

**PCLSPR 94.04 FAMILY LAW PROCEEDINGS**

(a) Contested Matters. Before all final hearings or trials in contested dissolution, invalidity, legal separation, committed intimate relationship (meretricious relationship), or domestic partnership cases, each party shall file and serve on the opposing party a Domestic Relations Information Form approved by the Court. See Appendix, Form E. The Domestic Relations Information Form approved by the Court. See Appendix, Form E. The Domestic Relations Information Form shall be filed and served two (2) court days prior to the scheduled final hearing or trial. Such information shall be verified under oath.

(a)(b) Uncontested Applications for Marital Dissolution, Decree of Invalidity or Legal Separation, Committed Intimate Relationships (Meretricious Relationships), Parenting Plans, or Domestic Partnerships.

**(1) Presentation of Final Documents.** At the time of final hearing upon any uncontested dissolution, invalidity, legal separation, committed intimate relationship (meretricious relationship), parenting plans, or domestic partnership, the attorney for the applicant or the self-represented party shall present to the court for signature appropriate Findings and Conclusions ~~about a Marriage~~, Final ~~Divorce~~ Order (~~Dissolution Decree~~), Child Support Order, Child Support Worksheets, Residential Time Summary, and Parenting Plan/Residential Schedule, if applicable.

**(2) Hearings to Finalize with Attorneys.** For parties represented by ~~counsel~~ an attorney, all agreed or unopposed presentations of final documents shall be submitted via e-filing pursuant to the current ex parte mail policy. For dissolutions and legal separations only, at the time of e-filing, the Findings and Conclusions about a Marriage or a separate verification shall be signed under penalty of perjury by the Petitioner in the form set forth below. In the event there has been an appearance by the Respondent, but the Respondent agrees to the entry of the final papers as proposed, both the Petitioner and Respondent shall sign the Findings and Conclusions about a Marriage under penalty of perjury in the form set forth below. If Respondent has previously signed a joinder, only the verification of Petitioner is required.

~~(2) all of these types of proceedings are conducted Monday through Friday in the Ex Parte Division. The location of this calendar is contained in the Schedule of Commissioners' Calendars, Appendix, Form Q, attached to these rules. The Commissioners' Calendars may be changed without formal republication of these rules or appendices.~~

~~At the time of hearing, if the Findings and Conclusions about a Marriage are signed under penalty of perjury by the Petitioner in the form set forth below and there has been no appearance by the Respondent, no personal appearance by the Petitioner is required. In the event there has been an appearance by the Respondent, but the Respondent agrees to the entry of the final papers as proposed, neither party need personally appear except through his/her attorney, provided that both the Petitioner and Respondent have signed the Findings and Conclusions about a Marriage under penalty of perjury in the form set forth below. If Respondent has previously signed a Joinder, only the verification of Petitioner is required.~~

Declaration(s) under penalty of perjury shall be as follows:

I declare under penalty of perjury under the laws of the State of Washington that the following is true and correct:

I am the Petitioner in this case and I have read the foregoing Findings and Conclusions about a Marriage, Final Divorce Order (Dissolution Decree), Child Support Order, Child Support Worksheets, and Parenting Plan (if applicable), and they are true and accurate to the best of my knowledge. I am not seeking any relief beyond that specifically requested in the Petition. The support requested, if any, is in compliance with the Child Support Schedule. The wifespouse/other domestic partner is not pregnant and no other children have been born to the wifespouse/other domestic partner since the date of marriage that have not been disclosed in the Findings and Conclusions about a Marriage and Final Parenting Plan. The State of Washington has been notified of this case as required by the court rules if either party or the children are receiving or have ever received state cash assistance or medical public assistance.

Signed at \_\_\_\_\_, \_\_\_\_\_ on \_\_\_\_\_.  
City State Date

\_\_\_\_\_  
Petitioner's Signature

And if agreed by Respondent, add the following declaration:

I declare under penalty of perjury under the laws of the State of Washington that the following is true and correct:

I am the Respondent in this case and I have read the foregoing Findings and Conclusions about a Marriage, Final Divorce Order (Dissolution Decree), Child Support Order, Child Support Worksheets, and Parenting Plan (if applicable,) and they are true and accurate to the best of my knowledge. I am not seeking any relief beyond that specifically requested in the petition. The support requested, if any, is in compliance with the Child Support Schedule. The ~~wifespouse~~/other domestic partner is not pregnant and no other children have been born to the ~~wifespouse~~/other domestic partner since the date of marriage that have not been disclosed in the Findings and Conclusions about a Marriage and Final Parenting Plan. The State of Washington has been notified of this case as required by the court rules if either party or the children are receiving or have ever received state cash assistance or medical public assistance.

