

**THURSTON COUNTY SUPERIOR COURT CRIMINAL CASE PROCESSING
GUIDELINES AND DOCKET STRUCTURE**

These criminal case processing guidelines and criminal docket structure were developed by the Thurston County Felony Leadership Improvement Project (FLIP) Subcommittee. This is a working subgroup for the FLIP Committee, which is comprised of elected officials and department representatives to work collaboratively on system changes towards an efficient process for fair and timely resolution of cases.

These guidelines and new docket structure was developed in consideration of the [Yakima County Superior Court Criminal Case Processing Guidelines and Docket Structure](#).

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1 ARRAIGNMENTS

- A. Arraignments on Summons or Warrant
Persons appearing on summons or warrant who have been formally charged will be arraigned at their first appearance and the court will set omnibus, trial confirmation and trial dates. If the defendant is not appointed counsel and if an attorney has not yet appeared for the defendant, the court will schedule an attorney status hearing.

- B. Arraignments following Preliminary Appearances
Persons who are arrested without formal charges will have a preliminary hearing on the next judicial day. At the preliminary appearance, a formal arraignment date will be set for approximately two weeks from the preliminary hearing. The person will be released without conditions if the prosecuting attorney does not file a charging information within 72 hours (excluding Saturdays, Sundays, and holidays) after the defendant’s detention in jail or release on conditions, whichever occurs first. [CrR 3.2.1(f)]

- C. Reappearance after failure to appear
If a defendant re-appears after failing to appear, the court will set a new omnibus hearing date, trial confirmation date, and a trial date.

2 CASE SCHEDULING AT ARRAIGNMENT

A. Omnibus hearings

At Arraignment cases will generally be scheduled for omnibus hearings as follows:

- 2 weeks for all in custody cases.
- 2 weeks for out of custody cases.

2 weeks for all out of custody cases after the defendant reappears after previously having failed to appear.

2nd Omnibus hearing, if needed, shall be 2-4 weeks after initial omnibus hearing. A general guideline is provided below.

Category of Case ¹	Timeframe to Resolution	First Omnibus	Second Omnibus
1	Up to 5 months from Arraignment date	2 weeks	2 weeks
2	Up to 7 months from Arraignment date	2 weeks	2- 4 weeks
3	Up to 12 months from Arraignment date	2 weeks	2-4 weeks

B. Trial Confirmation and Trial Date

At Arraignment cases will generally be scheduled for trial confirmation and trial dates as follows:

In Custody

- Trial Confirmation: 50 days after Arraignment
- Trial: 55 days after Arraignment

Out of Custody

- Trial Confirmation: 78 days after Arraignment
- Trial: 83 days after Arraignment

¹Category of Case is defined under Section 7- Meaningful Trial Dates

3 A MEANINGFUL OMNIBUS HEARING (CrR 4.5)

A. At the first Omnibus hearing realistic trial dates will be set based on what the case needs and why. The parties will come prepared to set realistic trial dates and, where possible, enter an Omnibus order.

“Prepared” means

- An analysis of the case record has been completed.
- Prosecuting Attorney has reviewed the discovery and criminal history and made an offer to the Defense.

B. When a second omnibus hearing is set, the parties are expected to be prepared to do the following:

1. Entry of an agreed COB or Case Scheduling Order off the record.

2. If no agreement, argue disputed issues to the court.
3. Change of Plea or schedule a Change of Plea.
4. Administration of Routine Motions pursuant to CrR 4.5 Omnibus (e.g. request for a furlough, motion to address release conditions or other motions).
5. Ensure that defendants have counsel.
6. Have seriously considered the discovery and other case preparation needs, and be prepared to discuss the discovery deadlines.
7. Schedule a Case Management Conference after Omnibus for complex cases (see next Section)
8. Ensure that omnibus hearings are kept to a minimum to ensure timely administration for all parties.
9. Any other issues or motions not addressed shall be consistent with any motion deadlines.

Note: Time permitting, the court may address # 3 & # 4 during the omnibus hearing. If time does not permit, or if merits of motion requires briefing, then the court may defer addressing and schedule on a COPAS or miscellaneous motions calendar.

4 CASE MANAGEMENT CONFERENCE AFTER OMNIBUS FOR CATEGORY 2 CASES DURING IMPLEMENTATION

For a 6 month period during the implementation of the FLIP, all Category 2 cases¹ filed between 6/1/2018 – 11/30/2018 who enter a COB with a realistic trial date may, without motion to the court, have a case management conference scheduled. The case management hearings will be scheduled on the Omnibus calendar, but are not expected to go on the record. Any contested issues related to COB will need to be addressed by motion. **This section expires on 12/1/2018.**

¹Category of Case is defined under Section 7- Meaningful Trial Dates

5 CASE MANAGEMENT CONFERENCE AFTER OMNIBUS FOR COMPLEX CASES

The Case Management Conference after Omnibus will be scheduled for any cases scheduled longer than 8 months duration, and may be requested for other cases. The purpose of the Case Management Conference after Omnibus is to confirm that trial preparations are on track. Case Management Conferences shall be set on the Omnibus calendar.

6 TRIAL CONFIRMATION HEARING

A Trial Confirmation Hearing is scheduled for all cases the week before trial. The purpose of the Trial Confirmation Hearing is to confirm the case is proceeding to trial.

7 MEANINGFUL TRIAL DATES

A party/both parties may request realistic trial dates within these general guidelines (which means up to the timeframe noted below, but working towards earlier trial settings where possible):

Category of Case	Timeframe to Resolution	Description
1	Up to 5 months from Arraignment date	Frequently Class C Felonies; likely no victim; no bail jumping; no expert witness required; minimal investigation; minimal discovery; witnesses readily available; minimal harm
2	Up to 7 months from Arraignment date	More complex; increased number of charges; witnesses difficult to locate and interview; expert witness possibly required; briefing required
3	Up to 12 months from Arraignment date	Most complex; extensive discovery; serious harm; multiple victims/perpetrators; expert witness required; extensive investigation; in depth analysis and motion practice required

Once realistic trial dates are set, the court will apply the Thurston County Superior Court Felony Case Continuance Policy to any requests for continuances.