

CRIMINAL CALENDARS

COPAS	Change of Plea and Sentencing
COP	Change of Plea
I/C	In Custody
O/C	Out of Custody
Day Time (calendar capacity) – e.g. Monday 9:00 (25)	

Competency Calendar:

Monday I/C 9:00 (25); O/C 9:30 (10)

Competency Reviews

Usually set by court order but can be set by Notice of any party.

Order required to set within three judicial days or over cap.

If report is not completed and filed prior to hearing, matter will be continued.

If contested competency requiring testimony, must be set for Evidentiary Hearing.

If report filed and competency agreed, order is entered, and trial dates are set.

Evidentiary Hearings Calendar:

Monday 9:00 (4);

Friday 1:30* (4) *SET BY COURT ORDER ONLY. See below.

Can be set by Notice of Hearing or court order.

Include on Notice or Order when set: anticipated length of the hearing, briefing schedule, and whether there will be witness testimony.

At these hearings, testimony may or may not be taken.

If any testimony is taken, findings of fact are required.

Briefs should be filed and judge's copies provided prior to the hearing.

Often, there is a briefing schedule if set by court order.

Examples of motions heard on this calendar:

CrR 3.5 and CrR 3.6 hearings

Contested issues regarding competency-related hearings including but not limited to contested competency, Sell (involuntary medication) motions, and Hand (or other alleged due process violation) motions.

Contested Noncompliance

Contested revocation of diversion or sentencing alternative

Contested Restitution

Other lengthy or complex motions

Change of Plea and Sentencing Calendar:

Monday 1:30 (4); Tuesday 1:30 (4); Wednesday 9:00 (4); 10:00 (4);

Thursday 1:30 (4); 2:30 (4); 3:30 (2)

Friday 9:00* *SET BY COURT ORDER ONLY. See below.

May be set by: Notice of Hearing (**Use current form** that describes anticipated plea) OR by court order. Court order required if within two judicial days or over cap.

Matters heard on this calendar also includes sentencing, entry into diversion, agreed diversion revocations and stipulated facts bench trials (for stipulated facts bench trials, judge's copies required)

Typical COPAS hearing does not allow time for lengthy statements or argument.

If those are anticipated, parties may present a motion for special set hearing.
Motions for special set should identify the anticipated length of the hearing.
Motions may be presented ex parte. If granted, parties provide the order to court administration and thereafter work with court staff to set hearing.

Treatment Review and Non-Compliance Calendar:

Monday 10:00 (15)

Review of sentencing alternative may also be set on this calendar.
Set by the court at sentencing, continued by court order, or set by Notice of Hearing.
Hearings are continued to monitor treatment compliance or set as Non-compliance if Petition Alleging Noncompliance filed.
Treatment reports should be filed prior to hearing.
If Petition Alleging Noncompliance filed by Prosecutor, counsel may need to be appointed or re-appointed as there is a right to counsel if sanction could be imposed.
Can accept stipulation to Noncompliance and issue sanction, but if Noncompliance is contested, must be set as Evidentiary Hearing.

Diversion – Treatment Reviews:

Monday 11:00 (4)

Review of sentencing alternative may also be set on this calendar.

Special Sentencing:

Wednesday 11:00 (2)

Sentencing with Presentence Investigation
Sentencing after revocation of sentencing alternative
COP/sentencing if sex offense, victims addressing the court, lengthy argument, or other special circumstances
Set by notice of hearing or court order, court order required if within 2 court days or over cap.

Preliminary Appearances:

Monday - Friday 2:30 (No Calendar cap)

New “probable cause” arrest - Appoint attorney if appropriate, determine whether facts support probable cause for alleged crime, set conditions of release, and set future hearing(s).
Warrant returns – set conditions and new court dates
Extraditions may also be on this calendar.
Matters not addressed due to time are continued based upon priority.
Due to weekend arrest volume, first court day of week is generally reserved for weekend matters.
Non-probable cause matters not reached on a Friday are generally continued to the next week’s second court day.
Corrections determines calendar as all are I/C based on arrest.
Alleged victim may be heard regarding conditions of release.
Documents provided prior to hearing: Indigency Screening Form, Declaration in Support of Probable Cause, Pretrial Services Report

Prosecutor or Defense counsel may note a motion on this calendar in a different case pending against a Preliminary Appearance Defendant, as follows:

- A Notice of Hearing and motion must be filed by 11 am the day of the Preliminary Appearance Calendar; and
- Copies of Notice of Hearing and motion must be provided to all members of the Preliminary Appearance distribution list at the same time as filing.
- Judicial officer decides at the hearing whether the motion will be heard on that date, continued to a future calendar, or stricken (subject to re-noting by party).

O/C Miscellaneous Motions Calendar:

Monday 3:00 (10);

Friday 10:30* (4) *SET BY COURT ORDER ONLY. See below.

Set by Notice of Hearing (with motion or motion previously filed) or Court Order

Examples of motions heard on this calendar:

All post-disposition motions are to be scheduled on this calendar --

Including motions set by defendants incarcerated with DOC.

Rescission/Modification of no contact order

Vacate conviction

Modification of Judgment and Sentence

Modify conditions of Release/Bail (work release, EHM, furlough, etc.)

