

LSPR 95.01 TORRENS ACT PETITIONS (Chapter 65.12 RCW)

1. (a) Filing. A party filing an application for registration of title shall present a proposed order referring the application to an examiner of titles pursuant to RCW 65.12.110 to the commissioner ex parte department immediately upon filing of the abstract of title as required by RCW 65.12.085.

(b) Examiner of titles. The Court, upon receipt of an application for registration of title and proposed order referring the application to an examiner of titles, shall appoint an examiner of titles or assign the application to a previously appointed examiner.

(c) Notification. The applicant shall notify the clerk of court, in writing, within 30 days of issuance of the examiner's opinion, if the applicant elects to proceed further. If no notice is provided within 30 days, the application shall be deemed withdrawn and the matter dismissed. If the applicant elects to proceed further, the clerk of the court shall issue a summons pursuant to RCW 65.12.120 in the format required by RCW 65.12.125.

2. Hearing. If no person responds to the summons issued as set forth in RCW 65.12, the applicant may bring a motion on the judge's civil motions calendar for entry of an order and decree confirming title pursuant to Chapter 65.12 RCW. If any person responds, then any party may bring a motion before the civil motions judge for hearing pursuant to RCW 65.12.160. If, in the determination of the civil motions judge, the matter should be set for a trial or evidentiary hearing, the civil motions judge shall set the matter to an available date on the Superior Court trial calendar.

3. Service. The applicant is responsible for all service requirements except that required of the clerk under RCW 65.12.140. The applicant shall notify the clerk in writing of the publication dates in a manner timely and appropriate to allow the mailed service to non-residents required in RCW 65.12.140.

4. Fees and costs. The applicant is responsible for all fees and costs as spelled out in RCW 65.12.

[Adopted effective 9-1-2020]