



Red-line version

## **LFLR 6. Family Law Motions Calendar Procedures**

(a) **Applicability.** This rule only applies to family law motions ~~calendar-only and does not apply to motions before judges heard by family law commissioners and does not apply to motions in trial by affidavit or domestic violence protection orders cases.~~

(b) **Notice and Hearing. Scheduling Hearings.**

(1) Parties must reserve a time for each motion or cross-motion they want heard through the Family Law Motions Scheduling system on the family court website. Only motions properly reserved on the correct calendar will be heard.

(2) Within 3 days of choosing a hearing date online, the motion and Notice of Court Date form or order setting hearing must be filed or the hearing may be cancelled.

~~(1) Notice of Court Date forms are required and may be obtained from the Clerk's Office or by accessing [www.kingcounty.gov/courts/clerk](http://www.kingcounty.gov/courts/clerk). Times and days for scheduling specific types of motions may also be obtained by calling 206-296-9300. See also LFLR 2.~~

~~(2) The original of the motion together with all supporting documents (including briefs, affidavits and/or declarations pursuant to RCW 9A.72.085) must be filed with the Clerk and copies served on all parties at least fourteen (14) calendar days before the date of the hearing. Response documents including briefs, if any, must be filed with the Clerk and copies served on all parties no later than noon four (4) judicial days prior to the hearing time; and documents in strict reply thereto shall be similarly filed and served no later than noon two (2) judicial days prior to the hearing.~~

~~(3) An additional working copy of all documents shall be submitted to the Family Law Motions Coordinator no later than noon three (3) judicial days prior to the hearing, except that documents in strict reply may be submitted by noon two (2) judicial days prior to the hearing. For any motion which requests the modification, adjustment, clarification, enforcement (including contempt), reconsideration or vacation of an earlier order, the working copies shall include a copy of the earlier order. Working copies shall be submitted to the Family Law Department pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule.~~

(c) **Confirmations. Oversetting Family Law Motions Calendar.**

(1) If there are compelling reasons why a motion cannot wait to be heard until the next available date on the Family Law Motions Scheduling website, a motion to overset and a proposed order, with notice to the other parties shall be submitted to the "Orders for Review" Queue. Proof of notice shall also be submitted to the queue. Any response or objection to the motion to overset must be filed into the court file (not submitted to the Queue) within 1 judicial day of receiving notice.

(2) Parties must use the local forms available at <https://kingcounty.gov/courts/superior-court/family/confirmations.aspx>.

(3) Agreement. Proposed agreed orders oversetting a calendar must be submitted for consideration to the "Orders for Review" Queue. Proposed agreed orders oversetting must also have a joint motion or contain a stipulated set of facts upon which the agreement is based.

~~(1) The moving party shall confirm the motion (including motions for presentation of orders), with the Family Law Confirmations Coordinator in person, by telephone or on the King County Superior Court website for Family Law Motions Confirmation Online. Confirmations by phone or in person must be done by either A) three (3) judicial days prior to the hearing~~



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~~between 2:30 and 4:15 PM or B) two (2) judicial days before the hearing between 8:30 AM and 12:00 noon. Confirmations via the King County Superior Court website can be done anytime between 12:01 PM three (3) judicial days prior to the hearing until 12:00 noon two (2) judicial days before the hearing. The phone number to confirm Seattle case assignment area cases is 206-477-1523. The phone number to confirm Kent case assignment area cases is 206-477-2750. If not timely confirmed, the motion will be stricken and all working papers destroyed.~~

~~———— (2) Motions cannot be confirmed in person, by telephone or via the website unless the moving party's working copies have been received by the Family Law Department.~~

~~(d) **Agreed Continuances.** The parties may agree to continue a hearing only once on the family law motions calendar, and only prior to the end of the confirmation period, as follows:~~

### ~~**Deadlines for Submitting Pleadings.**~~

~~(1) Motions must be filed at least 14 calendar days before the hearing.~~

~~(2) Responses must be filed no later than noon 5 judicial days prior to the hearing.~~

~~(3) Replies must be filed no later than noon 3 judicial days prior to the hearing.~~

~~(4) The Motion, Response, Reply and proposed orders must also be served on all parties by the due dates listed in sections (1), (2) and (3).~~

~~(5) **Submission List.** The moving party must file a Working Papers Submission List by noon 3 judicial days before the hearing date. The non-moving party must file a Working Papers Submission List noon 5 judicial days before the hearing date.~~

