

Renton Municipal Court Local Rules
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ELECTRONIC FILING AND SERVICE

a. Definitions.

1. "Digital Signature" means an electronic signature that is a transformation of a message using an asymmetric cryptosystem such that a person who has the initial message and the signer's public key can accurately determine whether the:
 - a. Transformation was created using the private key that corresponds to the signer's public key; and
 - b. Initial message has been altered since the transformation was made.
2. "Electronic Filing" is the electronic transmission of information to a court or clerk for case processing.
3. "Electronic Document" is an electronic version of information traditionally filed in paper form, except for documents filed by facsimile which are addressed in GR 17. An electronic document has the same legal effect as a paper document.
4. "Electronic Signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.
5. "Filer" is the person whose user ID and password are used to file an electronic document.
6. "OCourt" is an electronic scheduling forms program that integrates with JIS and allows for the electronic filing of court documents into local digital document storage systems.

b. Electronic Filing Authorization, Exception, Service, and Technology Equipment.

1. While JIS remains the official depository of case information, the court uses OCourt in conjunction with Microsoft Live as a means to facilitate electronic filing of documents and data. Attorneys and other involved parties may set up password protected accounts in Microsoft Live and that will allow for the transmission of data and documents to the court and to the parties as provided in (b)(2). Permission to access the program is given based upon the profile of the user and such permission is restricted to cases in which the user is involved. The court determines the level of security allowed by the user. The court may choose to update data in OCourt from other sources to maintain consistency with JIS data, but it is the primary responsibility of the account holder to keep all personal contact data in the Microsoft Live account updated and accurate.
2. Attorneys with OCourt accounts will receive all documents from the court in electronic format through their email accounts. The court, as a convenience, may send reminder notifications of court dates, but failure to receive such a notification shall not relieve the recipient of the obligation to appear or respond as required. It is the responsibility of all parties to maintain a current electronic mailbox address and memory sufficient to receive electronic transmissions or notifications from the court.
3. The court will not deny paper filings, but strongly encourages the creation of accounts within OCourt pursuant to (b)(1) and (b)(2).
4. The clerk will accept for filing an electronic document that complies with the court rules and Electronic Filing Technical Standards as adopted by the Judicial Information System committee to implement electronic filing.
5. A document that is required by law to be filed in non-electronic media may not be electronically filed.
6. Electronic Transmission from the Court. The court or clerk may electronically transmit notices, orders, or other documents to all attorneys and to parties who have filed electronically or have agreed to accept electronic documents from the court, and who have provided the clerk the address of the party's electronic mailbox. It is the responsibility of all attorneys and the filing or agreeing party to maintain an electronic mailbox sufficient to receive electronic transmissions of notices, orders, and other documents.

7. Service of documents on attorneys for parties of record may be completed electronically. The court will accept paper filing and/or service upon a showing of good cause.

c. Time of Filing, Confirmation, and Rejection.

1. An electronic document is filed when it is received by the clerk's designated computer during the clerk's business hours; otherwise, the document is considered filed at the beginning of the next business day.
2. Confirmation of receipt of an electronic document shall be issued to the filing party.
3. The clerk will reject a document that fails to comply with applicable electronic filing requirements. The clerk must notify the filing party of the rejection and the reason.

d. Authentication of Electronic Documents.

1. Procedures
 - A. A person filing an electronic document must have received a user ID and password from a Court Administrator or a person delegated by the Court Administrator for any court that utilizes the OCourt programs in order to use the applicable electronic filing service.
 - B. All electronic documents must be filed by using the user ID and password of the filer.
 - C. A filer is responsible for all documents filed with his or her user ID and password. No one shall use the filer's user ID and password without the express authorization of the filer. Any person other than the filer must affix their name to the filing.
2. Signatures
 - A. Judicial Electronic Signatures. Judicial officer may sign orders and search warrants with a digital signature as defined in GR 30 in one of the following formats:
 - i. The judicial officer affixes his or her electronic signature to the document. The document may be emailed to the intended recipients using the OCourt email options or by emailing the document to the intended recipients using the judge's and/or court staff's secure email account; The document shall then be archived to the appropriate electronic court file or the appropriate administrative electronic file on the City's secure electronic data storage system; or,
 - ii. The judicial officer affixes the electronic signature in the body of an email using the judge's secure email account; or,
 - iii. The judicial officer instructs the officer via secured email to affix the judge's signature to the search warrant; or,
 - iv. The judicial officer uses any other reliable means approved by the court by general order.
 - B. Documents may be signed by judicial officers using a facsimile of the judicial officer's signature so long as the original facsimile of the signature used in the document is only accessible by the judicial officer. The document or email may also be signed in the following format if the document or email is sent from the judge's secure email account:

