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3 IN THE SUPERIOR COURT OF WASHINGTON  
IN AND FOR LEWIS COUNTY

4 In Re:

5 EMERGENCY NOTIFICATION LIMITING  
6 COURT OPERATIONS RESULTING  
7 FROM PUBLIC HEALTH EMERGENCY

GENERAL ORDER NO.

GR 21

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

11 Based upon information from the Center for Disease Control (CDC), and the  
12 recommendations of the Public Health Officer for Lewis County as well as the Director of  
13 Public Health for Lewis County, and the Orders of the Washington State Supreme Court,  
the Lewis County Superior Court is taking the following actions (Orders):

14 **GENERAL PROVISIONS**

- 15 1. The court will continue to ensure access to the courts through all reasonable  
16 means. This will include access to video or telephonic hearings and other  
17 platforms that may be appropriate under the circumstances presented.  
18 2. Alternative (electronic) signatures may be authorized for the court, clerk and  
parties where sufficient reliability is demonstrated and authorized.

19 **CIVIL MATTERS**

- 20 1. All civil jury trial scheduled for May and June 2020 are hereby stricken. No civil  
21 jury trials will not occur until **at least** the week of July 6, 2020.  
22 2. Non-jury trials may be conducted under circumstances and restrictions  
23 addressed on a case by case basis that, at least, will strictly observe social  
24 distancing mandates and other public health measures.  
25 3. Non-emergency civil matters for the month of May 2020 are hereby stricken.  
26 4. The court may hear non-emergency civil matters 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.

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

### 16 CRIMINAL/JUVENILE MATTERS

- 17 1. All criminal jury trials scheduled for the months of May and June 2020 are hereby  
18 stricken. No criminal jury trials will occur until **at least** the week of July 6, 2020.
- 19 2. Out of custody criminal and juvenile matters are continued until after June 1,  
20 2020, except:
- 21 a. Motions, agreed orders or other proceedings may be heard under  
22 circumstances and restrictions addressed on a case by case basis that, at  
23 least, will strictly observe social distancing mandates and other public health  
24 measures.
- 25 3. Arraignment on out of custody matters (criminal and juvenile) filed between  
26 March 18 and July 3, 2020 may be deferred until 45 days after filing of charges.  
The arraignment date shall be considered the initial commencement date for  
purposes of establish the time for trial under the Criminal Rules (CrR and JuCrR).

- 1 4. Therapeutic Courts may continue to operate under circumstances and  
2 restrictions that, at least, will strictly observe social distancing mandates and  
3 other public health measures.
- 4 5. Ex Parte No Contact Orders may be entered by the court and served by mail or  
5 electronic means.
- 6 6. In Custody matters (criminal and juvenile) may be continued until after June 1,  
7 2020, with the following exceptions:
  - 8 a. Scheduling and hearings on first appearances, arraignments, plea hearings,  
9 motion hearings and sentencing/disposition hearings.
  - 10 b. Other matters may be scheduled by the court under circumstances and  
11 restrictions addressed on a case by case basis that, at least, will strictly observe  
12 social distancing mandates and other public health measures.
  - 13 i. Priority will be given to hearings to address bail/conditions of release, plea and  
14 sentencing hearings where release may occur within 30 days of the hearing.
  - 15 ii. Motions to shorten time are not required for these hearings.
- 16 7. Juvenile court jurisdiction in all matters in which an information was filed prior to  
17 June 1, 2020, in which the respondent will turn 18 within 120 days of May 4,  
18 2020, shall be extended until the next scheduled hearing **after** June 1, 2020.
- 19 8. The hearings and trials of criminal matters continued under these, or previous,  
20 orders are required in the administration of justice based upon a good cause  
21 finding as outlined by the Washington State Supreme Court's Order dated April  
22 29, 2020. Time between April 29, 2020 and September 1, 2020 are hereby  
23 **excluded** when calculating time for trial under applicable rules.
- 24 9. Obtaining signatures under the current circumstances may be burdensome and/or  
25 endanger the health of participants. Hearings may be continued without  
26 written/signed orders.
  - a. Defense counsel is not required to obtain defendants'/respondents' signatures on  
matters through June 1, 2020.
  - b. Courts shall provide notice of new hearing dates to defense counsel and  
unrepresented defendants/respondents.

1 10. This court shall continue to consider matters on a case by case basis as other  
2 needs arise. Prosecution and defense have taken appropriate steps to ensure  
3 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.

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

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

8 DATED this 30 day of April 2020.

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12 SUPERIOR COURT JUDGE  
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