

[] Expedite
[] No Hearing Set
[] Hearing is Set
Date: _____ (Day: _____)
Time: _____ am/pm
Judge/Calendar: George Steele

**In The District Court of Washington
County of Mason**

_____, Plaintiff/Petitioner, v. _____, Defendant(s)/Respondent(s)	No. _____ Affidavit of Prejudice disqualifying judge George Steele from this cause/action (CrR 8.9(b), RCW 4.12.050)
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TO: The Mason District Court CLERK, PO Box O, Shelton WA 98584, 419 N. 4th St, Shelton, WA 98584, ph:(360)427-9670 x-339,2; (360)427-7776(fax); districtcourt@co.mason.wa.us ;
*****NOTICE:** _____, the party named above in this action, does demand an **elected** Judge to hear all matters connected with this cause and affirms the party's belief that due to his nature and lack of judicial temperament, judge George Steele will not/cannot provide the party a fair and impartial trial/hearing,
AND,

TO: Attorney(s) for and/or the Above-Named Petitioner(s)/Plaintiff(s),

(Name(s), addresses, e-mail(s), phone & fax #'s)

I Identity of the Parties

Comes now, _____, the party named above in this cause, to make the following sworn declaration/affidavit and seek the following relief pursuant to CrR 8.9(b) & RCW 4.12.50 as a matter of right: (i.e. Disqualification & removal of judge George Steele from this case/cause of action)

BASIS (CrR 8.9(b), RCW 4.12.050)

0.1 I, _____, the party named above in this cause, do swear under penalty of perjury pursuant to GENERAL Court RULE 13 and RCW 9A.72.085 that I believe I cannot/won't receive a fair and impartial trial/hearing from judge George Steele

Affidavit of Prejudice requiring -Page 1 of 3 _____ (name), _____ (e-mail)
Disqualification of judge George Steele _____ (address) _____ (tel #)

due to his nature and lack of judicial temperament. Judge George Steele has entered no discretionary ruling as yet in this cause.

(signature)

(PRINTED name)

(Date)

RULE 8.9

DISQUALIFICATION OF JUDGE

(a) Disqualification. In any case pending in any court of limited jurisdiction, unless otherwise provided by law, the judge thereof shall be deemed disqualified to hear and try the case when the judge is in any way interested or prejudiced. The judge may enter an order of disqualification.

(b) Affidavit of Prejudice. The judge shall also enter an order of disqualification under the provisions of this rule if, before the judge makes a discretionary ruling and before the trial is commenced, a party files an affidavit alleging that the party cannot have a fair and impartial trial by reason of the interest or prejudice of the judge or for other ground provided by law. Only one such affidavit shall be filed on behalf of the same party in the case and the affidavit shall be made as to only one of the judges of the court. All rights to an affidavit of prejudice will be considered waived when filed more than 10 days after the defendant's plea is entered or arraignment is waived, unless the affidavit alleges a particular incident, conversation or utterance by the judge, which was not known to the party within the 10-day period. In multiple judge courts, or when a pro tempore or visiting judge is designated as the judge, the 10-day period shall commence on the date that the party has actual notice of assignment or reassignment to a designated judge.

(c) Transfer. Whenever a judge is disqualified, the judge shall immediately make an order transferring and removing the case to another judge authorized by law to hear the case.

Washington Revised Code RCW 4.12.050:

Affidavit of prejudice:

Any party to or any attorney appearing in any action or proceeding in a superior court, may establish such prejudice by motion, supported by affidavit that the judge before whom the action is pending is prejudiced against such party or attorney, so that such party or attorney cannot, or believes that he cannot, have a fair and impartial trial before such judge: PROVIDED, That such motion and affidavit is filed and called to the attention of the judge before he shall have made any ruling whatsoever in the case, either on the motion of the party making the affidavit, or on the motion of any other party to the action, of the hearing of which

the party making the affidavit has been given notice, and before the judge presiding has made any order or ruling involving discretion, but the arrangement of the calendar, the setting of an action, motion or proceeding down for hearing or trial, the arraignment of the accused in a criminal action or the fixing of bail, shall not be construed as a ruling or order involving discretion within the meaning of this proviso; and in any event, in counties where there is but one resident judge, such motion and affidavit shall be filed not later than the day on which the case is called to be set for trial: AND PROVIDED FURTHER, That notwithstanding the filing of such motion and affidavit, if the parties shall, by stipulation in writing agree, such judge may hear argument and rule upon any preliminary motions, demurrers, or other matter thereafter presented: AND PROVIDED FURTHER, That no party or attorney shall be permitted to make more than one such application in any action or proceeding under this section and RCW 4.12.040.