

PCLR 7 MOTIONS: JUDGES AND COMMISSIONERS

(b) Commissioners' Motions

(1) **Civil Divisions A, B, C, D, and Ex Parte.** Court Commissioners hear and decide all matters brought before these divisions as set forth below.

(A) Working Copies No Longer Required. For all Civil Divisions, working copies shall ~~no longer~~ be submitted. Except as provided in **(FG)** below, every attorney and self-represented party shall submit in advance ~~one~~ Hearing Information Form; family law cases shall use the Family Law Hearing Information Form (**Form T**) described in **(EF)** below; other civil matters shall use the Civil Hearing Information Form (**Form U**) described in **(FG)** below. Failure to timely provide the appropriate Hearing Information Form may result in the hearing being stricken or continued.

(B) Subject Matter. The civil divisions hear the following matters:

(i) Family Law Related (Type 3 and 5):

- Family law motions and show cause proceedings, including contempt;
- Parentage actions;
- Final orders for uncontested/default dissolutions, separations, invalidity petitions, committed intimate relationships (meretricious relationships), domestic partnerships, and parenting plans;
- Petitions to modify child support;
- Determination of adequate cause on Petitions to Change Parenting Plans;
- Injunctive relief and immediate restraining orders in family law matters (for non-family law matters see PCLR 65);
- Temporary relocation hearings; and
- Defaults eligible for presentation in the Ex Parte Division wherein no notice is required (including uncontested finalization of dissolution, legal separation, and invalidity with attorney representation).

(ii) Civil Matters (Type 2 and 4):

- Probate, trust, guardianship/conservatorship/other protective arrangement matters (except for annual periodic reviews and initial hearings under TEDRA if live testimony is to be presented or the hearing will likely last longer than twenty minutes, which are heard by the assigned Judicial Department on its Friday motion docket);
- Pre-trial proceedings and uncontested final orders in minor guardianships;
- Minor settlements;
- Transfer of structured settlement payment rights;
- Unlawful detainer actions;
- Applications for appointment of a receiver;
- Replevin actions;
- Supplemental proceedings;
- Defaults eligible for presentation in the Ex Parte Division wherein no notice is required;
- Domestic violence protection hearings;
- Anti-harassment and stalking protection hearings;
- Vulnerable adult protection hearings;
- Sexual assault protection hearings; and

- Ex parte matters.

~~(B) The function of these Civil Divisions is to hear applications for show cause orders, motions for temporary orders, petitions to modify child support, initial determination of adequate cause and show cause hearings on Petitions to Modify Parenting Plans, temporary relocation hearings, probates, trust and guardianship matters (except for annual periodic reviews and initial hearings under TEDRA if live testimony is to be presented or the hearing will likely last longer than twenty minutes, which are heard by the assigned Judicial Department on its Friday motion docket), minor settlements, unlawful detainer actions, applications for appointment of a receiver, restraining orders, defaults eligible for presentation in the Ex Parte Division wherein no notice is required, supplemental proceedings, paternity actions, contested show cause proceedings, domestic violence, vulnerable adult protection hearings, initial and uncontested sexual assault protection hearings, anti-harassment and anti-stalking protection hearings, uncontested/default dissolutions, committed intimate relationships (meretricious relationships), domestic partnerships, parenting plans, and ex parte matters. Court Commissioners do not hear discovery motions.~~

(C) Schedule. The [Schedule of Commissioners' Calendars](#) for each division is contained in Appendix, [Form Q](#), and at the Pierce County Superior Court website: <http://www.co.pierce.wa.us/1024/Commissioner-Calendars-by-Division>. The Schedule of the Commissioners' Calendars may be changed without formal republication of these rules or appendices. Parties and counsel are advised to verify calendar schedules before noting matters for hearing and by viewing the Pierce County Superior Court website for any ~~revisions~~ changes to the Commissioners' Calendars. Incorrectly scheduled matters ~~shall~~ may be stricken.

(D) How Motions Initiated.

(i) Attorneys shall electronically file a Note for Commissioners Calendar by using the electronic filing and scheduling process provided by LINX via the public website (<https://linxonline.co.pierce.wa.us/linxweb/Main.cfm>), ~~or from a public kiosk in the Clerk's Office for all Commissioners' dockets held at the County City Building, 930 Tacoma Avenue South, Tacoma, WA 98402, except for~~ This does not include the domestic violence, vulnerable adult, anti-harassment/stalking petition either electronically or on paper, in Room 110 of the County-City Building and at kiosks that are available at the Crystal Judson Family Justice Center, 718 Court E, Tacoma, and at the YWCA of Pierce County, 405 Broadway, Tacoma. There are also kiosks located throughout Pierce County.

