

Superior Court of Washington, County of Snohomish
PROTOCOL FOR IN-PERSON¹ CIVIL BENCH TRIALS

- 1) **Non-Compliance with Civil In-Person Trial Protocol:** One party's failure to comply with the requirements set forth in this protocol, including failure to comply with the pre-trial meeting requirement, does not relieve the other party from providing the information required herein to the Court and the other parties within the time limits set herein. Failure to comply may result in imposition of sanctions, striking of pleadings, refusing to permit the non-complying party to participate in the trial or any other relief deemed appropriate by the Court.

- 2) **Exchange of Exhibits and Witness Lists:** Absent a court order to the contrary, the parties shall exchange exhibit and witness lists, physical paper copies² of exhibits numbered as required in Paragraph 3, section e, and a [Pre-Trial Conference Summary for Civil Proceedings](#)³ **at least one week before trial.**

- 3) **Pre-Trial Meeting of Parties:** The parties must meet, either remotely or in-person, **at least two days before trial.** **Parties exempt from mediation due to the existence of a domestic violence no contact order or restraining order do not have to meet in person or remotely but must still independently comply with all other provisions of this protocol and provide to the Court all information required to be provided to the other party.**

At this meeting, the parties shall:

- a. Determine which documents each party intends to offer at trial. The parties are encouraged to offer only those documents necessary to prove or defend the claims/issues. Trial briefs, including motions in limine, are not considered exhibits, but shall be provided to the Court separately (copy to all parties) **on the day of trial** in paper form for filing, and be available in electronic format subject to the trial judge's preference. Proposed Final Orders should be provided electronically, in an editable format, to the assigned trial judge after assignment.
- b. Stipulate (agree) to the admissibility of exhibits whenever possible. The parties shall list exhibits and indicate in that list which exhibits are stipulated to be admissible. A list of stipulated exhibits shall be provided to the law clerk for the judge assigned to trial **on the morning of trial, after assignment.** While stipulations are encouraged, they are not required if there is a proper legal basis for objection to their admissibility.

¹In-Person civil bench trials mean when both parties are appearing in-person. If a motion for remote trial has been granted, or if a motion for one party to appear remotely has been granted, parties are required to follow the Civil Remote Bench Trial Protocol.

²The parties may agree to exchange electronic copies of exhibits in addition to exchanging physical copies, but not as a replacement of exchanging physical copies. Exchange of physical copies of exhibits is required to avoid mid-trial issues with missing or additional pages within multi-page exhibits.

³Attached Pre-Trial Conference Summary for Civil Proceedings Form

- c. Review the exhibits to ensure there are no duplicates. If each party is offering a portion of the same document, the parties should combine the portions into one exhibit, where feasible.
- d. Consecutively number the exhibits. Petitioner/Plaintiff's exhibits will start at 1. Respondent/Defendant's exhibits will start at 101. If Petitioner/Plaintiff has more than 100 exhibits the parties shall agree on the appropriate series of numbers with which Plaintiff/Petitioner's exhibits should end. Respondent/Defendant's exhibits will start with the 01 of the next hundred numbers. For example, if Plaintiff has 250 exhibits, Plaintiff/Petitioner should have 1-300 and Respondent/Defendant's exhibits will begin with 301, etc. There should be an indication in the exhibit list provided to the Judge's law clerk and the courtroom clerk if the numbering system was modified due to the number of exhibits being provided by the Plaintiff/Petitioner. Multiple documents may not be combined into one exhibit. Each separate document must be numbered as a separate exhibit. Multi-page documents must have page number references indicated on each page.

4) **Documents brought to the Court on the day of trial:** The parties shall prepare and bring the following items and information to the assigned trial department:

- a. Two sets of all exhibits (one set of originals and one set of bench/working copies), in two separate notebooks or packets, including original sealed depositions. The exhibits should be numbered in the upper right corner, organized in numerical order, and comply with requirements listed in Paragraph 2 of this protocol. Each party is responsible for the copying costs of their own exhibits and for making copies of their master set of exhibits for all attorneys and parties.
- b. A completed [Pre-Trial Conference Summary for Civil Proceedings](#).

Superior Court of Washington, County of Snohomish

_____, Petitioner/Plaintiff,	No. _____
_____, Respondent/Defendant.	PRE-TRIAL CONFERENCE SUMMARY for CIVIL PROCEEDINGS (PRTAF)

A. PROPOSED LEGAL ISSUES

State your issues separately and as clearly as possible. Number them separately and in sequence.

1. _____
2. _____
3. _____
4. _____

B. WITNESSES AND PARTY CONTACT INFORMATION

List the names, phone numbers and email addresses of all parties and the people who have personal knowledge of the facts related to your case and whom you plan to have testify on your behalf.

5. Petitioner/Plaintiff's phone number and email: _____
6. Respondent/Defendant's phone number and email: _____
7. Witness's phone number and email: _____

8. Witness's phone number and email: _____
9. Witness's phone number and email: _____
10. Witness's phone number and email: _____
11. Witness's phone number and email: _____
12. Witness's phone number and email: _____

C. PROPOSED EXHIBITS

List the exhibits that you plan to submit in support of your case at your hearing. Exhibits may include documents (such as letters, receipts, etc.) or other physical evidence (such as photographs, drawings, etc.). You do not need to send the exhibits at this time, just list them.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

D. OTHER

If you have other issues, questions OR motions you would like to discuss at the pre-trial conference, please list them here or on a separate page:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____

Signature

Print name

NOTICE: This form must be completed in preparation for the pre-hearing conference in your case. You will need to file the original with the COURT and serve a copy of it on the other party, by the deadline outlined in the COURT PROTOCOL.