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GRAYS HARBOR CO.
KYM FOSTER
COUNTY CLERK

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR GRAYS HARBOR COUNTY

IN THE MATTER OF EMERGENCY
RESPONSE TO A THREAT TO PUBLIC
HEALTH

GENERAL ORDER 2020-12

**EMERGENCY ORDER RE:
PUBLIC HEALTH**

Pursuant to General Rule (GR) 21(a), the Presiding Judge of this court has issued multiple General Orders 2020 between March 12, 2020 and October 26, 2020 in response to the public health emergency arising from the coronavirus (COVID-19), which was declared a pandemic by the World Health Organization on March 11, 2020 and which affects the operations of the Grays Harbor County Superior Court.

This order adopts and incorporates prior orders of this court, except as amended herein, and the Washington Supreme Court orders issued on this same subject.

The rate of COVID-19 infection in Grays Harbor County has increased exponentially since July 1, 2020 and now exceeds the CDC standards of safety by 700%. The CDC standards provide that a safe level of COVID-19 transmission is not more than 25 new cases per 100,000 population in any 14-day period. For the population of Grays Harbor, the safe level is not more than 15 new cases in any 14-day period. Since August 1, 2020, the infection transmission rate in Grays Harbor has averaged between 95 and 110 new cases for every 14 days, which is 7 times the CDC standards. The health risk posed by this infection rate is unacceptable. It has been determined by the Washington State Supreme Court and the Governor of the State of Washington that it remains necessary to continue with strict observance of social distancing measures and other public health safeguards until further notice.

1 The Grays Harbor County Superior Court and the Grays Harbor County Juvenile Court
2 shall be closed to the public, except for the limited circumstances specified in this order. The
3 closure of these courts does not apply to the Grays Harbor District Courts. Some operations of
4 the Grays Harbor County Superior Court are suspended, as set forth in this order, and many
5 operations of the Court shall be conducted remotely by use of the Zoom App.

6 **Criminal cases**

7 1. All criminal jury trials for defendants who are not in custody are suspended until at least
8 February 1, 2021. For all criminal trials suspended under the terms of this order, May 1, 2021
9 shall be the new commencement date for purposes of establishing time for trial.

10 2. All cases in which a jury trial has been suspended pursuant to this order shall be scheduled
11 for status review on January 11, 2021.

12 3. Criminal jury trials shall be scheduled and conducted at the Grays Harbor County
13 Fairgrounds in the courtroom assembled at the Exhibition Hall.

14 4. Nonjury trials may be conducted by remote means effective immediately.

15 5. Beginning November 23, 2020, the court shall conduct its regular criminal motion dockets
16 by Zoom/videoconferencing. As provided in section 12(c) of the Supreme Court order dated
17 defense counsel shall be responsible for providing notice to defendants of all hearing dates,
18 docket dates and the need for defendants to appear for all hearings and dockets remotely
19 (using Zoom). Any defendant who lacks access to a device that supports Zoom may appear
20 for the motion dockets in-person in Grays Harbor County Superior Court, Department 2
21 courtroom, where access to Zoom will be available.

22 6. The cases for out-of-custody defendants who are scheduled to plead guilty or for
23 sentencing shall be heard in-person.

24 7. The cases for in-custody defendants who are scheduled to plead guilty or for sentencing,
25 shall be heard in-person or by Zoom at the jail, at the option of the defendant's attorney.

26 The defendant's attorney shall be responsible for: (a) preparing all plea agreements and
statements on plea of guilty and providing signed bench copies to the court prior to the
hearing; and (b) notifying the Corrections Department as to the location (in-person or Zoom)
for all cases scheduled for guilty pleas or sentencing.

1 8. All Drug Court proceedings shall be conducted remotely (using Zoom).
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3 **Civil Cases**
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5 1. All motions in civil matters shall be scheduled for remote hearing only (using Zoom)
6 beginning at 8:30 a.m. on Mondays, utilizing the scheduling process set forth in Court's letter
7 dated June 11, 2020, a copy of which is attached to this order.

8 2. All civil jury trials scheduled to begin between the date of this order and June 30, 2021 are
9 hereby stricken and counsel shall submit a new request for trial with the Court Administrator
10 on or after February 1, 2021.

11 3. Parties may request evidentiary hearings or non-jury civil trials by filing a written request
12 with the Court Administrator. All such hearings and/or trials shall be conducted remotely
13 (using Zoom).

14 **Domestic/Family Law Cases**

15 1. All motions in domestic and family law cases shall be scheduled for remote hearing only
16 (using Zoom) beginning at 9:00 a.m. on Mondays, utilizing the scheduling process set forth
17 in the Court's letter dated June 11, 2020, a copy of which is attached to this order.

18 2. Parties may request evidentiary hearings or trials by filing a written request with the Court
19 Administrator. All such hearings and/or trials shall be conducted remotely (using Zoom).

20 3. Default Dissolution dockets shall be suspended until the week of January 11, 2021.

21 4. Paternity Dockets shall be conducted remotely beginning November 23, 2020.

