

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF MASON

IN THE MATTER OF) ADMINISTRATIVE ORDER
EMERGENCY RESPONSE TO PUBLIC) NO. 20-001
HEALTH THREAT)

WHEREAS:

1. The governor of the State of Washington has declared a state of emergency concerning the COVID 19 DUE TO PUBLIC HEALTH CONCERNS and
2. The Washington State Supreme Court has adopted Order No. 25700-b-602, granting emergency authority to this court to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency;
3. The Mason County Board of Commissioners has entered an emergency order concerning curtailing county government activities;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Based on the discretion granted by the Washington State Supreme Court, all in custody hearings, except sentencing and trials shall be by video appearance. Counsel will be encouraged, in cases where nothing is to take place other than continuing the hearing or going to the next regularly scheduled hearing, to obtain the client's signature to such order and present it for ex parte signature by the court. Any waiver of a defendant's speedy trial right shall be done on the record, via video conference.
2. All I.D. and Arraignments shall be conducted by video, as well.
3. All out of custody arraignments shall be conducted in person, in LL1 Only. Such in person hearings shall be limited to no more than 10 persons at a time and the District Court reserves the right to have different arraignment calendars during the week the arraignment was scheduled.

4. All other hearings shall be conducted telephonically, unless and until video conferencing capabilities can be added.

5. At the attorney's discretion, the attorney can choose to be with the client or have some other type of means to be in contact with the client.

6. During this emergency closure, no jury trials shall be called. The court is finding that the health emergency qualifies as the "interest of justice" in continuing a trial. If a defendant makes a claim that his or her ability to present a defense will be compromised, steps will be taken to remedy the situation, such as preserving testimony via deposition or other means. Based on the Washington State Supreme Court order, court rules, including but not limited to CrRLJ 3.3 are suspended.

7. At the discretion of the probation officers, in person contact will be halted. Nothing in this prevents the probation staff from ordering random UA's and directing probationers to obtain them.

8. Notice of violations for active and bench probation will still be filed but scheduled outside of the projected emergency period, absent an emergency.

9. Full hearings on civil protection orders. The bench will extend in chambers any temporary orders in effect at the time of the currently scheduled full protection order hearing. The extended temporary order will need to be served on the respondent. To effectuate these continuances, the maximum length of a temporary order issued pursuant to RCW 10.14.080(2) (harassment), RCW 7.92.120(5) (stalking), and RCW 26.50.070(5) (domestic violence) shall be suspended. These full protection order hearings shall be continued approximately 28 days to a date as determined by the clerk.

10. The following civil matters are all continued – (1) 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). (2) Small claims mandatory mediation hearings and trials. (3) Civil preliminary trial hearings, motion hearings and trials. (4) Name change hearings. (4) Impound of vehicle or vessel hearings. (5) Impound of animals hearings. Those cases that are currently scheduled shall be re-scheduled by the District Court Clerk's Office.

11. Bench warrants will not be issued for any defendant who fails to appear for any criminal hearing, absent a determination by the presiding judge that the emergency in not issuing the warrant outweighs the emergency necessitating this closure.

12. A defendant who contacts the Court by email or telephone seeking a hearing to quash an outstanding bench warrant will have any warrants quashed ex parte by the Court in chambers so long as the defendant provides his or her current mailing address upon requesting the warrant quashing, absent a determination by the

presiding judge that the emergency by not maintain the warrant outweighs the emergency necessitating this closure.

13. Litigants, members of the public, and attorneys, who feel sick, will not be allowed to enter the District Court areas of the Mason County Courthouse.

14. The District Court Clerk's Office shall remain open for paying fines, obtaining copies of documents filed in District Court, and new filings. All other business shall be transacted telephonically.

15. The Civil Calendar will continue to be conducted on a telephonic basis. For motions where the non-moving party appears, the hearings shall be continued pursuant to paragraph 10 of this order.

16. The presiding judge of the Mason County District Court designates the presiding judge of the Shelton Municipal Court as temporary presiding judge if the judge of the Mason County District Court becomes unavailable due to this emergency.

17. This order takes effect on March 14, 2020 at 3:39 p.m.

DATED this 14th day of March, 2020.



Presiding Judge