Judge X
Renton Municipal Court
1055 South Grady Way
Renton, WA 98057-3232
Telephone: (425) 430-6550
Fax: (425) 430-6544

- i. The printed version of the document signed by the judge pursuant to this rule shall constitute an original document and the document shall be made part of the court file, search warrant return file, or administrative file in electronic format.
- ii. Nothing herein alters the ability of the judge to sign documents in person or delegate the affixing of signatures by others if allowed by law or court rule.

- C. Attorney Signatures. An electronic document which requires an attorney's signature may be signed with a digital signature or signed in the following manner:

s/ John Attorney, (State Bar Number)
ABC Law Firm
123 South Fifth Avenue
Seattle, WA 98104
Telephone: (206)123-4567
Fax: (206)123-4567
E-mail: John.Attorney@lawfirm.com

- D. Non-attorney signatures. An electronic document which requires a non-attorney's signature and is not signed under penalty of perjury may be signed with a digital signature or signed in the following manner:

s/ Non-Attorney
123 South Fifth Avenue
Seattle, WA 98104
Telephone: (206)123-4567
Fax: (206)123-4567
E-mail: Non.Attorney@email.com

- E. Non-attorney signatures on documents signed under penalty of perjury. Except as set forth in d(2)(F) of this rule, if the original document requires the signature of a non-attorney signed under penalty of perjury, the filer must either:

- i. Scan and electronically file the entire document, including the signature page with the signature, and maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter; or
- ii. Ensure the electronic document has the digital signature of the signer.

- F. Law enforcement officer signatures on documents signed under penalty of perjury.

- i. A citation or notice of infraction initiated by an arresting or citing officer as defined in IRLJ 1.2(j) and in accordance with CrRLJ 2.1 or IRLJ 2.1 and 2.2 is presumed to have been signed when the arresting or citing officer uses his or her user id and password to electronically file the citation or notice of infraction.
- ii. Any document initiated by a law enforcement officer is presumed to have been signed when the officer uses his or her user ID and password to electronically submit the document to a court or prosecutor through the Statewide Electronic Collision & Traffic Online Records application, the Justice Information Network Data Exchange, or the City's secure network. Unless otherwise specified, the signature shall be presumed to have been made under penalty of perjury under the laws of the State of Washington and on the date and at the place set forth in the citation.

- G. Multiple signatures. If the original document requires multiple signatures, the filer shall scan and electronically file the entire document, including the signature page with the signatures, unless:

- i. The electronic document contains the digital signatures of all signers; or
- ii. For a document that is not signed under penalty of perjury, the signator has the express authority to sign for an attorney or party and represents having that authority in the document.
- iii. If any of the non-digital signatures are of non-attorneys, the filer shall maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter.

- H. Court Facilitated Electronically Captured Signatures. An electronic document that requires a signature may be signed using electronic signature pad or other equipment or

methods that have been authorized and facilitated by the court. The document may be electronically filed as long as the electronic document contains the electronic captured signature.

3. An electronic document filed in accordance with this rule shall bind the signer and function as the signer's signature for any purpose, including CR 11. An electronic document shall be deemed the equivalent of an original signed document if the filer has complied with this rule. All electronic documents signed under penalty of perjury must conform to the oath language requirements set forth in RCW 9A.72.085 and GR 13.

e. Filing Fees, Electronic Filing Fees.

1. The clerk is not required to accept electronic documents that require a fee.
2. Anyone entitled to waiver of non-electronic filing fees will not be charged electronic filing fees.

f. Other.

