



## Civil Department-What We Are Hearing At This Time:

### 1. All Civil Motions.

- **All court hearings will be conducted** by telephone, video, or other electronic means. In rare circumstances and with the court's approval, the parties may appear in-person and must comply with social distancing requirements.
- LCR 7 is suspended and time is enlarged. The moving party shall serve and file all motion documents no later than **nine court days** before the date the party wishes the motion to be considered; opposing documents will be filed and served no later than 4:30 p.m. **four court days** before the motion is to be considered; and any optional strict reply will be filed and served no later than 4:30 p.m. **two court days** before the hearing.
- All hearings for judicial review of agency action, judicial review of land use decisions, appeals from courts of limited jurisdiction (including criminal RALJ appeals), and motions for revision of commissioners' rulings shall be heard without oral argument unless specifically requested by the assigned judge.
- Oral argument is allowed for LCR 56 and LCR 12 motions.
- Motions for default and motions for default judgment request for entry of the Judgment and Order to Pay on Writs of Garnishment may be filed effective June 5, 2020.

### 2. Civil Bench Trials.

- Starting June 8, 2020, the court will hear civil bench trials (including dissolutions without children).
- These trials will be conducted via video. In rare circumstances and with the court's approval, bench trials may occur in-person if social distancing requirements can be met.
- The assigned judge will hold pretrial conferences for each case to discuss trial readiness and specifics of proceeding with trial and will issue a Pretrial Order including protocols of how to conduct a trial by video in King County.

### 3. Other Matters.

- Supplemental Proceedings will be handled by telephone. See <https://www.kingcounty.gov/courts/superior-court/directory/judges/cahan.aspx> for instruction.
- Oath of Attorneys will be handled by telephone. See <https://www.kingcounty.gov/courts/superior-court/directory/judges/cahan.aspx> for instruction.



## New Expectation for Civil Discovery.

- Within 90 days of filing of the complaint, the parties shall meet and confer to create a discovery plan, which shall be filed with the Court with a working copy emailed to the assigned judge.
- There is a presumption that depositions shall occur via remote means unless good cause is shown. Counsel may be present with their client if appropriate social distancing measures are taken.

## What We Are Not Hearing At This Time:

1. All civil jury trials.
  - Civil jury trial scheduled before August 3, 2020 will need to be continued to a date on or after August 3, 2020.
  - On or after August 3, 2020, civil jury trials will possibly be held off-site with the expectation that voir-dire will be held via video and the remainder of the trial will be in - person with appropriate social distancing measure in place and masks worn.
2. Evictions consistent with federal, state and local Executive Orders.
  - As these moratoria provide for exceptions, parties must provide the following: (1) a declaration under oath providing the necessary specific facts to justify the exception; (2) a proposed Order permitting the filing based on the exception; and (3) the moving party shall serve a copy of the declaration on the Respondent.
  - As local moratoria expire, the parties shall make a good faith effort to mediate. When requesting a show cause hearing, plaintiff must provide a Declaration showing (1) efforts to mediate and (2) verification that the property is exempt from the moratorium under the CARES Act.
  - The Court will cap the number of Orders to Show Cause in person to meet social distancing requirements. Parties should be aware the proposed date of any Order to Show Cause submitted to Ex Parte via the Clerk may be modified by the Court, without notice, prior to issuance in order to limit the number of people accessing court facilities, to reduce density of litigants within the Ex Parte Department, and to generally protect the health and safety of litigants and court staff.