

**KITSAP COUNTY SUPERIOR COURT
STATE OF WASHINGTON**

IN RE THE KITSAP COUNTY COURTHOUSE AND THE
PANDEMIC OUTBREAK OF THE CORONAVIRUS
DISEASE 2019 (COVID-19)

No. 2020-5
EMERGENCY ADMINISTRATIVE ORDER
RE DOMESTIC RELATIONS CASES

THIS ADMINISTRATIVE ORDER is being issued in response to the current pandemic outbreak of the Coronavirus Disease 2019 (COVID-19).¹

Washington has been "ground zero" for this disease. Although for many this disease appears to cause only flu-like symptoms, for others it can pose a serious and potentially lethal risk as exhibited by the increasing number of Washington deaths currently attributed to the disease. Governor Inslee has declared a state of emergency and has banned most events with more than 50 people. It has been declared that all Washington elementary and secondary schools will be closed through April 24, 2020.

Kitsap County Superior Court has consulted with the Kitsap County Health Department² concerning the current status of the disease as well as recommendations the Health Department has made to attempt to contain and mitigate the spread of the disease.

On March 4, 2020, the Washington Supreme Court adopted Order No. 25700-B-602 granting emergency authority to the presiding judges of all Washington courts to "adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency."

On March 13, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order 2020-1 to address Superior Court Criminal and Civil Jury trials. On March 16, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order 2020-2 to address Juvenile Dependency proceedings. On March 17, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order No. 2020-3 regarding courtroom management. On March 17, 2020, the Kitsap County Superior Court adopted Emergency Administrative Order No. 2020-4 in

¹ Hereafter "disease."

² Hereafter "health department."

response to a confirmed case of COVID-19 that was reported among a member of the Kitsap County Superior Court.

On March 18, 2020, the Supreme Court of Washington entered Order No. 25700-B-606 which, related to civil cases, states as follows:

- 1.) All civil jury trials shall be suspended until after April 24, 2020.
- 2.) All non-emergency civil matters shall be continued until after April 24, 2020.
- 3.) All emergency matters that must be heard before April 24, 2020, must be heard by telephone, video, or other means that does not require in-person attendance unless impossible, and;

The Court recognizes that there are procedural issues in juvenile, dependency, involuntary commitment, child support, and other matters that may not be encompassed in this Order. Nothing in the Order limits other interested parties in submitting similar orders tailored to the unique circumstances of those matters and any other matters not contemplated by this Order; however, parties are strongly encouraged to contemplate the issues addressed in this Order.

Given the significant number of identified and projected cases of the disease in Washington, the severity of the risk posed to the public, the recommendations of the Health Department, and the authority granted by Order No. 25700-B-602, the current situation demands immediate action by the Courts. NOW, THEREFORE, it is hereby ORDERED that effective immediately and until further Order of the Court –

DOMESTIC CASES.

1. Temporary Orders. Only motions pertaining to emergent issues will be heard until April 24, 2020.

Determination of the emergent nature of a motion will be made by the judicial officer and is defined as:

- a. Domestic Violence Protection Orders;
- b. Return hearings on motions for temporary restraining orders or adequate cause where child safety is at risk;
- c. Motions for temporary orders or adequate cause where child safety is at risk, there is a risk of child abduction, child withholding, or a party's basic financial survival is at issue (i.e., ability to maintain housing, basic necessities, and critical health care);
- d. Return on warrant hearings;
- e. Writs of Habeas Corpus and returns; and

f. Weapons Surrender

The judicial officers have the authority to:

- a. Strike a motion that is not emergent;
 - b. Continue a motion until after April 24, 2020 (in the event a judicial officer chooses to continue a hearing until after April 24, 2020, all existing temporary orders and restraining orders shall be extended and remain in effect until the new hearing date unless otherwise ordered);
 - c. Decide the motion on the pleadings;
 - d. Schedule a hearing in which the parties are instructed to appear electronically (unless that is impossible).
2. There will not be a State Support or Civil Contempt Calendar through April 24, 2020.
 3. All Domestic Relations trials in a standby, pending or upcoming status are continued through May 1, 2020.
 4. Case specific trial dates will be determined by the Court Scheduler.
 5. All Domestic Relations Settlement Conferences, Support Modifications, and Adoptions in a pending or upcoming status are continued through May 1, 2020.
 6. Case specific settlement conference dates thereafter will be determined by the Court Scheduler.
 7. If a party schedules a deposition of the other party, or a witness, before May 1, 2020, the deposition shall occur either (1) by telephone or (2) by videoconference.
 8. Formal proof to finalize a domestic relations case shall be permitted by declaration.

DATED – MARCH 20, 2020

Signed electronically

KEVIN D. HULL, Presiding Judge
Kitsap County Superior Court