

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
FOR BENTON COUNTY

IN RE THE MATTER OF THE RESPONSE) No. 20-006
BY BENTON COUNTY DISTRICT COURT)
TO THE PUBLIC HEALTH EMERGENCY) EMERGENCY ORDER
IN BENTON COUNTY AND THE STATE OF)
WASHINGTON)

EFFECTIVE: October 2020

The public health emergency in Washington State posed by the coronavirus 2019 (COVID-19) continues to evolve and requires modification of prior Emergency Orders. Washington Supreme Court, Amended Third Revised and Extended Order Regarding Court Operations, Order No. 25700-B-625, grants authority to this court to suspend court rules as required by this emergency, stating as follows:

“23. Nothing in this Order limits the authority of courts to adopt measures to protect health and safety that are more restrictive than this Order, as circumstances warrant, including by extending as necessary the time frames in this Order.” (Pg. 13, Italics added).

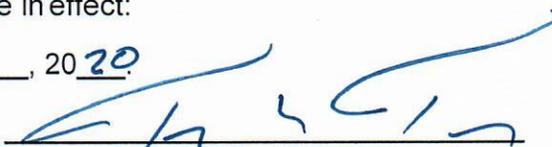
The safety of our citizens is of primary concern; therefore, effective October 2020, we are making modifications as follows:

1. Consistent with the Benton County Superior Court Order #5C, no jury trial in a civil or criminal case will be held during the month of October 2020 and additionally during the month of November 2020. The Court will continue to work toward the goal of having jury trials to the extent it can be safely accomplished.
2. The Court finds that the local continuing danger posed by COVID-19 constitutes continuing good cause to continue criminal trials and constitutes a continuing unavoidable circumstance under CrRLJ 3.3(e)(8). The time as set forth in the Washington Supreme Court’s Order No. 25700-B-642 at Paragraph 2 and additionally, the time between October 16, 2020 and December 1, 2020 shall be excluded when calculating time for trial.
3. Mitigated infraction hearings will continue to be held by mail or email until further notice of the Court. To effectuate all mitigation hearings being held by mail or email, the scheduled hearing requirement of IRLJ 2.6(b) is suspended.

This Emergency Order supplements prior Emergency Orders which remain in full force and effect to the extent that they are not inconsistent with this order.

NOW, THEREFORE it is hereby **ORDERED**, pursuant to the authority of Washington Supreme Court Order #25700-B-625, and the authority as the Presiding Judge of Benton County, that the following shall be in effect:

DATED this 9th day of October, 2020.


Presiding Judge Terry Tanner