

IN THE MUNICIPAL COURT
FOR THE CITY OF SOUTH BEND, WASHINGTON

IN THE MATTER OF)	ADMINISTRATIVE ORDER
)	
Emergency Response to Public Threat)	NO. 1-2020
)	

WHEREAS:

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 coronavirus (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 trial courts in Washington State; and
3. On March 11, 2020 the Governor imposed additional restrictions prohibiting gatherings of more than 250 people within King, Snohomish, and Pierce County due to the danger of continued spread of the virus and the increasing danger the virus presents to the health care system in the region;
4. On March 16, 2020 the Governor imposed additional restrictions prohibiting gatherings of more than 50 people and advising strict medical protocols for any other public meeting.
5. Being the presiding judge of the South Bend Municipal Court, I find that the Center for Disease Control has recommended that people severely curtail their social contact in order to slow the spread of the Covid-19 virus. I find that it is in the public interest that defendants isolate themselves to maintain their own health. I find that the public health emergency requires the suspension of

speedy trial and hearing rules for every defendant who remains out of custody for their South Bend criminal cases.

NOW, THEREFORE, IT IS HEREBY ORDERED Effective Tuesday, March 17, 2020:

1. Criminal cases where a defendant is detained in custody on that particular criminal case will proceed as currently scheduled. 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;
2. For all hearings currently pending and for hearings on new cases filed during the pendency of this order that are delayed by effect of this order, the delay/continuance shall constitute an excluded period for purposes of Speedy Trial, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule.
3. It is Further Ordered that for all hearings delayed by this order notices will be mailed to the parties of the next scheduled hearing date via, US mail. Any party needing to update their mailing address should contact the court clerk at (360) 875-5571 .
4. Arraignments shall occur as before, but no one in the courtroom shall be within 6 feet of anyone else. Defendants may wait outside until their hearing is called. Neither the city attorney nor the defense attorney are expected to be there, but are welcome should they so choose. This guarantees that the court can advise defendants of their rights, make findings of probable cause, set reasonable conditions of release, and avoid scheduling confusion for those already notified of their court date.
5. All other hearings scheduled for March 25, 2020, are continued to May 27, 2020. Hearings scheduled for April 8, 2020, are continued to June 10, 2020. Hearings scheduled for April 22, 2020, are continued to June 24, 2020. Hearings scheduled for May 13, 2020, are continued to July 8, 2020.
6. If any defendant does not wish to extend their speedy trial period because of this public health emergency, that defendant shall promptly file a written motion to that effect.
7. The Court will remain open; however, the public is encouraged to contact the court via telephone or email.

8. Attorneys are encouraged to submit electronic filings; defendants that are ill, have health compromising issues, or are over 60 years of age can have legal counsel request a reset of their Court hearing. All defendants may arrange telephonic hearings through their legal counsel or themselves if pro se.
9. People paying on their legal financial obligations shall either mail their payment or drop it off in the box outside until further order.
10. This order may be modified consistent with the Court's continual assessment of the needs of the community as well as the recommendations of public health officials.
11. The Municipal Court designates the Pacific County Superior Court Judge, by agreement, as Temporary Presiding Judge of the South Bend Municipal Court as needed if the Municipal Court Judicial Officer becomes temporarily unavailable due to this Medical Emergency.

DATED: March 16, 2020



Eric Weston
Municipal Court Judge
City of South Bend, Washington