

**YAKIMA COUNTY SUPERIOR COURT
LOCAL GENERAL RULES
Effective January 1, 2024**

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LOCAL GENERAL RULES

**LGR 7
RULEMAKING PROCEDURE**

(g) Definitions. As used in this rule, the following terms have these meanings:

- (1) “Judges” means the Superior Court Judges of Yakima County.
- (2) “President” means the President of the Yakima County Bar Association.
- (3) “Association” means the Yakima County Bar Association.

(h) Initiation of Rules Changes.

- (1) Any person may recommend to the Judges the adoption of any changes in the Local Rules of the Superior Court.
- (2) The text of all proposed rules shall be typed and the purpose and the necessity for the proposed rule shall be stated.
- (3) If the proposed rule affects an existing rule, this should be so stated and the effects on the existing rule shall be clearly set forth.

(i) Receipt of Proposed Rules by Superior Court.

- (1) Proposed rule changes may be submitted to any Judge who shall immediately transmit them to the Presiding Judge or the Chair of the Court’s Rules Committee.
- (2) The Presiding Judge or the Rules Committee shall present such proposed rule changes to the Judges at their next regular meeting.

(j) Action by Superior Court.

- (1) All action taken with respect to any proposed rule shall be by a majority of the Judges.
- (2) If a proposed rule is amended or rejected by the Judges, the individual, the Association or committee submitting it will be notified in writing.

(3) If a proposed rule is approved pending adoption, a copy of said rule shall be published by transmitting to the President for dissemination to the Association and by posting on the [Court's website](#).

(k) Comment on Proposed Rule. Any person may comment on any proposed rule change. Such comment shall be in writing and directed to the Presiding Judge or the Chair of the Court's Rules Committee.

(l) Schedule for Proposed Rules. Except as otherwise provided, the following schedule shall be used for adopting local rules:

- (1) April 1: Deadline for submitting proposed rule changes to the Judges for adoption effective the subsequent September 1.
- (2) April 15: Judges to publish proposed rules by transmitting them to the President.
- (3) June 1: Deadline for comments on proposed rule changes.
- (4) June 25: Deadline for final action by Judges.

(m) Final Adoption, Distribution and Effective Dates.

- (1) The Judges will adopt, amend or reject a proposed rule or take such other action as they deem appropriate.
- (2) All adopted rules shall be filed with the State Administrative Office of the Courts and shall be posted on the [Court's website](#). Copies may be made available to the members of the Association and the public at cost.
- (3) All proposed rules shall become effective September 1 following their adoption, unless an emergency determined by the Judges necessitates a different effective date.

(n) Miscellaneous Provisions. The Judges, in their discretion, may adopt, amend, or rescind a rule without following the procedures set forth in this rule.

[Adopted effective January 14, 1991; Amended effective July 16, 1992; September 1, 2020.]

LGR 16

COURTROOM PHOTOGRAPHY AND RECORDING BY THE NEWS MEDIA

Yakima County has expanded the number of case types it will hear remotely to ensure the safety and well-being of Court staff, counsel, parties, and members of the public, due to the COVID-19 virus outbreak. In order to comply with State Constitutional requirements of open courts, the Superior Court has established a livestream access on its website to hearings conducted via videoconference software. It is intended the streamed video feed shall not be considered an official record of the hearing. Expanding upon the prohibitions contained in [GR 16](#), the Court adopts the following:

(a) The prohibition on recording proceedings of the Superior Court without prior permission extends to recording the audio or video of remote proceedings streamed to the internet.

(b) All lawyers, litigants, participants or observing members of the press or public are prohibited from taking photographs or recordings or recording video or audio during remote proceedings, except with the written authorization by the Presiding Judge or by the judge conducting the hearing.

(c) No person participating in or listening to such a proceeding may rebroadcast, live-stream, or otherwise disseminate any live or recorded audio or video of the court proceeding, except with written authorization by the Presiding Judge or of the judge conducting the hearing.

(d) Violation of this Local Rule may subject the offender to removal, contempt of court, and such other penalties as are provided by law.

[Adopted as an emergency rule effective June 18, 2020; adopted as a permanent rule effective September 1, 2020; Amended September 1, 2021.]

LGR 29

PRESIDING JUDGE AND COURT GOVERNANCE

(a) Election, Term, Vacancies, Removal and Selection Criteria.

(1) *Election.* In the last quarter of each calendar year, the judges of the court shall meet for elections for court governance positions. Election shall be by a majority of judges present. The positions are and shall be elected in this order:

- (A) The Presiding Judge;
- (B) The Assistant Presiding Judge;
- (C) The Executive Committee Judge; and
- (D) The Juvenile Presiding Judge.

