

IN THE MUNICIPAL COURT FOR THE CITIES OF ISSAQUAH, SNOQUALMIE AND
NORTH BEND, COUNTY OF KING, STATE OF WASHINGTON

IN THE MATTER OF EMERGENCY RESPONSE) ADMINISTRATIVE ORDER
TO THREAT OF PUBLIC HEALTH) NO. 2020-1
)
)
) Re-Scheduling of Hearings and
) Other Changes to Court Operations

WHEREAS, The Chief Justice has issued an emergency order in response to the public health emergency that affects the operations of trial courts in Washington State on March 4, 2020; and

WHEREAS, the Washington State Supreme Court has adopted Order No. 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;

WHEREAS, on March 11, 2020 the Governor imposed additional restrictions prohibiting gatherings of more than 250 people within King, Snohomish, and Pierce County due to the danger of continued spread of the virus and the increasing danger the virus presents to the health care system in the region;

WHEREAS, on March 11, 2020, Dr. Jeff Duchin, Health Officer for Public Health – Seattle and King County, issued a parallel local Health Officer Order for King County to prohibit gatherings of fewer than 250 people unless measures are taken by event organizers to minimize risk;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Except as indicated herein, effective at 12:00 p.m. on Monday, March 16, 2020 thru March 27, 2020, the court will reschedule all out of custody court hearings. The court will tentatively resume normal operations on March 30, 2020. The court window will be closed from March 16, 2020 thru March 27, 2020.
2. The Issaquah Municipal Court remains open. Staff in the court clerk's office will be available by telephone, and both mail and email will be received.

Mailing Address: P.O. Box 7005, Issaquah, WA 98027
Phone: (425) 837-3170
Email: municipalcourt@issaquahwa.gov.

3. The court will continue to hear all in-custody calendars, rule on any contested or mitigation hearings submitted for resolution by mail, and review hearings set to determine compliance with any order issued to surrender weapons.

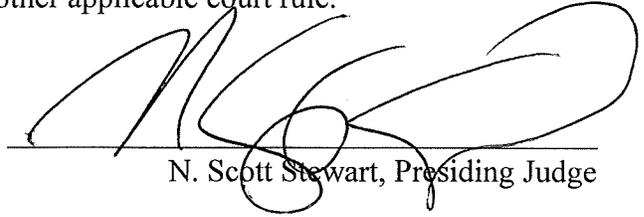
4. Emergency motions and/or motions to quash bench warrants will be conducted by telephone only and will be heard following Tuesday and Thursday in-custody calendars. Motions can be requested by filing appropriate paperwork at the court's email: municipalcourt@issaquahwa.gov and must include a working phone number. The court will contact the requesting party by phone. Where a warrant is quashed, the court will mail notice of the next court date.
5. Persons protected by a no contact order or other order who wish to be heard on a request to modify or lift the order must confer with the DV advocate first and may then request a hearing to address any requested modification. Hearings to modify orders will be conducted by telephone in the same manner as emergency motions and/or motions to quash bench warrants.
6. All visitors appearing at court calendars must use hand sanitizer before entering the courtroom. Court staff may direct persons to comply with "social distancing" measures, i.e., standing or sitting six feet apart, and persons attending court sessions will be required to comply with any such directives.
7. The city prosecutor is to continue to file any new charges during any period that out of custody hearings are being rescheduled. Where a new charge is filed, defendants will be allowed to apply for the public defender by email and/or phone by contacting the Issaquah Municipal Court at (425) 837-3170 or municipalcourt@issaquahwa.gov. Where they are appointed, the public defender is encouraged to waive arraignment whenever authorized and appropriate, thus allowing cases to be set directly to pretrial.
8. Probation appointments with Probation Officer Melanie Vanek will be conducted by telephone only, no in person appointments.
9. This Administrative Order suspends the requirement under CrRLJ 4.1(a)(2) that defendants "shall be arraigned not later than 14 days after that appearance which next follows the filing of the complaint or citation and notice, if the defendant is not detained in such jail or subject to such conditions of release."
10. Continuances pursuant to this Administrative Order of criminal cases in pre-trial status shall be "excluded periods" under CrRLJ 3.3(e)(8)[unavoidable or unforeseen circumstances] in computing the time for trial and/or this Administrative Order suspends the right to a speedy trial under CrRLJ 3.3(b).
11. This Administrative Order suspends the requirement under IRLJ 2.6(a)(1) that infraction hearings "be scheduled for not less than 14 days from the date the written notice of hearing is sent by the court, nor more than 120 days from the date of the notice of infraction or the date a default judgment is set aside."
12. No part of this order suspends the defendant's right to a public trial, or the general right of the public to be present at court proceedings under the constitutional provisions that require the open administration of justice.

13. The court will re-assess the need for further continuances weekly, beginning Friday, March 20, 2020.

14. The court may re-assess the need for other protective measures on an as needed basis.

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, this administrative order suspends the right to a hearing within any specific time period required by any court rule AND/OR any 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.

Dated March 13, 2020



N. Scott Stewart, Presiding Judge