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

10 In Re:

11 COURT OPERATIONS UNDER THE
12 EXIGENT CIRCUMSTANCES CREATED
13 BY COVID-19 AND RELATED
14 CORONOVIRUS
15

ADMINISTRATIVE ORDER - AMENDED
NO. GAO 2020-6

16 WHEREAS:

17 1) Chief Justice Debra Stephens of the Washington State Supreme Court has
18 adopted Second Revised and Extended Order Regarding Court Operations, No. 25700-
19 B-618 granting emergency authority to this court to adopt, modify, and/or suspend court
20 rules and orders, and to take further actions concerning court operations, as warranted
21 to address the current state of emergency declared February 29, 2020 by Washington
22 State Governor Jay Inslee and nationally by President Trump March 13, 2020, due to
23 the public health emergency due to the outbreak of Coronavirus/COVID-19;
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25 2) During this state of emergency, the Centers for Disease Control and Prevention
26 and the Washington State Department of Health have recommended increasingly
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1 stringent social distancing measures of six feet between people, and have encouraged
2 vulnerable individuals to avoid public spaces;

3 3) Consistent with these recommendations Governor Inslee issued a "Stay Home,
4 Stay Healthy" order directing non-essential businesses to close, banned public
5 gatherings and required Washington citizens to stay home except for essential
6 activities; and
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8 4) Clark County District Court serves both Clark County and the City of Vancouver
9 and is a shared courthouse with Clark County Superior Court. District Court frequently
10 serves close to 200 litigants per day who appear with family, friends, and attorneys on
11 one floor of the courthouse to attend motion hearings, protection order hearings,
12 arraignments, trials, infraction hearings, small claims trials, civil hearings, and probation
13 hearings. This list is only some, not all, of the matters heard each day and does not
14 include numbers for the people also appearing at the courthouse on Superior Court
15 matters. Given the number of identified and projected COVID-19 cases in Washington
16 State and the risk to public, court staff, witnesses, jurors and any other parties
17 scheduled to appear in court;
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20 Therefore, IT IS HEREBY ORDERED, that effective Monday, March 16, 2020:

21 1) All infraction hearings currently scheduled that require a court appearance of any
22 party will be rescheduled to a later date until all social distancing limitations are
23 no longer recommended by order of Governor Inslee, recommendations of
24 Centers for Disease Control and/or Washington State Department of Health. The
25 court may in its discretion reschedule hearings telephonically or virtually where
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1 available to the court and parties. Mail-in mitigation and contested hearings will
2 still be heard as received;

3 2) All civil ex parte motions will continue to be processed electronically; civil motions
4 may be noted and heard without oral argument telephonically or virtually where
5 possible (see policy below);
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7 3) All newly filed Small Claims, Impounds, and Name Change Petitions will be
8 scheduled out past May 31, 2020 or heard telephonically or virtually where
9 possible;
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11 4) Any currently set Small Claims or other civil matters may be rescheduled past
12 May 31, 2020 or handled telephonically or virtually at the discretion and direction
13 of the assigned judicial department;

14 5) Pursuant to Supreme Court of Washington Order No. 25700-B-618, all Anti-
15 Harassment and Stalking Protection Order hearings will be handled
16 telephonically or virtually where possible until further notice. The court may
17 continue cases where in-person attendance is necessary based on
18 recommended public health measures. Temporary orders will be extended to the
19 next hearing date as necessary to comply with applicable statutes, court rules
20 and court orders. Requirements for personal service of the petition or temporary
21 order are suspended, except as to orders directing the surrender of firearms.
22 Where personal service is not required, service may be made by law
23 enforcement, including electronic service with acknowledgement of receipt, by
24 process servers, by agreed service memorialized in writing, by publication or by
25 mail. Motions to rescind or modify Criminal No-Contact Orders will be granted a
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1 hearing only upon judicial determination and will be scheduled telephonically or
2 virtually where possible. If no immediate hearing is granted the motion will be
3 scheduled for the next regularly scheduled court date on pending cases. Clark
4 County District Court will continue to receive and review these motions and
5 petitions but reserves the right to require all filings be done electronically or by
6 mail, until District Court Lobby re-opens.
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8 6) Due to the Court's reduced ability to obtain an adequate number of jurors and
9 potential impact to the ability of attorneys and litigants to appear, the time period
10 of the continuances implemented by this Administrative Order and Supreme
11 Court Order 25700-B-618 will be excluded periods under CrRLJ 3.3 Time for
12 Trial Rule through September 1, 2020;
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14 7) All criminal trials currently scheduled will be continued past July 6, 2020; all civil
15 trials currently scheduled will be continued past July 6, 2020;
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17 8) Any out of custody criminal hearings currently scheduled to include, but not
18 limited to, mandatory pre-trial, reviews, change of pleas, and trial settings shall
19 be rescheduled by summons at a later date; or scheduled by agreement of the
20 parties and assigned department;
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22 9) Criminal out of custody arraignments shall be cancelled and rescheduled by
23 summons to a date after May 4, 2020; in custody arraignments shall proceed as
24 scheduled;
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26 10) Review hearings set to determine compliance with any order issued to surrender
27 weapons, including both criminal and civil orders, will be scheduled per the usual
28 rules and practice of the court;

