

BAINBRIDGE ISLAND MUNICIPAL COURT
COUNTY OF KITSAP, STATE OF WASHINGTON

IN THE MATTER OF THE EMERGENCY
RESPONSE TO THE CORONAVIRUS
(COVID-19) PUBLIC HEALTH THREAT.

EMERGENCY
ADMINISTRATIVE ORDER

NO. 2020- 1

THIS MATTER comes before the Court on the public health emergency in the City of Bainbridge Island, Kitsap County, State of Washington:

1. On February 29, 2020, Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of the coronavirus (COVID – 19).
2. On March 4, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court adopted Order No. 25700-B-602, granting emergency authority to all Washington courts to adopt, modify, and/or suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency, issued an emergency order in response to the public health emergency that affects operations of trial courts in Washington State.
3. On Monday, March 9, the City of Bainbridge Island issued a Proclamation of Local Emergency in response to the Kitsap Public Health District's March 8th confirmation of the county's first "presumptive positive" COVID-19 case on Bainbridge Island. The proclamation allows the City to use all resources necessary to prepare for and respond to an outbreak and to adjust City policies and operations.
4. On March 13, 2020, the Governor imposed statewide school closures for K-12 public schools and placed restrictions prohibiting gatherings of more than 250 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.
5. On March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency.
6. The Bainbridge Island Municipal Court is a very small courthouse and courtroom that requires litigants, attorneys, and court staff to work in extremely close quarters while attending court hearings. Social distancing is not possible at the Bainbridge Island Municipal Courthouse. In order to promote the public health goals identified by public officials, and promote the health and safety of users and staff at the court, it is necessary to modify

operations and reduce in-person attendance at the Bainbridge Island Municipal Court during the declared public health emergency.

THEREFORE, IT IS HEREBY ORDERED that effective Monday, March 16, 2020, all currently scheduled court matters will be postponed and rescheduled by the court clerks to another date, with the following exceptions:

1. Traffic Infractions and Parking Mitigation cases by mail will be reviewed as scheduled. All infraction and parking hearings that require the appearance of any party will be rescheduled to a later date.
2. Criminal cases where a defendant is detained in custody on that particular criminal case will proceed as currently scheduled. New criminal cases where a defendant is detained on that case will continue to be scheduled for hearing per the usual rules and practice of the court.
3. Protection order hearings will proceed as currently scheduled, including domestic violence, anti-harassment, sexual assault, stalking or extreme risk order. New petitions for such orders will also be scheduled per the usual rules and practice of the court.
4. Review hearings set to determine compliance with any order issued to surrender weapons, install ignition interlock, and comply with pre-trial drug and alcohol monitoring, will continue as normally scheduled even if an underlying criminal case is being rescheduled to a later date.
5. Matters may be scheduled if a written request to the judge is presented explaining the emergent need for a hearing, or upon a judicial determination of an emergent need. The matter may be scheduled for telephonic, video, or in-person hearing, depending on the circumstances of the case.
6. Civil motions may be noted and heard without oral argument.
7. Bench warrant quash requests by a defendant via email or telephone will be reviewed ex parte, provided that the defendant provides an updated address to the clerk.
8. Ex parte matters will continue to be processed.

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 or 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.

For all hearings delayed by this order, notice of the next hearing will be mailed via US mail. Any person needing to update their mailing address should contact the court clerk at (206) 842-5641.

For all hearings not continued by effect of this rule, telephonic and video hearings will be permitted to the greatest extent possible in order to encourage social distancing as recommended by both the Centers for Disease Control and local public health officials.

It is further ordered that passport processing services by the court staff shall be suspended for a minimum of six weeks. Requests for exceptions may be made by email to the Court with proof of upcoming travel out of the country or other emergency need for passport processing.

Litigants, attorneys, and other courthouse users who are experiencing illness should not enter the courthouse.

The courthouse will remain open. However, the public is encouraged to contact the court via telephone (206-842-5641) and email (court@bainbridgewa.gov), rather than in-person, to the maximum extent possible.

This order will continue in full force and effect until terminated. 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 16th day of March, 2020.



Judge Sara McCulloch