

WSR 24-01-045
RULES OF COURT
STATE SUPREME COURT
[December 7, 2023]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO ) NO. 25700-A-1553
CRLJ 56—SUMMARY JUDGMENT )

The District and Municipal Court Judges' Association, having recommended the suggested amendments to CRLJ 56—Summary Judgment, and the Court having approved the suggested amendments for publication; Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2024.

(b) The purpose statement as required by GR 9(e) is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2024. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov.

Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of December, 2023.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GENERAL RULE 9
RULE AMENDMENT COVER SHEET
Suggested Amendments to
WASHINGTON STATE COURT RULES:
CIVIL RULES FOR COURTS OF LIMITED JURISDICTION (CRLJ)
Amend CRLJ 56(c)
SUMMARY JUDGMENT

- 1. Proponent Organization: District and Municipal Court Judges' Association (DMCJA)
2. Spokespersons: Judge Jeffrey R. Smith, President DMCJA; Judge Catherine McDowall, Co-Chair DMCJA Court Rules Committee; Judge Wade Samuelson, Co-Chair DMCJA Court Rules Committee.
3. Purpose of Proposed Rule Amendment: The DMCJA is requesting an amendment to CRLJ 56. The amendment would require parties to include a copy of rule CRLJ 56 in any motion for summary judgment. Civil cases in courts of limited jurisdiction frequently include pro se litigants who are not well versed in the rules of civil procedure. When served with a motion for summary judgment, pro se litigants are often not aware of how to appropriately respond and they either file inadequate responses to the motions or do not respond at all. This can result in delay and often requires a court to reset the motion hearing. Includ-

ing the rule with a summary judgment motion increases access to justice by informing pro se litigants how to appropriately respond to summary judgment motions.

4. **Hearing:** A hearing is not recommended.

5. **Expedited Consideration:** Expedited consideration is not requested.

## CRLJ 56

## SUMMARY JUDGMENT

**(a)-(b) No change**

**(c) Motion and Proceedings.** The motion and any supporting affidavits, memoranda of law, or other documentation shall be filed and served not later than 15 days before the hearing. A copy of this rule shall be served with the motion. The adverse party may file and serve opposing affidavits, memoranda of law, and other documentation not later than three days before the hearing. The moving party may file and serve any rebuttal documents not later than the day prior to the hearing. Summary judgment motions shall be heard more than 14 days before the date set for trial unless leave of the court is granted to allow otherwise. The judgment sought shall be rendered forthwith if the pleadings, answers to interrogatories, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

**(d)-(h) No change**