

FILED
2021 NOV 04 09:00 AM
KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE #: 18-3-05993-7 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

SONYA DELANCE

Petitioner

vs

MICHAEL DELANCE

Respondent

CAUSE NO. 18-3-05993-7 SEA

ORDER FROM PRETRIAL CONFERENCE
(FAMILY LAW)

Trial Set for: Monday, December 13, 2021
9:00 AM

Judge: David Keenan

Courtroom: W864

Bailiff: Keenan Court

At the pretrial conference for the above listed case, the court enters the following order:

I. TRIAL

Trial is scheduled to begin on the date listed above, *but it may be rescheduled to a different date and time* in which case court staff will attempt to contact you. You are responsible to keep the Clerk's Office and your Judge's Bailiff up to date with your current contact information. You and your witnesses must be available, or "on call," from Monday through Thursday of the week of trial.

Estimated length of trial: 3 days.

At trial, the judge will decide the following issues:

Property/Debt Distribution

Child Support/Maintenance

Parenting Plan

RCW 26.09.191 Issues:

Paternity

Blood tests available? Yes No

Order From Pretrial Conference

Page 1 of 6

Special Trial issues:

- The following party/witness _____ needs an interpreter in the following language _____, which shall be arranged by _____.

The parties request special consideration in assigning this case out for trial because:

- out of state party
- Petitioner Respondent other _____
- the following party or attorney has another trial scheduled for week of trial as follows _____
- other special considerations: _____

II. BEFORE TRIAL

Settlement/Mediation/Alternative Dispute Resolution

- Has been accomplished: _____
- Scheduled for: _____
- Not yet completed. You are required to schedule and attend by: 12/10/21
- Waived/Not Required: _____

Parenting Seminar "What about the Kids"

- Has been attended by: Petitioner Respondent other _____
- Has not been attended by: Petitioner Respondent other _____
- SEMINAR MUST BE ATTENDED BY: _____
- Waived/Not required because: _____
You can obtain available dates and times for parenting seminar from Clerk's Office

FLO Class

- Has been attended by: Petitioner Respondent other _____
- Has not been attended by: Petitioner Respondent other _____
- SEMINAR MUST BE ATTENDED BY: _____
- Waived/Not required because: _____

Order From Pretrial Conference

Public Assistance Benefits

If your child(ren) is now receiving a medical coupon or TANF you must contact the King County Prosecuting Attorney's Office (Family Support Division) so that they may review your proposed child support orders.

Parenting Evaluation

- Not required.
- CASA Guardian ad Litem Parenting Evaluator

has been appointed but has not yet completed the report. The report is due no later than _____ (10) days before trial.

- CASA Guardian ad Litem Parenting Evaluator

has completed the report.

You are required to provide a copy of this order to any guardian ad litem or CASA appointed in this action unless the guardian ad litem or CASA was present for this pre-trial conference.

FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY RESULT IN THE DELAY OF YOUR TRIAL AND/OR SANCTIONS.

III. DISCLOSURE OF INFORMATION AND WITNESSES FOR TRIAL

On or before the dates shown below, the parties shall complete the following tasks:

3 WEEKS BEFORE TRIAL OR  , you must prepare and deliver to all parties:

- **Financial Declaration** (along with all supporting documents as required by LFLR 10). Even if you have prepared one before, you must update it with any significant new information.
- **Witness Lists**
If you intend to ask people (witnesses) to testify on your behalf, you must prepare a list of all witnesses, which shall include the witnesses' names, address and phone numbers.
- **Exhibit List/Copies of Exhibits**
If you want the Court to consider any documentary evidence such as photos, bank statements or records, you must prepare a list of all such exhibits, and provide the list along with a copy of these exhibits to all other parties.
- **Excerpts from any depositions or Interrogatories** (if any)
If you intend to use at trial, copies must be provided to all parties.

10 DAYS BEFORE TRIAL OR  :

Order From Pretrial Conference

All parties are are not required to meet and prepare a **Joint Statement of**

Evidence which shall include a list of all proposed witnesses and exhibits. The exhibit list shall include a list of exhibits being offered by any of the parties, and shall be in a table format with the following columns:

1) *Name of Exhibit*; 2) *Party Offering Exhibit*; 3) *"No Objection;"* 4) *Authenticity Admitted but Objected To*; 5) *"Otherwise Objectable."*

The appropriate column shall be marked for each exhibit.

If not required to meet with other parties, each party must prepare their own list of witnesses and exhibits and deliver the list to all other parties.

