

LCR 53.2 COURT COMMISSIONERS

(e) **Revision by Court.**

1. *Scope of Rule.* This rule applies to all motions for revision.
2. *Filing and Service Deadline.* A motion for revision must be filed within ten days after the commissioner's order or judgment is entered (RCW 2.24.050) and must be served in the manner and time required by all other applicable rules.

3. *Transcripts.*

3.1 A party moving for revision must provide a copy of the transcript of the hearing before the court commissioner, unless:

(i) they have presented to the court commissioner proposed findings of fact and conclusions of law to support the order or judgment (The Administrative Office of the Court-approved form Order of Child Support and Child Support Worksheets may constitute findings of fact and conclusions of law for motions for revision on issues of child support); and

(ii) there was no live testimony heard before the court commissioner.

3.2 A party moving for revision is responsible for ensuring that the transcript of the proceedings is filed with the court at least five business days before the hearing for the motion. To order the transcript, the moving party must contact Court Administration within five days of filing the motion for revision. The moving party is responsible for paying for the transcript or obtaining a fee waiver if he or she is indigent.

4. *Form of Motion.* The moving party shall specify each portion of the findings, conclusions and/or order to be revised and identify each document before the Court Commissioner at the time of hearing.

5. *Hearing on Motion.* At the time a motion for revision is filed, the moving party shall schedule a hearing by filing a notice of hearing. The hearing on the motion for revision shall be scheduled to occur within 30 days after the motion for revision is filed, unless the court orders otherwise for good cause as provided in this rule. Motions for revision shall be heard on the Civil Motions Calendar, unless otherwise directed by the Court.

6. *Timely Hearing.* A hearing on a motion for revision shall be conducted within 45 days after the order at issue is entered unless the court grants a continuance for good cause. A motion to continue the hearing must include reasons to support the motion and an explanation of whether a transcript has been timely requested and whether the transcript is ready. Agreed motions may be presented ex parte.

7. *The Record.* The motion for revision shall be heard upon the record before the court commissioner.

8. *Effect of Motion.* When a motion for revision is timely filed the following shall occur:

8.1 With the exception of findings of fact and conclusions of law, until the revision proceeding is completed, the court commissioner loses jurisdiction to conduct further proceedings and/or enter orders on issues that are the subject of revision proceeding.

8.2 The court commissioner may continue to hear proceedings and/or enter orders on issues that do not involve the subject of the revision proceeding.

8.3 A court commissioner's order shall remain valid and in effect pending the outcome of a motion for revision unless stayed by a court order.

[Adopted effective September 1, 2012; amended effective September 1, 2017; September 1, 2023.]