	Proposed		
<u>CR</u>	FLCR	Section Title/Rule Title	Difference Between CR and Proposed FLCR
		1. INTRODUCTORY (Rules 1-2A)	
1	1	Scope of Rules	This is rewritten to specifically describe that the new FLCRs are applicable only to Family Law actions, that the rules are to be consistent, wherever appropriate, with the CRs, that the rules apply to all participants whether or not represented by counsel, and that all references to pronouns are intended to be gender neutral.
2	2	One Form of Action	Changed to reflect "family law civil action" rather than just "civil action".
2A	2A	Stipulations	No change to Rule.
3	3	2. COMMENCEMENT OF ACTION; SERVICE OF PROCESS, PLEADINGS, MOTIONS, AND ORDERS (Rules 3-6) Commencement of Action	No change to Section title Subpart (a) is changed to reflect how family actions are commenced, changed reference from plaintiff/defendant to petitioner/respondent, changed reference from complaint to petition. No change to remaining subparts.
4	4	Process	Substantial rewrite to incorporate CR 4 and 4.1 and 4.2 into one rule specific to family law actions, changed reference from plaintiff/defendant to petitioner/respondent, changed reference to complaint to petition. Note where the existing CR has a subpart that is not applicable to family law, the FLCR notes "Does not apply to Family Law" as in FLCR 4(e)(4).
4.1		Process - Domestic Relations Actions	Recommending CR's eliminate/repeal CR 4.1 upon approval of FLCRs.
4.2		Process- Limited Representation	Recommending CR's eliminate/repeal CR 4.2 and combine into CR 4 as reflected in the proposed FLCRs.
5	5	Service and Filing of Pleadings and Other Papers	Changed references from plaintiff/defendant to petitioner/respondent, changed references from affidavit alone to "affidavit or declaration". At FLCR 5(d)3) - eliminated last phrase regarding notification to attorney before leaving his office.
6	6	<u>Time</u>	Changed references from "affidavit" alone to "affidavit or declaration"; rewrite of FLCR 6(d) to be more clear and applicable to family law actions and added subparts 6(d)(1) through (3); added placeholder 6(f) to allow local court rules to have a specific number for court scheduling rules statewide.
		3. PLEADINGS AND MOTIONS (Rules 7-16)	No change to Section Title.
7	7	Pleadings Allowed; Form of Motions	Rewrite of 7(a) to be applicable to family law. Partial rewrite of 7(b)(5) to make applicable to family law. Replace use of affidavit alone with "affidavit or declaration". Added new subparts 7(e) and 7(f) that are applicable to family law.

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8	8	General Rules of Pleading	Changed use of term "denial" to "response" and term "averment" to "allegation"; struck in 8(c) those areas not applicable to family law; removed reference to appendix in
9	9	Pleading Special Matters	8(f); added new subpart 8 (g). Changed use of term "aver" to "allege" and term "averment"
	,	1 Raung Special Matters	to "allegation"
10	10	Form of Pleadings and Other Papers	A significant re-do of the rule to make more family law specific and to reduce the number of references to rules elsewhere, rewrote or reproduced applicable information in 10(d), (f) and (g) within the FLCR and added placeholder (h) for use by local courts for local rule standardization.
		Signing and Drafting of Pleadings, Motions, and	Changed references from affidavit alone to "affidavit or
11	11	Legal Memoranda: Sanctions	declaration"
12	12	Defenses and Objections	Changed references from complaint to petition; answer to response; plaintiff/defendant to petitioner/respondent; removed reference to judgment on the pleadings in subparts 12(c) and (d) as appropriate.
13	13	Counterclaim and Cross Claim	Eliminated rules not applicable to family law such as subparts ((j) and (k) by denoting these as being "reserved" placeholders and indicating "does not apply to family law".
14	14	Third Party Practice	Changed reference from "answer" to "response" and eliminated 14(c) as being inapplicable to family law.
15	15	Amended and Supplemental Pleadings	No change to Rule.
16	16	Pretrial Procedure and Formulating Issues	Removed all reference to matters involving a jury; added new subpart (c) on automatic discovery exchange; added new subpart (d) authorizing local courts to initiate automatic temporary restraints
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		4. PARTIES (Rules 17-25)	No change to Section Title
17	17	Parties Petitioner and Respondent; Capacity	Changed references from plaintiff/defendant to petitioner/respondent; added clause in 17(c)(1) to differentiate GALs in family law versus those strictly under the statute (4.08), and indicated subparts (d) thru (f) do not apply to family law.
