

1. Except as indicated herein, effective at 8:00 a.m. on this date through August 1, 2020, the court will resume all out of custody court hearings on a limited in-person basis. The court window and office will continue to be closed to the public through August 1, 2020. The court will resume with the following requirements:
 - a. **COURT ACCESS REQUIREMENTS:** All persons physically coming to court must comply with the following:
 - i. Anyone who is sick should not be coming to court; they should notify their attorney if they are represented; if they represent themselves, they should notify the court by phone, email, or fax prior to their scheduled court hearing.
 - ii. All visitors are required to use hand sanitizer immediately prior to entering the court area.
 - iii. All visitors must wear a mask that covers the nose and mouth area. Masks may be removed while talking if it is related to official court proceedings and persons are six feet apart. The court may ask defendants or witnesses to temporarily remove their mask for identifications purposes. Attendees must bring their own masks. The court will have a limited supply of masks to provide to the indigent if needed.
 - iv. Seating in the courtroom has been reduced to allow for six-foot social distancing recommended by health experts. Attendees are to comply with the configuration of the seating and not move the arranged seating without permission of the court.
 - v. Court staff may wear masks when in public common areas, including the courtroom, but may remove masks when speaking as long as they are six feet away from others.
 - b. **ALL PENDING CRIMINAL AND CIVIL MATTERS:** The court may schedule remote hearings on a limited basis starting June 18, 2020, with the following restrictions:
 - i. **REMOTE PROCEEDINGS:** Effective June 18, 2020, all parties, including witnesses, scheduled for an electronic hearing must appear per the electronic platform and at the specific date and time listed on the summons. Remote hearings will be scheduled for limited hearing types. All other hearings will be held in-person. The court shall livestream the remote hearings. No one shall record the remote hearings or the livestreamed capture of the court hearings. The court's audio recording continues to be the official record of the hearing.
 - c. **OUT-OF-CUSTODY ARRAIGNMENTS:** Except for DUI/Physical Control or Domestic Violence cases, which shall be heard in the normal course, all other cases filed between March 18, 2020 and July 3, 2020 may be deferred until a date 45 days after filing of charges. Good cause exists under CrRLJ 4.1 to extend the arraignment dates. The new arraignment date shall be considered the "initial commencement date" for purposes of establishing the time for trial under CrRLJ 3.3(c)(1). This Administrative Order suspends the requirement under CrRLJ 4.1(a)(2) that defendants "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."

- d. **MOTIONS:** All previously noted motions that were stricken because of the court's emergency order continuing all non-emergency in-person hearings must re-note their motion if they still wish to have their motion heard.
- e. **IN-PERSON HEARINGS:** If defendant is represented, defense attorney shall be responsible for delivering court order to the defendant in the courtroom. Unless otherwise authorized by the court, defendants shall not approach clerk's desk or the bench.
- f. **JURY TRIALS:** All jury trials are cancelled and jurors are excused through September 1, 2020. 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.
- g. **CONTINUANCES:** Continuances pursuant to this Administrative Order of 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).
- h. **NOTICES:** Unless otherwise ordered by the court, the court shall provide notice of new hearing dates and instructions on how to access remote hearings (if applicable) to defense counsel and defendants. Notices for future dates for all cases delayed by this order will be mailed to the parties via U.S. mail. Any party needing to update their mailing address should contact the court via telephone.
- i. **AGREED MOTIONS:** The court will continue to consider submitted agreed motions and orders, which may be submitted by email or fax.
- j. **FRONT COUNTER:** The court's office and front counter will continue to be closed to the public until the Governor declares that the county has moved into Phase 3 of the re-opening plan. Court staff continues to remain present in the court office and reachable through phone, email, mail, and fax.
- k. **PAYMENTS:** Payments will continue to be accepted online, by phone, by mail, and via the court's drop box located at the rear entrance of the Multi-Purpose Center.
- l. **WARRANT QUASH:** Until the court's front counter reopens:
 - All requests for warrant quashes must be made through defense attorney, unless defendant is unrepresented; and all requests for warrant quash must be made through written motion and payment of \$50.
- m. **SIGNATURES:** As articulated the Supreme Court Order 25700-B-625, the court will accept electronic signatures. The court will not require defendant or respondent to sign court orders or notices. Instead, the order, docket, and audio record of the court hearing can document that notice was provided to the defendant or respondent. Any hearing that requires defendant or respondent to make a declaration under penalty of perjury under the laws of the state of Washington shall be conducted by the court with the defendant on the record.
- n. **INFRACTION:** Those with pending infractions, who have requested a court hearing, will now be scheduled for a remote hearing. Respondents continue to have the option of submitting a written hearing request by mail. Anyone who receives an infraction is still required to respond to the notice of infraction within fifteen (15) days of the date the notice is personally served or, if the notice is served by mail, within eighteen (18) days of the date the notice is mailed. Respondents can continue to

respond by mail or place their response in the drop box outside of the courthouse within the time frame required. Respondents who request a Mitigation hearing will continue to have the option of a hearing by mail.

- i. This 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 the court, nor more than 120 days from the date of the notice of infraction or the date a default judgment is set aside.”

2. This order will stay in effect until otherwise ordered by the court, or until superseded by a Washington Supreme Court order. This Order and other applicable emergency orders may be deemed part of the record in affected cases for purposes of appeal without the need to file the orders in each case, and all time frames previously extended may be deemed further extended by this order.

Dated June 1, 2020.

A handwritten signature in black ink, appearing to read 'R. Freeby', is written over a horizontal line.

Robert Freeby, Presiding Judge