

Yakima Municipal Court is publishing the following proposed court rules in accordance with GR 7(b)(1). Comments regarding the proposed changes may be sent to YKMCourtRuleComments@yakimawa.gov on or before June 26, 2026. Please note, any comment received will be published on the Yakima Municipal Court website.

**YAKIMA MUNICIPAL COURT
PROPOSED LOCAL RULES**

ADMINISTRATIVE LOCAL RULES – YMLAR

30 Electronic Filing and Service (AMENDED)

CRIMINAL RULES – YMLCrRJ

2.6 Recall of Bench Warrants and Resetting Cases (AMENDED)

3.2 Release of Accused (AMENDED)

3.3 Time for Trial (AMENDED)

YMLAR 30 – ELECTRONIC FILING AND SERVICE

(a) Definitions.

- (1) “OCourt” is an electronic scheduling forms program that integrates with JIS and allows for the electronic filing of certain court forms into a local document storage system.

(b) Electronic Filing Authorization, Exception, Service, and Technology Equipment.

- (1) While JIS remains the official repository of case information, the court uses OCourt as a means to facilitate electronic preparation and/or filing of certain court forms. Attorneys and other involved parties may set up password protected accounts that will allow for transmission of data and documents to the court and to the parties as provided in (b)(2). Permission to access the program is given based upon the profile of the user. The court determines the level of security allowed by the user. The court may choose to update data in OCourt from other sources to maintain consistency with JIS data, but it is the primary responsibility of the account holder to keep all personal contact information in the account updated and accurate.
- (2) The court will not deny paper filings, but strongly encourages the creation of accounts within OCourt pursuant to (b)(1).
- (3) *Electronic Transmission from the Court.* The Court or clerk may electronically transmit notices, orders, or other documents to all attorneys and to parties who have filed electronically or have agreed to accept electronic documents from the Court, and who have provided the clerk the address of the party’s electronic mailbox. It is the responsibility of all attorneys and the filing or agreeing party to maintain an electronic mailbox sufficient to receive electronic transmissions of notices, orders, and other documents.
- (4) Service of documents on attorneys for parties of record may be completed electronically.

(c) Time of Filing, Confirmation and Rejection.

- (1) An electronic document is filed when it is received by the clerk's designated computer during business hours; otherwise, the document is considered filed at the beginning of the next business day.
- (2) If requested, the clerk shall send confirmation of receipt of an electronic document to the filing party.
- (3) The clerk shall reject a document that fails to comply with applicable electronic filing requirements. The clerk must notify the filing party of the rejection and the reason.

(d) Authentication of Electronic Documents.

(1) *Procedures.*

- (A) A person filing an electronic document must have received a user ID and password from the Court Services Manager or a person delegated by the Court Services manager for any court that utilizes the OCourt programs in order to use the applicable electronic filing service.
- (B) All electronic documents must be filed by using the user ID and password of the filer.
- (C) A filer is responsible for all documents filed with his or her user ID and password. No one shall use the filer's user ID and password without the express authorization of the filer. Any person other than the filer must affix their name to the filing.

(2) *Signatures.*

- (A) Judicial Electronic Signatures. Judicial officers may sign orders or search warrants with a digital signature as defined in GR 30 in one of the following formats:
 - (i) The judicial officer affixes his or her electronic signature to the document. The document may be emailed to the intended recipients using OCourt email options or by emailing the document to the intended recipients using the judge's and/or

court staff's secure email account; the document shall be archived to the appropriate electronic court file on the City's secure electronic data storage system; or

(ii) The judicial officer affixes the electronic signature in the body of an email using the judge's secure email account; or

(iii) The judicial officer instructs the officer via secured email to affix the judge's signature to the search warrant; or

(B) The document or email may also be signed in the following format if the document or email is sent from the judge's secure email account:

Judge X

Yakima Municipal Court

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Yakima, WA 98901

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(i) The printed version of the document signed by the judge pursuant to this rule shall constitute an original document and the document shall be made part of the court file, search warrant return file, or administrative file in the electronic format.