Petitioner's exhibits shall be numbered and start with the number: 1
Respondent's exhibits shall be numbered and start with the number: 301
Other parties' exhibits shall be numbered and start with the number: _____

IV. TRIAL NOTEBOOKS

ONE WEEK BEFORE TRIAL:

You must prepare and deliver **Trial Notebooks** to all parties and the Court. Prepare one trial notebook for yourself, and identical copies of this trial notebook for 1) every other party including any CASA or Guardian ad Litem; 2) the Judge; and, 3) the Judge's Clerk. Deliver the notebooks for the judge and the judge's clerk to the judge's mail room (C-203), with the name of the Judge, case number, and the date of trial on the front of the notebooks. Deliver trial notebooks to every other party.

Each copy of the trial notebook shall be in one or more binders and shall contain (in the same sequence and numbering):

- **Joint Statement of Evidence**
(If you did not meet and prepare a joint statement of evidence, you must include copies of your witness and exhibit lists in the trial notebooks.)
- **Copies of the Exhibits**
Each exhibit should be placed behind a numbered tab that matches the number on the "Joint Statement of Evidence" form, or, if you did not prepare a Joint Statement of Evidence, your witness list.
- **Trial Brief**

is required is not required

Order From Pretrial Conference

- **Financial Declaration** and supporting financial documents
 - is required is not required
- **List of Assets and Debts** with values and proposed distribution
 - By moving party By both/all parties
- **Proposed Orders**
 - Findings of Fact and Conclusions of Law
 - By moving party By both/all parties
 - Decree or Final Order
 - By moving party By both/all parties
 - Parenting Plan
 - By moving party By both/all parties
 - Child Support Order
 - By moving party By both/all parties
 - Child Support Worksheets
 - By moving party By both/all parties

V. OTHER

VI. IF YOU COME TO AN AGREEMENT

If you reach agreement on all issues **and** have attended the "What About the Kids" parenting seminar, final papers may be entered in the Ex Parte Department (3rd floor of the King County Courthouse). **YOU DO NOT NEED TO WAIT FOR TRIAL.** Parties who are not represented by an attorney may contact the Early Resolution Case Manager at (206) 205-2521 for assistance with preparation of agreed final orders. (If you have an attorney, they may be able to enter a written notice of settlement before trial and final papers later). If your child(ren) have ever had a medical coupon or received TANF you must contact the King County Prosecuting Attorney's Office (Family Support Division) so that they may review your proposed child support orders.

Contact the Judge's bailiff immediately if final papers are entered so that the trial can be cancelled.

WARNING: FAILURE TO FOLLOW THE ABOVE ORDER OR TO COMPLY WITH THE CASE SCHEDULE MAY RESULT IN AN APPROPRIATE PENALTY, SUCH AS A MONETARY FINE, DISMISSAL OF THE CASE, OR EXCLUSION OF EVIDENCE.

Signed this ____ day of _____, _____.

Honorable Judge David Keenan

Copies received/present in person or by phone:

Petitioner/Attorney

Phone No.: _____

Email Address: _____

Appearing Not appearing

Address for mailing of notices: _____

Respondent/Attorney

Phone No.: _____

Email Address: _____

Appearing Not appearing

Address for mailing of notices: _____

OTHER PARTIES (Print Name)

Phone No.: _____

Email Address: _____

Appearing Not appearing

Address for mailing of notices: _____

(You are not required to provide your residential address if your address is confidential or you do not want the other party to know this information. You do need to list an address where you will be able to receive documents from the court and the other party.)

IF YOU DO NOT HAVE AN ATTORNEY, CONTACT THE KING COUNTY BAR ASSOCIATION AT (206) 267-7100 OR VISIT THEIR WEBSITE AT WWW.KCBA.ORG FOR INFORMATION ON FREE LEGAL CLINICS.

Order From Pretrial Conference

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUPERIOR COURT OF WASHINGTON
FOR THE COUNTY OF KING

SONYA DELANCE,

Petitioner,

and

MICHAEL DELANCE,

Respondent.

Case No. 18-3-05993-7 SEA

**ADDENDUM TO PRETRIAL
CONFERENCE ORDER RE REMOTE
TRIAL**

The Court orders the following procedures for a remote trial over the Zoom platform.

A. Trial Format

Remote: The entire trial will take place remotely via the Zoom platform. The parties, counsel, and witnesses will not be physically present in the courtroom. The judicial officer will be physically present in an unlocked courtroom open to the public.

Other:

In addition, the Court may order other accommodations required for public health.

B. Exhibits and Other Evidence

Exhibits will be transmitted to the court electronically

1. Contacting the Clerk's Office: No later than fourteen days before trial, each party must send an email to the appropriate Clerk's Office email address, as discussed on the Clerk's website:

<https://www.kingcounty.gov/courts/clerk/documents/Electronic%20Exhibits.aspx>

px.

