTRATOR

**MEMORANDUM**

April 6, 2026

**To:** Mr. Chad Enright, Kitsap County Prosecuting Attorney  
Mr. David Lewis, Kitsap County Clerk  
Mr. Steve Lewis, Director, Kitsap County Office of Public Defense  
Members of the Kitsap County Bar Association

**From:** Hon. Jennifer A. Forbes, Presiding Judge  
Kitsap County Superior Court

**Re:** Proposed Amendments to the Kitsap County Superior Court Local Court Rules

Attached, you will find a copy of proposed amendments and/or newly proposed additions to the local Superior Court rules that are under consideration by the Kitsap County Superior Court Judges:

KCLCR 11(a)	Signing and Drafting of Pleadings, Motions, and Legal Memoranda; Sanctions; Accuracy of Pleadings
KCLCR 47(a)	Jurors; Examination of Jurors
KCLCR 56(a)(ii)	Summary Judgment; Motions and Proceedings
KCLCR 59(b)	New Trial, Reconsideration, and Amendment of Judgments; Motion for Reconsideration; Time for Motion; Contents of Motion
KCLCR 77(k)(10)	Superior Court and Judicial Officers; Motion Day – Local Rules; Special Settings
KCLCR 77(k)(11)	Superior Court and Judicial Officers; Motion Day – Local Rules; Hearing of Motions

KCLFLR 6	Mandatory Settlement Conferences
KCLFLR 12	Motions for Revision
KCLCrR 2.4(c)(2)(h)	Justification of Bail Bond Companies and Sureties; Petition Contents; Documentation
Exhibit C	Note for Settlement Conference or Support Modification Hearing and Trial Setting
Exhibit P	Certification of Settlement Attempt

Please forward any comments, concerns, or suggestions to Frank Maiocco, Superior Court Administrator, at [fmaiocco@kitsap.gov](mailto:fmaiocco@kitsap.gov) **no later than Friday, May 8, 2026**. Comments may also be provided electronically at:

<https://www.cognitoforms.com/KitsapCounty1/KitsapCountySuperiorCourtLocalRuleChangeComments>

In keeping with KCLCR 83(a)(6), and subject to any written comments, objections, or suggestions received in the interim, these proposed rule amendments will be approved and submitted to the Administrative Office of the Courts on or before July 1, 2026 with an anticipated effective date of **September 1, 2026**.

cc: Frank Maiocco

**KCLCR 11 SIGNING AND DRAFTING OF PLEADINGS, MOTIONS, AND LEGAL MEMORANDA: SANCTIONS**

**(a) Accuracy of Pleadings**

1. Attorneys and unrepresented litigants are cautioned against submitting to the Court any pleading, written motion, or other paper drafted using generative artificial intelligence (e.g., ChatGPT, Harvey.AI, generative AI services) without checking the submission for accuracy as certain technologies may produce factually or legally inaccurate content and should never replace the lawyer's independent legal judgment. Any attorney or unrepresented litigant who signs a pleading, written motion, or other paper submitted to the Court will be held responsible for the contents of that filing under CR 11, regardless of whether generative artificial intelligence drafted any portion of that filing.
2. Any pleading offered by an attorney or unrepresented party that contains references to caselaw or statutes that do not exist shall be subject to sanctions – including nonmonetary directives, striking of a pleading, a penalty payable to the court, or payment to the opposing party of attorney's fees and expenses directly resulting from the violation—if, after notice and a reasonable opportunity to respond, the Court determines that CR 11 has been violated.
3. Attorneys are professionally trained to do legal research and are subject to the Rules of Professional Conduct which carry with it an explicit duty of candor to the court and other parties. As such, any violation of KCLCR 11(a)(2) by an attorney shall carry with it a presumptive sanction of \$2,000 per violation which may be increased, decreased, or waived by the court depending on the circumstances. Any such sanction shall be entered as a judgment against the attorney personally and not their client.

*Amended on an emergency basis August 1, 2025, effective September 1, 2025; amended/renewed on an emergency basis, effective December 1, 2025; amended/renewed on an emergency basis, effective March 2, 2026; amended/renewed on an emergency basis, effective June 1, 2026; Amended, effective September 1, 2026.*

## KCLCR 47 JURORS

### (a) Examination of Jurors.

- (1) At the commencement of trial, the clerk will assign numbers randomly, beginning with the number one, to all jurors called for trial. ~~If a criminal defendant objects to this procedure, the numbers will be drawn by the clerk in open court at the beginning of the trial.~~
  - (A) Prior to the questioning of prospective jurors by counsel, the Court will allow time for counsel to review juror profiles and questionnaires.
  - (B) These jurors will be given large badges with their assigned numbers on them. These will be large enough to be easily read by the Court, counsel, and the court reporter. The jurors will arrange themselves in order as directed by the Court.
  - (C) If alternate jurors are to be selected, the parties are encouraged to stipulate that all peremptory challenges will be exercised against the entire panel. Otherwise, each side will only be allowed the number of peremptory challenge(s) against the alternate juror or jurors as allowed by CR 47(b).
- (2) The Court will then ask general questions of the prospective jurors.
  - (A) “General questions” means those questions that are designed to discover those jurors who should be excused for cause (e.g., those prospective jurors who are related to a party or who cannot be available for the full time the trial is estimated to take).
  - (B) Counsel may request general questions to be asked by the Court as long as they meet the definition in section (2)(A) above. The purpose and proper scope of voir dire is to learn the state of mind of prospective jurors, to determine if a basis exists for a challenge for cause, and to determine the advisability of a peremptory challenge. Counsel will generally not be permitted to educate the jury as to the facts of the case, to compel jurors to commit themselves to vote a particular way, to argue the law, or to instruct the jury as to matters of law.
- (3) After prospective jurors have been excused for cause, the Court may excuse those jurors who are in excess of the number needed for the trial. The number needed for trial will be equal to 12, plus the number of alternates, plus the total number of peremptory challenges to which all parties are entitled, plus two to five additional as a cushion for possible additional challenges for cause.
- (4) Counsel will then question the remaining prospective jurors.
  - (A) Each side will ~~have 90 minutes~~ be allotted time by the Court for questioning. The amount of time shall be determined by the Court prior to jury selection commencing. Each side may reserve that amount of the allotted time as allowed by the Court for additional questions following the questioning by the other side.