(2) *Term of Office.* The Presiding Judge and the Assistant Presiding Judge shall each be elected to terms of two calendar years. The Executive Committee Judge and the Juvenile Presiding Judge shall be elected to terms of one calendar year. All may serve consecutive terms.

(3) *Vacancy.* If a vacancy occurs during the term of any of the above positions, the judges shall immediately elect another judge to fill the vacancy and fill the term.

(f) Duties and Authority of the Presiding Judge.

(1) *Delegation.* The Presiding Judge may delegate any of the duties and responsibilities listed in [GR 29\(e\)](#) and [\(f\)](#) to the Assistant Presiding Judge, the Executive Committee, and/or the Director of Court Services.

(2) *Quarterly Meetings.* The Presiding Judge shall convene all judges quarterly, or as needed, to advise the judges of developments concerning the court. The Director of Court Services will distribute an agenda to all judges before each meeting. The Presiding Judge may exclude the Director of Court Services and court commissioners from any part of the meeting.

(3) *Vote by the Judges.* The Presiding Judge may determine that a matter should be brought to the vote of all judges; otherwise, the opinions of the judges not on the Executive Committee are advisory only. If a matter is brought to all the judges for a vote, a quorum of

the judges shall resolve such issues by majority vote. Prior notice of the issue to be determined must be given before a quorum exists. Court commissioners may not vote.

(g) Executive Committee.

(1) *Members.* The Executive Committee shall consist of the Presiding Judge, Assistant Presiding Judge, the Juvenile Presiding Judge, and the Executive Committee Judge.

(2) *Duties.* The Executive Committee shall share in all the responsibilities of the Presiding Judge, including any responsibilities and duties established by state court rule. The Executive Committee shall assist the Presiding Judge with responsibilities and duties established by [GR 29\(e\) and \(f\)](#).

(3) *Voting.* Each member of the Executive Committee shall have one vote and shall resolve issues by majority vote. If there is a tie vote, the Presiding Judge shall decide the issue.

[Adopted effective November 1, 2002; Amended effective September 1, 2018; September 1, 2019; September 1, 2020.]

LGR 31 ACCESS TO COURT RECORDS

(d) This local rule is made to eliminate conflicts regarding the authority to grant access to court files and to improve the efficiency of the business of the courts.

Access to all court files and documents by employees of Yakima County Superior Court and Yakima County Juvenile Court shall be determined by any of the following: Director of Court Services, Presiding Judge of Yakima County Superior Court, and/or the Executive Committee for Yakima County Superior Court, who all possess the necessary knowledge and understanding of the business of the court. Allowing individuals or other departments to control access without an understanding of local court business practices would unduly burden the administration of the court.

[Adopted effective December 12, 2016; Amended effective September 1, 2017; September 1, 2020.]

LGR 101 ELECTRONIC AND DIGITAL EVIDENCE

(a) Jury Trials. This rule only applies to cases that will be tried to a jury.

(b) Requirements. The proponent of electronic evidence shall:

(1) Ensure that the electronic evidence is readily available to the court for pretrial and post-trial hearings, for publication during the trial in the courtroom and for review by the jury in the jury room during deliberations.

(2) Provide all equipment necessary for the proponent to comply with this rule. The court may have some equipment available. The proponent must contact the court administrator at least seven days prior to the hearing or trial if the proponent seeks to use the court's

equipment. Additionally, the proponent must check with the court administrator before any media is played on, or imported into, a county-owned computer.

(3) Ensure that all electronic evidence is in a format that is readily available to the court. The use of proprietary software for which the court does not possess a license is not allowed.

(4) If the proponent of evidence wants to publish only a portion of electronic evidence, such as a segment of an audio or video file, the proponent must propose an exhibit containing only the portion of the evidence that will be published to the jury. If the court rules that a portion of a proposed exhibit is inadmissible, the proponent must submit two versions of the exhibit, the original exhibit as well as a version with the inadmissible sections redacted. The two versions must be contained on separate media and marked separately.

(5) Electronic evidence that is marked, but not admitted, must be stored on media that is separate from media on which admitted electronic evidence is stored.

(c) Definition. For purposes of this rule, “electronic evidence” includes, but is not limited to, (1) digital or analog audio files, (2) digital or analog video files, and (3) digital or analog image files.

(d) Enforcement. In the discretion of the court, failure to comply with this rule may be grounds for exclusion of the evidence and/or imposition of terms against the proponent of the evidence. If inadmissible evidence is published to the jury in violation of this rule, the court may declare a mistrial where appropriate.

[Adopted effective September 1, 2023.]