

**Chapter 12.12 RCW
TRIAL**

Sections

- 12.12.010 Continuances limited.
- 12.12.020 Trial by justice.
- 12.12.030 Jury—Number—Qualifications—Fee.
- 12.12.070 Oath administered.
- 12.12.080 Delivery of verdict.
- 12.12.090 Discharge of jury.

RCW 12.12.010 Continuances limited. When the pleadings of the party shall have taken place, the justice shall, upon the application of either party, and sufficient cause be shown on oath, continue the case for any time not exceeding sixty days. If the continuance be on account of absence of testimony, it shall be for such reasonable time as will enable the party to procure such testimony, and shall be at the cost of the party applying therefor, unless otherwise ordered by the justice; and in all other respects shall be governed by the law applicable to continuance in the superior court. [1957 c 89 s 12; Code 1881 s 1769; 1873 p 346 s 68; 1854 p 232 s 56; RRS s 1847.]

RCW 12.12.020 Trial by justice. Upon issue joined, if a jury trial be not demanded, the justice shall hear the evidence, and decide all questions of law and fact, and render judgment accordingly. [Code 1881 s 1782; 1873 p 350 s 81; 1854 p 237 s 82; RRS s 1848.]

RCW 12.12.030 Jury—Number—Qualifications—Fee. After the appearance of the defendant, and before the judge shall proceed to enquire into the merits of the cause, either party may demand a jury to try the action, which jury shall be composed of six good and lawful persons having the qualifications of jurors in the superior court of the same county, unless the parties shall agree upon a lesser number: PROVIDED, That the party demanding the jury shall first pay to the clerk of the court the sum of one hundred twenty-five dollars, which shall be paid over by the clerk of the court to the county, and such amount shall be taxed as costs against the losing party. [2005 c 457 s 13; 1981 c 260 s 3. Prior: 1977 ex.s. c 248 s 2; 1977 ex.s. c 53 s 2; 1888 p 118 s 1; Code 1881 s 1770; 1863 p 438 s 51; 1862 p 58 s 1; 1854 p 235 s 70; RRS s 1849.]

Intent—2005 c 457: See note following RCW 43.08.250.

RCW 12.12.070 Oath administered. When the jury is selected, the justice shall administer to them an oath or affirmation, well and truly to try the cause. [Code 1881 s 1776; 1873 p 348 s 75; 1854 p 236 s 76; RRS s 1853.]

RCW 12.12.080 Delivery of verdict. When the jury have agreed on their verdict, they shall deliver the same to the justice, publicly,

who shall enter it on his or her docket. [2010 c 8 s 3025; Code 1881 s 1777; 1873 p 348 s 76; 1854 p 236 s 77; RRS s 1854.]

RCW 12.12.090 Discharge of jury. Whenever a justice shall be satisfied that a jury, sworn in any civil cause before him or her, having been out a reasonable time, cannot agree on their verdict, he or she may discharge them, and issue a new venire, unless the parties consent that the justice may render judgment on the evidence before him or her, or upon such other evidence as they may produce. [2010 c 8 s 3026; Code 1881 s 1778; 1873 p 348 s 77; 1854 p 236 s 78; RRS s 1855.]