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- (i) Any time expended in arguing a challenge for cause will not be charged to either side.
- ~~(B) The times set forth in section (4)(A) above may be expanded by the Court for good cause shown, such as an extremely complicated case or multiple parties.~~
- (BC) Counsel may use their allotted time in any manner and may question prospective jurors in any order. Counsel may ask group questions or ask jurors to respond to remarks made by other members of the jury panel. (e.g., the first question may be addressed to juror #3 in the box, then a question to juror #21 on the benches, then to juror #9 in the box, then back to juror #3 in the box, then a question addressed to the entire panel, or just to jurors #3 and #9, etc.)
- (CD) Challenges for cause must be made when they are discovered, but should be made outside the presence of the jury panel.
- (DE) Objections to questions are made in the usual manner.
- (EF) If counsel is pursuing an important issue that relates to the qualifications of the prospective jurors to serve, and time has run out, counsel may request that the Court grant additional time.
- (FG) The entire panel of prospective jurors is passed for cause when counsel so announces or when the time allotted has been consumed.
- (GH) The procedure set forth in this rule shall not apply to cases involving charges of aggravated first degree murder as defined by RCW 10.95.020 if a notice of special sentencing proceeding has been filed.

- (5) The parties then exercise their peremptory challenges.
- (A) All peremptory challenges shall be exercised in open court.
  - (B) Challenges may be made to jurors who are not seated in the box.
  - (C) When a peremptory challenge is exercised, the next juror on the bench with the lowest number shall replace the juror who was excused from the jury box.
  - ~~(D) The parties are encouraged to stipulate regarding peremptory challenges per Rule 47(a)(2)(A).~~
  - (DE) Upon request of counsel, time will be allowed between voir dire and the exercise of peremptory challenges.
- (6) Additional provisions.
- (A) Counsel may submit, and the Court may allow, special questionnaires focused to the specific case (or type of case) to be submitted to the jurors to answer on the morning of trial before the voir dire process begins. Copies will be made and available to counsel during the questioning of the jurors. Counsel must submit proposed questionnaires to the Court and serve copies on opposing counsel at least five days prior to trial. If this is not done, the Court, in its discretion, may not allow special questionnaires. (If a standard questionnaire has been adopted by the Court for particular types of cases, counsel may refer to the standard questionnaire rather than serving copies.)
- (k) **Jury - Jurors.** Jurors shall be called on a one trial/one day basis. Those persons selected to serve on a jury will be obligated for the duration of that one trial. Those not seated on a jury by the end of the selection will have fulfilled their jury obligation.

*Amended June 21, 2011; effective September 1, 2011; amended on an emergency basis, effective November 3~~+~~, 2025; amended/renewed on an emergency basis, effective December 1, 2025; amended/renewed on an emergency basis, effective March 2, 2026; amended/renewed on an emergency basis, effective June 1, 2026; amended, effective September 1, 2026.*

**KCLCR 56 SUMMARY JUDGMENT****(a) Motion and Proceedings.**

- (i) A bench copy of the summary judgment and all supporting documents and responses shall be delivered on the date of filing to the Superior Court office.
- (ii) Notice to Self-Represented Litigants Opposing Summary Judgment. Any represented party moving for summary judgment against a self-represented party at the time the summary judgment motion was filed shall serve and file as a notice entitled “What is a Summary Judgment Motion? Notice for Parties Who Do Not Have a Lawyer” with the papers in support of the motion. This Notice shall be on a form approved by the Court and available on the Court’s website. The represented party shall also serve a copy of CR 56 and KCLCR 56.

Official Comment:

For further guidance on the submission of bench copies see KCLCR 7. For further guidance on calendaring a motion for summary judgment, see KCLCR 77(k)(2).

*Amended June 21, 2011; effective September 1, 2011; amended on an emergency basis (as to comment only) effective April 1, 2013; amended on a permanent basis (as to comment only) effective September 1, 2013; amended, effective September 1, 2024; amended, effective September 1, 2026.*

**KCLCR 59 NEW TRIAL, RECONSIDERATION, AND AMENDMENT OF JUDGMENTS**

- (b) **Motion for Reconsideration; Time for Motion; Contents of Motion.** A motion for reconsideration shall be filed and noted-not later than 10 days after entry of the judgment, decree, or order. The motion shall be noted on the trial judge's departmental motion docket to be heard not sooner than 30 but not later than 40 days after entry of the judgment, decree, or order, unless the Court directs otherwise. The trial judge shall be served by hand delivery of a copy of the motion and all supporting pleadings to the ~~staff attorney of the trial judge at the~~ Superior Court office. [See KCLCR 7(b)(1)(B).] The documents shall be clearly identified as a motion for reconsideration, and shall clearly state the date the judgment, decree, or order was entered, and the names and addresses of opposing counsel.
- (e) **Hearing on Motion for Reconsideration.** A motion for reconsideration shall be submitted on briefs and affidavits of the moving party only. No response shall be submitted by the opposing party, nor shall oral argument be heard, unless the Court so directs. The Court shall notify the parties, not later than 10 days before the hearing, whether: (1) the motion has been denied and the hearing stricken; or (2) oral argument and/or responsive pleadings will be allowed.

