

LYNNWOOD MUNICIPAL COURTHOUSE
19321 44TH AVE. W., LYNNWOOD, WA 98036
(425) 670-5100 • FAX: (425)774-7039
justice@lynnwoodwa.gov

TRIAL PROCEDURES

Welcome to Lynnwood Municipal Court. These procedures are intended to help ensure an orderly, efficient trial, to promote justice in a safe environment, and to provide an understanding of our Court's processes.

Jury Trial Confirmation

- At the time of confirmation, both parties shall advise the court of the anticipated length of trial, the number of witnesses anticipated to testify, and any scheduling concerns.
- The Court will not confirm a case for trial if substantive motions, discovery, and witness interviews are outstanding.
- Two court days prior to the jury trial date, the defendant if appearing pro se, or the defendant's attorney if represented by counsel, and the plaintiff shall email confirmation to justice@lynnwoodwa.gov no later than 12:00 pm, and confirm that the case is going to proceed to jury trial. Confirmation must include the name of the person confirming, the party they represent, the case number, and whether the defendant is in custody. Parties should also include technology needs for trial. Failure to confirm may result in a jury panel not being available.

Trial Briefs and Motions in Limine

- All trial briefs and motions in limine shall be filed with the Court and opposing party no later than noon the court day prior to the first day of trial. Trial briefs shall contain a witness list. If no trial brief is filed, a written witness list shall be provided to the Court.

Equipment/Technology

- The Court has two large monitors within the courtroom on which video or photographic evidence may be shown to the Court or jurors. Counsel is required to provide their own Bluetooth enabled equipment to connect to these monitors. It is recommended you request time to test equipment in the courtroom before the date of the trial.
- The Court has assisted-listening device headsets available for any clients, witnesses, or any others with hearing difficulties.
- Please contact the Court for specific equipment questions or needs at least 5 days prior to your trial date.
- All trials are conducted in-person, and Zoom appearances are not permitted.

Witnesses

- Advise your witnesses of orders in limine.
- Witness examination is limited (absent extraordinary events) to direct, cross, redirect, and re-cross.

Exhibits

- Have all exhibits marked by the Court Clerk
- Anything given to a witness must be marked as an exhibit.
- Anything shown to the jury must first be admitted as an exhibit.
- Absent stipulation, illustrative exhibits do not go to the jury room.
- Prior to publishing, give opposing counsel an opportunity to view any exhibits or materials (e.g., charts, photos) to be published during opening/closing.
- Any item referred to by the witness is to be identified by exhibit number.

The Jury

- Voir dire is generally limited to 20 minutes per side. Counsel may wish to have this time split. The court will keep time and give counsel a warning 1 minute prior to the expiration of the time.
- Do not interact with jurors or encroach the jury box. Do not directly interact with or speak to the jury outside of voir dire, openings and closings; and advise your witnesses/client of this instruction. Do not discuss the case in the presence of any potential juror. This is particularly of concern around the courthouse, in the lobby, or the very small foyer outside the courtroom where paths may cross.
- If you wish to publish an exhibit to the jury box, ask the Court's permission before doing so. You should then continue your questioning.
- Do not show or ask your witness to show anything to the jury, whether a document, demonstrative piece of evidence, or any other object, unless it has been admitted as an exhibit.

Jury Instructions

- File your original proposed jury instructions (cited and uncited) with the clerk no later than 9:00 a.m. the day of trial. Provide the Court a bench copy of the instructions by emailing a copy of the cited instructions to justice@lynnwoodwa.gov in the form of a edit enabled Microsoft Word document. There is no need to submit an uncited version of the bench copies to the Court.

Court Orders

- If you believe that the "door has been opened" on a subject that has previously been ruled upon in motions in limine, raise the issue with the Court outside the presence of the jury.

- Also, "let the record reflect" does not require a judicial endorsement. For example, "Let the record reflect the witness has identified Mr./Ms. X," does not require the Court to respond, nor will it.
- "Half-time" motions to dismiss must be raised with the Court outside the presence of the jury.

Form of Objection

- When you object, succinctly state the basis of your objection.
- Avoid "speaking" objections.
- Wait for a ruling on an objection; if you agree with an opposing objection, state that you will rephrase BEFORE doing so.
- Do not speak over opposing counsel, witnesses, or the Court. Everyone needs to hear you and witness. The court's recording device needs to make a clean record.
- The Court will not hold bench conferences or sidebars. The jury may be excused, and a clear record can be made.

Use of Courtroom

- During trial, the microphones at council table will be disconnected and a ceiling microphone will be enabled. This will allow you to move around the courtroom when examining witnesses, but do not lean over a witness or the jury box and be mindful of speaking at a volume that can be heard by the jurors, Court, and Court recording equipment.
- When Court recesses at lunch and at the end of the day, please exit the courtroom promptly. (Court staff cannot leave the courtroom unattended and have other non-trial responsibilities outside the courtroom).
- Court closes at 4:30 PM. Absent extraordinary circumstances, jurors will be excused around 4:15 PM, and trial paused until the next day.

Closing Argument

- Jurors will be provided with individual copies of jury instructions.
- Do not allude to any motions, exhibits, etc., that were not admitted into evidence or properly before the Jury.

The Record

- Always ask the witness to spell their last name at the start of their testimony. If their first name is unusual, please ask for that spelling as well. When citing to cases with unusual names, please spell them for the record.
- When the Court has a question of counsel, please stop speaking and allow the Court to completely ask the question before starting to respond. Please do not interrupt the Court.

- Advise and/or remind witnesses not to start answering until the question is fully asked and please wait until the entire answer has been made before proceeding with a new question.

We understand being a trial attorney these days is not easy. Please feel free to contact the Court and speak with our Court Administrator or Court Operations Supervisor regarding any questions. Thank you for your cooperation and attention to these expectations.