22 5. Protection Dockets for domestic violence protection orders shall be conducted remotely
23 (using Zoom) on Mondays at 2:00 p.m.
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25
26

THE SUPERIOR COURT OF WASHINGTON
GRAYS HARBOR COUNTY

STEPHEN E. BROWN, JUDGE
DAVID L. EDWARDS, JUDGE
DAVID L. MISTACHKIN, JUDGE
(360) 249-5311 Ext 4
JOSH SEDY, ADMINISTRATOR
(360) 249-5311 Ext 3

102 W. BROADWAY
ROOM 305
MONTESANO, WASHINGTON 98563

June 11, 2020

To: All GHCBA Members, Counsel, and Litigants:

The Superior Court judges will re-open the courthouse and resume in-person hearings in our courtrooms beginning June 29, 2020. There will be substantial changes to the docket schedules dictated by safety concerns. Social distancing will be strictly enforced, we will carefully control the number of persons in the courtrooms and all persons will be required to wear face masks or shields. As we move closer to June 29th, you will receive another letter regarding the safety rules that all persons entering the courthouse must follow.

We anticipate a significant backlog of civil and domestic cases with motions and other matters which the attorneys and parties will want to have heard at a docket proceeding.

We will conduct as many docket sessions as necessary during the week of June 29 to address the backlog and to accommodate requests from counsel and parties for the scheduling of motions.

Beginning on Monday, June 29th, the court will conduct the Domestic docket beginning at 9:00 a.m. and the Civil docket beginning at 1:00 p.m. We will also resume the Default Dissolution docket, the Paternity docket and the DV Protection docket

DOMESTIC DOCKET

The weekly Domestic docket will consist of three 1- hour sessions with 8 cases per session, ending at 12:00 noon. If you want to schedule a motion hearing, you must contact the Court Administrator to reserve a time slot during one of the docket sessions. When the June 29th sessions are full, we will begin scheduling sessions for June 30th. This scheduling process will continue thru Thursday, July 2nd, if necessary. We will follow the same scheduling process for July 6th and 7th. Beginning the week of July 13th, we would expect that the Domestic docket could be completed in one day. However, the Domestic docket will consist of three 1-hour sessions with reserved time slots for the foreseeable future.

CIVIL DOCKET

The Civil docket will begin at 1:00 p.m. and scheduling will be accomplished by the same method described above, with 10 cases per hour. If necessary, we will conduct Civil dockets on June 29th & 30th.

This process of reserving time slots for scheduling cases on the Civil or Domestic dockets will continue until social distancing is no longer a necessary safety requirement. As we begin the process of re-opening our court, every decision in the planning process will promote the safety of all persons involved in the justice system.

SUMMARY JUDGMENT MOTIONS & CIVIL TRIALS

Until further notice, summary judgment motions cannot be scheduled on any Monday. Please contact the Court Administrator for a special setting.

There will be no civil jury trials in 2020. Any civil cases currently scheduled for jury trials are stricken and counsel should submit new dates to the Court Administrator for a trial setting in 2021. The Court Administrator will schedule hearings and bench trials in civil and domestic cases upon written request of counsel.

PATERNITY & DEFAULT DISSOLUTION DOCKETS

These dockets will be heard at 1:00 p.m. every Monday in Department Three.

DV PROTECTION DOCKET

This docket will be heard every Monday beginning at 2:00 p.m. in Department Three. The Court Administrator will schedule 6 cases per hour for this docket. Any excess cases will be set over to the next Monday.

DEPENDENCY DOCKETS

Beginning July 1, 2020, Dependency Court dockets will be heard in the Department 1 courtroom in Montesano. In order to limit the number of persons in the courtroom and to allow for appropriate social distancing, there will be 8-10 cases per hour scheduled for hearing. Judge Mistachkin will work with counsel, as necessary, to accomplish case scheduling.

SCHEDULING & NOTICES OF HEARING

Upon your receipt of this notice, you may contact the Court Administrator (Josh Sedy) to begin scheduling hearings in your cases. **You may contact Mr. Sedy at 360-249-5311 ext.3**

After reserving a time slot on the Civil or Domestic dockets, it will be the responsibility of counsel to file and serve a Notice of Hearing in compliance with CR 5 and 7.

We are all looking forward to getting back to the courthouse, into our courtrooms and seeing all of the people involved in the justice system in Grays Harbor. Stay safe and stay healthy.

SUMMARY OF MONDAY DOCKET SCHEDULE:

Department 1 – Judge Mistachkin

9:00-NOON – Attorney Domestic Docket

1:00-4:30 – Civil Motion Docket

Department 2 – Judge Edwards

8:00-NOON – Criminal AM Docket

1:00- 4:30 – Criminal PM Docket

Department 3 – Judge Brown

9:00-NOON – Pro Se Domestic Docket

1:00-2:00 – Default Dissolution & Paternity Docket

2:00-4:30 – Protection Order Docket

Presiding Judge David Edwards, Judge Stephen Brown, Judge David Mistachkin