Signed at \_\_\_\_\_, \_\_\_\_\_ on \_\_\_\_\_.  
City State Date

\_\_\_\_\_  
Respondent's Signature

**(3) Hearings to Finalize without Attorney Representation.** Uncontested/default dissolutions, invalidity, legal separation, committed intimate relationships (meretricious relationships), or domestic partnerships for self-represented parties are conducted every Friday morning. The moving party shall docket these matters by filing a Note for Commissioner's Calendar - Uncontested Docket seven (7) court days before the hearing date, subject to case limits. ~~The location and exact time of this calendar is contained in the Schedule of Commissioners' Calendars, Appendix, Form Q, attached to these rules. The Commissioners' Calendars may be changed without formal republication of these rules or appendices. No personal appearances are required as all hearings shall be conducted using interrogatories instead of testimony. The interrogatories form is found at the following website: <https://www.co.pierce.wa.us/DocumentCenter/View/90544/Interrogatories-with-Declaration>. Proposed orders shall be submitted to Commissioner Services by email at SUPCSD@piercecountywa.gov. Pattern Forms can be found at the Washington Courts website: <http://www.courts.wa.gov/forms/>. If, after review, the Commissioner finds that the court file or the proposed orders are deficient, a written deficiency order will be prepared and filed the Commissioner. If the Commissioner determines that a personal appearance is necessary, a hearing will be scheduled and the parties will be notified by court staff.~~

**(4) Reconciliation**

**(A) Notice of Reconciliation.** In the event the parties reconcile or mutually agree they wish to attempt a reconciliation, they shall jointly file in the Clerk's Office a Joint Notice of Reconciliation as set forth in Appendix, **Form H**, and the parties shall no longer have to comply with the Order Setting Case Schedule requirements of **PCLR 3**; provided that the matter shall automatically be dismissed by the court six months from the date of the notice unless an amended petition has been filed.

**(B) Amended Petition.** In all dissolution, invalidity, legal separation, committed intimate relationship (meretricious relationship), or domestic partnership actions where the parties have reconciled, and the reconciliation fails, an amended petition shall be filed and personally served unless otherwise authorized.

~~**(b) Contested Matters.** Before all final hearings or trials in contested dissolution, invalidity, legal separation, committed intimate relationship (meretricious relationship), or domestic partnership cases, each party shall file and serve on the opposing party a Domestic Relations Information Form approved by the Court. See Appendix, **Form E**.~~

~~The Domestic Relations Information Form shall be filed and served two (2) court days prior to the scheduled final hearing or trial. Such information shall be verified under oath.~~

**(c) Family Law Motions.**

**(1) How Initiated.** All motions (except discovery motions which are heard on the Judges' motion docket) shall be docketed by filing a Note for Commissioner's Calendar at least fourteen (14) calendar days before the hearing, simultaneously with a Motion ~~and Notice of Hearing~~ and any supporting pleadings, unless this is a re-note of a motion or notice for hearing previously filed, in which event only the Note for Commissioner's Calendar and Family Law Hearing Information Form T shall be filed. The hearing shall be heard on the basis of affidavit and/or declaration. All parties and 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.~~ 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).

**(1)(2) Daily case cap.** 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. ~~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.~~

**(2)(3) Counter Motions.** In the event there is an existing motion or adequate cause hearing 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 e-filing a Note for Commissioner's Calendar, as long as the counter motion and all supporting pleadings are filed and served a minimum of fourteen (14) calendar days before the hearing. Any necessary Order to Show Cause shall be timely presented to the Ex Parte Division. The Note for Commissioner's Calendar shall be electronically filed and scheduled in accordance with **PCLSPR 94.04(c)(1)**.

**(3)(4) Notice and Hearing.** Copies of the motion, counter motion, e-filed Note for Commissioner's Calendar, Notice of Adequate Cause, if applicable, together with all supporting documents including affidavits, declarations, certified statements, exhibits, and any other materials to be considered by the court, shall be served on all counsel and any self-represented party at least fourteen (14) calendar days before the hearing. Response documents, including briefs or memoranda, if any, shall be filed with the Clerk and copies served on all parties and attorneys no later than 12:00 noon four (4) court days prior to the hearing time; and documents in strict reply to the motion shall be similarly filed and served no later than 12:00 noon two (2) court days prior to the hearing. No motion shall be heard unless proof of service upon the opposing party is filed no later than the time set forth for confirmation of motions under PCLR 7(a)(9) or there is an admission of such service by the opposing party. Electronic service under PCLGR 30 does not excuse this requirement to file proof of service.