*Amended September 1, 1997; September 1, 1998; September 1, 2000; September 1, 2009; September 1, 2010; September 1, 2011; September 1, 2012; amended, effective September 1, 2017; amended, effective September 1, 2026.*

## X. SUPERIOR COURTS AND CLERKS

## KCLCR 77 SUPERIOR COURTS AND JUDICIAL OFFICERS

- (d) **Superior Court Always Open.** [Rescinded].
- (f) **Sessions.** There shall be one continuous session of Court from January 1 through December 31 of each year.
- (k) **Motion Day - Local Rules.**
- (1) Departmental Matters. Departmental matters will be heard on Fridays at 1:30 p.m.
  - (2) Civil Matters. Probate, guardianship and civil motions (except Civil Rule 56 motions) in cases which are not preassigned to a specific judge will be heard on Friday at 9:00 a.m. Civil matters in cases which have been preassigned shall be heard on that judge's departmental calendar on Fridays at 1:30 p.m.
    - (A) In cases related to debt collections and foreclosure actions, Civil Rule 56 motions will be heard on Friday at 9:00 a.m.
    - (B) Motions pursuant to Civil Rule 56 in cases not solely related to debt collections or foreclosure actions should be noted for Friday at 1:30 p.m. on the "Summary Judgment" calendar. No specific judge should be named in the Note for Motion Docket.
    - (C) In cases other than those related to debt collections, upon filing of a Civil Rule 56 motion, the Superior Court will issue an order of preassignment to a specific judge. The Civil Rule 56 motions will be heard on the assigned judge's Friday departmental calendar at 1:30 p.m. If the matter is noted for the Trial Setting Docket, a case event schedule will issue.
    - (D) For purposes of KCLCR 77(k)(2), "debt collections" refer to cases where:
      - (i) The Complaint requests relief only in the form of a sum certain monetary judgment, with attorney fees, costs, and interest, where applicable; and,
      - (ii) The relief requested in the Complaint is alleged to have been incurred pursuant to a contract between the parties; and,
      - (iii) The Defendant(s) has not raised any Counterclaims.
      - (iv) Examples of debt collections cases under this rule include, but are not limited to: actions seeking monetary judgments based on debt alleged to have been incurred pursuant to a credit card, line of credit, or Promissory Note.

(E) The purposes of KCLCR 77(k)(2) are to keep lengthy, substantive summary judgment motions off of the civil motions calendar; to ensure such motions receive sufficient review and oral argument before a decision is made; and, to ensure that once a judge has become sufficiently familiar with a case to decide a summary judgment motion, the case will stay with that judge until its final resolution to conserve judicial resources. Counsel should consider these purposes in determining where to note motions for summary judgment.

(3) Criminal Matters. The Criminal Motion Schedule shall be as follows:

DAILY	9:00	Criminal In Custody Calendars
	10:30	Criminal Out of Custody Calendars
	3:00	Criminal Arraignment Calendars
FRIDAY	9:00	Criminal In Custody Calendars
	11:00	Criminal After Sentencing/Restitution Calendar
	3:00	Criminal Arraignment Calendars

(4) Ex Parte Matters. Noncriminal ex parte matters shall be heard Monday through Friday at 8:30 a.m.; and, Monday, Thursday and Friday at 3:30 p.m. [See KCLCR 77(k)(10)(C)]

(5) Domestic Relations Matters.

(A) Settlement Conferences. Settlement conferences are heard Mondays through Wednesdays at 1:30 p.m. and Thursdays at 9:00 a.m., or at such other times as set by the Court. [See KCLCR 16(a)(1).]

(B) Trial Continuances. Matters for continuances in domestic relations cases shall be made in writing to be heard by the Domestic Relations Presiding Judge. Requests to continue a trial in domestic relations cases shall be made in writing, at least five (5) calendar days before the hearing, to be heard by the Domestic Relations Presiding Judge on the Domestic Relations Presiding Judge's Departmental Calendar.

(A) Pro Se Dissolutions. All pro se dissolutions will be heard at 1:30 p.m. on Wednesday.

(B) Domestic Violence. Domestic violence matters will be heard at 8:30 a.m. on Thursday.

- (C) Domestic Relations. Domestic motions for dissolution proceedings, committed intimate relationships, modifications of parenting plans involving parties that were previously married, and relocation matters involving parties that were previously married, shall be heard on Fridays at 9:00 a.m.
- (D) Child Support Modification. All child support modifications, including applications for post-secondary support, shall be heard by affidavit on Tuesday at 3:00 p.m. as set by the Court Scheduler. Each side shall be limited to 10 minutes. Arguments requiring greater than 10 minutes per side shall be specially set by the Court Scheduler upon application of a party. [See KCLCR 77(k)(10).]
- (E) Adoptions. Any adoptions requiring notice, including pro se adoptions, will be heard on Tuesday at 3:30 p.m. All other adoptions may be heard on any Ex Parte Calendar except Friday. [See KCLSPR 93.04.]
- (F) Parentage and State Child Support Calendar. The Parentage Calendar, including State of Washington-initiated actions to establish or modify child support, Parenting Plan/Residential Schedule actions with parents who have never been married, or to establish parentages, shall be heard on Tuesday at 9:00 a.m. All other motions to modify child support shall be heard in accordance with KCLFLR 77(k)(5)(F).
- (i) All matters noted on the Parentage calendar must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option 2), or by email at [supcourtconfirm@kitsap.gov](mailto:supcourtconfirm@kitsap.gov) no later than 12:00 noon one business day before hearings, but no earlier than two business days before hearings.
- (ii) Motions which are administratively continued must be confirmed by the moving party in order to be heard.
- (iii) Matters not confirmed may be heard only at the discretion of the Court. [See KCLCR 16(a)(3) (confirmation of settlement conferences).]
- (I) State Civil Contempt Calendar. State of Washington-initiated child support, civil contempt cases shall be heard on Thursday at 1:30 p.m.
- (6) Guardianship Delinquency Matters. Guardianship delinquency matters shall be heard at 10:00 a.m. the first Friday of each month.
- (7) Minor Guardianship Matters. Minor Guardianship matters shall be heard at 1:30 p.m. on Tuesday.
- (8) Trial Settings. Trial setting dockets shall be Friday at 9:00 a.m. [See KCLCR 40(b)(1)(A).]

