

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. 20-005
HEALTH THREAT) **AMENDED**

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and 03/20/2020 that directly conflict with Supreme Court Order 25700-B-606 and 25700-B-607 and 25700-B-615 are rescinded and this court adopts by reference the Supreme Court Order.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 Arraignments shall be conducted by video only, except for interpreter cases, which shall be conducted as an in court hearing.

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, starting at ten a.m.
- b. The defendants will remain outside the building, until allowed in by security, one at a time. In addition to the defendant, 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 defendants come into court, as a group, to hear their rights. The defendant will then be directed to exit the building until their case is called.
- c. The defendant will be seated in the jury box while in the courtroom, unless a counsel table is vacant.
- 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 will be adopting a Consolidated Pre-trial order. The parties shall be required to fill out the order, in cases that are not being set for disposition. 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 occur. A copy of that order shall accompany this administrative order.
- d. Hearings involving protection orders, anti-harassment orders, stalking orders, will be done with ZOOM; however, the Court will continue any such 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, unless a request is made for a hearing based on an emergency. Preference will still be had for such hearings to be conducted by ZOOM. 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.
- f. Name change petitions shall not be heard until after June 1, 2020.

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. The issue of when mediation re-commences shall be addressed by a new order.

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.

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 until after June 1, 2020. The decision will be at the discretion of the judge presiding over the hearing.

j. Probation violation hearings, (Review hearings) shall be continued until after June 1, 2020. There will be an exception to this provision, if the probation officer(s) request an in-person 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. 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.

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 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. The rest will be continued until after June 1, 2020.

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.

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

DATED this 1st day of May, 2020.



Presiding Judge