

IN THE DISTRICT COURT
FOR THE COUNTY OF DOUGLAS

IN THE MATTER OF THE EMERGENCY) ADMINISTRATIVE ORDER
RESPONSE TO THE THREAT TO PUBLIC)
HEALTH) NO. 20-002
)

WHEREAS, on February 29, 2020, the Governor of the State of Washington declared a state of emergency concerning COVID-19 due to public health concerns in the State of Washington; and on March 13, 2020 President Trump declared a national emergency due to the COVID-19 outbreak across the United States; and

WHEREAS, the Washington State Supreme Court has adopted Order No. 25700-B-602, and has revised and extended its order regarding court operations, granting emergency authority to this court to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency;

NOW, THEREFORE, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY:

1. All jury trials scheduled for July 2020 are cancelled and jurors are excused. Matters that are currently set for jury trial in July 2020 will, at their readiness hearing, be reset to trial in August or September, 2020.

2. All "in-person" infraction hearings during the remainder of June 2020 through July 31, 2020 will be heard by audio/video (Zoom), or by telephone. All other infraction hearings will be handled through "on-line" or "in-writing" for contested or mitigation matters.

3. The court's weekly Tuesday Criminal Law and Motion calendars and bi-weekly Probation calendars for the remainder of June 2020 through July 31, 2020 will be heard by audio/video (Zoom), or by telephone. The clerk shall continue to provide appropriate instructions to the attorneys and defendants on how to appear by Zoom, or telephone.

a. If the parties have reached a resolution of their case, or if a critical stage hearing needs to be addressed by the court, an “in-person” hearing may be scheduled through the clerk’s office. Cases shall be scheduled in one-half hour increments, and only the participants involved in the case being heard by the court will be allowed into the courtroom. The court participants will be subject to the court’s COVID-19 policy prior to admission into the Law and Justice Facility, and at all times while in the building and courtroom.

4. For the remainder of June 2020 through July 31, 2020, the court’s weekly “in custody” criminal calendar will be heard as usual with the exception that attorneys for defendants may participate in the hearing through audio/video (Zoom), or telephonically. Any critical stage hearings may be heard if an appropriate procedure is in place allowing the defendant and his attorney to privately communicate during the hearing.

5. The court’s Wednesday Arraignment calendar for the remainder of June 2020, through July 31, 2020 will be heard by audio/video (Zoom), or by telephone. The clerk shall continue to provide appropriate instructions to the attorneys and defendants on how to appear by Zoom, or telephone.

6. All Civil and Small Claims cases scheduled for June 12, 2020 will be heard by audio/video (Zoom), or by telephone. Commencing July 2020, civil and small claims matters may be heard “in-person”. Small claims trials will be scheduled in one-half hour increments, and only the participants involved in the case being heard by the court will be allowed into the courtroom. Civil matters will be scheduled with sufficient time between cases such that only the court participants involved in the case before the court will be allowed into the courtroom. The court participants will be subject to the court’s COVID-19 policy prior to admission into the Law and Justice Facility, and at all times while in the building and courtroom. Ex-parte matters will continue to be processed. During the pendency of this order the court waives the requirement of a written motion/order to appear by telephone.

7. Pending and new Petitions for Protection Orders; including without limitation, anti-harassment, domestic violence, stalking and sexual assault may be scheduled and heard “in-person”. Cases shall be scheduled in one hour increments, and only the participants involved in the case being heard by the court will be allowed into the courtroom. The court participants will be subject to the court’s COVID-19 policy prior to admission into the Law and Justice Facility, and at all times while in the building and courtroom.

8. Name Change Petitions may be heard "in-person" and scheduled with sufficient time between cases to avoid more than one petitioner in the courtroom at any given time. The court participant(s) will be subject to the court's COVID-19 policy prior to admission into the Law and Justice Facility, and at all times while in the building and courtroom.

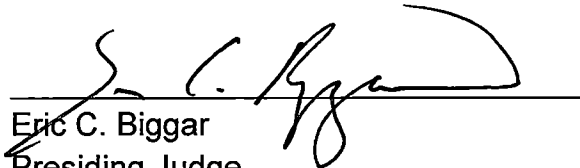
9. The court waives any requirement of attorney or defendant signature on the following forms; advice of rights, affidavit of indigency, clerk's notes which are processed at criminal arraignment hearings. The court waives any requirement of attorney signature on the judgement and sentence.

10. In accord with paragraph 12 of the Washington State Supreme Court's Amended Third Revised and Extended Order Regarding Court Operations (No. 25700-B-626) all criminal cases will have a new commencement date of September 1, 2020.

For all hearings currently pending and for hearings on new cases filed during the pendency of this order that are delayed by effect of this order, the delay/continuance shall constitute an excluded period for purposes of Speedy Trial, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule.

This order may be modified consistent with the Court's continual assessment of the needs of the community as well as the recommendations of public health officials.

DATED this 10th day of June, 2020.


Eric C. Biggar
Presiding Judge
Douglas County District Court