

1 SUPERIOR COURT OF WASHINGTON
2 COUNTY OF CLALLAM

3 IN THE MATTER OF THE RESPONSE BY
4 CLALLAM COUNTY SUPERIOR COURT
5 TO THE PUBLIC HEALTH EMERGENCY IN
6 WASHINGTON STATE

NO.

EMERGENCY ORDER #1

7 This matter comes before the Court on the public health emergency in Washington
8 State.

- 9 1. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the
10 public health emergency posed by the coronavirus disease 2019 (Covid 19). In an
11 effort to combat this health emergency, the Governor has issued a series of
12 administrative orders which are increasingly protective. These measures include
13 closure of public and private facilities and limiting the size of groups that gather. It
14 is anticipated that further orders from the Governor's office are forthcoming.
15 Federal officials have also taken, and continue to take, similar actions. The court
16 incorporates these declarations and orders and administrative actions by reference.
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18 2. The court specifically finds that as a result of the public health emergency, including
19 but not limited to such factors as the court's role in protecting the health and safety
20 of all participants in the judicial system and the court's role in honoring the
21 recommendations and limitations made by other health and governmental
22 authorities, the changes contained in this order are required.
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24 3. On March 4, 2020, Washington Supreme Court Justice Debra Stephens entered an
25 Emergency Order authorizing the Presiding Judges of the Washington courts to take

1 all necessary steps to address the current public health emergency. The court
2 incorporates that order by reference.

3 Based upon the factors raised in the preceding paragraphs, IT IS HEREBY ORDERED
4 under the authority of Chief Justice Stephens' Order and the authority of the Presiding Judge
5 for Clallam County, the Superior Court shall enact the following policies:

6 I. GENERAL PROVISIONS

- 7 1. All provisions of this order, as they apply to an individual case, may be altered as
8 necessary in the discretion of the individual judicial officer handling the case.
- 9 2. Electronic service of documents is strongly recommended where possible. Parties
10 are encouraged to provide all opposing parties an electronic address for receipt of
11 documents.
- 12 3. On all cases where parties appearing in court by phone, the contact phone numbers
13 are to be provided to the court administrator by email at
14 SupCtWebNotice@co.clallam.wa.us Requests are to be made by 8:00 a.m. the day of
15 the hearing for morning hearings, and by 12:00 noon the day of the hearing for
16 afternoon hearings. Individuals unaware of these requirements who appear in court
17 will be asked to provide a phone number at the time they arrive in court, and then
18 they will be contacted by phone when their case is called.
- 19 4. The Superior Court Clerk's Office has made arrangements for documents to be filed
20 without the need to enter the courthouse. Instructions are available at
21 www.clallam.net/clerk/doc/ClerkDropFiling.pdf.
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- 1 5. The requirements of all court rules or statutes that are inconsistent with this order
2 are deemed suspended to the degree necessary to conform to this order.
3 6. The terms of this order may be adjusted as mandated by changing conditions or
4 experience gained from application of this order.

5 II. CASE SPECIFIC PROVISIONS

- 6 7. All adult criminal jury trials are cancelled through April 24, 2020. Rescheduling of
7 these cases will be handled as follows:

- 8 a. The attorneys may schedule a review hearing for purposes of setting new
9 dates or addressing conditions of release.
10 b. Cases not otherwise rescheduled will appear before the court on their
11 assigned trial date, and new dates will be established.

- 12 8. All juvenile offender fact findings are cancelled through April 24, 2020.

13 Rescheduling of these cases will be handled as follows:

- 14 a. The attorneys may schedule a review hearing for purposes of setting new
15 dates or addressing conditions of release.
16 b. Cases not otherwise rescheduled will appear before the court on their
17 assigned fact finding date, and new dates will be established.

- 18 9. All non-trial criminal matters will continue to be heard by the court. Defendants
19 must personally appear in court unless they have signed a waiver of in-person
20 appearance and provided that waiver to their attorney for filing with the court. In
21 cases where Defendants have waived their in-person appearance, the court will
22 initiate a phone call to the Defendant at the number included on the waiver.
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10. All civil trials scheduled to occur between the present date and May 15, 2020 are continued. The parties are responsible for seeking a new trial date. Upon specific motion and consideration of the details of a particular case, the court may conduct some bench trials prior to May 15, 2020.
 11. All therapeutic courts (Adult Drug Court, Juvenile Drug Court, LIFT Court) will continue to have weekly sessions, but participants will not appear in court in person. The teams for these courts will identify which participants need to be contacted by phone for purpose of reviewing the status of the case.
 12. All civil motions and family law hearings, except restraining orders, will be decided without oral argument, and based upon the record. In exercising the discretion set forth in #1 under General Provisions, the court may seek additional input from the parties.
 13. Except for requests for restraining orders, personal appearance on the civil ex parte calendar is not required.
 14. Those seeking immediate ex parte restraining or protection orders are to file their documents with the court clerk and arrange to appear by phone at the ex parte calendar. It is anticipated that hearings to consider permanent restraining or protection orders will occur by phone, subject to the judicial officer's discretion as set forth in #1 under General Provisions.
 15. All settlement conferences will be conducted by phone. Given the adjustments to the trial calendar, the court may produce a schedule of additional settlement conference opportunities.

1 16. All Involuntary Treatment Act hearings will proceed as normally scheduled but
2 parties may appear by phone.

3 17. Dependency matters will be handled as follows:

4 a. All shelter care hearings will proceed as required by RCW 13.34. Parties are
5 encouraged to appear by phone where possible.

6 b. Fact finding hearings will be conducted by phone, in person, or continued to
7 a date beyond the statutory seventy-five day time frame based upon the
8 discretion of the judicial officer hearing the matter, and in light of the
9 particular circumstances of the case.

10 c. Dependency hearings for reviews, permanency planning, motions, and status
11 shall be determined on the written record after March 19, 2020. The
12 Department shall file and serve reports as required by RCW 13.34.145.
13 Responses are due according to the applicable civil rules.

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15 18. CHINS and At-Risk-Youth petitions and motions will be heard as previously
16 scheduled with all parties appearing by phone.

17 19. All truancy petitions and hearings are continued until school districts reopen.

18 20. The Friday afternoon child support review calendar will continue with all parties
19 appearing by phone.

20 DATED this 17 day of MARCH, 2020.

21 

22 BRENT BASDEN
23 J U D G E

24
25 **BRENT BASDEN**
JUDGE

Clallam County Superior Court
223 E. 4th Street, Suite 8
Port Angeles, WA 98362-3015