~~(6) **Proposed Order.** The moving party shall provide a proposed order 14 calendar days before the hearing through the Clerk's Office e-filing system "Proposed Orders (Family Law)". The non-moving party shall provide a proposed order 5 judicial days before the hearing through the Clerk's Office e-filing system "Proposed Orders (Family Law)". Self-represented parties may mail or deliver proposed orders to the respective mail room (2D in Kent, C203 in Seattle) marking each submission as follows: "Attention Family Law. Hearing date (insert)."~~

~~(1) The parties may continue the motion to any judicial day that is at least five (5) judicial days after the scheduled hearing date. The moving party must notify the Family Law Motions Coordinator of the new agreed hearing date by telephone within the confirmation period set forth in LFLR 6(c) above. If agreement to continue the hearing is reached during the confirmation period, the motion must first be confirmed. Continuances cannot be requested through the King County Superior Court website.~~

~~———— (2) The moving party must re-confirm the motion for the new hearing date in accordance with LFLR 6(c) above. Confirmation may be done through the King County Superior Court website.~~

~~———— (3) A request for a continuance after the expiration of the confirmation period set forth in LFLR 6(c) above must be brought before the commissioner at the original confirmed hearing date and time and will ordinarily not be granted.—~~

~~(e) **Limitations on Declarations. Striking or continuing a hearing.** If a hearing is no longer needed, the moving parties shall strike their hearings by emailing court staff at [FamilyLawStaffSeattle@kingcounty.gov](mailto:FamilyLawStaffSeattle@kingcounty.gov) or [FamilyLawStaffMRJC@kingcounty.gov](mailto:FamilyLawStaffMRJC@kingcounty.gov). If you fail to timely strike your hearing or re-note the motion without alerting family law staff, you may be subject to sanctions.~~

~~(1) **Application.** This section (e) of this rule does not apply to domestic violence petitions or domestic violence motions.~~

~~———— (2) **Children's statements.** Declarations by minors are disfavored.~~

~~———— (3) **Formats:**~~

~~———— (A) All motions shall follow LCR 7 and LCR 10 to the extent they are not inconsistent with this rule, and use the forms required by LFLR 3.~~

~~———— (B) All filed documents and copies provided as working copies and served on other parties and attorneys shall be legible. If typed or computer printed, documents shall be in 12~~



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~~point or larger type, double spaced between the lines.~~

~~————— (4) **Basis.** Evidence, including written evidence in affidavits and declarations by the parties and lay witnesses, must comply with the rules of evidence. The rules of evidence provide that they need not be applied in domestic violence and anti-harassment protection order proceedings. See Rules of Evidence (ER) 1101(c) (4).~~

~~————— (5) **Page limits.**~~

~~————— (A) **Generally.** Absent prior authorization from the court, the entirety of all declarations and affidavits from the parties and any non-expert witnesses in support of motions (except financial declarations), including any reply, shall be limited to a sum total of twenty five (25) pages. The entirety of all declarations and affidavits submitted in response to motions shall be limited to a sum total of twenty (20) pages.~~

~~————— (B) **Exhibits.** Exhibits that consist of declarations or affidavits of parties or witnesses shall count towards the above page limit. All other exhibits attached to a declaration or affidavit shall not be counted toward the page limit.~~

~~————— (C) **Financial Declarations.** Financial Declarations and financial documents, as specified in LFLR 10, do not count toward the page limit.~~

~~————— (D) **Expert Reports and Evaluations.** Declarations, affidavits, and reports from Court Appointed Special Advocates (CASA), Family Court Services (FCS) and expert witnesses do not count toward the page limit.—~~

~~————— (E) **Miscellaneous Exceptions.** Copies of declarations or affidavits previously filed for a motion already ruled upon and supplied only as a convenience to the court in lieu of the court file do not count toward the page limit. Deposition excerpts shall not count toward the page limit.~~

~~————— (6) See LCR 7 for format and word limits on motions, opposition papers, briefs and memorandum of authorities.~~

**(f) Time for Argument. Confirm your hearing.** Moving party must confirm the hearing by filing a Working Papers Submission List no later than 3 judicial days prior to the hearing by noon. The Working Papers Submission List must list the correct hearing date in the caption.

