

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. 20-007
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 this court along with other trial courts issued their own administrative orders, this court's first order being signed on 03/14/2020,

2. The Washington State Supreme Court has adopted Order No. 25700-B-606 and No. 25700-B-607, ordering a shutdown of court's, statewide, with certain exceptions,

3. The Mason County Board of Commissioners has entered an emergency order concerning curtailing county government activities;

4. The Washington State Supreme Court has adopted Order No. 25700-B-615 on April 13, 2020, extending the closure and adopting some new procedures,

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. All portions of this court's Emergency Administrative Orders, entered on 03/14/2020 and 03/20/2020 that directly conflict with Supreme Court Order 25700-B-606 and 25700-B-607 and 25700-B-615 are rescinded and this court adopts by reference the Supreme Court Order. All provisions not in direct conflict with Supreme Court Order 25700-B-606, 25700-B-607, 25700-B-615, 25700-B-620, and this order, remain in full force and affect.

2. All in custody I.D. and in custody Arraignments shall be conducted by video only, except for interpreter arraignments, which shall be conducted as an in court hearing, unless a remote system can accommodate advising defendants of their rights. All other interpreter cases shall be conducted as described in Paragraph 4(k) in this order.

3. All new arrests and citations for any alcohol and/or drug related offenses, crimes involving sexual motivation, domestic violence, and/or violations of any No Contact Order, Protection Order, Anti-Harassment Order, Anti-Stalking Order, or similar such order, who are

not in custody or post bail and are released, shall have the arraignment heard the next judicial day. Anyone charged with such crimes by complaint shall be sent a summons. The procedures shall be as follows:

a. The hearings shall be conducted in the courtroom, starting at ten a.m. Any in-court hearings shall require face coverings. On rare occasions the court will provide face coverings but parties are expected to have their own.

b. The defendants will remain outside the courthouse building, until allowed in by security, no more than six, including any attorneys or others authorized to be there, at a time. In addition to the defendant(s), attorney(s) will be allowed to go to the court room, and parents will also be allowed if, on the day of the arraignment, the defendant is under the age of eighteen. The court reserves the right to have up to six people come into court, as a group, for the defendants to hear their rights. No one will be allowed to enter the District Court portions of the courthouse if they have a fever, cough, or other symptoms of COVID-19 or they refuse to wear a mask.

c. The defendant(s) will be seated in the gallery while in the courtroom, unless a counsel table is vacant, while their case is being called.

d. Once the arraignment is completed, the defendant and those accompanying him or her shall exit the courthouse building and the next defendant scheduled shall be sent into the court room.

4. Other hearings shall be conducted as follows:

a. Pre-trials may be heard, via ZOOM. Instructions for ZOOM shall be made part of this order. Hearings that cannot be heard by ZOOM shall be continued until after June 1, 2020.

b. The attorneys are required to make their best efforts to notify their clients about the requirements of this order.

c. The Court has adopted a Consolidated Pre-trial order. The parties shall be required to fill out the order, in cases that are not being set for disposition for presentation at the pre-trial. That order will address most administrative issues that arise in a case. The Court expects the parties to be able to work out the administrative details on their own; however, the Court will resolve any disputes that arise. The judge's signature of that order dispenses the requirement that an actual hearing with the defendant present occurs. A copy of that order shall accompany this administrative order. Presenting the Consolidated Pre-Trial Order shall constitute the Defendant's appearance at the pre-trial unless the judge presiding over the pre-trial decides otherwise.

d. Hearings involving protection orders, anti-harassment orders, stalking orders, will be done with ZOOM; however, the Court will continue any such hearing to an in-court hearing if there are multiple exhibits, multiple witnesses to be heard from. The decision will be at the discretion of the judge presiding over the hearing.

e. General civil cases will be continued until after June 1, 2020. Preference will still be had for such hearings to be conducted by ZOOM. The decision to hold an in-court hearing, will be at the discretion of the judge presiding over the hearing. The civil matters that are done by ex parte, such as defaults where no notice is necessary, extending a judgment's time to collect, or plaintiff's motion to dismiss, will still take place. The clerk shall send a copy of the ZOOM instruction to any attorney or pro-se litigant who notes a hearing up for an in court hearing.

f. Name change petitions shall not be heard until after June 1, 2020. Preference for such hearing shall be via ZOOM; however, ZOOM will only be allowed if the petitioner has a

video and audio connection and a copy of photo I.D. and birth certificate have been presented to the District Court Clerk's Office, a day prior to the hearing, to be used as exhibits. In cases where a petitioner cannot comply with these ZOOM requirements, shall be heard in the courtroom. Exhibits shall be returned immediately at the conclusion of the hearing, unless the court denies the petition. Petitioners will still be advised that the Auditor's Office has very exact legibility standard for accepting orders for recording that will probably preclude any hand printed order.

