

March 19, 2020

KITSAP COUNTY SUPERIOR COURT SCHEDULING ANNOUNCEMENT FOR CIVIL AND FAMILY LAW PRACTITIONERS

In conjunction with The Supreme Court of Washington, Order No. 25700-B-606, the Kitsap County Superior Court announces the following scheduling information:

All non-emergency civil and family law matters are hereby continued until after April 24, 2020.

Your non-emergency matter that is continued until after April 24, 2020 must be re-noted after April 24th and after you have conferred with the other side and our Court Scheduler, Jennifer Kluver at JKluver@co.kitsap.wa.us. Jennifer will be out of the office until March 27, 2020. She will be available via email.

ALL AGREED / UNOPPOSED ORDERS (EMERGENCY OR NOT) CAN BE SUBMITTED ELECTRONICALLY AT THIS EMAIL ADDRESS: superiorcourt@co.kitsap.wa.us. ORDERS INVOLVING SCHEDULING WILL BE REVIEWED BY THE COURT AND SIGNED ONLY AFTER CONFERRING WITH THE COURT SCHEDULER. WE WILL DO OUR BEST TO REVIEW ALL ELECTRONIC SUBMISSIONS THAT ARE AGREED / UNOPPOSED WITHIN 48 HOURS OF RECEIPT.

HOW TO ACCESS THE COURT IF YOU HAVE AN EMERGENCY MATTER

If you need to be heard on an emergency matter, your matter may be heard Monday through Friday from either 9:00 a.m. to 12:00 p.m. or 1:30 p.m. to 4:30 p.m. There will no longer be 8:30 a.m. and 3:30 p.m. ex parte calendars.

Kitsap County Superior Court will be using Courtroom 206 to conduct these hearings. **These hearings must be conducted electronically. Please remember, you and your clients shall appear either by telephone or video unless it is impossible to do so.**

These are the steps we want you to take if you need access for an emergency matter:

- 1.) Contact the other side to seek an agreed date and time to be heard. This must be done before you contact Jennifer. After you have made that contact, email Jennifer Kluver at: JKluver@co.kitsap.wa.us. If it is not clear in your email to her that you have met this requirement, Jennifer's question for you in response will be: "Have you spoken to the other side?" [The Bench recognizes that some emergency matters do not require notification to the other side if such notification may endanger personal safety and the like. This remains in play as it always has.]
- 2.) If you have an agreed date and time, the Court will make every attempt to accommodate that.
- 3.) If you have made reasonable attempts to contact the other side without success, or the other side does not agree that the matter is an emergency, let Jennifer know and you will be given a date and time to appear electronically. Remember, Jennifer is not the gatekeeper as to whether your matter qualifies as an emergency. The Court is. The Court will exercise its discretion as to whether reasonable efforts have been made to contact the other side. If it is unclear, you will be asked by the judge what those efforts have been. The Court will also exercise discretion and,

upon review of the submissions, summarily strike the matter if the Court deems it is not an emergency. If that happens you will be notified.

- 4.) Please submit all necessary documents **and a proposed order** to the following email address: superiorcourt@co.kitsap.wa.us at least two (2) hours before the time your hearing is scheduled. These submissions are bench copies. You will be responsible for filing your original documents with the Kitsap County Superior Court Clerk's Office pursuant to their policies.
- 5.) The Court will call you on the phone number you have provided to Jennifer as close in time as possible to when the hearing has been set. If you are requesting to appear via video, you will need to call the number that you are provided by the Court at the time of your scheduled hearing.
- 6.) Following the hearing, the Court will sign an order consistent with the decision. The order will be placed in our filing basket for processing with the Clerk's office. You can obtain copies of the order through the Clerk's office consistent with their policies.

WHAT ABOUT SERVICE OF MY DOCUMENTS TO THE OTHER SIDE?

How soon do I have to serve the other side with my submissions? As soon as possible. By design, we are not setting a firm deadline. But please don't delay. If the Court determines there was unnecessary delay in providing documents to the other side, the Court may exercise the discretion it always has to continue the matter.

DOES MY CLIENT HAVE TO BE AVAILABLE?

Should I have my client available or are these emergency matters going to be argued based solely on the declarations and submissions provided to the Court? The Court will conduct emergency hearings based upon argument and the written submissions. However, it is common practice to have clients available should the court have questions or need additional information. Whether you have your client available electronically is your decision.

NOTES

The Family Law, Civil and Guardianship / Probate Team Captains are working to help clarify what may constitute an emergency matter as well as what can and cannot be done consistent with their practice areas to maintain compliance with Supreme Court's Order No. 25700-B-606. I am in constant contact with the Team Captains and I'm hoping to provide more guidance as to that before the end of business tomorrow. Each practice area has specific needs and we will attempt to accommodate those as best we can whilst abiding by Supreme Court Order No. 25700-B-606.

Frank, Jennifer and I have worked to try and make access to a judicial officer for an emergency matter as seamless as possible. We know there will be questions and perhaps some chaos as we initiate this process. Please remember the mantra, talk to the other side before you contact Jennifer. It's hard to know what the volume will be. Due to Health District recommendations specific to members of Kitsap County Superior Court, we will be short-staffed next week.

Yours, Kevin

Kevin Hull
Presiding Judge
Kitsap County Superior Court