**(4)(5) 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, ~~one~~ Family Law Hearing Information Form (Form T) shall ~~each~~ be filed and served by the moving party and the responding party listing all motions, petitions, and supporting documents, including affidavits, declarations, certified statements, guardian ad litem reports, and responsive reply documents the attorneys or self-represented parties want the court to review for the hearing. Failure to timely provide the appropriate Hearing Information Form T may result in the hearing being stricken or continued. Working copies no longer shall be delivered or furnished for any Commissioner's docket.

Both the moving party and the responding party shall file ~~their one~~ 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 ~~(98)~~ below.

**(5)(6) Page Limits**

**(A) Generally.** Absent prior authorization from the court, the entirety of all declarations and affidavits from the parties and any non-expert witness in support of motions (except financial declarations), including any reply, shall be limited to a sum total of 20 pages for all motions scheduled for the same date. Prior authorization to exceed

page limits under **PCLSPR 94.04(c)(65)** shall initially be presented to the Ex Parte Division and that Division shall determine whether the matter needs to be referred to the assigned Commissioner. The entirety of all declarations and affidavits submitted in response to motions shall be limited to a sum total of 20 pages for all motions scheduled for the same date. In those cases having more than one moving party, the entirety of all declarations and affidavits from each party in support of their respective motions (except financial declarations), shall be limited to a sum total of 20 pages per side.

**(B) Exhibits.** Exhibits that consist of declarations or affidavits of party's witnesses shall count towards the above page limits. All other exhibits attached to a declaration or affidavit shall be limited to 10 pages.

**(C) Financial Declarations and Information for Temporary Parenting Plan.** Financial declarations and financial documents as well as the mandatory information for Temporary Parenting Plan form do not count toward the page limit.

**(D) Expert Reports and Evaluations.** Declarations, affidavits, and reports from Court Appointed Special Advocates (CASA), Parenting Investigators, Guardians ad Litem, Family Court Services (FCS), expert witnesses, police reports, and out-of-state backgrounds checks do not count toward the page limit.

**(E) Miscellaneous Exceptions.** The following do not count towards the page limit:

- (i) Copies of orders, 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;
- (ii) Copies of orders, declarations, or affidavits previously filed in other cases, or from cases in other counties;
- (iii) Deposition excerpts;
- (iv) **GR 17** affidavits/declarations regarding fax signature; and
- (v) Cover sheets setting forth a caption for an attached document or declaration, however, the attached document or declaration shall count in accordance with this rule.

**(F) Violations.** Page limit violations shall be handled as follows:

- (i) The Commissioner will stop reading at 20 pages of declarations and affidavits and 10 pages of exhibits (as defined in this subsection) submitted by each party. The Commissioner will follow the order of documents set forth in each party's Hearing Information Form T. First filed by date will be first counted. If no Form T has been filed and the Commissioner elects to proceed with the hearing as scheduled, then the Commissioner will exercise discretion as to order of documents read.
- (ii) An Order on Page Limits will be prepared and filed. The Order will be completed by the Commissioner. It will describe what pleadings and exhibits were read.
- (iii) No party will be required to file an objection/motion to strike.
- (iv) PCLR 10 will be strictly enforced re: font size and double space – if single spaced the page will count as two pages.
- (v) No contextual exceptions for texts, emails, Our Family Wizard/Talking Parents platforms, or other social media posting.

**(6)(7) Confirmations.** The moving party shall confirm the motion with the Commissioner Services Department in person or by telephone electronically as described in the following sentence, by telephone, or in person no later than by 12:00 noon two (2) court days prior to the hearing; otherwise the matter shall be stricken. Motions may also be confirmed and stricken electronically, in accordance with the time deadlines set forth hereinabove, 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 persons physically confined under a court order shall be deemed confirmed at filing.

**(7)(8) Courtroom Assigned.** All hearings are conducted virtually without in-court appearances, unless the Commissioner makes arrangements to conduct a hearing with personal appearances. The link for the virtual hearings is found at this page on the Pierce County Superior Court website: Commissioner Calendars by Division | Pierce County, WA - Official Website (piercecountywa.gov). Attorneys and self-represented parties may also check the assigned courtroom by accessing the Pierce County Superior Court website: <https://linxonline.co.pierce.wa.us/linxweb/Main.cfm> and viewing the calendar of proceedings. The monitors located on

~~the first and second floor lobbies of the County City Building list which court has been assigned to hear confirmed motions. Attorneys and self-represented parties may also check the assigned courtroom by accessing the Pierce County Superior Court website: <https://linxonline.co.pierce.wa.us/linxweb/Main.cfm> and viewing the calendar of proceedings.~~

**(8)(9) Presentation of Court Orders.** In all family law matters, attorneys and self-represented parties shall have proposed orders prepared for presentation to the court at the time of the hearing (using mandatory Family Law pattern forms if applicable), at the conclusion of the motion conform the orders to the Commissioner's ruling, and (unless the Commissioner makes other arrangements with the parties) shall remain in attendance in the court until the appropriate order(s) has been signed by counsel, all parties, and the court.

