

Local Rules Task Force <u>CHARTER</u>

Preamble

In Washington's recent history, there have been two significant efforts to address the proliferation of local court rules and their effect on the administration of justice. In the first effort, former Chief Justice Keith Callow proposed abrogating the authority of individual courts to enact local rules, urging that all courts operate under uniform court rules of statewide applicability. In the second effort, former Justice Philip Talmadge convened a "Model Local Rules" Committee (later chaired by Justice Charles Johnson) to develop a set of local rule drafting standards, with the intent to make local rules as uniform as possible. Neither of these efforts resulted in any change to the local rules system in Washington, although the product of the Model Local Rules Committee is still available and possibly viable as a model.

In 2006 a coalition of eight WSBA sections asked the WSBA Court Rules and Procedures Committee to consider the impact of the proliferation of local rules on lawyers who practice in multiple counties. This coalition recommended abolition of all local rules with the exception of those governing docket management. The Court Rules and Procedures Committee suggested to the Board of Governors that a special task force be convened to evaluate this issue.

<u>Charter</u>

The Local Rules Task Force is created to review the purpose and function of local rules, the impact of local rules on courts, litigants (both pro se and represented) and the trial bar, and possible means to mitigate the detrimental effects of the ever-increasing number of local rules on lawyers practicing in multiple courts. The Local Rules Task Force should review the model local rules and practices in other non-unified states to develop recommendations on possible improvements or modifications to Washington's local rulemaking process and authorizations, in addition to looking at the work product of the earlier efforts in this state to stem the proliferation of local rules. In discharging its mission under this charter, the Task Force shall be mindful of the directive in Rule 1 of the Rules of Civil Procedure that the rules of court "shall be construed and administered to secure the just, speedy, and inexpensive determination of every action."

<u>Timeline</u>

The Task Force should complete its work and bring recommendations to the Board of Governors by spring 2009.