

IN THE DISTRICT COURT FOR ISLAND COUNTY AND THE MUNICIPAL COURTS
FOR OAK HARBOR, COUPEVILLE AND LANGLEY

IN THE MATTER OF EMERGENCY RESPONSE) ADMINISTRATIVE ORDER
TO A THREAT TO PUBLIC HEALTH)
) NO. 2020-0001
)

WHEREAS, ON February 29, 2020 Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the coronavirus COVID-19; and

WHEREAS, on March 2, 2020 the Island County Health Department declared a state of emergency due to the spread of the coronavirus; and

WHEREAS, on March 4, 2020 the Washington State Supreme Court adopted 25700-B-602 , 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; and

WHEREAS, March 11, 2020 the World Health Organization declared the spread of the coronavirus a pandemic; and

WHEREAS, on March 12, 2020 Governor Inslee expanded the school closure order to K-12 schools statewide because of the coronavirus spread; and

WHEREAS, on March 13, 2020, President Trump declared a national state of emergency under the Stafford Act; and

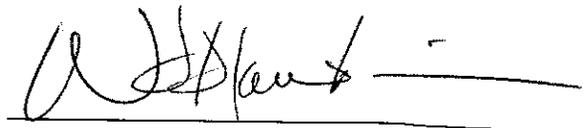
WHEREAS, the Courts of Washington strive to promote access to justice, and access to court proceedings in a secure and healthy environment;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That all jury panels scheduled for duty between March 16, 2020 and April 30, 2020 are excused from jury duty.
2. All cases scheduled for a jury trial between March 16, 2020 and April 30, 2020 will be continued and scheduled for Readiness on May 5, 2020 at 1:00 pm.

3. As it applies in this Court, Criminal Rule for the Courts of Limited Jurisdiction 3.3 regarding Time for Trial is hereby amended as follows: a) a new subsection (10) (e) is added regarding Excluded Periods, to recognize the need for and to create an excluded period for delay granted by the Court due to the coronavirus pandemic; b) a new subsection (c) (2) (ix) is added to provide that a period of delay granted by the Court for reasons of public health shall reset the commencement date for speedy trial. The Court finds good cause pursuant to CrRLJ 3.3 (f) and further finds that continuance of cases for reasons of public health is required in the administration of justice to balance access to justice and the duty to provide a safe environment for all participants in the justice system. The Court recognizes that the constitutional right to speedy trial remains unabridged; any constitutional speedy trial issues raised will be reviewed on a case by case basis.
4. All attorneys and litigants are strongly encouraged to make use of the video and telephonic attendance opportunities provided by the Court. Participation by video may be arranged by calling the Court at (360) 675-5988. Calling at least 10 minutes before the time for the hearing is recommended. This order does not apply to bail hearings, mandatory first appearances or arraignments, which will continue to be held in person or upon request under appropriate circumstances by video.
5. All attorneys and litigants are encouraged to handle routine matters such as continuances through agreed ex parte orders in order to minimize the need for in person hearings and, pertaining to defendants in custody, to minimize the need for jail staff to escort the inmates from their cells to the video conference room.
6. All contested hearings and mitigation hearings in civil traffic and other infraction cases will be presumptively scheduled to be heard by mail pursuant to Infraction Rules for Courts of Limited Jurisdiction (IRLJ). Upon request, and on a cases by case and for good cause the Court will consider scheduling hearings by video or telephonically.
7. All hearings in Small Claims Court cases, Name Change cases, and on civil motions scheduled between March 16, 2020 and April 30, 2020 are continued and will be rescheduled for hearing after May 4, 2020.
8. All Probation appointments will presumptively be conducted by telephone, unless otherwise directed by Probation.

DATED this 16th day of March, 2020.

A handwritten signature in black ink, appearing to read "A. J. Hunt", written over a horizontal line. The signature is cursive and includes a long horizontal stroke at the end.

Presiding Judge