**(9)(10) Limits of Argument.** The court may direct ~~counsel~~ attorneys or self-represented parties to appropriate issues set forth in the motion and may place strict limits on the time for argument.

**(d) Settlement Conferences.** See **PCLR 16(c)**. Settlement conferences are mandatory in dissolution cases, paternity cases, other family law cases and post-dissolution petitions for modification (petition to change a parenting plan, residential schedule or custody order) when the parenting plan or residential schedule is at issue. Settlement conferences are not mandatory for cases addressing only child support and/or division of property and assets and family law cases in which a waiver was granted pursuant to **PCLR 16(c)(2)(H)** or is exempt under **PCLR 16**.

**(e) Guardian ad Litem in Parenting/Custody Cases: Limitations on Appointments, Hours, and Fees.**

**(1) Appointment of Guardian ad Litem.** The appointment of a guardian ad litem in cases involving the residential placement of minor children shall be made by court order. The guardian ad litem shall be provided a copy of the Order Setting Case Schedule, and any amendments thereto entered throughout the course of the case. If there are less than 90 days to the date of trial, any Order for Appointment of a Guardian ad Litem shall include the trial date and shall only be signed by the assigned judicial department.

**(2) Hours and Fees.**

**(A) Retainer/Additional Fees.** When an order authorizing appointment of a guardian ad litem from the **RCW 26.09** Certified Registry is signed, an \$1,875.00 initial retainer fee shall be paid to the Clerk of the Court, unless for good cause shown a greater amount is ordered by the Court at the time of the appointment of a guardian ad litem and is reflected in the order.

The guardian ad litem's time shall be paid from this retainer at the rate of \$125.00 per hour. When the retainer is exhausted, it is the responsibility of the parties, not the guardian ad litem, to properly file, serve, and note a motion requesting additional fees before the assigned Family Court Judge. No additional fees shall be allowed without prior authorization of the assigned Family Court Judge.

**(B) State Parentage Actions.** Section (2)(A) does not apply to State-initiated parentage contract cases.

**(3) Administrative Policy.** Pierce County Superior Court's current Administrative Policy 1 re: **Guardian ad Litem Registry for Pierce County Family Law Proceedings** and Administrative Policy 2 **Pierce County Superior Court RCW 26.09.220 and RCW 26.12.175 Code of Conduct** are set forth in Part VI, Administrative Policies, **Policies 1 and 2**. Found at: [www.co.pierce.wa.us/superiorcourt](http://www.co.pierce.wa.us/superiorcourt) and by clicking on "Local Rules." can be found on the Pierce County Superior Court website (add link to webpage here).

**(4) Case Assignment.** Upon the court authorizing the appointment of a guardian ad litem, the case shall be reassigned to Family Court, except for those cases where the guardian ad litem (GAL) is only appointed for the purpose of parentage or minority.

**(f) Reserved.**

**(g) Petition to Modify Parenting Plan/Residential Schedule**

**(1) How Initiated.** An action for modification of a final parenting plan/residential schedule is commenced by the filing of a Summons, Petition to Change a Parenting Plan, Proposed Parenting Plan/Residential Schedule, and Petitioner's Motion for Adequate Cause on the mandatory forms under an existing or new domestic case (type 3) filing.

**(2) Case Schedule.** Upon filing, the Clerk's Office shall issue an Order Setting Case Schedule. Refer to Appendix, **Form A**.

**(3) Requirements.** The petitioner(s) shall obtain an Order on Adequate Cause on the Commissioners' dockets on or before the court hearing date specified in the Order Setting Case Schedule or the petition will be

dismissed without further notice. The petitioner(s) and respondent(s) shall attend the mandatory Impact on Children seminar. A settlement conference, or other dispute resolution process, is required prior to trial, unless waived by the Court; see [PLCR 16\(c\)](#).

**(4) Case Assignment.** All Petitions to Change a Parenting Plan/Residential Schedule shall be assigned to Family Court.

**(h) Relocation of Children**

**(1) How Initiated.** An action for Relocation of Children is commenced by the filing of an Objection about Moving with Child under an existing or new domestic case (type 3) filing. Prior to the trial, any hearing regarding the Objection about Moving with Child or temporary relocation shall be heard on the Commissioners' Show Cause/Motion docket.

**(2) Case Schedule.** The Clerk's office shall issue an Order Assigning Case to Family Court and set a date on the assigned Family Court's next available motion calendar (not less than six days from filing) for an assignment for trial date.