



# King County Superior Court Emergency Local Rule Amendments

## LCR 40.1 Ex Parte and Probate Department

This rule governs all matters presented to the Ex Parte and Probate Department and directs certain other matters elsewhere.

(a)...

**(b) Motions and Other Procedures.**

**(1) Cases Not Assigned.** Except as provided otherwise in these rules, all motions and proceedings pertaining to cases not assigned a case schedule or judge on filing shall be presented to the Ex Parte and Probate Department. The following cases or motions are heard by the Ex Parte and Probate Department:

**(A) Adoption Proceedings.** Adoption proceedings, except Confidential Intermediary Petitions which are assigned to the Judges Sealed File Committee, shall be heard in the Ex Parte and Probate Department or a judge by special setting. Contested proceedings may be referred by the commissioner to the clerk who will issue a trial date and a case schedule and will assign the case to a judge. All hearings to finalize an Adoption Petition shall be noted for a hearing on the appropriate calendar. All other matters shall be presented via the clerk.

**(B) Agreed and Default Family Law Decrees and Modifications.** See LFLR 5.

**(C) ~~Antiharassment, Domestic Violence, Sexual Assault and Vulnerable Adult Civil Protection Orders~~.** Applications for temporary civil protection orders, including antiharassment, stalking, domestic violence, extreme risk, sexual assault, and vulnerable adult protection orders shall be presented to the Ex Parte and Probate Department.

~~(i) **Antiharassment Petitions.** Applications for temporary antiharassment protection orders shall be presented to the Ex Parte and Probate Department. Hearings on final antiharassment protection orders shall be set by the clerk or Judicial Officer on the Antiharassment/Sexual Assault Protection Order calendar. **Return Hearings.** Hearings on final civil protection orders, except vulnerable adult protection orders, shall be set by the clerk or judicial officer on the Civil Protection Order calendar. Working copies will not be accepted. At the hearing, both parties may testify, and the court may consider other relevant evidence. Copies of any writings or other documentary evidence provided to the court must be provided to the other party.~~

~~(ii) **Domestic Violence Protection Orders.** See LFLR 12. **Vulnerable Adult Protection Orders.** Hearings on final vulnerable adult protection orders shall be set by the clerk or judicial officer on the Guardianship/Probate calendar in the Ex Parte and Probate Department. Unless otherwise ordered by the court, immediately following each hearing, an order reflecting the ruling of the court shall be presented for signature by the moving party.~~

~~(iii) **Sexual Assault Protection Orders.** Applications for temporary sexual assault protection orders shall be presented in the Ex Parte and Probate Department. Hearings on final sexual assault protection orders shall be set by the clerk or Judicial Officer on the Antiharassment/Sexual Assault Protection Order calendar.~~

~~(iv) **Vulnerable Adult Protection Orders.** Applications for temporary vulnerable adult protection orders shall be presented to the Ex Parte and Probate Department. Hearings on final vulnerable adult protection orders shall be set by the clerk or Judicial Officer before the Ex Parte and Probate Department.~~



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### **(D) Guardianships, Probates and Other Settlements of Claim involving Incapacitated Adults or Minors...**

#### **(2) Cases Assigned to a Judge, But Heard in the Ex Parte and Probate Department**

**(A)** In civil proceedings, including family law proceedings, all agreed orders, judgments and decrees, and any orders that do not require notice to any other party, interested person, or entity, provided that the order does not affect the case schedule, direct the clerk to seal a document or file, provide for a protective order pursuant to LCR 26(c) or purport to direct the manner in which another Department or Judge handles a hearing (i.e. a motion to exceed word limits or shorten time), and is not reserved to any other calendar by any statute, court rule, or court order. See LCR 40 and LFLR 5.

**(B)** Motions to approve or disapprove the settlement of a claim on behalf of an incapacitated person or minor. See SPR 98.16.

**(C)** Judgments on arbitration awards. See LMAR 6.3.

**(D)** Civil and family law emergency restraining orders, including ~~civil domestic violence, sexual assault, and anti-harassment~~ protection orders where either no notice or shortened notice has been given to the opposing parties.

**(E)** Any other matters as directed by these rules or the Court.

**(F) Temporary Restraining Orders...**