- (9) Minor Settlements. Petitions for settlement of the claims of minors shall be heard on Friday at 9:00 a.m. on the Probate Motions Calendar, except cases which are preassigned shall be heard on that judge's departmental calendar on Friday at 1:30 p.m. [See KCLSPR 98.16.]
- (10) Special Settings. Any hearing requiring special setting shall be arranged through the Court Scheduler. A hearing may be specially set for the following reasons, by way of example only: length of argument; nature of the hearing; or need for a visiting judge. Special set hearings must be confirmed as required by KCLCR 77(k)(1~~0~~)(A).
- (11) Hearing of Motions.
- (A) Mandatory Confirmations.
- (i) All motions pursuant to CR 12(b)(6) and CR 56 must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option 2), or by email at [supcourtconfirm@kitsap.gov](mailto:supcourtconfirm@kitsap.gov) no later than 12:00 noon two business days before hearings, but no earlier than three business days in advance. Motions which are administratively continued must be confirmed by the moving party in order to be heard.
- (ii) The Court does not require confirmation of unlawful detainer actions filed under RCW Title 59 or Minor Guardianship actions filed under RCW 11.130.
- (iii) All domestic relations and parentage matters, including Orders to Show Cause and Presentation of Orders, must be confirmed pursuant to (v) below.
- (iv) All other civil, domestic relations, probate, adoptions and departmental motions which are not covered by, or exempt from confirmation under sections (i), (ii), or (iii) must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (Option 2), or by email at [supcourtconfirm@kitsap.gov](mailto:supcourtconfirm@kitsap.gov) no later than 12:00 noon one business day before hearings, but no earlier than two business days in advance.
- (v) Matters not confirmed may be heard only at the discretion of the Court. [See KCLCR 16(a)(3) (confirmation of settlement conferences).]
- (B) Hearing of Calendars.
- (i) *Calling of Calendar.* The causes on the Civil Calendar and Domestic Relations Calendar for each motion day will be called in order, oldest causes first.
- (ii) *Noting of Tuesday morning Parentage and Friday Morning*

*Domestic Relations Calendar Matters.* Notes for Tuesday morning Parentage calendars and Friday morning Domestic Relations motion calendars, including any special set matters under KCLCR 77(k)(9), shall be filed in the office of the Clerk of Court by 4:30 p.m. at least fourteen (14) calendar days before the hearing, simultaneous with a Motion and Notice of Hearing and any supporting pleadings, unless it is a re-note of a motion or a notice for hearing previously filed, in which event only the Note for hearing shall be filed. Notes should be substantially in the form found in Exhibit E.

- (iii) *Noting of All Other Calendar Matters.* Notes for all other motion calendars shall be filed in the office of the Clerk of Court by 4:30 p.m. at least five (5) calendar days before the hearing, simultaneous with a Motion and Notice of Hearing and any supporting pleadings, unless it is a re-note of a motion or a notice for hearing previously filed, in which event only the Note for hearing shall be filed. Notes should be substantially in the form found in Exhibit E.
- (iv) *Failure of Party to Appear.* If no one appears in opposition to a duly noted motion, the Court may grant the relief requested upon proper proof of notice. If no one appears for a motion, it will be stricken.
- (v) *Continuances of Motions.* Counsel, by agreement, may continue any noncriminal motion by filing a notice of continuance, signed by at least one attorney. Forms are available in the courtroom. *See* Exhibit F. Criminal motions shall be continued only with the consent of the Criminal Motions Judge. Continuances shall not be granted by telephone. Summary judgment motions which have been confirmed shall not be continued without the Civil Calendar or preassigned judge's approval.

A party who has noted a matter for hearing may unilaterally strike or re-note the hearing for a new date, except that once confirmed the hearing may be stricken or re-noted only with prior notice to the other parties.

- (vi) *Time Allowed for Argument.* Each side shall be limited to 10 minutes. Argument requiring more than 20 minutes total time may be placed by the judge or court commissioner at the end of the calendar.

If the Court desires to hear further arguments after expiration of 20 minutes, the matter may be placed in order at the end of the

calendar for further argument or continued to a specified date.

(C) Hearing of Ex Parte Matters.

- (i) *Scope.* This rule applies to all temporary restraining orders, orders to show cause, and all other ex parte matters. It includes all criminal matters except dismissal at end of probation.
- (ii) *Notice to Opposing Counsel or Party.* Unless notice is specifically excluded by statute or local rule, or on an articulated emergency, no ex parte order shall be presented without notice to opposing counsel or opposing party if appearing without counsel. If counsel for any party, or a party, has appeared either formally or informally, notice is required. If necessary, notice may be by telephone. This rule applies regardless of whether service is required on the attorney or a party pursuant to CR 5(b)(4).
- (iii) Notwithstanding (ii), above, without notice or oral argument, a party may move for an order to show cause in unlawful detainer cases.
- (iv) *Reapplication for Order. Reserved.* [See KCLCR 7(b)(1)(C) (reapplication for order).]
- (v) [Rescinded].