1 11) Telephonic/Virtual hearings: if there is a request for or requirement by the court
2 for a litigant to appear by telephone or virtually, the party/defendant and/or
3 attorney is responsible for providing the court good working contact information.
4 Time of hearing for telephonic/virtual hearings will be the time period starting at
5 the scheduled time and continuing four (4) hours past the scheduled time. The
6 parties are expected to continue to make themselves available until their case is
7 called. Defendants who are required to appear telephonically or virtually, but fail
8 to pick up the phone or sign in virtually when their case is called, shall be treated
9 like any other failure to appear and a bench warrant may issue after the court has
10 made reasonable attempts at reaching the party;
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13 12) All in-custody matters will be handled via video conferencing through June 1,
14 2020 or until further notice;

15 13) Pursuant to Supreme Court Order 25700-B-618 an electronic signature shall be
16 deemed a reliable means for authentication of documents and shall have the
17 same force and effect as an original signature to a paper copy of the document
18 signed. In-person signatures of parties are not required so long as orders for
19 future court dates, any conditions of release, protection order provisions and any
20 other order of the court are on the record with the parties present. For telephonic
21 or virtual hearings, per General Rule 30(d)(2)(E)(ii) the court with permission of
22 the signatories can affix acknowledgement of signatures on the documents
23 without the parties being present.
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26 14) All persons present in any courtroom in District Court, in lobby areas or in any
27 other areas of the courthouse must observe social distancing and maintain a
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1 distance of at least 6 feet from any other person. The court may make hearings
2 accessible through live streaming or members of the public may request
3 recordings of court proceedings through District Court. If alternatives to public
4 access are available and the court makes the appropriate findings under the law,
5 the court may limit public not required to appear from entering the courthouse or
6 courtrooms until all social distancing limitations are no longer recommended by
7 order of Governor Inslee, recommendations of Centers for Disease Control
8 and/or Washington State Department of Health. The court will not exclude
9 victims in criminal matters from appearing in the courtroom;
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12 15) No person exhibiting signs of COVID-19, including fever, persistent cough or
13 shortness of breath shall be present in any courtroom and may be excluded by
14 the presiding judicial officer.
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16 For all hearings currently pending and for hearings or new cases filed during the
17 pendency of this order that are delayed pursuant to this order; such delay or
18 continuance shall constitute an excluded period pursuant to CrRLJ 3.3, CrRLJ 3.4,
19 CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6 and any other applicable court rule.
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21 This order may impact the following Clark County District Court Local Rules: LCRLJ
22 40; LSC 4; LCrRLJ 3.2, 3.3, 3.4, 4.5; LIRLJ 2.4, 2.6.
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24 Clark County District Court and Camas/Washougal Municipal Courts lobbies are
25 closed until further notice. Staff in the courts' offices will be available by telephone and
26 mail will be received and processed. Camas and Washougal Courts may re-open using
27 telephonic or virtual hearings where possible. The public is encouraged to continue
28 utilizing Court services while following all applicable public health guidelines.

The Court will review and amend or terminate this Administrative Order no later than June 1, 2020.

Dated this 1st day of May, 2020.

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KELLI E. OSLER
PRESIDING JUDGE