

IN THE MUNICIPAL COURT
FOR THE CITY OF WINLOCK

IN THE MATTER OF EMERGENCY RESPONSE) ADMINISTRATIVE ORDER
TO A THREAT TO PUBLIC HEALTH)
) GR 21
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This matter comes before the Court on the public health emergency in the City of Winlock:

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 corona virus (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 the 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 the 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 13, 2020, this Court executed an Administrative order No. 2020-01 adopting, modifying and suspending Court rules and procedures in response to the public health emergency.
6. 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;

7. Winlock Municipal Court located within Winlock City Hall is a high-volume area. It is therefore necessary for the Winlock Municipal 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 March 19, 2020 and continuing until further notice. The following shall apply:

- A. All Court Rules are suspended until further notice.
- B. 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 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. Mitigation, Contested, and Deferral requests may be heard through the mail.
- C. Criminal cases where a defendant is detained in custody on that particular criminal case will proceed as currently scheduled;
- D. 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;
- E. If any defendant currently detained in custody is released while this order is in effect their matters will be re-scheduled;
- F. Currently scheduled out of custody criminal matters are cancelled and will be rescheduled;
- G. New criminal cases where a defendant is not arrested and detained shall be filed by law enforcement with the Court. The Court Clerk shall send out summonses/notices to appear;
- H. Sentencing Compliance hearings (probation hearings) are cancelled and will be rescheduled, unless the defendant is detained in custody on that case;
- I. All jury trials are cancelled and will be rescheduled;
- J. For hearings that will occur, the Court will limit attendance in the courtroom, to be prioritized as follows:
 - a. Necessary Court personnel (Judge, Clerk and Security);
 - 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.
- K. The continuances ordered herein best serves the ends of justice and protects the rights of those impacted by the continuances, including defendants;
- L. 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;
- M. All continuances granted by the Court or ordered by the Court shall be excluded periods for the purpose of calculating time for trial.
- N. At the time of hearing, the Court shall make a further determination whether to extend the excluded period, apply additional excluded periods, or enlarge the time for trial in the interests of fairness and equity to parties involved.
- O. The Winlock Municipal 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 Winlock Municipal Court are encouraged to call (360) 785-4378.

This order may be modified consistent with the Court's continued assessment of the needs of the community, the recommendations of public health officials, and orders issued by the Washington Supreme Court. Washington State Supreme Court Order No. 25700-B-606 concerning "In The Matter of Statewide Response By Washington State Courts To The Covid-19 Public Health Emergency" is incorporated herein and such Order shall control over any conflicting provisions herein.

DATED this 19 day of March, 2020.



Presiding Judge