*Amended September 1, 1996; September 1, 1997; September 1, 1998; July 1, 1999; September 1, 2002; September 1, 2005; amended on an emergency basis effective April 1, 2006; amended on a permanent basis effective September 1, 2006; amended effective September 1, 2007; amended on an emergency basis effective January 18, 2008; amended on a permanent basis effective September 1, 2008; amended effective September 1, 2009; September 1, 2011; September 1, 2012; amended on an emergency basis effective October 1, 2012; September 1, 2013; amended on an emergency basis, effective November 1, 2013, January 22, 2014; April 21, 2014; amended, effective September 1, 2014; amended, effective September 1, 2016; amended, effective September 1, 2017; amended, effective September 1, 2018; amended, effective September 1, 2020; amended by emergency order December 15, 2020, effective January 1, 2021; amended by emergency order March 1, 2021, effective April 1, 2021; amended by emergency order June 25, 2021, effective July 1, 2021; amended, effective September 1, 2021; amended, effective September 1, 2022; amended, effective September 1, 2023; amended by emergency order August 24, 2024, effective October 1, 2023; amended by emergency order December 19, 2023, effective January 1, 2024; amended by emergency order March 23, 2024, effective April 1, 2024; amended by emergency order June 18, 2024, effective July 1, 2024; amended, effective September 1, 2024; amended, effective September 1, 2025; amended, effective September 1, 2026.*

## KCLFLR 6 MANDATORY SETTLEMENT CONFERENCES

- (a) **Mandatory Settlement Conferences.** In each contested dissolution, declaration of invalidity, ~~or~~ legal separation, or committed intimate relationship counsel and/or the parties shall participate in a settlement conference presided over by a judge, court commissioner, or court-approved pro tem judicial officer. This requirement may be waived if the parties file proof of each party's participation in a formal mediation.
- (1) The mediator may not have an interest in the case's outcome and may not be related to a party, and the mediator must be:
- (A) an attorney licensed to practice before the courts of this state having at least five years of experience in the primary subject matter of the action;
  - (B) an individual, who may be an attorney, with special skill or training in the subject matter of this action (e.g. administration of trusts and estates); or,
  - (C) an individual, who may be an attorney, with special skill or training as a mediator; or,
  - (D) a retired Washington State Superior Court judge or commissioner.
- (2) Engagement with the dispute resolution center does not waive the requirement for participation in a settlement conference with a judicial officer.]
- (3) **Mandatory Discovery.** Parties shall exchange with each other, as appropriate, the following documents no later than four weeks before the settlement conference. It is not required that these documents be served on the court. If a document is not produced, a brief explanation of why it is not produced is required.
- (A) For child support, maintenance, attorney's fees, or similar financial relief: a completed mandatory financial declaration form, an individual (or joint) tax returns for the past two calendar years together with all schedules, 1099's, W-2s, and similar statements of income; complete partnership and/or corporate tax returns for the past two years together with all schedules and attachments for all partnerships and corporations in which a party has had an interest of five per cent or greater as well as a current profit and loss statement for the year-to-date for any such entities; and all pay stubs or leave and earning statements showing income for the past six months or since January 1st of the current calendar year, whichever period is longer.
  - (B) The most recent employers' Employee Retirement Income Security Act (ERISA) statement and a statement of contributions since that statement of any pension plan of either party; the most recent statements, and statements as of the date of separation, for any Individual Retirement

Account (IRA), Simplified Employee Pension plan (SEP), Thrift Savings Plan, deferred compensation account, or other defined contribution "retirement" account;

- (C) A written appraisal and/or a comparative market analysis of any real estate and/or personal property of special, unusual, or extraordinary value, or a summary of the evidence that will be relied upon to value such items;
- (D) The most recent National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide, or other similar vehicle appraisal guide showing both average loan or wholesale and retail values for any automobiles;
- (E) A summary of the source and tracing of any property asserted to be the separate property of either party;
- (F) A statement from each life insurance company issuing a policy of insurance on the life of either party as to its cash value and any loans against its cash value;
- (G) A written appraisal/business evaluation of any proprietorship, partnership, or closely held corporation of the parties, or a summary of the evidence that will be relied upon to value the same; and
- (H) Expert witnesses shall be disclosed no later than at the time of the discovery exchange, unless the expert witness is being sought specifically to respond to the discovery material provided by the other side. If that is the case, then the expert witness shall be disclosed within 30 days of receipt of the mandatory discovery material.

If a party fails to provide these mandatory disclosures, the other party may request that the settlement conference be rescheduled after a CR 26(i) conference is held. The requesting party may also request that sanctions be imposed and a trial date set for a date after the scheduled settlement conference. If a motion is required to continue the settlement conference it may be set on the Domestic Presiding calendar, held on Fridays at 2:30 p.m. with five (5) business days' notice to the other side.

(2) —

- (b) At least 7 days and not more than 30 days Pprior to attending a settlement conference, at least one party shall file certification that they contacted the opposing party and attempted to engage in good faith settlement discussions. If a settlement conference is continued or an additional conference is scheduled, a new certification shall be filed at least 7 days and not more than 30 days prior to for this continued or additional settlement conference.

(1) For purposes of the certification, the submitting party shall use Local Court Rule Form Exhibit P.

~~(4)(2)~~ This requirement is waived in instances where a protective order prevents unrepresented parties from contacting one another directly. In such case, the parties shall advise the court in their certification that no attempt was made due to the existence of a protection order.

~~(2) The parties may include this certification as part of the "Note for Settlement Conference or Support Modification Hearing and Trial Setting" [See Local Court Rule Form Exhibit C] or may use the "Certification of Settlement Attempt" form [See Local Court Rule Form Exhibit P].~~

~~(3) The certification must be filed no sooner than 30 days prior to the date of the mandatory settlement conference.~~

~~(4)(3)~~ Failure to file a certification of a settlement attempt may result in the settlement conference being stricken and requiring the request settlement conference to be re-noted.

