IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK AND THE CITIES OF VANCOUVER, WASHOUGAL AND CAMAS

In Re: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 AND RELATED CORONOVIRUS	ADMINISTRATIVE ORDER - AMENDED NO. GAO 2020-7

WHEREAS:

1) Chief Justice Debra Stephens of the Washington State Supreme Court has adopted Second Revised and Extended Order Regarding Court Operations, No. 25700-B-625 granting emergency authority to this court to adopt, modify, and/or suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency declared February 29, 2020 by Washington State Governor Jay Inslee and nationally by President Trump March 13, 2020, due to the public health emergency due to the outbreak of Coronavirus/COVID-19;

2) During this state of emergency, the Centers for Disease Control and Prevention and the Washington State Department of Health have recommended increasingly

stringent social distancing measures of six feet between people, and have encouraged vulnerable individuals to avoid public spaces;

3) Consistent with these recommendations Governor Inslee issued a "Stay Home, Stay Healthy" order directing non-essential businesses to close, banned public gatherings and required Washington citizens to stay home except for essential activities; and

4) Clark County District Court serves both Clark County and the City of Vancouver and is a shared courthouse with Clark County Superior Court. District Court frequently serves close to 200 litigants per day who appear with family, friends, and attorneys on one floor of the courthouse to attend motion hearings, protection order hearings, arraignments, trials, infraction hearings, small claims trials, civil hearings, and probation hearings. This list is only some, not all, of the matters heard each day and does not include numbers for the people also appearing at the courthouse on Superior Court matters. Given the number of identified and projected COVID-19 cases in Washington State and the risk to public, court staff, witnesses, jurors and any other parties scheduled to appear in court; and

5) That court operations are recognized as essential and may often be conducted by alternative means with measures taken for public safety. The response from the court to prevent the further spread of COVID-19 must be continued while allowing the court to operate effectively;

Therefore, IT IS HEREBY ORDERED, that effective Monday, June 1, 2020:

1) All infraction hearings currently scheduled that require a court appearance of any party will be rescheduled to a later date until all social distancing limitations are

no longer recommended by order of Governor Inslee, recommendations of Centers for Disease Control and/or Washington State Department of Health. The court may in its discretion reschedule hearings virtually where available to the court and parties. Mail-in mitigation and contested hearings will still be heard as received;

2) All civil ex parte motions will continue to be processed electronically; civil motions may be noted and heard without oral argument virtually where possible (see policy below);

3) All newly filed Small Claims, Impounds, and Name Change Petitions have been scheduled out past May 31, 2020 and will be heard virtually where possible;

4) Pursuant to Supreme Court of Washington Order No. 25700-B-625, all Anti-Harassment and Stalking Protection Order hearings will be handled virtually where possible until further notice. The court may continue cases where in-person attendance is necessary based on recommended public health measures. Requirements for personal service of the petition or temporary order are suspended, except as to orders directing the surrender of firearms. Where personal service is not required, service may be made by law enforcement, including electronic service with acknowledgement of receipt, by process servers, by agreed service memorialized in writing, by publication or by mail. Motions to rescind or modify Criminal No-Contact Orders will be granted a hearing only upon judicial determination and will be scheduled virtually where possible.

5) Due to the Court's reduced ability to obtain an adequate number of jurors and potential impact to the ability of attorneys and litigants to appear, the time period

of the continuances implemented by this Administrative Order and Supreme Court Order 25700-B-625 will be excluded periods under CrRLJ 3.3 Time for Trial Rule through September 1, 2020;

6) All criminal trials currently scheduled will be continued past July 6, 2020; all civil trials currently scheduled will be continued past July 6, 2020;

7) Any out of custody criminal hearings cancelled since March 16, 2020 to include, but not limited to, mandatory pre-trial, reviews, change of pleas, and trial settings shall be rescheduled by summons to a later date; or scheduled by agreement of the parties and assigned department;

8) Criminal out of custody arraignments cancelled since March 16, 2020 shall be rescheduled by summons to a date after May 4, 2020; in custody arraignments shall proceed as scheduled;

9) Review hearings set to determine compliance with any order issued to surrender weapons, including both criminal and civil orders, will be scheduled per the usual rules and practice of the court;

10) Virtual hearings: if there is a request for or requirement by the court for a litigant to appear virtually, the party/defendant and/or attorney is responsible for providing the court good working contact information. Time of hearing for virtual hearings will be the time period starting at the scheduled time and continuing four (4) hours past the scheduled time. The parties are expected to continue to make themselves available until their case is called. Defendants who are required to appear virtually, but fail to pick up the phone or sign in virtually when their case is

called, shall be treated like any other failure to appear and a bench warrant may issue after the court has made reasonable attempts at reaching the party;

11) All in-custody matters will be handled via video conferencing until further notice;

12) Pursuant to Supreme Court Order 25700-B-625 an electronic signature shall be deemed a reliable means for authentication of documents and shall have the same force and effect as an original signature to a paper copy of the document signed. Furthermore, pursuant to the Supreme Court Order the requirement that a party who has filed electronically or has provided the clerk with their email address must give consent to accept electronic transmissions from the court is waived. In-person signatures of parties are not required so long as orders for future court dates, any conditions of release, protection order provisions and any other order of the court are on the record with the parties present. For virtual hearings, per General Rule 30(d)(2)(E)(ii) the court with permission of the signatories can affix acknowledgement of signatures on the documents without the parties being present.

13) All persons present in any courtroom in District Court, in lobby areas or in any other areas of the courthouse must observe social distancing and maintain a distance of at least 6 feet from any other person. All orders and rules promulgated by either Clark County District Court or Clark County Superior Court shall be observed in the common areas of the Clark County Courthouse. The court may make hearings accessible through live streaming or members of the public may request recordings of court proceedings through District Court. If alternatives to public access are available and the court makes the appropriate

findings under the law, the court may limit public not required to appear from entering the courthouse or courtrooms until all social distancing limitations are no longer recommended by order of Governor Inslee, recommendations of Centers for Disease Control and/or Washington State Department of Health. The court will not exclude victims in criminal matters from appearing in the courtroom;

14) No person exhibiting signs of COVID-19, including fever, persistent cough or shortness of breath shall be present in any courtroom and may be excluded by the presiding judicial officer.

For all hearings currently pending and for hearings or new cases filed during the pendency of this order that are delayed pursuant to this order; such delay or continuance shall constitute an excluded period pursuant to CrRLJ 3.3, CrRLJ 3.4, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6 and any other applicable court rule.

This order may impact the following Clark County District Court Local Rules: LCRLJ 40; LSC 4; LCrRLJ 3.2, 3.3, 3.4, 4.5; LIRLJ 2.4, 2.6.

The public is encouraged to continue utilizing Court services while following all applicable public health guidelines.

The Court will review and amend or terminate this Administrative Order no later than July 3, 2020.

Dated this 29th day of May, 2020.

Kelli Osler

KELLI E. OSLER
PRESIDING JUDGE