

IN THE DISTRICT COURT  
FOR THE COUNTY OF FRANKLIN COUNTY

IN THE MATTER OF EMERGENCY	)		REVISED
	)		ADMINISTRATIVE ORDER
RESPONSE TO COMMUNITY HEALTH	)		(Amending Administrative
CREATED BY COVID-19	)		Orders No. 20-1, 20-2 and 20-
			03)
			NO. 20-04

WHEREAS, the governor of the State of Washington has declared a state of emergency in all counties due to the public health emergency caused by COVID-19; and

WHEREAS, pursuant to GR 21 and the Washington State Supreme Court Order No.25700-B-602, granting emergency authority to Franklin County District 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; and

WHEREAS, the Washington State Supreme Court issued Amended Order No 25700-B-607 on March 20, 2020, Revised and Extended Order No 25700-B-615 Regarding Court Operations on April 13, 2020 and SECOND REVISED AND EXTENDED ORDER REGARDING COURT OPERATIONS No. 25700-B-618 on April 29, 2020; and

WHEREAS, pursuant to this court's March 17, 2020, March 24, 2020 and April 22, 2020 orders and Washington State Supreme Court Orders above, important steps must be taken to protect public health while ensuring continued access to justice and essential court services; and

WHEREAS, this court previously adopted Administrative Orders No.20-01, 20-02 and 20-03 but desires to amend / revise those administrative orders to be in compliance with the Revised and Extended Order No 25700-B-615 Regarding Court Operations and the SECOND REVISED AND EXTENDED ORDER REGARDING COURT OPERATIONS No. 25700-B-618;

NOW, THEREFORE, effective May 8<sup>th</sup>, 2020 UNTIL THIS ORDER IS MODIFIED OR RESCINDED, IT IS HEREBY ORDERED:

1. CIVIL CASES: Civil cases, including Small Claims and Name Change hearings, are continued and will be reset, with notice, to court dates beginning no sooner than May 5, 2020.
2. INFRACTIONS: Currently set **contested infraction hearings** are continued and will be reset. Contested infraction hearings will be set, with notice, to court dates FOR TELEPHONIC HEARINGS. Notices for contested hearings will include the form to contest by mail or email. **Mitigated infraction hearings** will be held by mail or email OR TELEPHONICALLY. Notices for mitigation hearings will include the form to mitigate by mail or email. To put into place this order that all mitigation hearings may be held by mail or email, IRLJ 2.6 (b) is suspended.
3. CLERKS OFFICE: The front counter will be open to the public commencing May 11, 2020, from 9AM to 1PM. All parties are encouraged to make payments by mail, by phone, on-line or by deposit into the drop box located outside the courthouse. It is encouraged that civil filings be e-filed or mailed to the court; the Clerk will continue to accept filings and provide copies of documents by mail or email. Payments or filings may be done in person when the front counter is open.
4. JURY TRIALS: Criminal and civil jury trials will be held after July 6, 2020.
5. CRIMINAL PRETRIALS: All criminal pretrial hearings will be continued and set out with hearings beginning no sooner than May 5, 2020, TELEPHONICALLY IF POSSIBLE. Currently set pretrial hearings, motions, trial readiness hearings, and trials, will be reset by agreement of the parties or with notice from the Court.
6. INITIAL APPEARANCES / ARRAIGNMENTS: All DUI/Physical Control, Domestic Violence initial appearances/arraignments will continue as scheduled VIA VIDEO APPEARANCE OR TELEPHONICALLY IF POSSIBLE. All other arraignments will be reset no sooner than May 5, 2020, but no later than 45 days after the filing of the applicable charges. Good cause exists under CrRLJ 4.1 to extend the arraignment dates. The new arraignment date shall be considered the "initial commencement date" for purposes of establishing the time for trial under CrRLJ 3.3(c)(1). Currently set arraignments may be reset with notice as appropriate.
7. IN-CUSTODY HEARINGS: In-custody hearings for defendants who are held in jail will continue as scheduled by video and/or audio appearance.
8. BENCH WARRANTS: Bench warrants will not be issued for any defendant who fails to appear for any criminal hearing absent a determination by the Judge that the emergency in not issuing the warrant outweighs the emergency necessitating this Order.
9. TIME FOR TRIAL: With regard to all criminal matters, the time period of the continuances and resets implemented by this Administrative Order will be excluded under CrRLJ 3.3 Time for Trial Rule.
10. CIVIL PROTECTION ORDERS: Petitions for Protection Order hearings will proceed as currently scheduled -- including without limitation, domestic violence, anti-harassment, sexual assault, stalking or any other type of order. Such hearings

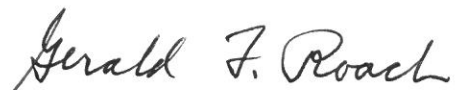
shall be conducted by video and/or audio appearance. New petitions for such orders will be scheduled per the usual rules and practice of the Court.

11. OTHER CIVIL MATTERS: Matters relating to the impound of motor vehicle(s) or animals may be scheduled upon written request to the Judge presented the emergent need for a hearing. Upon a judicial determination of emergent need, the court clerk will set a hearing which may be held via a telephonic or video hearing.
12. GOOD CAUSE REQUESTS: Written good cause requests regarding fines, fees, costs and quashing warrants will be held via written request submitted by mail, on-line or by deposit into the drop box located outside the courthouse.
13. PARTY SIGNATURES: The Court will not require any defendant's signature on court orders. It shall be noted and docketed how the party received notice and a copy of the applicable order. If a party is represented, counsel shall be responsible for delivering court orders and documents to the party and documents to the court for filing.
14. PROBATION AND PRETRIAL SUPERVISION: All defendants required to check in with Probation shall do so by telephone. Show cause hearings for active probation / monitoring will continue to be filed but will be scheduled TO BE HEARD TELEPHONICALLY for no sooner than May 5, 2020, absent an emergency which warrants a hearing sooner.
15. GENERAL: 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.
16. GENERAL HYGIENE PRACTICES: All persons entering the District Court are encouraged, and may be required by Court Security or the Clerks, to use hand sanitizer immediately before entering the courtroom. All individuals who enter the courtroom shall practice the six-foot social distancing recommendation of public health authorities.

Franklin County District Court remains open as described and limited in this order.

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 8th day of May, 2020.



Judge Gerald F. "Jerry" Roach