(c) **Attendance and Preparation Required.** No later than ~~noon the day~~ 14 calendar days prior to a settlement conference that has been scheduled pursuant to section (a), each party shall have submitted to the other party and the Court a completed settlement conference memorandum and a completed "Domestic Relations Form" in the form of Exhibit G. The parties may mutually agree to a shorter period of time not be less than 7 calendar days before the settlement conference. The attorneys shall come prepared to discuss in detail and in good faith all unresolved issues in the case and, in addition, all pretrial matters if the case is not settled.

(1) Failure to Serve Settlement Conference Memorandum and "Domestic Relations Form"/Exhibit G. Failure to serve a completed settlement conference memorandum and a "Domestic Relations Form" in the form of Exhibit G ~~and/or an equivalent~~ upon the other parties and provide the original for the settlement conference judge, as required, may, at the discretion of the judge, result in the settlement conference judge striking the scheduled settlement conference and setting a subsequent settlement conference on the Court's next available date.

(2) If child support or a parenting plan is at issue in the action, a proposed child support worksheet and a proposed final parenting plan shall be attached to the settlement conference statement of each party.

(3) If only one party fails to comply, the Court may award attorney's fees/costs to the other party if the settlement conference is stricken. The party in compliance may request that a trial date be set for a date after the rescheduled settlement conference.

~~(4)(4)~~ Negotiations Before Settlement Conference. After the settlement conference

statements are served, the parties are encouraged to negotiate and exchange additional documentation. Parties may file supplemental settlement conference statements at any time prior to the settlement conference, if the party's analysis or proposal to resolve all issues has changed after reviewing the other party's settlement conference statement.

- (d) **Mandatory Confirmations.** All settlement conferences must be confirmed in person, by telephoning the Superior Court office at (360) 337-7140 (~~Option 2~~), or by email at [supcourtconfirm@kitsap.gov](mailto:supcourtconfirm@kitsap.gov) no later than 12:00 noon one day before the conference hearings, but no earlier than 48 hours in advance. Failure to confirm may result in the imposition of terms and/or sanctions as the Court may deem appropriate.
- (e) **Judge Disqualified at Trial.** A judge presiding over a settlement conference shall be disqualified from acting as the trial judge or exercising discretion on any matters left unresolved after the settlement conference.

*Adopted, effective September 1, 2011; amended September 1, 2012; September 1, 2013; amended, effective September 1, 2021; amended, effective September 1, 2023; amended, effective September 1, 2024; amended, effective September 1, 2025.*

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**KCLFLR 12 MOTIONS FOR REVISION**

- (a) A motion to revise a court commissioner's decision shall be filed within 10 days after the entry of a written order or judgment of the court commissioner and shall be noted on the Domestic Presiding Calendar. All orders, both oral and written, granted by the court commissioner shall remain valid and in effect pending the outcome of the motion for revision unless stayed pending the outcome of a motion for revision by the court commissioner granting the order or by the Presiding Domestic Relations Judge.
- (b) All motions for revision of a commissioner's order shall be based on the written materials and evidence originally submitted to the commissioner, including documents and pleadings in the court file. No new, additional or supplemental materials shall be received. The moving party shall provide the assigned judge a bench copy of all materials submitted to the commissioner in support of and in opposition to the motion.
- (c) Oral arguments on a motion to revise shall be limited to 10 minutes per side. Bench copies shall be submitted pursuant to the requirements of KCLCR 7.
- (d) The presiding Domestic Relations Judge or their designee may, in their sole discretion order the motion for revision to be decided on the submitted material and without oral argument.

*Adopted June 21, 2011; effective September 1, 2011; amended effective September 1, 2013; amended, effective September 1, 2019; amended by emergency order December 15, 2020, effective January 1, 2021; amended by emergency order March 1, 2021, effective April 1, 2021; amended by emergency order June 25, 2021, effective July 1, 2021; amended, effective September 1, 2021; amended by emergency order September 22, 2025, effective October 1, 2025; amended/renewed on an emergency basis, effective December 1, 2025; amended/renewed on an emergency basis, effective March 2, 2026; amended/renewed on an emergency basis, effective June 1, 2026; amended, effective September 1, 2026.*

KCLCrR 1.1

**2. PROCEDURES PRIOR TO ARREST AND OTHER SPECIAL PROCEEDINGS**

**KCLCrR 2.4 JUSTIFICATION OF BAIL BOND COMPANIES AND SURETIES.**

- (a) Any bail bond company or surety desiring to post bail bonds in Kitsap County Superior Court, District Court or Juvenile Court is required to annually obtain an Order of Justification by filing a petition and proposed order with the Kitsap County Superior Court for an order of justification and paying a filing file.
- (b) Petition Filing; Procedures; Hearing.
- (1) All petitions and orders shall be in the form provided by the Kitsap County Superior Court and filed with the Kitsap County Superior Court Clerk's Office no later than March 1 of each year, if the bail bond company or surety wishes to be justified to conduct business in Kitsap County Courts for the following year. A conformed copy of the petition and order shall also be provided to the Civil Division of the Kitsap County Prosecuting Attorney's Office, not later than March 1 of each year.
  - (2) Not later than March 31<sup>st</sup> of each year, the Civil Division of the Kitsap County Prosecuting Attorney's Office shall file either an objection to the issuance of the order of justification or, if no objection, an agreed order of justification. A copy of filed objections shall be served on the petitioner. Any reply by petitioner shall be filed with the Court and served on the Civil Division of the Prosecuting Attorney's Office no later than April 10.
  - (3) The Court may either issue an order on the pleadings, or in its discretion set a justification hearing regarding a petition before April 30 of each year, with notice provided to the parties, and require the petitioner to attend and be examined under oath as to the petitioner's justification qualification as provided in RCW 19.72.040 and this rule. If testimony is taken, it shall be recorded.
- (c) Petition Contents.
- (1) The petition for justification shall provide the following information identified below and such other additional identified in the form provided by the Kitsap County Superior Court:
    - a. Courts. Identify the name of the court(s) in Kitsap County in which authorization to post bail bonds is sought.
    - b. Types of bonds. Identify the types of bonds the petitioner is seeking to post.
    - c. Current suretyship obligations. Provide a current list of all suretyship obligations to all courts within the geographic limits of Washington State, including the following: i) the name of the courts; ii) the name of the defendants; iii) the amount of the bonds; and, iv) the dates issued.
    - d. Current bond forfeitures. Provide a list of current obligations to the courts in the way of bond forfeitures or other obligations incurred by the bonding company which have not been paid, or a statement that there are none.