Speed Measuring Device Certifications will be deemed filed with the court pursuant to IRLJ 6.6(b) at the time the document is added by the prosecutor's office to a secure website that allows the documents to be viewed by the public through a hyperlink on the court's website.

[Adopted Effective September 1, 2017; Amended Effective September 1, 2021]

RMCLR 1.7
ADOPTION OF LOCAL RULES

These rules are adopted pursuant to CrRLJ 1.7.

[Adopted Effective September 1, 2001]

RMCLR 1.8
TITLE OF RULES

These rules shall be known as Renton Municipal Court Local Rules and shall be referred to as RMCLR.

[Adopted Effective September 1, 2001]

RMCLR 1.9
GENERAL OFFICE RULES

(a) Court Hours. The Renton Municipal Court shall be in session on all judicial days from 8:00 a.m. to 12:00 Noon and 1:00 p.m. to 5:00 p.m.

(b) Court Clerk's Office. The Renton Municipal Court Clerk's Office shall be open on all judicial days 8:30 a.m. to 4:30 p.m.

(c) Temporary Orders for Protection. Motions for a Temporary Order For Protection may be filed on judicial days from 8:30 a.m. until 3:00 p.m.

(d) Forms: For a complete list of forms available from the court, please see www.rentonwa.gov/court.

[Adopted Effective September 1, 2001; Amended Effective September 1, 2002; Amended Effective September 1, 2007; Amended Effective September 1, 2011; Amended Effective September 1, 2013; Amended Effective September 1, 2014; Amended Effective September 1, 2017; Amended Effective September 1, 2018; Amended Effective September 1, 2021]

RMCLR 3.1
RIGHT TO A LAWYER

(a) The right to a lawyer shall extend to all criminal proceedings for offenses punishable by loss of liberty.

(b) Unless waived, a lawyer shall be provided to any person who is financially unable to obtain one without causing substantial hardship to the person or to the person's family. A lawyer shall not be denied to any person merely because his or her friends or relatives have resources adequate to retain a lawyer or because he or she has posted or is capable of posting bond.

(c) The ability to pay part of the cost of a lawyer shall not preclude assignment. The assignment of a lawyer may be conditioned upon partial payment pursuant to an established method of collection.

(d) The court, upon motion of a defendant, shall screen said defendant for the purposes of determining whether the defendant is indigent. The court may consider any factors regarding indigence it deems appropriate. The court may require proof of income at its discretion.

(e) A defendant may waive their right to be represented by an attorney. The court shall require all defendants entering a plea of guilty in the absence of an attorney to complete a Renton Municipal Court Waiver of Right to Attorney form. The court shall enter findings regarding whether the defendant made a knowing and voluntary waiver of an attorney before accepting a guilty plea or setting a case for trial.

[Adopted Effective September1, 2001]

RMCLR 3.1.1
WITHDRAWAL OF ATTORNEY

Pursuant to CrRLJ 3.1(e), no attorney may withdraw except upon consent of the court for good cause shown when a case has been set for trial. The motion shall be made in open court with notice to interested parties. Except in cases where withdrawal is mandated by the Rules of Professional Conduct, the court should not permit withdrawal unless there is simultaneous substitution of a lawyer who is prepared to proceed on the scheduled trial date. A substitution of counsel not mandated by the Rules of Professional Conduct which is accompanied by a motion to continue the trial date should only be granted upon actual payment of terms and/or costs.

[Adopted Effective September 1, 2001]

RMCLR 3.2
BAIL

When required to reasonably assure appearance in court for those persons arrested and detained in jail for new offenses, bail shall be set in accordance with a schedule approved by the Presiding Judge and available from the Court Administrator. Bail shall not be set for an accused arrested for new offenses of DV Assault Fourth Degree, Violation of a No Contact Order, Violation of a Protection Order or the alcohol related driving offenses of Driving Under the Influence, Physical Control or Minor Operating Motor Vehicle after Alcohol Consumption. Persons held in custody accused of the above domestic violence or alcohol related driving offenses shall personally appear before a judge the next judicial day following booking into jail.

