

LCR 53.2 COURT COMMISSIONERS

(e) Revision by Court.

(1) *Scope of Rule.* This rule applies to all motions for revision, whether the court commissioner presided over a hearing at Main Campus or at Family & Juvenile Court.

(2) *Filing and Service Deadline.* A motion for revision must be filed within ten days after the commissioner's order or judgment is entered (RCW 2.24.050) and must be served in the manner and time required by all other applicable rules.

(3) Transcripts.

(A) A party moving for revision must provide a copy of the transcript of the hearing before the court commissioner, unless:

(i) they have presented to the court commissioner proposed findings of fact and conclusions of law to support the order or judgment (The Administrative Office of the Court-approved form Order of Child Support and Child Support Worksheets may constitute findings of fact and conclusions of law for motions for revision on issues of child support); and

(ii) there was no live testimony heard before the court commissioner.

(B) A party moving for revision is responsible for ensuring that the transcript of the proceedings is filed with the court at least six court days before the hearing for the motion. To order the transcript, the moving party must contact the official court reporter who is assigned to the case within five days of filing the motion for revision. The moving party is responsible for paying for the transcript or obtaining a fee waiver if they are indigent.

(4) *Form of Motion.* The moving party shall specify each portion of the findings, conclusions and/or order to be revised and identify each document before the court commissioner at the time of hearing.

(5) *Hearing on Motion.* At the time a motion for revision is filed, the moving party shall schedule a hearing by filing a notice of hearing. The hearing on the motion for revision shall be scheduled to occur within 30 days after the motion for revision is filed, unless the court orders otherwise for good cause as provided in this rule.

(A) Family & Juvenile Court. Revision motions for matters heard at the Family & Juvenile Court shall be scheduled on the Family & Juvenile Court revision calendar.

(B) Main Campus. Revision motions for matters heard at Main Campus shall be scheduled on the assigned judge's civil motion calendar if a judge is assigned. If the case does not have a judge assignment, the party shall schedule the hearing on the out

of custody criminal miscellaneous motions calendar.

(6) *Timely Hearing*. A hearing on a motion for revision shall be conducted within 45 days after the order at issue is entered unless the court grants a continuance for good cause. A motion to continue the hearing must include reasons to support the motion and an explanation of whether a transcript has been timely requested and whether the transcript is ready. Agreed motions may be presented ex parte.

(7) *The Record*. The motion for revision shall be heard upon the record before the court commissioner.

(8) *Judge's Copies*. The moving party shall provide judge's copies of the transcript and each document called to the attention of the court commissioner during the hearing(s) giving rise to the revision.

(9) *Scope of Motion*. The court may revise any order or judgment that is related to the issues raised by the motion for revision (for example, all issues related to child support, or all issues related to the parenting plan). The court will not consider issues that are not related to the motion for revision without a separate motion, except:

(A) the court may consider requests for attorney fees by either party for the revision proceedings; and

(B) the court may consider issues in the original order when the motion for revision is filed for an order denying a motion for reconsideration.

(10) *Effect of Motion*.

(A) When a motion for revision is timely filed, the court commissioner loses jurisdiction to conduct further proceedings or enter orders on issues that are the subject of the revision proceeding until the revision proceeding is completed, except findings of fact and conclusions of law required by this rule.

(B) A court commissioner's order or judgment shall be effective upon entry of an order or judgment unless stayed by court order pending hearing on a motion for revision.

[Adopted effective September 1, 2015; Amended effective September 1, 2016; September 1, 2017; September 1, 2018; September 1, 2019; September 2, 2022; September 1, 2024.]