18	18	Joinder of Claims and Remedies	Rule does not apply to family law - indicated this but left rule as a placeholder to keep numbering consistent with CRs
19	19	Joinder of Persons Needed for Just Adjudication	No change except to note that subpart 19(d) does not apply to family law.
20	20	Permissive Joinder of Parties	No change to rule.
21	21	Misjoinder and Nonjoinder of Parties	No change to rule.
22	22	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
23	23	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.

23.1	23.1	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
23.2	23.2	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
24	24	Intervention	No change to rule.
25	25	Substitution of Parties	No change to rule except to note that subpart (25)(d) does not apply to family law.
		5. DEPOSITIONS AND DISCOVERY (Rules 26-37)	No change to Section Title.
26	26	General Provisions Governing Discovery	No change to Rule except to note that subpart 26(j) does not apply to family law and added new subpart 26(k) on discovery exchange cross-reference to Rule 16.
27	27	Perpetuation of Testimony	No change to Rule.
28	28	Persons Before Whom Depositions May Be Taken	Changed reference to "Inferior Judicial Officers" to "Judicial Officers of Courts of Limited Jurisdiction" to be more respectful otherwise no change to Rule.
29	29	Stipulations Regarding Discovery Procedure	No change to Rule.
30	30	Depositions Upon Oral Examination	No change to Rule.
31	31	Depositions Upon Written Questions	No change to Rule.
32	32	Use of Depositions in Court Proceedings	No change to Rule.
33	33	Interrogatories to Parties	No change to Rule.
34	34	Production of Documents and Things and Entry Upon Land for Inspection and Other Purposes	No change to Rule.
35	35	Physical and Mental Examination of Persons	No change to Rule.
36	36	Requests for Admission	No change to Rule.
37	37	Failure To Make Discovery: Sanctions	No change to Rule.
		6. TRIALS (Rules 38-53.4)	No change to Section Title.
38	38	Jury Trial of Right [Reserved.]	Eliminated rule due to Jury reference but left as a placeholder awaiting instructions from CR committee as to format for purposes of rule title for consistency
39	39	Trial By The Court	Changed rule title to eliminate reference to Jury; changed rule to indicate all family law matters are tried to the bench without a jury.
40	40	Assignment of Cases	Changed reference of complaint/answer to petition/response; plaintiff/defendant to petitioner/respondent; affidavit to affidavit or declaration; and added new subpart 40(g).
41	41	Dismissal of Actions	Removed reference to trial by jury in subpart 41(b)(3)
42	42	Consolidation; Separate Trials	Removed reference to trial by jury in subpart 42(b)
43	43	Taking of Testimony	Changed reference to divorce to dissolution of marriage or domestic partnership in subpart 43(d)(2); changed reference from affidavit to affidavit or declaration; changed reference from answer to response in 43(f)(3); removed references to
			jury in subparts 43(g) and (j)
44	44	Proof of Official Record	No change to Rule.

44.1	44.1	Determination of Foreign Law	No change to Rule.
17.1	11.1	Determination of Foreign Law	No change to Rule (except to properly format the rule because
45	45	Subpoena	it continues to be oddly set forth in both the West book and on-line at the court's website)
46	46	Exceptions Unnecessary	No change to Rule.
47	47	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
48	48	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
49	49	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
50	50	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
51	51	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
52	52	Decisions, Findings and Conclusions	Removed all references to juries; eliminated subpart 52(a)(2)(B) because the statute that is referenced is no longer the same, the info is strictly related to family law and should only be in the FLCRs, and it is wrong; we proposed to leave (B) as a placeholder without anything other than "repealed" adjacent to it in the CRs and the FLCRs.
53	53	Masters [Reserved)	No change to Rule.
53.1	53.1	Referees	No change other than to indicate which subparts do not apply to family law.
53.2	53.2	Court Commissioners	No change to Rule.
53.3	53.3	Appointment Of Masters In Discovery Matters	No change to Rule.
53.4	53.4	[Reserved.]	Does not apply to family law - left as placeholder but without a title - awaiting feedback from CR committee to determine best (and consistent) way to reflect this type of situation.
		7. JUDGMENT (Rules 54-63)	No change to Section Title.
54	54	Judgments and Costs	Changed reference to affidavit to affidavit or declaration
55	55	Default and Judgment	Changed references from affidavit to affidavit or declaration, from aver or averment to allege or allegation, removed reference to jury matters, changed answering to responding
56	56	Summary Judgment	Changed references from affidavit to affidavit or declaration

57	57	Declaratory Judgments	Does not apply to family law - left as placeholder but with a title - awaiting feedback from CR committee to determine best
			(and consistent) way to reflect this type of situation.
