

## EX PARTE POLICY

Effective February 28, 2022

Given the increased volume of cases and legislative mandates, the Court's current staffing levels requires an adjustment to how ex parte matters are handled. Cases will be handled on the following priority basis:

1. Requests for ex parte temporary protection orders and extreme risk protection orders;
  2. Requests for temporary restraining orders or emergency minor guardianship orders where there is an imminent risk of physical harm to a person or child;
  3. Default motions (as set by the family law department) and bench conferences;
  4. All other requests for temporary restraining orders; and
  5. Finalizing dissolutions, default motions, estate matters, guardianship, unlawful detainers, and all other case types.
- Parties are encouraged to present agreed or default orders and set bench conferences from 9:30 a.m. – 11:30 a.m. on Monday, Wednesday, and Friday.
    - Due to the limited availability on Tuesday and Thursday, non-emergency matters presented on Tuesday and Thursday may not be reviewed on the same day. Parties are welcome to leave orders but the court cannot guarantee they will be reviewed on the same day. All orders not reviewed on the same day will be reviewed within 24 hours. Please note that the court does not have the resources and will not contact parties about the status of the orders and original orders that are not signed will not be returned. Parties should check Odyssey to obtain the status of their order.
  - Generally, only protection orders and self-represented matters will be heard after 3:00 p.m.
    - No other case types will be heard except for requests for temporary restraining orders involving imminent risk of physical harm to a person or child filed by attorneys upon showing of extraordinary and emergency circumstances. Attorneys must get advanced permission from the judicial officer in the Ex Parte court prior to setting a hearing at or after 3:00 p.m.
    - All other types of orders may be left but may not be reviewed after 3:00 p.m. Parties are welcome to leave orders after 3:00 p.m. but the court cannot guarantee they will be reviewed on the same day. All orders not reviewed on the same day will be reviewed within 24 hours. Please note that the court does not have the resources and will not contact parties about the status of the orders and original orders that are not signed will not be returned. Parties should check Odyssey to obtain the status of their order.

- All motions and bench conferences are limited to 10 minutes total.
- Contested matters requiring more than 10 minutes total shall request an assignment to an available trial court through the court administrator's office.
- Motions to strike shall be set on the assigned commissioner's family law docket and will not be heard in Ex Parte.
- Parties are encouraged to confirm that all required forms are completed and the JIS (judicial information system) background check has been completed (for parenting plans) before presenting agreed orders or orders of default in Ex Parte. Please see the Family Law Center (room 200) for more information.
  - Self-represented parties are encouraged to have their family law paperwork reviewed by the court facilitator prior to presenting it in the Ex Parte court. The courthouse facilitator can be reached at the link below or in Room 200 to schedule an appointment. <https://www.spokanecounty.org/DocumentCenter/View/32488/COVID-Family-Court-Facilitator-Office-Info19-Contacting-the-Court-Facilitator> .
- The following matters shall be presented to the assigned judge:
  - Discovery motions (including family law cases)
  - Minor settlements and Structured settlements
  - Orders where the case is assigned to a judge (except for domestic cases) – including but not limited to continuances of a revision hearing or trial (unless the judge gives expressed authorization).
- Requests to attend Ex Parte hearings by phone or video can be made by contacting the Ex Parte courtroom at 509-477-4421.