Withdrawal/new counsel

Restitution (agreed orders)

Forfeit bail

Continuance/modify court dates

Extension of time to begin sentence/WR/EHM

LFO modification, waiver of interest, etc.

Any miscellaneous criminal motion

Motions should be filed in court file, with bench copy if within 2 days

Motions brought by a represented defendant, not their attorney, will be stricken unless it is a motion regarding the representation

Arraignment Calendar:

Tuesday I/C 9:00 (20); O/C 10:00 (20), 11:00 (20)

Arraignments set by order at Preliminary Hearing, continued by court order, or

Summons setting arraignment by Prosecutor

May also include Attorney Status or Firearms Review by court order

No motions may be set on this calendar by counsel

Drug Court:

Tuesday 10:00 (30) and Wednesday 2:30 (30)

Drug Court Reviews set at time of contract signing and at each review

Orientations set by court order

Drug Court staff may add matters on to calendar, including sanctions hearings and termination hearings

COPAS, Stipulated Facts bench trials, and sentencing may also occur on this calendar for participants in Drug Court

Upon entry into drug court, all trial related dates are stricken.

I/C Miscellaneous Motions Calendar:

Tuesday 3:00 (10)

Friday 10:30* (4) *SET BY COURT ORDER ONLY. See below.

Set by Notice of Hearing (with motion or motion previously filed) or Court Order

Examples of motions heard on this calendar:

Rescission/Modification of no contact order

Vacate conviction

Modification of Judgment and Sentence

Modify conditions of Release/Bail (work release, EHM, furlough, etc.)

Withdrawal/new counsel

Restitution (agreed orders)

Forfeit bail

Continuance/modify court dates

Extension of time to begin sentence/WR/EHM

LFO modification, waiver of interest, etc.

Any miscellaneous criminal motion

Motions should be filed in court file, with bench copy if within 2 days

Motions brought by a represented defendant, not their attorney, will be stricken unless it is a motion regarding the representation

I/C Omnibus/Miscellaneous Motions Calendar:

Wednesday at 9:00, 10:00, 11:00; for each hour Omnibus (15)/Misc Motion (3)

Omnibus generally scheduled by court order at Arraignment; or by order of continuance.

Motions set by Notice of Hearing, which should indicate the motion.

Motions allowed only for defendants with an Omnibus hearing. If defendant not set for omnibus, use other misc motions calendars.

Separate motion must be filed

Examples of Motions heard on this calendar:

Modify Conditions of Release

Motion to Revoke Conditions

Furlough request

Withdrawal/new Counsel

Modify any date set by court order

Rescission or modification of No Contact Order

Set hearing or special set hearing

Attorney status

Any other miscellaneous criminal motion

All contested motions are heard on the record

In-Custody defendants will be brought to the booth only upon timely request from counsel.

Court signs agreed orders:

Continuance of Omnibus (if more than 2 prior continuances, approval required)

Consolidated Omnibus Orders

Continuance of Trial and other court dates

Orders setting change of plea hearing

Omnibus can be continued if COP is scheduled

Trial Confirmation:

Thursday I/C 9:00 (60); O/C 10:00 (15), 10:30 (15), 11:00 (15), 11:30 (7)

Confirm for trial the following week.

Trial Confirmation Orders entered for each case confirmed.

Trial confirmation order completed considering input from parties.

Motions to Continue should be filed prior to hearing.

Agreed trial continuances may be presented. For older cases, parties expected to put on record basis for continuance and whether proposed future court dates are realistic.

May address motions for counsel to withdraw or new counsel

If defendant fails to appear, may authorize the issuance of a bench warrant

Firearm Review Hearings are set on this Calendar

O/C Omnibus/Miscellaneous Motions:

Thursday 9:00, 10:00, 11:00; for each hour Omnibus (15)/Misc Motion (3)

Omnibus generally scheduled by court order at Arraignment; or by order of continuance.

Motions set by Notice of Hearing, which should indicate the motion.

Motions allowed only for defendant with an Omnibus hearing. If defendant not set for omnibus, use other misc. motions calendars.

Separate motion must be filed

Examples of Motions heard on this calendar:

Modify Conditions of Release

Motion to Revoke Conditions

Furlough request

Withdrawal/new Counsel

Modify any date set by court order

Rescission or modification of No Contact Order

Set hearing or special set hearing

Attorney status

Any other miscellaneous criminal motion

All contested motions are heard on the record

Court signs agreed orders:

Continuance of Omnibus (unless more than 2 continuances, which require approval)

Consolidated Omnibus Orders

Continuance of Trial and other court dates

Orders setting change of plea hearing

Omnibus can be continued if COP is scheduled

Firearms Restoration:

Friday 11:00 (in chambers only, no court hearing)

Set by Clerk's Office based upon Notice of Hearing

All documents filed in court file, including state's response, and proposed orders.

Reviewed by judicial officer and Order granting or denying is filed in court file.

***SET BY COURT ORDER ONLY.** For all calendars that require court order for setting hearing, parties may present agreed ex parte orders to set a hearing on these calendars. If the setting is not agreed, a party may seek an order setting on any of these calendars by motion with notice to the other party.