~~————— (1) Each side is allowed five (5) minutes for oral argument, including rebuttal, unless otherwise authorized by the court.~~

~~————— (2) By written stipulation of all parties, any motion except a motion for contempt may be set without oral argument.—~~

~~————— (A) Motions heard without oral argument shall be set for a specific date and are subject to the same requirements (including confirmation) as other motions.—~~

~~————— (B) Each party shall provide working copies including a proposed order(s) and shall timely serve the opposing party. Working copies shall be submitted pursuant to the requirements of LCR 7(b) to the extent not inconsistent with this rule. Parties submitting working copies in paper form shall also conspicuously include the words “Without Oral Argument” in the upper right corner of each document.—~~

~~————— (C) The commissioner may order the parties to appear for argument.~~

**(g) Special Settings. Continuances.**

**(1) Agreed Continuances.** No later than three judicial days prior to the confirmation deadline, agreed continuances shall be submitted through the “Orders for Review” Queue.

~~————— (A) The motion must be continued to a date that is at least 5 judicial days after the scheduled hearing date and is available in the Family Law Scheduling system.~~

~~————— (B) The moving party must confirm the new hearing date.~~



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(C) If the hearing has been confirmed, the parties shall notify the family law coordinators by email of their intent to request a continuance. The request to continue must then be presented at the confirmed hearing date and time.

(2) Contested Continuances. No later than three judicial days prior to the confirmation deadline, a motion for continuance and a proposed order, with notice to the other parties, shall be submitted to the request, and any response to a contested motion to continue must be filed in the court file and the "Orders for Review" Queue. The request must be submitted by the confirmations deadline and served on all other parties. Proof of notice shall also be submitted to the Queue. Any response or objection to a motion to continue must be filed in the court file (not submitted to the Queue) within 1 judicial day of receiving notice.

~~(1) Additional time for argument. A request for a special setting for oral argument that will require more than five minutes per side, or for other special settings shall be made in writing addressed to the Family Law Motions Coordinator.~~

~~(A) The request should state the extraordinary features of the case and explain why additional time for oral argument is needed. The request should state the length of time requested, and whether the other parties agree with the request. The written request shall include working copies of the motion and supporting documents, and all responses received.~~

~~(B) The written request shall be filed with the Clerk and working copies shall be submitted to the Family Law Coordinator, and served on all other parties at least six (6) judicial days prior to the scheduled hearing date. Any response to the request shall be similarly filed and delivered to the Coordinator and other parties by noon at least two (2) judicial days prior to the scheduled hearing date. Replies are not permitted. Working copies shall be submitted to the Family Law Department pursuant to the requirements of LGR 7(b) to the extent not inconsistent with this rule.~~

~~(C) An order granting the request cannot be entered by stipulation or agreement.~~

~~(D) No other motion may be joined with a request for additional time.~~

~~(E) If granted, the Court will set the date and time for additional time for argument on the Family Law Motions Calendar.~~

~~(2) Motions to Permit Live Testimony at a Hearing. Except for domestic violence protection order proceedings, a party seeking to present live testimony at a hearing must file a request in writing in the same manner as a request for additional time for argument (in LFLR 6(g)(1) above).~~

~~(A) An order Permitting Testimony cannot be entered by stipulation.~~

~~(B) If granted, the court will notify the parties of the hearing date and time.~~

~~(h) Order on Hearing. Unless otherwise ordered by the Court, immediately following each hearing, an order reflecting the ruling of the Court shall be presented for signature.~~

## Requirements for Pleadings.

(1) All pleadings shall follow GR 14.

(2) Formatting Exhibits: Attachments or exhibits in excess of 25 pages shall be numbered consecutively on the bottom of each document. The number shall not restart for each attachment but shall run consecutively through all of the attachments. All motions, oppositions, replies and briefs shall cite to these page numbers. A party may include other citation information, such as exhibit numbers, corresponding exhibit pages, or paragraph numbers, in addition to the consecutive page cite.

(3) Limitations on Declarations.

(A) Children's statements. Declarations by minors are disfavored.

(B) Page Limits: Absent prior authorization from the court, parties shall not submit more than 25 pages of declarations. This 25-page limit includes any reply declarations. All



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declarations and affidavits submitted in response to motions shall be limited to 20 pages.

**(C) Page Limit Exceptions.** The following shall not be counted towards the page limit:

(i) Exhibits attached to a declaration or affidavit as long as the Exhibit is not a declaration or affidavit.

(ii) Financial Declarations and financial documents, as required by LFLR 10.