58	58	Entry of Judgment	No change to Rule.
56	30	Entry of suagment	TWO Change to Traile.
			Removed references to jury matters; eliminated subpart
59	59	New Trial, Reconsideration, and Amendment of	59(a)(2) regarding jury situations; eliminated 59(a)(5) as not
37	37	<u>Judgments</u>	being relevant to family law; and changed references from
			affidavit to affidavit or declaration
60	60	Relief From Judgment or Order	Changed references from affidavit to affidavit or declaration
61	61	Harmless Error [Reserved]	No change to Rule.
01	Ų I	Harmiess Error (Reserved)	The change to rain
			Removed reference to directed verdicts in subpart 62(b); note
62	62	Stay of Proceedings To Enforce a Judgment	that there is a gap in the subparts in the CRs - no (c), (d), (e) or
			(g)??? - we left the same in FLCRs
63	63	Judges	No change to Rule.
05	05	oudges	Tro change to haid.
		8. PROVISIONAL AND FINAL REMEDIES	
		(Rules 64-71)	No change to Section Title.
64	64	Seizure of Person or Property	No change to Rule.
	04	Seizure of reison of Troperty	Removed reference to jury matters in subpart 65(a)(2) and
65	65	<u>Injunctions</u>	replaced affidavit with affidavit or declaration
65.1	65.1	SecurityProceedings Against Sureties	No change to Rule.
66	66	Receivership Proceedings	No change to Rule.
67	67	Deposit in Court	No change to Rule.
68	68	Offer of Judgment	No change to Rule.
69	69	Execution	No change to Rule.
70	70	Judgment for Specific Acts; Vesting Title	No change to Rule.
70.1	70.1	Appearance by Attorney	No change to Rule.
71.1	71	Withdrawal by Attorney	No change to Rule.
7.1	,,,	Withdrawar by Attorney	The change to hair.
		9. APPEALS (Rules 72-76) [Reserved]	No change to Section Title.
		5.711 E/LES (Rules 72-70) [Reserved]	The change to occurr have
		10. SUPERIOR COURTS AND CLERKS (Rules	
	:	77-80)	No change to Section Title.
		77-00)	No change to section ride.
77	77	Superior Courts and Judicial Officers	Changed reference from Inferior Judicial Officers to Judicial
.,	1	Superior Courts and Sudiciar Officers	Officers of Courts of Limited Jurisdiction in subpart 77(c)(6)
78	78	Clerks	Changed reference from affidavit to affidavit or declaration
79	79	Books and Records Kept by the Clerk	No change to Rule.
80	80	Court Reporters	No change to Rule.
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			Changed Section Title to provide room thru Rule 99 for
		11. GENERAL PROVISIONS (Rules 81-99)	expansion of the CRs if needed.
81	81	Applicability in General	Changed rule to make it family law specific.
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82	82	<u>Venue</u>	Changed reference from affidavit to affidavit or declaration
82.5	82.5	Tribal Court Jurisdiction	No change to Rule.
83	83	Local Rules of Court	Changed rule to make it family law specific.
84	84	Forms [Reserved)	No change to Rule.
85	85	Title of Rules	Changed rule to make it family law specific.
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86	86	Effective Dates	Changed rule to make it family law specific.
		12. OTHER FAMILY LAW PROVISIONS (Rules 100-114)	New Section Title for Family Law Specific Subject matter most of which would be promulgated in the future but which now have placeholders.
	100	Alternative Dispute Resolution in Family Law Matters	New rule
	101	Courthouse Facilitators	New rule
	102	Extra-Judicial and Informational Services	New rule
	103	Adoptions	New rule - recommend repealing/eliminating SPR 93.04W
	104	Access to Court Records [Reserved. See GR 22 and 37]	New rule - placeholder
	105	Financial Provisions [Reserved.]	New rule - placeholder
	106	Provisions [Reserved.]	New rule - placeholder
	107	Protection Orders [Reserved.]	New rule - placeholder
	108	Marriage Age Waivers [Reserved.]	New rule - placeholder
	109	Emancipation of Minors [Reserved.]	New rule - placeholder
	110	Unified Family Courts [Reserved.]	New rule - placeholder
	111	Title 26 RCW Guardians Ad Litem [Reserved. See GALR 1-7.]	New rule - placeholder
		Parenting and Psychological Evaluations	
	112	[Reserved.]	New rule - placeholder
	113	_	New rule
-	114	Relocation [Reserved.]	New rule - placeholder