- 1 2. Response from the Clerk's Office: During court business hours, the Clerk's
- 2 Office will generally respond within 1 day to a party by sending a link to a
- 3 ShareFile folder for this case.
- 4 3. Uploading Exhibits:
- 5 a. Parties must upload all of their exhibits to the ShareFile folder designated
- 6 for this case no later than five court days before trial.
- 7 i. Exhibits must be labeled according to the naming conventions
- 8 described on the Clerk's website:
- 9 [https://www.kingcounty.gov/courts/clerk/documents/Electronic%20Ex](https://www.kingcounty.gov/courts/clerk/documents/Electronic%20Exhibits.aspx)
- 10 [hibits.aspx](https://www.kingcounty.gov/courts/clerk/documents/Electronic%20Exhibits.aspx)., and must be numbered as listed in the Joint Statement of
- 11 Evidence.
- 12 ii. Exhibits will not be pre-marked by the Clerk's Office.
- 13 b. Failure to comply with exhibit uploading deadlines and procedures may
- 14 result in exhibits being rejected by the Clerk's Office and such other
- 15 actions as to the Court deems necessary to ensure that all parties have
- 16 timely access to the exhibits.

17 Exhibit certification: Whether exhibits were transmitted electronically or as

18 hard copies, the parties must certify in the Joint Statement of Evidence that the exhibits

19 exchanged between the parties and provided to witnesses are identical to the original set

20 of exhibits provided to the Court and do not contain notes, highlighting, or any material

21 not contained in the original exhibits provided to the Court.

22 **C. Identify Individuals Appearing Remotely**

23 Each and every person participating in the trial via Zoom must use their legal first

24 and last name as their Zoom screen name. Participants will not be admitted to the hearing

25 if their Zoom screen name does not match their actual legal name.

D. Remote Trial Access and Appearance

1 The Court will provide a remote access link, including any passwords,
2 identification numbers, and other information necessary to access the trial over the
3 internet.

4 Counsel are required to share the link and access information with the parties and
5 witnesses.

6 Counsel are required to ensure in advance of witness testimony that witnesses have
7 sufficient hardware and internet access to testify remotely.

8 Counsel must ensure that, at the time of a witness’s testimony, the witness is able
9 to testify in a distraction-free setting.

10 It is presumed that parties, counsel, and witnesses appearing remotely will appear
11 with video and audio enabled. No party, attorney, or witness may appear solely by audio
12 (whether by Zoom without video enabled or by phone) without prior permission from the
13 Court.

14 **E. Technology Check**

15 On the first day of trial, the parties and counsel shall appear remotely prior to the
16 start of trial to ensure that they are able to access the trial remotely and fully participate in
17 the proceedings via video and audio.

18 **F. Trial Attendance**

19 1. Remote Attendance:

20 Only parties and counsel may be present via the Zoom platform for the entire trial.

21 Witnesses will be allowed to remotely participate in the trial via Zoom only at the
22 time they are called to testify.

23 No other individual will be allowed to participate in the trial remotely via the Zoom
24 platform without prior permission of the Court. Parties, counsel, and witnesses should not
25

share the remote access information for the trial with anyone not authorized in this order to participate in the trial via Zoom without prior permission from the Court.

1 This order governs how the Court, parties, counsel, and witnesses will conduct the
2 trial via the Zoom platform. Nothing in this order is intended to limit any public right to
3 observe the trial.

4 2. Witnesses Excluded:

5 Pursuant to ER 615, witnesses are excluded from the trial until they are called. Until
6 a witness is excused and not subject to recall, a witness may not observe, listen to, or
7 otherwise access, through any means, the testimony of other witnesses or other proceedings
8 for this case.

9 3. No Recording:

10 No one is authorized to record the proceedings by any means without prior
11 permission from the Court.

12 4. Virtual Waiting Room:

13 When a participant remotely accesses the trial via the link provided by the Court,
14 the participant will first enter a virtual waiting room. The Court will admit individuals into
15 the trial from the virtual waiting room.

16 5. Security:

17 The Court will only allow parties, counsel, witnesses, and those with prior
18 permission to access the remote trial. The Court has the ability to mute, remove, and block
19 individuals not authorized to access the remote trial.

20 **G. The Court Record and the Zoom Chat Feature**

21 The official record will be captured and maintained only through a means authorized
22 and conducted by the Clerk of the Court. A clerk may or may not be physically present in
23 the courtroom, but will keep the official record and custody of the original exhibits,
24 regardless of physical location.

The participants should be aware that the Court will disable the Zoom chat feature during the trial given such chats cannot be made part of the record.

