

IN THE DISTRICT COURT
FOR THE COUNTY OF LEWIS

IN THE MATTER OF THE EMERGENCY) EMERGENCY
RESPONSE TO THE THREAT OF) ADMINISTRATIVE ORDER
PUBLIC HEALTH) GR 21
_____) 4-2020

This matter comes before the Court on the public health emergency in Lewis County:

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 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 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 March 11, 2020, Governor Inslee imposed additional restrictions prohibiting gatherings of more than 250 people within certain counties due to the danger of continued spread of the virus and the increasing danger the virus presents to the health care system in the state;
4. On March 13, 2020, Governor Inslee ordered the closure of all public and private k-12 schools in the state until at least April 24, 2020;
5. On March 16, 2020, Governor Inslee ordered the closure of all restaurants, bars and entertainment and recreational facilities until further notice. Governor Inslee also prohibited all gatherings with over 50 participants and all gatherings under 50 participants are prohibited unless previously announced criteria for public health and social distancing are met;

6. On April 13, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court adopted Revised and Extended Order Regarding Court Operations No. 25700-B-615, extending and modifying Court procedures in response to limiting the threat and spread of COVID-19;
7. On April 29, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court adopted Second Revised and Extended Order Regarding Court Operations No. 25700-B-618, extending and modifying Court procedures in response to limiting the threat and spread of COVID-19;
8. The Lewis County District Court facilities are high volume areas and accommodate hundreds of people each day for both the County and the Cities that contract with Court for District Court services. It is therefore necessary for the Lewis County District Court to make modifications to court operations to allow for the orderly transition to a system of work that will allow for implementation of systems and procedures that will limit the potential spread of the virus and provide for the safety of staff, litigants, attorneys, and the general public.

THEREFORE, it is hereby ordered that effective April 29, 2020, and continuing until June 1, 2020 (at which time a new assessment will be made), the following shall apply:

- A. All traffic infraction hearings are cancelled and will be rescheduled. Hearings submitted for a determination on written documents without the need for any party to appear in Court shall continue to be scheduled and resolved. Those in receipt of a traffic infraction notice may still pay the infraction in full, contact the Court for payments or request a deferred finding in writing. Payments may be made online at <https://lewiscountywa.gov/offices/district-court/online-fine-and-infraction-payments/>; Mitigation, Contested and Deferral requests may be heard through the mail and the forms to request these hearings can be found online at <https://lewiscountywa.gov/offices/district-court/what-is-filed-in-district-court/infractions/>;
- B. Criminal cases where a defendant is detained in custody on that particular criminal case will proceed as currently scheduled;
- C. New criminal cases where a defendant is detained on that particular case will continue to be scheduled for hearing per the usual rules and practice of the Court;
- D. If any defendant currently detained in custody is released while this order is in effect, their matters will be re-scheduled;
- E. Currently scheduled out of custody criminal matters are cancelled and will be rescheduled;
- F. New criminal cases where a defendant is not arrested and detained shall be filed by law enforcement with the District Court. The District Court Clerk shall send out summonses to appear for arraignment when this emergency order is lifted;

- G. Sentencing Compliance hearings (probation hearings) are cancelled and will be rescheduled, unless the defendant is detained in custody on that case;
- H. All probation appointments and reporting requirements shall be conducted via telephone;
- I. Petitions for Anti-Harassment orders and impound hearings (vehicles and animals) will continue to be filed and heard per the usual rules and practice of the Court. Temporary Anti-Harassment orders and orders to show cause will be set.
- J. All other civil matters, including name changes, small claims, civil motions and civil trials are cancelled and will be rescheduled. Ex Parte matters will continue to be processed;
- K. Any party may file a written request to the Judge explaining the emergent need for a hearing. Upon a Judicial determination of an emergent need, the Court clerk will set a hearing which may be accomplished via a telephonic or video hearing;
- L. All jury trials are cancelled / suspended until at least July 6, 2020 and will be rescheduled;
- M. For hearings that will occur, the Court will limit attendance in the courtroom, to be prioritized as follows:
 - a. Necessary Court personnel (Judge, Clerk, Security, and transport officers);
 - b. Parties, including attorneys; and
 - c. The general public who wish to attend.
 - i. General public will be limited to a number varying on the number of other participants and the courtroom in which the hearing is held.
 - ii. Because courtrooms vary in size, the number allowed will vary, but will be consistent with the six (6) foot requirement to allow sufficient room for social distancing.
- N. The continuances ordered herein best serves the ends of justice and protects the rights of those impacted by the continuances, including defendants;
- O. Such continuances will not prejudice any defendant or party impacted and each case impacted will, in addition to this order, be addressed on a case by case basis;
- P. The Lewis County District Court remains open, but in-person contact is limited.
 - a. Such limitations may vary depending on staffing and other factors. People wishing to access the District Court are encouraged to call (360) 740-1203.

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/continuance shall constitute an excluded period for purposes of Speedy Trial/Speedy Hearing/Speedy arraignment, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule.

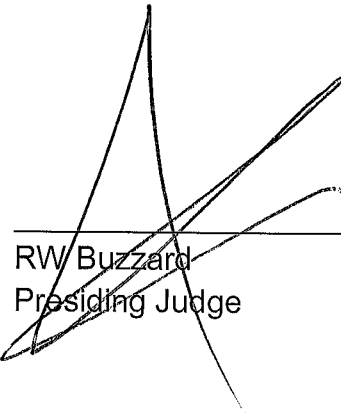
It is further ordered that all hearings delayed by this order shall be rescheduled by the Court clerk and notices will be mailed to the parties of the next scheduled hearing date via US mail, to the last address provided to the Court. Any party needing to update their mailing address should contact the Court clerk at (360)740-1203.

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.

The Courthouse and Lewis District Court will remain open. However, the public is encouraged to contact the Court via telephone or email.

This order may be modified consistent with the Court's continued assessment of the needs of the community as well as the recommendations of public health officials.

DATED this 30th day of April, 2020.



RW Buzzard
Presiding Judge