(ii) Nothing herein alters the ability of the judge to sign documents in person or delegate the affixing of signatures by others if allowed by law or court rule.

(C) Law Enforcement Signatures on Documents Signed Under Penalty of Perjury.

(i) A citation or notice of infraction initiated by an arresting or citing officer as defined in IRLJ 1.2(j) and in accordance with CrRLJ 2.1 or IRLJ 2.1 and 2.2 is presumed to have been signed when the arresting or citing officer uses his or her user ID and

password to electronically file the citation or notice of infraction.

(ii) Any document initiated by a law enforcement officer is presumed to have been signed when the officer uses his or her user ID and password to electronically submit the document to a court or prosecutor ~~through the Statewide Electronic Collision & Traffic Online Records (SECTOR) application,~~ **a statewide electronic collision and traffic records program provided by the Washington State Patrol,** the Justice Information Network Data Exchange, or the City's secure network. Unless otherwise specified, the signature shall be presumed to have been made under the penalty of perjury under the laws of the State of Washington and on the date and at the place set forth in the citation.

(D) Court Facilitated Electronically Captured Signatures. An electronic document may be signed using an electronic signature pad or other equipment or methods that have been authorized and facilitated by the court. The document may be electronically filed as long as the electronic document contains the electronic captured signature.

(3) An electronic document filed in accordance with this rule shall bind the signer and function as the signer's signature for any purpose, including CR 11. An electronic document shall be deemed the equivalent of an original signed document if the filer has complied with this rule. All electronic documents signed under penalty of perjury must conform to the oath language requirement set forth in RCW 9A.72.085 and GR 13.

(e) Other. Speed Measuring Device Certifications will be deemed filed with the court pursuant to IRLJ 6.6(b) at the time the document is added to the court website to allow the documents to be viewed by the public.

[Adopted effective September 1, 2025, amended effected September 1, 2026.]

YMLCrRLJ 2.6 – RECALL OF BENCH WARRANTS AND RESETTING CASES

A defendant who is charged with a criminal violation and has an outstanding bench warrant in the Yakima Municipal Court may address the warrant in one of the following manners:

- (a) Unless specifically prohibited by the Court at the time the warrant was ordered, personally appear at the Clerk's Office and pay the amount of the warrant fee in cash; or
- (b) Post full cash bail amount or post bond with the Court; or
- (c) Contact his/her attorney to file a motion to quash the bench warrant. If the defendant is not represented by counsel, he or she may file a written request to recall the warrant with the court. Motion should include explanation and/or supporting documentation for failure to appear; or
- (d) Turn self into the Yakima Police Department.

If defendant quashes bench warrant pursuant to subsections (a) – (c) of this rule, the defendant shall appear **in-person** as ordered by the court.

[Adopted effective September 1, 2025; amended effective September 1, 2026.]

YMLCrRLJ 3.2 – RELEASED OF ACCUSED

(a) The Court adopts the following bail schedule pursuant to CrRLJ 3.2(b)(7) and CrRLJ 3.2(O): A defendant who is detained in jail after the initial arrest for a misdemeanor or gross misdemeanor shall be released upon posting bail in the amount \$500 for a misdemeanor and \$1000 for a gross misdemeanor unless examination of factors under CrRLJ 3.2 necessitates higher than standard bail, and except for the following exceptions:

(1) Domestic Violence Cases. A defendant arrested on domestic violence offences, shall be detained without bail until arraignment on the next judicial day. Standard bail for domestic violence cases after arraignment shall be \$1,000, but the court may reduce or increase the amount of bail in an individual case giving due consideration to the factors specified in CrRLJ 3.2.

(2) Driving Under the Influence/Physical Control. Defendants shall be held without bail pending hearing the next court day following booking for Driving Under the Influence (RCW 46.61.502) or Physical Control of a Motor Vehicle While Under the Influence (RCW 46.61.504) if the arresting officer:

(A) has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years;

(B) has knowledge, based on a review of the information available to the officer at the time of arrest, that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense as defined in RCW 46.61.5055 if it were a conviction.

