

7/27/2020

Filed Electronically
Superior Court
Cowlitz County Clerk
Staci Myklebust by Sheryl M.

SUPERIOR COURT OF WASHINGTON FOR COWLITZ COUNTY

In re:

**SUPERIOR COURT COURTROOM
PROCEEDINGS HELD IN A VIRTUAL
COURTROOM**

**ADMINISTRATIVE ORDER
NO. 2020-003-08**

Governor Inslee declared a statewide State of Emergency on February 29, 2020, and has issued several updates, based on the significant risks of the COVID-19 pandemic. Chief Justice Debra Stephens, on March 4, 2020, issued the first, of several, orders of the Washington Supreme Court, to provide direction to the courts of the State of Washington in response to the pandemic. On March 4, 2020, the Board of Cowlitz County Commissioners declared an emergency also related to the significant health threat caused by COVID-19. The health and safety risks presented by the pandemic continue.

To reflect the public health emergency, Cowlitz County Superior Court has issued Emergency Orders to provide access to justice in a manner to ensure the safety of court personnel, litigants and the public. In furtherance of safety, the Court has invoked the holding of hearings by telephone, video or other means that do not require in-person attendance, unless impossible. Where the Court matters must be heard in person, social distancing, and other recommendations of the CDC and Cowlitz County Health

1 Department shall be followed. For the matters scheduled today before this Court, the
2 Court finds as follows:

3 1. A compelling interest has been demonstrated by the ongoing health crisis
4 that requires the Court to conduct hearings by virtual technology (ZOOM platform) and to
5 limit physical public interaction between the parties, public and staff in accordance with
6 the guidelines of the CDC and local health department.

7 2. Any person that objects to a currently scheduled matter being heard in this
8 manner may telephone into the virtual courtroom hearing and request to be heard by the
9 Court. Contact information can be found on the Cowlitz County Superior Court website
10 (<http://cowlitzsuperiorcourt.us/>). When the Court grants permission to speak, the person
11 shall then state their objection.

12 3. No one has authority or permission to record virtual court proceedings
13 except the Cowlitz County Superior Court Clerk, or her designees(s).

14 4. The Court finds the means provided for the public to observe and listen to
15 virtual court hearings is the least restrictive means available for protecting the public, the
16 parties, and the court staff. Specifically, any party can hear and observe the
17 proceedings by logging into the ZOOM hearing; the information to log in to Superior
18 Court ZOOM hearings can be found on the Cowlitz County Superior Court website
19 (<https://cowlitzsuperiorcourt.us/>). All Superior Court hearings, unless prohibited by law,
20 will be live streamed on YouTube for the general public to observe any and all
21 proceedings pursuant to *State v. Bone-Club*, 128 Wash.2d 254, 906 P.2d 325 (1995).
22 This order will also extend to jury trials held at the Cowlitz County Expo Center. Links to
23 every courtroom, except Juvenile Court, and including the Expo Center can be found on
24 the Cowlitz County Superior Court website (<https://cowlitzsuperiorcourt.us/>). Where
25 possible, jury trials held when this Order is in effect will also be televised through Kelso
26 Longview Television (KLTV).

27 5. The Court has weighed the importance of open proceedings against the
28 present health risks and has determined that it is appropriate to defer to the guidance of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

the public health experts during this pandemic. The risk of further spread of COVID-19 outweighs the public's interest to be physically present in an open court at this time.

6. This Order is in place for the scheduled proceedings and will be reconsidered daily as public health data, directives, and advice are issued. This Order is narrowly tailored as to address present health risks. No less restrictive alternative is available that will sufficiently protect the health of all present.

DATED: July 27, 2020

DocuSigned by:
Gary Bashor
461C59E3145840D...

PRESIDING JUDGE GARY BASHOR