[Amended Effective September 1, 2006; Amended Effective September 1, 2013; Amended Effective September 1, 2018]

RMCLR 3.3
VIDEO CONFERENCE PROCEEDINGS

(a) Authorization. Preliminary appearances held pursuant to CrRLJ 3.2.1(d), arraignments held pursuant to CrRLJ 3.4 and 4.1, bail hearings held pursuant to CrRLJ 3.2, and trial settings held pursuant to CrRLJ 3.3(f), may be conducted by video conference in which all participants can simultaneously see, hear and speak with each other. Such proceedings shall be deemed held in open court and in the defendant's presence for the purpose of any statute, court rule or policy. All video conference hearings conducted pursuant to this rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the Renton Municipal Court judge, judge pro-tem or court commissioner. Any party may request an in-person hearing which may be granted at the discretion of the Municipal Court judge, judge pro-tem or court commissioner.

(b) Agreement. Other trial court proceedings, including the entry of a Statement of Defendant on Plea of Guilty as provided for by CrRLJ 4.2, may be conducted by video conference only by agreement of the parties, either in writing or on the record, and upon the approval of the Renton Municipal Court judge, judge-pro tem or court commissioner.

(c) Standards for Video Conference Proceedings. The standards for video conference proceedings shall be as specified in CrRLJ 3.4(d)(3).

[Adopted Effective September 1, 2011]

RMCLR 4.1
APPEARANCE AND PLEADINGS BY ATTORNEYS

(a) Pursuant to CrRLJ 4.1, except in cases involving domestic violence or alcohol related driving crimes, an attorney may enter an appearance and/or plea of not guilty on behalf of an accused in any criminal or traffic offense if said appearance or plea is made in writing or made in open court on the record. Appearance must be accompanied by an acknowledgement by defendant that they have been advised of their rights as a person accused of a crime and have been served with a copy of the charging document.

(b) A defendant must personally appear in court in cases involving domestic violence (Assault Fourth Degree, Violation of a No Contact Order, Violation of a Protection Order).

(c) A defendant must personally appear in court for arraignment in cases where the crime charged is Driving Under the Influence of Alcohol and/or Drugs or Physical Control.

(d) Unless previously commenced by an appearance made in open court, a written appearance shall commence the running of the time periods established in CrRLJ 3.3 from the date of receipt by the court. A written appearance waiving an arraignment, but without a plea, shall be considered a plea of not guilty, made in writing or in open court, and obviates the need for further arraignment and waives any defects in the complaint other than failure to state a crime.

(e) Telephonic requests or notice by defendant or defense counsel shall not constitute an arraignment, appearance or plea, and shall not commence the time periods under CrRLJ 3.3.

[Adopted Effective September 1, 2001; Amended Effective September 1, 2013; Amended Effective September 2, 2018]

RMCLR 4.2
OFF-RECORD CONTINUANCES

The court may continue cases at the pre-trial hearing off the record at its discretion. Motions to continue cases where a prior continuation of the pre-trial hearing was approved shall be supported by a written statement.

[Adopted Effective September 1, 2001; Amended Effective September 1, 2013]

RMCLR 4.5
PETITIONS FOR DEFERRED PROSECUTION

Petitions for deferred prosecution pursuant to RCW 10.05 shall be submitted no later than seven days prior to the date of any pretrial hearing. Copies shall be served on the City of Renton Prosecuting Attorney and the court. All petitions shall be in strict compliance with the requirements of RCW 10.05. Findings of Fact, Conclusions of Law, and Order shall be submitted on Renton Municipal Court form Order Granting Deferred Prosecution now in OCourt. OCourt is defined in RMCGR 30.

[Adopted Effective September 1, 2001; Amended Effective September 1, 2014; Amended Effective September 1, 2018; Amended Effective September 1, 2019]

RMCLR 6.13
EVIDENCE

(a) Rules of Evidence. The rules of evidence are applicable to criminal prosecutions.

(b) Rules of Evidence-Infractions. The rules of evidence and statutes that relate to evidence in infraction cases shall apply to contested hearings. The court may consider the notice of infraction and any other written report made under oath submitted by the officer who issued the notice or whose written statement was the basis for the issuance of the notice in lieu of the officer's personal appearance at the hearing, unless the defendant has caused the officer to be served with a subpoena to appear.

