

KING COUNTY SUPERIOR COURT CLERK'S OFFICE**CONTACT:** Sarina Aiello, Caseflow Manager, 206-477-0805**ISSUED BY:** Barbara Miner, King County Superior Court Clerk**ISSUE DATE:** August 9, 2013**ISSUE NO:** 13-005**King County**

CLERK'S ALERT

Changes to TEDRA judicial proceedings

On July 28, 2013, changes to RCW 11.96A.090 went into effect which require all TEDRA (Trust and Estate Dispute Resolution Act) judicial proceedings to be commenced as a new separate action. Previously, parties could file a TEDRA proceeding in an existing Probate, Trust, or Guardianship case.

RCW 11.96A.090(2), (3) now state:

(2) A judicial proceeding under this title must be commenced as a new action.

(3) Once commenced, the action may be consolidated with an existing proceeding upon the motion of a party for good cause shown, or by the court on its own motion.

Any TEDRA action filed in an existing case will be returned to the filer to commence a new cause of action. Separate filing fees have always been required for TEDRA actions.

Please note that RCW 11.96A.100 and King County Local Rule 98.14, require that all documents filed should have the caption formatted as "In re..." Best practice is to include "In re" for the TEDRA action with a sub-caption to include the petitioners and respondents to the action. For example:

In re: the estate of:	Case no:
John Smith, Deceased.	
Paul Smith, Petitioner,	
Vs.	
Emma Smith, Respondent.	

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