1 **H. Calling Remote Witnesses During Trial**

2 The party calling the witness is responsible for notifying the witness when the
3 witness is to be called so that the witness can access the trial remotely. Any witness
4 appearing remotely must appear with video and audio enabled, absent prior permission
5 from the Court.

6 During testimony, the witness shall not communicate with anyone other than the
7 Court or counsel. Witnesses may not refer to any documents during their testimony unless
8 and until the witness is directed to do so.

9 **I. Handling Exhibits Remotely During Trial**

10 1. Substantive Exhibits:

11 During the trial, witnesses should be examined using copies (electronic or hard-
12 copy) of exhibits provided to the witness in advance or shared with the witness using
13 Zoom’s screen-sharing function during examination, with the Court’s permission.

14 Authenticating, establishing the admissibility of, and offering exhibits remotely
15 should be done according to the Rules of Evidence just as it would during an in-person
16 trial. The witness appearing remotely should be directed to access the witness’s copy of
17 the exhibit or counsel may screen-share the exhibit. If the exhibit is admitted, the Clerk
18 will admit the original previously provided to the Court. Witnesses should destroy or
19 return hard copies of exhibits following the trial.

20 2. Illustrative Exhibits:

21 Illustrative exhibits must be marked and transmitted to the Court in advance.

22 If it is not possible to mark an illustrative in advance (e.g., because the exhibit was
23 created during trial while examining a witness), the Court may allow alternate means of
24 marking and admitting the exhibit for illustrative purposes, including, e.g., allowing the
25 examining attorney to show the exhibit via Zoom’s screen-sharing feature or allowing a

witness to electronically annotate an illustrative exhibit and later providing a copy of the exhibit to the Clerk.

1 3. Publishing Depositions:

2 Any party anticipating possibly publishing a deposition during trial must provide a
3 physical copy of the deposition transcript to the Court in a sealed envelope in advance.

4 **J. Professionalism During the Remote Trial**

5 1. Cross-Talk and Microphones:

6 When the Court, a party, counsel, or a witness is speaking, please avoid interrupting
7 the speaker.

8 During the trial, generally, all participants other than the Court, the witness, and the
9 examining and defending attorneys should mute their microphones.

10 Remote participants using multiple devices in a single workspace to access the trial
11 should avoid audio feedback issues by, e.g., only using the microphone and speakers on one
12 device at a time, or utilizing headphones.

13 2. Objections:

14 When an objection is made, please stop talking and let the Court rule on the
15 objection. Before the trial, counsel should tell witnesses that when an objection is made,
16 they should stop talking and wait for the Court to direct them before answering the question.
17 Counsel should also tell witnesses that the attorneys may make a visual, physical motion
18 (such as holding their hand up to the camera) to indicate an objection. This may be
19 necessary during a Zoom trial because it can be difficult to hear multiple participants
20 simultaneously during a Zoom trial.

21 **K. Post-Trial Evidence Handling**

22 Electronic exhibits which were not offered during the remote bench trial will not be
23 retained by the Clerk's Office.

1 Hard-copy exhibits not offered during the remote bench trial and deposition
2 transcripts not published must be retrieved by 4:00 p.m. no later than ten court days after
3 the trial has concluded, and will otherwise be discarded by the Clerk's Office.

4 **L. Technology Support**

5 The Court is unable to provide Zoom technical assistance or advice beyond what is
6 contained in this order.

7 **M. Notice**

8 Noncompliance with the terms of this order may result in sanctions, including the
9 exclusion of evidence, dismissal, entry of default, fee and term awards, or such as other
10 sanctions as the Court deems appropriate.

11 **N. Trial Dates and Standby Status**

12 Trial may be put on standby status. Consequently, parties and witnesses must be
13 available to begin trial Monday through Thursday the week of trial. You must contact the
14 undersigned judge's bailiff at least 5 days before trial for information about trial's status.
15 The parties are responsible for keeping the Court updated with current contact information.

16 IT IS SO ORDERED.

17 DATED November 4, 2021.

18
19
20
21
22
23
24
25

Judge David S. Keenan

King County Superior Court
Judicial Electronic Signature Page

Case Number: 18-3-05993-7
Case Title: DELANCE VS DELANCE
Document Title: ORDER RE PRETRIAL CONFERENCE ORDER
Signed By: David Keenan
Date: November 04, 2021



Judge: David Keenan

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: BD13F071DE9FE174E35E32E16B49AD4370D96430
Certificate effective date: 1/3/2017 2:38:36 PM
Certificate expiry date: 1/3/2022 2:38:36 PM
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="David Keenan:
jt4QV6nx4xGp9yIAHl1GsA=="