IN THE MUNICIPAL COURT FOR THE CITIES OF BONNEY LAKE, SUMNER, EATONVILLE AND SOUTH PRAIRIE, COUNTY OF PIERCE, STATE OF WASHINGTON

IN RE:	)	ADMINISTRATIVE ORDER NO. 2020-1
IN THE MATTER OF EMERGENCY RESPONSE TO THREAT OF PUBLIC HEALTH	)	Re-Scheduling of Hearings and Other Changes to Court Operations

WHEREAS, on March 4, 2020, The Chief Justice issued an emergency order in response to the Covid-19 public health emergency that affects the operations of trial courts in Washington State; and

WHEREAS, the Washington State Supreme Court adopted Order No. 25700-B0602, 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; and

WHEREAS, on March 16, 2020 Governor Jay Inslee imposed additional restrictions prohibiting gatherings of more than 50 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; and

WHEREAS, further on March 16, 2020, President Donald Trump instructed Americans to avoid gatherings of groups of 10 or more.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Except as indicated herein, effective at 8:30 AM ON Tuesday March 17, 2020 through close of business on March 31, 2020, the above-named courts will postpone and reschedule all out of custody court hearings. The court will tentatively resume normal operations on April 1. 2020. The court clerk window will be closed from March 17, 2020 through March 31, 2020.
2. The Bonney Lake and Sumner Municipal Court offices will remain open. Staff in the court clerk's office will be available by telephone, and both mail and email will continue to be received and processed/answered.

   Mailing Address: 9002 Main Street East, Suite 100, Bonney Lake, WA 98391
   Phone: 253-862-6606
   Email: courtadmin@cobl.us .

3. The court will continue to hear all in –custody calendars rule on any contested or mitigation hearings submitted for resolution by mail, and hearings set to determine compliance with any order issued to surrender weapons.

4. Contested Hearing Procedures. If a Defendant requests in writing a contested hearing by mail, the court shall examine the citing officer's citation and report, any IRLJ 6.6. documents, any other evidence submitted by the City, and any statement or documents submitted by the defendant. The examination will be held by the Judge in chambers. The court shall determine whether the plaintiff has proved by a preponderance of the evidence submitted that the infraction was committed. No appeal Permitted. There shall be no appeal from a decision on written statements.
5. Mitigation Hearing Procedures. A mitigation hearing based upon a written statement may be held in chambers Notice to Defendant. The court shall notify the defendant in writing of its decision, including any penalty imposed.
6. The city prosecutor is to continue to file any new charges during this period with the court. The court will file new charges and automatically set Arraignment dates out 60 days. Defendants will be allowed to apply for the public defender by email to courtadmin@cobl.us
7. Probation appointments will be conducted by telephone only, no in person appointments. MRT Classes are suspended during the closure. Random UA's shall be completed through Drug Screens R US.
8. This Administrative Order suspends the requirement under CrRLJ 4.1(a)(2) that defendant's "shall be arraigned not later than 14 days after that appearance which next follows the filing of the complaint or citation and notice, if the defendant is not detained in such jail or subject to such conditions of release."
9. Continuances pursuant to the Administrative Order for criminal cases in pre-trial status shall be "excluded periods" under CrRLJ 3.3 e)(8) [unavoidable or unforeseen circumstances] in computing the time for trial and/or this Administrative Order suspends the right to a speedy trial under CrRLJ 3.3(b). All speedy trial time periods shall commence at the Defendant's next scheduled court hearing upon re-opening of the court.
10. The Administrative Order suspends the requirement under IRLJ 2.6 (a)(1) that infraction hearings "be scheduled for not less than 14 days from the date the written notice of hearing is sent by court, nor more than 120 days from the date of the notice infraction or the date a default judgment is set aside."
11. All jury trials scheduled to be held for the March and April term are cancelled and all jurors are excused. The time between the currently scheduled trial date and the next scheduled date will be deemed an 'excluded period' for purposes of CrRLJ 3.3.
12. No part of this order suspends the defendant's right to a public trial, or the general right of the public to be present at court proceedings under the constitutional provisions that require the open administration of justice. This order merely delays those rights until a time in which the court is re-opened.
13. The court will re-assess the need for further continuances weekly, beginning Friday March 20, 2020.
14. The court may re-assess the need for other protective measures on an as-needed basis.

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, this administrative order suspends the right to a hearing within any specific time period required by any court rule AND/OR any 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.

Dated this 16th day of March, 2020.

Ronald D. Heslop, Judge

Timothy A. Jenkins, Judge

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