KCLCrR 2.4

- e. Ownership. Provide for all persons, partnerships or corporations having any ownership interest in the bonding company, surety or any interest in its profits, a list of the names, addresses and dates of birth and percentage of ownership of each owner.
- f. Agent List. Provide an alphabetical listing of the proposed bail bond agents who will engage in the sale or issuance of bail bonds on behalf of the petitioner in Kitsap County.
- g. Jurisdictions. Identify all jurisdictions where the petitioner is currently and has previously been justified or denied justification.

(2) Documentation. Provide a true and correct copy of each of the following documents:

- a. Business License/UBI. Documentation from the Washington State Department of Revenue or Department of Licensing listing the bail bond company's UBI number.
- b. Washington State Insurance Commission Certification. Current Washington State Insurance Commission Certification which contains a statement indicating if: i) the corporate surety is duly licensed and authorized to transact business of surety insurance; ii) the corporate surety is in compliance with all State insurance laws; iii) the corporate surety has paid all fees and taxes; iv) identifies all offices and employees of the bonding company appointed as agents of the corporate surety; and v) identifies all offices and employees of the bonding company licensed as insurance agents in the State of Washington.
- c. Power of Attorney. A current fully executed power of attorney for each agent authorized to execute surety bonds and the maximum dollar amount of any single bond which the agent is authorized to execute.
- d. Current Bonds. A current list of petitioner's total bond obligations by county, segregating property bonds from surety bonds;
- e. Agent Licenses. A current copy of every agent's current Washington State Department of Licensing Bail Bond Agent License.
- f. Declaration. A declaration signed under penalty of perjury by each owner and proposed agent stating that person's full name, any aliases, former name(s), including maiden name(s), address, dates of birth, criminal history conviction information including date of conviction and name of sentencing court; Washington State Department of Licensing disciplinary actions and open investigations.
- g. Verified Financial Statements. As identified in the petition.
- h. All petitions for an Order of Justification shall be verified under oath or certified under penalty of perjury as authorized by *RCW 5.50.010(4)*.

- (d) Bond Limits. No Order of Justification shall authorize a bonding company to write bonds exceeding two hundred fifty thousand dollars (\$250,000) for any single bond, provided that

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#### KCLCrR 2.4

any company justified by the county may seek approval for authorization to bond for additional sums on an individual case.

- (e) Denial. The court may deny an order of justification in whole or in part to the extent a petitioner files a pleading that is incomplete, inaccurate or insufficient under the terms of this rule, and may deny an order of justification in whole or in part for other good cause.
- (f) Order of Justification. If approved, the court shall sign an order of justification that shall designate the corporate surety on which surety bonds may be written, identify the name the authorized agents, set the maximum amount that may be written on any one bond by each surety, and specify any other conditions of justification.
- (g) Term. Unless revoke or suspended, an order of justification shall be in full force and effect for the period specified in the order, in any event not to exceed one year. All Orders of Justification shall expire at midnight on April 30 of each year.
- (h) Suspension; Revocation. An order of justification may be suspended or revoked at any time upon a determination of insufficiency or unreliability of the sureties or their agents or for such other reason as the court deems good cause. Suspension or revocation may be initiated by the Office of the Prosecuting Attorney upon filing a notice of intent to seek suspension or revocation with the Kitsap County Superior Court Clerk. The notice of intent to seek suspension or revocation shall include a short statement of the basis on which suspension or revocation is sought and shall be served on the bail bond company whose justification is at issue. A hearing will be set within thirty (30) days of filing and service of the notice of intent to seek suspension or revocation.
- (i) Additional Bail Bond Agents. During the period an order of justification is in effect, a petitioner may seek to add additional agents by filing with the Kitsap County Superior Court Clerk and serving on the Civil Division of the Kitsap County Prosecuting Attorney's Office a Notice of Intent to Add Agent(s) together with supporting information as required in paragraphs (c) (1) and (2). Absent objection by the Prosecuting Attorney, the intended agent(s) will be added without further order no later than the end of ten (10) court days after filing and service of said notice. In the event of objection, Petitioner may file a motion for review of the Notice of Intent to Add Agent(s), which shall be heard and determined by the Kitsap County Superior Court.
- (j) Removal of Bail Bond Agents. Bail bond companies shall notify the Kitsap County Superior Court and the Civil Division of the Kitsap County Prosecuting Attorney's Office when an agent authorized to post bonds under an order of justification is terminated from employment with the bail bond company. Failure to provide notice within twenty (20) days of the termination may constitute grounds for suspension or revocation of an order of justification.
- (k) Expiration or Revocation. Bail bond companies shall notify the Kitsap County Superior Court and the Civil Division of the Kitsap County Prosecuting Attorney's Office of any expired, revoked or otherwise invalid Washington State Department of Licensing or Insurance Commissioner Certification for the bail bond company or any agents of the bail bond company within three business days of the changed status. Failure to provide notice may constitute grounds for suspension or revocation of an order of justification.