(iii) Reports from Court Appointed Special Advocates (CASA), Family Court Services (FCS), and expert witnesses.

(iv) Deposition excerpts.

**(4) Limitations on Other Pleadings.** See LCR 7 for word limits on motions, opposition papers, briefs and memorandum of authorities.

## **(i) Hearing Procedures**

(1) Each side is allowed 5 minutes for oral argument, including rebuttal, unless otherwise authorized by the court.

(2) Evidence, including written evidence in affidavits and declarations, must comply with the rules of evidence.

**(j) Motions without oral argument.** Any motion, except a motion for contempt, may be set without oral argument by written agreement of all parties.

(1) Motions heard without oral argument are subject to all the same requirements as motions with oral argument, including reserving a hearing date through the Family Law Motions Scheduling website.

(2) The commissioner may order the parties to appear for argument.

**(k) Special Settings.** A party may request a special setting for an extended hearing to present live testimony or be permitted additional time for oral argument.

(1) The request must be in writing and state the following: the extraordinary features of the case, the reasons why additional time for oral argument or live testimony is needed, the length of time requested, and whether the other parties agree with the request. The written request must include a copy of the motion, any supporting documents, and all responses received.

(2) At least 6 judicial days prior to the scheduled hearing date, the written request must be filed in the court file and submitted to the "Orders for Review" Queue. Proof of notice shall also be submitted to the Queue. Any response to the request shall be filed in the court file but not submitted to the Queue, and served on all other parties by noon at least 2 judicial days prior to the scheduled hearing date. Replies are not permitted.

(3) Proposed agreed orders requesting a special setting must be submitted for consideration to the "Orders for Review" Queue.

(4) No other motion may be joined with a request for a special setting.

(5) If granted, the Court will set the date and time for the special setting.

**(l) Prior Orders.** Motions for modification, adjustment, clarification, enforcement, contempt, reconsideration, or vacation of an earlier order shall include a copy of the earlier order.

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(2) Responses must be filed no later than noon 5 judicial days prior to the hearing.

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(5) **Submission List.** The moving party must file a Working Papers Submission List by noon 3 judicial days before the hearing date. The non-moving party must file a Working Papers Submission List noon 5 judicial days before the hearing date.

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(1) **Agreed Continuances.** No later than three judicial days prior to the confirmation deadline, agreed continuances shall be submitted through the "Orders for Review" Queue.

(A) The motion must be continued to a date that is at least 5 judicial days after the scheduled hearing date and is available in the Family Law Scheduling system.

(B) The moving party must confirm the new hearing date.

(C) If the hearing has been confirmed, the parties shall notify the family law coordinators by email of their intent to request a continuance. The request to continue must then be presented at the confirmed hearing date and time.



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**(2) Contested Continuances.** No later than three judicial days prior to the confirmation deadline, a motion for continuance and a proposed order, with notice to the other parties, shall be submitted to the “Orders for Review” Queue. Proof of notice shall also be submitted to the Queue. Any response or objection to a motion to continue must be filed in the court file (not submitted to the Queue) within 1 judicial day of receiving notice.

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**(1)** Motions heard without oral argument are subject to all the same requirements as motions with oral argument, including reserving a hearing date through the Family Law Motions Scheduling website.

**(2)** The commissioner may order the parties to appear for argument.

**(k) Special Settings.** A party may request a special setting for an extended hearing to present live testimony or be permitted additional time for oral argument.

**(1)** The request must be in writing and state the following: the extraordinary features of the case, the reasons why additional time for oral argument or live testimony is needed, the length of time requested, and whether the other parties agree with the request. The written request must include a copy of the motion, any supporting documents, and all responses received.



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(2) At least 6 judicial days prior to the scheduled hearing date, the written request must be filed in the court file and submitted to the “Orders for Review” Queue. Proof of notice shall also be submitted to the Queue. Any response to the request shall be filed in the court file but not submitted to the Queue, and served on all other parties by noon at least 2 judicial days prior to the scheduled hearing date. Replies are not permitted.

(3) Proposed agreed orders requesting a special setting must be submitted for consideration to the “Orders for Review” Queue.

(4) No other motion may be joined with a request for a special setting.

(5) If granted, the Court will set the date and time for the special setting.

**(I) Prior Orders.** Motions for modification, adjustment, clarification, enforcement, contempt, reconsideration, or vacation of an earlier order shall include a copy of the earlier order.