

ADAMS COUNTY DISTRICT COURT-OTHELLO, STATE OF WASHINGTON

In Re	)	
	)	
COURT OPERATIONS UNDER THE EXIGENT	)	
CIRCUMSTANCES CREATED BY PUBLIC HEALTH	)	GENERAL ORDER
THREAT	)	NO. 2020-01
	)	
	)	
	)	

---

WHEREAS on February 29, 2020, Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of the coronavirus (COVID-19).

WHEREAS on March 14, 2020 Chief Justice Debra Stephens of the Washington State Supreme Court adopted Order No. 25700-B-602, granting emergency authority to the Presiding Judges of Washington courts to adopt, modify, and/or suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency; and

WHEREAS on March 16, 2020 the Governor imposed additional restrictions prohibiting gatherings of more than 50 people and shut down restaurants, bars, and entertainment and recreational facilities within the State of Washington due to the danger of continued spread of the virus and the increasing danger the virus presents to the health care system in the region, as well as directing all public and private schools within the State of Washington be closed from March 17 through April 24, 2020; and

WHEREAS on March 16, 2020, the Adams County Board of Commissioners declared a county emergency restricting public access to county facilities, effective immediately; and

WHEREAS, as the date of this Order, the Washington State Department of Health confirmed forty-two (42) deaths, seven hundred sixty-nine (769) confirmed positive cases, and over nine individuals under public health supervision in Adams County due to COVID-19.

Given the significant number of identified and projected cases of COVID-19 in the area, the severity of risk posed to the public, and the above public health recommendations from local public health authorities,

IT IS HEREBY ORDERED, that

- 1.) Effective Tuesday, March 17, 2020, all civil and criminal jury trials scheduled before this court will be rescheduled to a later date pending further order of the Court.
- 2.) Effective Tuesday, March 17, 2020 all in-person criminal proceedings, with the exception of in-custody arraignments, in custody review hearings and in-custody pre-trial conferences, will be continued and rescheduled to a later date pending further order of the Court. All in-custody matters will be heard by video. CrRLJ 3.4 (d) is hereby modified for all in custody court proceedings to be conducted by video.
- 3.) To effectuate these continuances implemented by this general order CrRLJ 3.3, the Time for Trial Rule for criminal matters, CrRLJ 4.1 time for arraignment and the time for hearing on civil infractions under IRLJ 2.6 are hereby suspended. The Court specifically finds the ends of justice served by the continuance outweighs the best interest of the public and Defendant's right to a speedy trial due to the unforeseen and unavoidable circumstances caused by the above enunciated public health emergency.
- 4.) Effective Tuesday, March 17, 2020 the following in person civil proceedings will be continued and rescheduled to a later date:
  - i.) All in-person traffic and other civil infraction hearings (both contested and mitigation). The court will continue to accept written statements submitted by mail (also known as hearings by mail). Until further order of the Court,

the Court authorizes filing of a Motion for Reconsideration following a court's determination on an initial written statement.

- ii.) Small claims hearings and trials
  - iii.) Civil preliminary trial hearings such as civil pre-trial conferences and all motion hearings.
  - iv.) Name change hearings, unless exigency can be shown then the Court may set an in-court hearing
- 5.) Effective Tuesday, March 17, 2020, all requests for temporary protection orders will be reviewed in chambers based on the written record. Hearings for final orders will be scheduled as needed at the discretion of the Court. The Court reserves the right to continue any scheduled full order hearings. The parties must be served with a copy of the continuance order. The maximum length of a temporary order pursuant to RCW 10.14.080(2) (Harassment) and RCW 7.92.120(5) (Stalking) and RCW 26.50.0607(5)(Domestic Violence) shall be suspended. These full protection order hearings shall be continued for up to thirty (30) days to a date as determined by the clerk.
- 6.) A defendant who contacts the Court by email or telephone seeking a hearing to quash an outstanding bench warrant may have any warrants quashed ex-parte by the Court in chambers so long as the defendant provides his or her current mailing address and the case(s) does not involve an immediate threat to public safety.
- 7.) Effective Tuesday, March 17, 2020, probation appointments shall be conducted by phone or via electronic means unless the presence of the defendant is necessary to conduct urinalysis, or for other public safety considerations.
- 8.) The Court reserves the right to maintain or schedule arraignments, pretrial hearings, and/or review/revocation hearings between today's date and May 1, 2020 in cases involving threats to public safety, including but not limited to domestic violence and driving while under the influence/physical control offenses.

- 9.) Litigants and attorneys who appear in Adams County District Court are expected as much as possible to adhere to the six-foot social distancing from court staff as well as other litigants.
- 10.) Litigants and attorneys who feel sick should not enter Adams County District Court. Anyone deemed by the court or by court staff to exhibit illness symptoms may be ordered to leave.
- 11.) For all hearings that are delayed by this Order, notices of the next scheduled hearing date will be mailed via U.S. mail. Any party needing to update his or her mailing address should contact Adams County District Court-Othello by:
- Telephone: (509) 488-3935
  - Email: [Districtcourt-othello@co.adams.wa.us](mailto:Districtcourt-othello@co.adams.wa.us)
  - Address: 425 E. Main St., Suite 400, Othello, WA 99344

It is anticipated that staff in the Clerk's Office will be available by telephone, email, and will continue to receive mail and filings. The public is encouraged to continue utilizing Court services while following the applicable public health guidelines.

The Court will review this Administrative Order no later than May 1, 2020, and make a decision to modify, rescind or continue this order.

Dated this 17<sup>th</sup> day of March, 2020.



---

Carolyn J. Benzel, Judge  
Adams County District Court-Othello