IN THE POULSBO MUNICPAL COURT

IN RE THE POULSBO MUNICIPAL COURT AND THE PANDEMIC OUTBREAK OF THE CORONAVIRUS DISEASE 2019 (COVID-19)	**NO. 2020-1** **EMERGENCY ADMINISTRATIVE ORDER**

1. THIS ADMINISTRATIVE ORDER is being issued in response to the current pandemic outbreak of the Coronavirus Disease 2019 (COVID-19). Washington has been "ground zero" for this disease. As of today, there are over 568 confirmed cases of the disease in Washington, including 5 confirmed cases in Kitsap County.
2. On February 29th, 2020, Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of the coronavirus disease 2020 (COVID - 19).
3. On March 4th, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court adopted Order No. 25700-8-602, granting emergency authority upon 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 public health emergency that affects operations of trial courts in Washington State; and
4. On March 13, 2020, Washington State Governor Jay Inslee ordered the closure of all public and private K-12 schools.
5. On March 13, the City of Poulsbo issued a Proclamation of Local Emergency. 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.
6. On March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency.
7. On March 16, 2020 Washington State Governor Inslee ordered a prohibition of gatherings of over 50 participants.
8. The Poulsbo Municipal Court is a very small court that requires litigants, attorneys, and court staff to work in extremely close quarters while attending court hearings. Social distancing is not possible at the Poulsbo Municipal Court. 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 Poulsbo Municipal Court during the declared public health emergency.

9. 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.

PURSUANT TO order No. 25700-B-602 of The Supreme Court of Washington, as Presiding Judge of the Poulsbo Municipal Court, in the interest of both public safety and public health during the COVID-19 public health crisis

NOW, THEREFORE, it is hereby –

ORDERED that effective immediately and until further Order of the Court –

1. All criminal jury trials shall be continued to a period after May 1, 2020 to a date as determined by the clerk.
2. For all hearings currently scheduled and for hearings on new cases filed during the pendency 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. Furthermore, continuances pursuant to this Administrative Order will be "excluded period" under CrRLJ 3.3 (e) (8) {*unavoidable or unforeseen circumstances}* in computing the time for trial. In addition, all Time For Trial rules in CrR 3.3 and CrRLJ 3.3 are suspended.
3. All hearings other than those in-custody criminal matters or those otherwise identified in this Order, currently scheduled during the period of emergency limited court closure shall be continued to the next available Court date no sooner than May 1, 2020. Notices will be mailed to the parties of the next scheduled hearing date via US mail. Any person

needing to update their mailing address should contact the court clerk at (360) 779-9846.

4. The Court will resume regular operations no sooner than Friday May 1, 2020.
5. Criminal cases where a defendant is detained in custody on that particular criminal case will proceed, on video, 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 in conjunction with the emergency rules laid forth in this Administrative Order.
6. 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.
7. 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.
8. 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.
9. The Court reserves the right to maintain or schedule arraignments, pretrial hearings, or reviews / revocation hearings between March 13, 2020 and May 1, 2020, in cases involving threats to public safety, including but not limited to domestic violence offenses and driving while under the influence / physical control.
10. Except for DUI/Physical Control or any Domestic Violence cases, Sex Offense or offenses that involve threats to public safety, all out-of-custody arraignments shall be set approximately 90 days out to a date as determined by the clerk. To effectuate these continuances, CrRLJ 4.1(a)(2) shall be suspended.

11. Bench warrants for failure to appear on a criminal case will be reviewed on a case-by-case basis.
12. "I Can't Afford to Pay" criminal motions will be heard ex parte in chambers.
13. Defendants shall still be required to comply with any terms of probation during this time period.
14. Bench warrant quash hearings will be conducted by telephone only. The defendant can schedule a bench warrant quash hearing no later than 3pm on Tuesday to be heard telephonically Wednesday at 9am. The defendant must provide a valid telephone number. The court will hold the hearing on the record in open court. The Court will call the defendant to conduct the hearing. During the hearing the defendant must provide a current valid address. The court will mail notice of the next court date.
15. The following civil matters are all continued –

    A. Infraction hearings (both contested and mitigation). To effectuate these continuances, IRLJ 2.6(a), (b), (d), (e), and (f) shall be suspended. The Court will continue to accept written statements submitted by mail or e-mail pursuant to IRLJ 2.6(c).

    B. Impound of vehicle or vessel hearings.

    C. Impound of animal hearings.
16. The Prosecutor and Public Defender shall remain available and on-call through the duration of this Order.
17. Litigants and attorneys are encouraged to contact the Court concerning court dates.
18. All persons coming into the courtroom are required to use hand sanitizer immediately prior to entering the court area. All individuals shall practice, when practicable, the recommended six-foot social distancing recommendations by health experts. If you are sick, do not come to court; notify your attorney if you are represented. If you present yourself, notify the court by phone, email (Poulsbocourt@cityofpoulsbo.com) or fax (360-779-1584) prior to your scheduled hearing.

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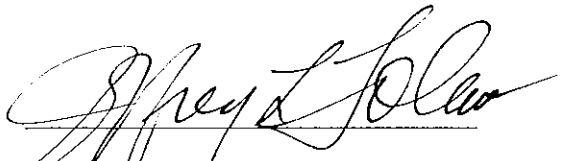
19. Litigants and attorneys who feel sick should not enter the Poulsbo City Hall or Poulsbo Municipal Courtroom. Anyone deemed by the Court or staff to exhibit illness symptoms may be ordered to leave the building.
20. This Emergency Administrative Order covers all activities occurring within the Poulsbo Municipal Court located in the Poulsbo City Hall, 200 NE Moe Street, Poulsbo, WA.
21. 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.
22. This order may be modified or extended as the Court continues to evaluate the impacts of the COVID-19 public health crisis on the safety of the public, Court partners and employees.
23. This order will continue in full force and effect until terminated.
24. The court office will remain open. However, the public is encouraged to contact the court via telephone (360) 779-9846 and email (poulsbocourt@cityofpoulsbo.com), rather than in-person, to the maximum extent possible.

Dated - March 16, 2020



Jeffrey L. Tolman, Presiding Judge
Poulsbo Municipal Court