[Adopted Effective September 1, 2001; Amended Effective September 1, 2014]

RMCLR 7.2
SENTENCING

The court shall follow the provisions of CrRLJ 7.2 on Sentencing.

[Adopted Effective September 1, 2001]

RMCLR 7.3
{Reserved}

[Adopted Effective September 1, 2014; Amended Effective September 1, 2018; Amended Effective September 1, 2019; Rescinded Effective September 1, 2021]

RMCLIR 1.0
{Reserved}

[Adopted Effective September 1, 2001; Rescinded Effective September 1, 2021]

RMCLIR 1.1
SUBPOENAS

A defendant who requests a hearing to contest the determination that an infraction was committed may file upon the court a written demand that the court subpoena the officer who issued the Notice of Infraction, or whose written statement was the basis for the issuance of the notice if the demand is filed with the court at least 14 days prior to the first setting of the contested hearing. A defendant is responsible for obtaining and serving subpoenas in accordance with IRLJ 3.1 in all other circumstances.

[Adopted Effective September 1, 2001]

RMCLIR 1.2
MOTIONS

All motions, except those motions pursuant to IRLJ 2.2(d), shall be filed with the court and served on all interested parties no later than 14 days prior to the date of the contested hearing. Failure to comply with this rule shall constitute a waiver of the motion.

[Adopted Effective September 1, 2001]

RMCLIR 1.3
OBJECTION TO HEARING DATE

A defendant who objects to the hearing date set by the court pursuant to IRLJ 2.6 shall file with the court and serve upon the City Attorney a written motion for a speedy hearing date. Such motion shall be filed and served no later than 10 days from the date of written notice of the contested hearing date. Failure to comply with this rule shall constitute a waiver of the objection.

[Adopted Effective September 1, 2001]

RMCLIR 1.4
{Reserved}

[Adopted Effective September 1, 2001; Rescinded Effective September 1, 2011]

RMCLIR 1.5
DECISIONS ON WRITTEN STATEMENTS

Request for Decision on Written Statement. If the defendant submits a timely request for a hearing to contest or mitigate an infraction, the defendant may elect to seek a decision on written statement pursuant to the provisions of IRLJ 3.5. Contested or mitigation hearings based on written statements, given under penalty of perjury as provided for in IRLJ 2.4(b)(4) and IRLJ 2.6(c) are authorized. A defendant who elects to contest or mitigate an infraction by decision on written statement shall be deemed to have waived an in-court hearing to contest or mitigate the infraction in person.

Time for Submitting Request for Decision on Written Statement. The request for a decision by written statement shall be submitted no later than five (5) days prior to the date set for the in-court mitigation or contested hearing.

Declaration for Written Statement Required. A defendant wishing to proceed by decision on written statement shall provide a written statement which sets forth the facts and/or defense(s) that the defendant would like the court to consider. A written statement submitted pursuant to this rule shall be submitted by declaration as follows: “I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct,” in a format the court provides.

Time for Examination, Factual Determination, Disposition and Notice to Parties. The time for examination, factual determination, disposition and notice to parties shall be pursuant to IRLJ 3.5(a)-(d).

No Appeal Permitted. There shall be no appeal from a decision on written statements.

[Adopted Effective September 1, 2007; Rescinded Effective September 1, 2013; Adopted Effective September 1, 2014, Amended Effective September 1, 2016; Emergency Amended Effective March 9, 2020; Amended Effective September 1, 2020]

RMCLIR 1.6
REQUEST FOR SPEED MEASURING DEVICE EXPERT

Request for Speed Measuring Device. The court shall follow the provisions of CrRLJ 6.13(d) concerning the request for a speed measuring device (SMD) expert, except that a request for a SMD expert shall be in writing and must be received by the court clerk at least seven court days prior to the original trial or hearing date.

[Adopted Effective September 1, 2001; Amended Effective September 1, 2014]

RM CIR 6.2
{Reserved}

[Adopted Effective September 1, 2018; Rescinded Effective September 1, 2021]