(3) Other Non-Bailable Offenses Pending First Court Appearance by Defendant. Unless subject to a probable cause determination under CrRLJ 3.2.1(a), defendants shall be held without bail pending hearing the next court date following booking for these crimes:

(A) Assault in the Fourth Degree (RCW 9A.36.041)

(B) Harassment (RCW 9A.46.020)

(C) Violation of Anti-Harassment Order (RCW 9A.46.040)

(D) Stalking (RCW 9A.46.110)

(E) Communicating with a Minor for Immoral Purposes (RCW 9.68A.090)

(b) If the defendant posts sufficient bond or cash for release prior to his or her appearance in court, the defendant shall sign the promise to appear set forth in the release form as part of the release process.

(1) Cash deposited as bail is presumed to be the property of the accused regardless of who actually made such deposit. Such bail may be forfeited or applied to any fines and assessments.

(2) Upon the non-appearance of a defendant at the time and place scheduled by the court and a warrant of arrest issued, the defendant's bail or bond may be ordered forfeited with or without further proceedings.

(c) A bailor may request a hearing pursuant to these rules by filing a request in person and in writing with the Court within 30 days of the entry of the order forfeiting such bail. Such bailor shall have the burden of proving by a preponderance of evidence that the bail was either unjustly forfeited or that the funds were neither the property of nor a gift to the defendant.

(1) At such hearing, the Court may consider written evidence, properly presented, such as promissory notes or loan statements, but such evidence alone shall not be deemed decisive.

[Adopted effective September 1, 1997; amended effective September 1, 2000; September 1, 2009; September 1, 2010; September 1, 2025; September 1, 2026.]

YMLCrRLJ 3.3 – TIME FOR TRIAL

- (a) Scheduling. Each criminal case set for trial shall be scheduled for a disposition hearing before trial. Failure of the Defendant to appear at the disposition hearing shall be grounds for striking any trial date and issuance of a warrant for the Defendant's arrest.
- (b) At the disposition hearing, each party shall file a witness list with the court and provide a copy to opposing counsel.
- (1) Parties shall give notice to the court if any witnesses require the assistance of a foreign language interpreter. Notice shall include the required language.
- (c) Any case confirmed for jury trial, by both parties shall be set for a confirmation hearing the next Wednesday, prior to the jury trial, at 10:00 a.m. in Courtroom #2.
- (1) Failure of a party to confirm the jury trial as required shall cause the case to be stricken as a jury trial.
- (2) The Court finds good cause to require the defendant's appearance at the confirmation hearing. Failure to appear shall be grounds for striking the trial date and issuing a bench warrant for the Defendant's arrest.
- (d) Scheduled and confirmed jury trials shall proceed and be called according to the priority of time for trial limits under CrRLJ 3.3. In the event of more than one jury trial being scheduled and confirmed, cases having a lower priority shall be set as trailing, to be called as soon as possible that day ~~or the next available judicial day.~~
- (1) Parties with confirmed cases shall notify the Court, in writing, to strike the jury prior to the confirmation/settlement deadline of the day before trial at 3:00 pm.
- (A) If parties have given notice to the Court that a foreign language interpreter is required for trial, the parties shall notify the Court, in writing, to strike the jury no later than forty eight (48) hours prior to the start of trial.**

(2) Absent a showing of good cause, the parties may be required to pay costs incurred by the court as a result of the failure to cancel a confirmed trial after the deadline in section (d)(1) **or (d)(1)(A)** of this rule.

(e) The parties shall exchange, and provide a copy to the court, motions in limine and proposed jury instructions by 3:00 pm on the day prior to trial.

[Adopted effective September 1, 1997; amended effective January 19, 1998; September 1, 2000; September 1, 2009; September 1, 2010; September 1, 2025; September 1, 2026.]

