



IN THE DISTRICT COURT OF WASHINGTON
IN AND FOR LEWIS COUNTY

In Re:

GENERAL ORDER NO.

EMERGENCY NOTIFICATION LIMITING
COURT OPERATIONS RESULTING
FROM PUBLIC HEALTH EMERGENCY

GR 7-2020

This Order supplements and modifies the prior General Orders of this court issued in response to COVID-19. All other provisions of the Prior General Orders, not addressed within this Order remain in full force and effect.

Based upon information from the Center for Disease Control (CDC), the recommendations of the Public Health Officer for Lewis County, the Director of Public Health for Lewis County, guidance from the Washington State Supreme Court, and based upon other restrictions put in place by the Governor of the state of Washington, the Lewis County District Court is taking the following actions (Orders):

CIVIL MATTERS

1. All civil jury trials scheduled up to and including the week of December 7, 2020, are hereby stricken. No civil jury trials will occur until **at least** the week of **DECEMBER 14, 2020**.
2. Non-jury trials may be conducted under circumstances and restrictions addressed on a case by case basis that, at least, will strictly observe social distancing mandates and other public health measures.
3. Civil matters will continue to be heard under the following conditions:
 - a. Parties may be allowed, by leave of the Court, to participate remotely to the greatest extent possible.
 - b. Remote attendance must be arranged in advance with Court Administration. The request to appear remotely must be received at least two (2) court days prior to the scheduled hearing.
 - c. The Court, at its discretion, may direct remote appearance.
 - d. The Court, at its discretion may direct matters be considered solely upon written submissions of the parties.

- 1 e. Any in person appearance shall be under strict adherence to social-
2 distancing and strict adherence to the masking requirements.
- 3 4. The Court will be available for emergency civil matters and will strictly observe
4 social distancing mandates and other public health measures.
- 5 5. The Court will continue to provide access and address accessibility issues on a
6 case by case basis that, at least, will strictly observe social distancing mandates
7 and other public health measures.
- 8 6. The requirements of personal service of petitions for protection orders or
9 temporary protection orders are suspended (this does not apply to orders
10 directing the surrender of weapons or removal from a shared residence).
- 11 a. Where personal service has been waived, service may be made by law
12 enforcement, including electronic service with acknowledgment of receipt,
13 by process servers, by agreed service acknowledged in writing, by
14 publication or by mail.
- 15 b. If a prior agreement to serve by email is in place in the same or related
16 case, email service shall be sufficient.
- 17 c. Proof of service providing at least five (5) days' notice shall be required
18 before the hearing.
- 19 7. This Court shall exercise discretion in setting hearing dates, extending temporary
20 orders and making other accommodations to ensure sufficient notice and
21 reasonable accommodations and restrictions to address the social distancing
22 mandates and other public health measures.

23 CRIMINAL MATTERS

- 24 1. All criminal jury trials scheduled between November 16, 2020, and the week of
25 December 7, 2020, are hereby stricken. No criminal jury trials will occur until **at
26 least** the week of **December 14, 2020**.
2. Out of custody criminal matters can be heard as scheduled under the following
conditions:
- a. Parties may be allowed, by leave of the Court, to participate remotely to the
greatest extent possible.
- b. Remote attendance must be arranged in advance with Court Administration.
The request to appear remotely must be received at least two (2) court days
prior to the scheduled hearing.
- c. The Court, at its discretion, may direct remote appearance.

1 d. Witnesses may be allowed, by leave of the Court and to the extent
2 practicable, to appear remotely to provide testimony for non-trial hearings
3 requiring their appearances.

4 e. Any in person appearance shall be under strict adherence to social-distancing
5 and strict adherence to the masking requirements.

6 3. The Court will continue to provide access and address accessibility issues on a case
7 by case basis that, at least, will strictly observe social distancing mandates and other
8 public health measures.

9 4. Ex Parte No Contact Orders and Anti-harassment orders may be entered by the
10 court and served by mail or electronic means.

11 5. Priority will be given to hearings to address bail/conditions of release, plea and
12 sentencing hearings where release may occur within 30 days of the hearing.

13 6. Motions to shorten time are not required for these hearings.

14 7. The hearings and trials of criminal matters continued under these or previous orders
15 are required in the administration of justice based upon a good cause finding. Time
16 between November 16, 2020, and December 14, 2020, are hereby **excluded** when
17 calculating time for trial under applicable rules.

18 8. Obtaining signatures under the current circumstances may be burdensome
19 and/or endanger the health of participants. Hearings may be continued without
20 written/signed orders.

21 9. Defense counsel is not required to obtain defendants'/respondents' signatures on
22 matters through December 14, 2020.

23 10. Courts shall provide notice of new hearing dates to defense counsel and
24 unrepresented defendants/respondents.

25 11. This court shall continue to consider matters on a case by case basis as other needs
26 arise. Prosecution and defense have taken appropriate steps to ensure availability
and access for defendants/respondents and will continue to do so. Appropriate steps
will be taken to ensure matters are heard as needed and in a timely fashion.

Such continuances will not prejudice any defendant impacted and each case
impacted will, in addition to this order, be addressed on a case by case basis.

13. As to criminal jury trials, the court finds, pursuant to CrRLJ 3.3(f), the continuances
are required in the administration of justice as the court has a reduced ability to
obtain an adequate spectrum of jurors for trials.

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- 14. All criminal jury trials scheduled up to and including the week of December 7, 2020, are hereby stricken.
- 15. The time periods set forth in this General Order are excluded periods for the purposes of computing time for trial. See CrRLJ 3.3(e)(3).
- 16. At this time, no other hearing will be impacted.
- 17. The Lewis County District Court remains open and staff will be available. The public is encouraged to call the Lewis County Superior Court Clerk with any questions.

DATED this 16 day of November 2020.

DISTRICT COURT JUDGE