(ii) ~~Self-represented parties may contact the Clerk's Office for a LINX e-filing account to file and schedule a Note for Commissioners Calendar. If requesting a waiver of the requirement to e-file, please see PCLGR 30(b)(5)(C). dissolution docket, domestic violence, vulnerable adult protection orders, and sexual assault protection orders.~~

(iii) See also [PCLSPR 94.04](#) regarding family law motions, [PCLSPR 98.04](#) regarding Estates and Probates, [PCLSPR 98.16W](#) regarding Settlements of Minors and Incapacitated Persons, [PCLSPR 98.18](#) regarding Court Created Trusts, and [PCLSPR 98.20](#) regarding Guardianships, Conservatorships, and/or other protective arrangements for specific procedures about these types of motions on the Commissioners' dockets. ~~Self-represented parties may contact the Clerk's Office for a LINX e-filing account or use the Clerk's Office kiosk to file and schedule a Note for Commissioners Calendar.~~

(D) **Waiver of Requirement to E-file.** See [PCLGR 30\(b\)\(5\)\(C\)](#).

(E) Docketing for Morning Family Law Show Cause Calendars.

(i) Matters heard on the show cause calendar ~~at 9:00 a.m.~~ shall be docketed by electronically filing and scheduling in accordance with [PCLR 7\(b\)\(1\)\(D\)](#) a Note for Commissioner's Calendar at least fourteen (14) calendar days before the hearing, simultaneously with a motion and/or notice of hearing and

any supporting pleadings, unless this is a refile of a motion or notice of hearing previously filed in which event only the Note for Commissioner's Calendar shall be e-filed. The morning show cause cases heard shall be limited in number. Case caps shall be calculated in LINX based on the number of cases rather than the Note for Commissioner's Calendar. Leave may be granted by a duly appointed Commissioner, not a Commissioner Pro Tem, to exceed the number of cases heard on any given day in that Commissioner's Division.

(ii) Counter Motions for Morning Show Cause Calendars. In the event there is an existing motion and the responding party wishes to file a counter motion to be heard the same date they may do so without leave of the court by electronically filing and scheduling in accordance with [PCLR 7\(b\)\(1\)\(D\)](#) a Note for Commissioner's Calendar, as long as the counter motion and all supporting pleadings are filed and served at least fourteen (14) calendar days before the hearing. Any necessary Order to Show Cause for the counter motion shall be signed by the Ex Parte Division.

(iii) Confirmation of Show Cause Calendar Motions. All motions docketed for the morning show cause calendars shall be confirmed by the moving party not later than 12:00 noon two (2) court days prior to the hearing. Attorneys and any self-represented party shall confirm motions by contacting the Commissioner Services Department or electronically, through the internet by those with LINX accounts and PIN (Personal Identification Numbers), in accordance with the procedures adopted by the Pierce County Superior Court Clerk's Office. Motions filed by those persons physically confined under a court order shall be deemed confirmed at filing. The court may strike motions that are not timely confirmed.

~~(E)~~**(F) Family Law Hearing Information Form (Form T).** For matters docketed on the ~~morning~~[family law](#) show cause calendars in Civil Divisions A, B, and C, whether by Note for Commissioner's Calendar or by the Order Setting Case Schedule, a Family Law Hearing Information Form (Form T) shall ~~each~~ be filed ~~by the moving party and the responding party~~ and served listing all motions, petitions, and supporting documents, including affidavits, declarations, certified statements, Guardian ad litem reports, sealed financial source documents, sealed confidential reports, and responsive and reply documents the attorneys or self-represented parties want the court to review for the hearing. Pleadings for the morning show cause calendars are subject to page limits pursuant to [PCLSPR 94.04\(c\)\(5\)](#).

Both the moving party and the responding party shall file ~~one~~[their](#) Family Law Hearing Information Forms (Form T) by using the Clerk's electronic filing process as defined in [PCLGR 30\(b\)\(5\)\(C\)](#) no later than 12:00 noon two (2) court days prior to the scheduled hearing. Proposed orders are addressed in ~~(HG)~~ below.

~~(F)~~**(G) Civil Hearing Information Form (Form U).** For matters docketed on the afternoon probate/trust, guardianship, sale of structured settlement, and minor settlement calendars in Civil Division A, ~~one~~ Civil Hearing Information Form (Form U) shall ~~each~~ be filed ~~by the moving party and the responding party~~ and served listing all motions, petitions, and supporting documents, including affidavits, declarations, certified statements, Guardian ad litem reports, and responsive and reply documents the attorneys or self-represented parties want the court to review for the hearing. Both the moving party and the responding party shall file their Civil Hearing Information Forms (Form U) by using the Clerk's electronic filing process as defined in [PCLGR 30\(b\)\(5\)\(C\)](#) no later than 12:00 noon two (2) court days prior to the scheduled hearing. Proposed orders are addressed in ~~(HG)~~ below.

~~(G)~~**(H) Proposed Orders.** In all ~~family law and~~ unlawful detainer matters, attorneys and self-represented parties shall have proposed orders prepared for presentation to the court at the time of the hearing. For probate/trust, guardianship, and minor settlement cases, proposed orders shall be provided when submitting the Civil Hearing Information Form (Form U).

(2) Juvenile Division Calendars. Court Commissioners hear and decide matters arising under the juvenile laws and other matters at the request of the Presiding Juvenile Court Judge, including finalization of adoptions.

(3) Civil Mental Health Division. Court Commissioners hear matters arising in this division as set forth in [PCLR 0.4\(a\)\(3\)](#), except where a trial by jury is requested. Jury trials are assigned to one of the judicial departments by the Court Administrator.

[Amended effective September 1, 2024]