**KCLCrR 2.4**

- (l) Bail bond companies may file petitions and proposed orders to amend orders of justification to reflect changes in company information, including bond amounts and agents. Conformed copies of all petitions and orders shall be served on the Civil Division of the Kitsap County Prosecuting Attorney's Office. Absent objection by the Prosecuting Attorney, the orders may be amended no later than the end of ten (10) court days after filing and service of said notice. In the event of objection, petitioner may file a motion to amend orders of justification, which shall be heard and determined by the Kitsap County Superior Court.

*Amended on an emergency basis, March 12, 2018, June 5, 2018; amended on a permanent basis, effective September 1, 2018; amended on an emergency basis, effective March 2, 2026; amended on an emergency basis, effective June 1, 2026; amended, effective September 1, 2026.*



Superior Court of Washington  
County of Kitsap

\_\_\_\_\_,  
Petitioner,

vs.

\_\_\_\_\_,  
Respondent.

No. \_\_\_\_\_

**NOTE FOR SETTLEMENT CONFERENCE  
OR SUPPORT MODIFICATION HEARING  
AND TRIAL SETTING**

**DOMESTIC RELATIONS – TRACK III**

(NTC)

TO COURT SCHEDULER AND OPPOSING COUNSEL:

Please take notice this case will be placed on the setting docket for assignment on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at 9:00 a.m.

**1 SETTLEMENT CONFERENCE:**

A. Nature of Issues

- Property Division                       Debt Division                       Maintenance
- Custody                                       Parenting Plan                       Visitation
- Other: \_\_\_\_\_

B. Preferred Settlement Conference dates within 45 days from this note:

C. Dates unavailable for settlement conference:

D. Settlement conferences are mandatory in all domestic relations cases except support modifications.

E. All parties must attend and be prepared to seriously negotiate settlement.

**2. SUPPORT MODIFICATIONS:**

A. Preferred Support Modification hearing dates within 60 days from this note:

B. Dates unavailable for Support Modification hearing:

**3. CHECK APPROPRIATE SQUARE:**

I have contacted by telephone or mail opposing counsel/party/guardian ad litem who agrees the settlement conference/support modification may be set any time after \_\_\_\_\_ (date).

I have contacted the opposing counsel/party/guardian ad litem by telephone or mail and have received no response. The Court is requested to set the hearing/settlement conference date.

Exhibit C

I have contacted the opposing counsel/party/guardian ad litem by telephone or mail and am unable to obtain agreement on hearing dates. The Court will set the hearing/settlement conference date.

4. Attestation: I understand that KCLFLR 6 requires the parties to exchange information and to make a good faith effort to engage in settlement negotiations. I understand that KCLFLR 6 requires an exchange of information between the parties and a certification of an attempt to settle. I understand that the failure to comply with KCLFLR 6 may result in sanctions. Regarding Settlement Efforts (Required before a Settlement Conference is set per KCLFLR 6(b));

~~Unless prohibited by the terms of a protective order, on \_\_\_\_\_ I made a good faith effort to engage in settlement negotiations with the opposing party/counsel as required by KCLFLR 6(b). Settlement discussions have been unsuccessful, requiring the need to proceed with the mandatory settlement conference.~~

I hereby represent to the Court that this case is at issue. If the case is not settled at the pre-trial conference, the Court is requested to assign a trial date.

DATED: \_\_\_\_\_

Signed: \_\_\_\_\_

Lawyer for: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Names, addresses and telephone numbers of other attorneys or pro se parties and guardian ad litem in this case:

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Lawyer for: \_\_\_\_\_

Lawyer for: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Lawyer for: \_\_\_\_\_

Lawyer for: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Lawyer for: \_\_\_\_\_

Lawyer for: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_



SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN AND FOR KITSAP COUNTY

\_\_\_\_\_  
,  
Petitioner(s)/Plaintiff(s)  
v.  
\_\_\_\_\_  
Respondent(s)/Defendant(s)

No.

**CERTIFICATION OF  
SETTLEMENT ATTEMPT**

COMES NOW the  Petitioner/Plaintiff  Respondent/Defendant who hereby certifies that:

~~They have complied with the Mandatory Discovery requirements of KCLFLR 6(a)(3).~~

~~On s/he affirmatively contacted the opposing party/attorney on~~

\_\_\_\_\_ at \_\_\_\_\_ am / pm ~~they contacted the opposing party and~~

~~attempted a to attempt~~ good faith settlement discussions per KCLCR 16(a)(7) or KCLFLR 6(b)

or  ~~that due to the existence of a protective order no attempts to settle due to the inability of the parties to communicate with each other directly.~~

~~On \_\_\_\_\_ at \_\_\_\_\_ am / pm provided a copy of their settlement conference materials to the other party per KCLFLR 6(c).~~

~~Attorney for the~~  ~~Petitioner/Plaintiff~~  ~~Respondent/Defendant additionally certifies that~~

~~s/he~~ ~~They has~~ properly prepared ~~his/her~~ ~~their~~ client to engage in serious, good faith negotiations

at the settlement conference, up to and including the development of a specific settlement position in advance of the settlement conference.

Settlement discussions have been unsuccessful, requiring the need to proceed with the mandatory settlement conference scheduled on \_\_\_\_\_.

Appendix P

Dated: \_\_\_\_\_, 20\_\_\_\_

- Petitioner/Plaintiff/Attorney of Record
- Respondent/Defendant/Attorney of Record

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