g. Small claims cases, that have already been to mediation may be heard by ZOOM unless there are multiple witnesses or multiple exhibits at which time the hearing shall be re-set to a date after June 1, 2020. The decision will be at the discretion of the judge presiding over the hearing. The requirement for mediation prior to a trial date shall continue but be via ZOOM. Information on how to join a mediation will be attached to this order. Until a recurring ZOOM meeting is set up, parties are directed to contact either the court or Dispute Resolution to get the link for the ZOOM meeting.

h. Dangerous Dog cases shall be continued until after June 1, 2020, unless there is an agreement to present on the record. Participants of such hearings that do occur shall appear via ZOOM. The decision to hold an in-court hearing will be at the discretion of the judge presiding over the hearing.

i. Traffic infractions, both mitigation hearings and contested hearings, may be conducted by ZOOM. Any contested hearing, where it is determined will involve multiple witnesses and/or multiple exhibits, will be re-set for an in-court hearing. The decision will be at the discretion of the judge presiding over the hearing.

j. Probation violation hearings, (Review hearings) shall be heard via ZOOM. There will be an exception to this provision, if the probation officer(s) request an in-court hearing based on an emergency, and the judge agrees. Examples of an emergency hearing includes but is not limited to a being charged with a new offense, such as domestic violence or DUI and concerns that a defendant is violating clean and sober requirements of probation. Those hearings shall be heard in court, and the court shall observe the precautions to minimize crowding in the courtroom.

k. Interpreter cases shall continue to be held as scheduled; however, any case with no ready disposition shall be continued until after June 1, 2020. Attendance via ZOOM is preferred but cases where a defendant is not able to appear by ZOOM shall be heard in the courtroom, unless there is no disposition at which time the defendant will be provided notice of his or her next court date at the entry way of security. Cases where there is a disposition will only be scheduled for an in-court disposition if, notice from both prosecution and defense is given to the District Court Clerk's Office, no later than noon the day previous to the interpreter calendar. The needed interpreters shall be in the courtroom so as to be ready to provide translation services to both people via ZOOM and those who have to appear in the courtroom. Attorney client discussions shall be done prior to the calendar date and the courthouse will not be used for attorney client conferences. The court will make such accommodations as it can to help non-English speaking parties understand ZOOM instructions, including having the link translated into Spanish. The court reserves the right to have re-set cases also scheduled for a readiness and a trial date.

5. Any in custody cases that meet the criteria of the Supreme Court Order to be heard shall be subject to the following conditions:

a. Attorneys will, no later than noon on the Monday of the week they intend to have their disposition make their request known to the District Court Clerk's office for scheduling. This includes cases already scheduled on the regular in custody calendar.

b. The Clerk will schedule a date, that week, for the matter to be heard in the morning, one court day that week.

c. Any in custody cases not completed in the morning will be continued to the following day.

d. Only those types of cases allowed by the Supreme Court will be heard.

6. This order is deemed to apply to all cases in Mason County District Court. That being said, in cases where the presiding judge is recused, for whatever reason, the pro-tem judge shall have full discretion on whether and how to implement the terms of this order.

7. The District Court is utilizing ZOOM to allow both public access and to allow people to participate remotely. This method is the preferred way to attend the hearing, until rescinded by a future court order. The instructions on how to join a ZOOM meeting will be attached to this order.

8. Any in-court hearings shall require face coverings.

9. This order will be effective through July 31, 2020 unless modified or extended by future order.

DATED this 11 day of June, 2020.



J U D G E

TO JOIN A ZOOM MEETING

If you have a matter that is scheduled for a Zoom Telephonic Appearance, you will appear one of two ways:

1. Use your Computer or Smart phone. Join the Zoom Meeting by going to the Designated Website, <https://zoom.us/j/8503806689> and entering the Meeting ID number, **850 380 6689**.

2. By using a telephone and dialing **1-253-215-8782**, then when prompted, enter the Zoom Meeting ID number **850 380 6689**. The first time you join a Zoom Meeting by computer or cell phone an app will automatically be downloaded to your device. Please allow extra time for this process. In order to participate in the conference call by computer you will need a microphone and speaker/headset. In the alternative you can call in by using option 2 above.

**JOIN THE MEETING 10 MINUTES PRIOR TO THE SCHEDULED HEARING TIME.
Wait for your case to be called**