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PIERCE COUNTY DISTRICT COURT, STATE OF WASHINGTON

In Re

COURT OPERATIONS UNDER THE
EXIGENT CIRCUMSTANCES CREATED
BY PUBLIC HEALTH EMERGENCY IN
WASHINGTON STATE

GENERAL ORDER
NO. 2020-06

WHEREAS 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).

WHEREAS during this state of emergency, the Centers for Disease Control and Prevention and the Washington State Department of Health have recommended increasingly stringent social distancing measures of at least six feet between people, and encouraged vulnerable individuals to avoid public spaces; and

WHEREAS consistent with these recommendations, Governor Inslee issued and extended a “Stay Home, Stay Healthy” order directing non-essential businesses to close, banning public gatherings, and requiring Washingtonians to stay home except to pursue essential activities; and

1 WHEREAS our court facilities are ill-equipped at the present time to effectively
2 comply with social distancing and other public health requirements and therefore
3 continued in-person court appearances jeopardize the health and safety of litigants,
4 attorneys, judges, court staff, and members of the public; and
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6 WHEREAS, on March 16, 2020, this Court issued emergency General Orders
7 2020-02 and 2020-03 based on the March 4, 2020 Order No. 25700-B-602 from Chief
8 Justice Debra Stephens, of the Washington State Supreme Court, authorizing Presiding
9 Judges to adopt, modify and suspend court rules and orders and to take further actions
10 concerning court operations, as warranted to address the current public health
11 emergency; and
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13 WHEREAS, on March 19, 2020, Chief Justice Debra Stephens, of the
14 Washington State Supreme Court, adopted Corrected Order No. 25700-B-607, setting
15 forth direction and authority to Presiding Judges of trial courts across the State to
16 effectively administer their courts in response to this state of emergency, including the
17 authority to adopt, modify, and suspend court rules and orders as warranted to address
18 the emergency conditions; and
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20 WHEREAS, in response to the Governor's order, the majority of court staff are
21 working remotely from home, with only minimal staff on site; and
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23 WHEREAS Chief Justice Stephens, on April 29, 2020, issued Second Revised
24 and Extended Order Regarding Court Operations, No. 25700-B-618, suspending all jury
25 trials until at least July 6, 2020 and continuing all non-emergency civil matters and all
26 out of custody criminal matters until after June 1, 2020; now
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1 THEREFORE, pursuant to the Court's authority to administer justice and to
2 ensure the safety of court personnel, litigants, and the public,

3 IT IS HEREBY ORDERED

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- 5 (1) That the provisions of Pierce County General Orders 2020-02, 2020-03,
6 2020-04 and 2020-05 and Supreme Court Orders 25700-B606 and 25700-
7 B607 (corrected) and 25700-B-618 are hereby incorporated herein by
8 reference.
- 9 (2) Effective as of March 17, 2020, all civil and criminal jury trials are suspended
10 until at least July 6, 2020, subject to all social distancing requirements being
11 in place sufficient to allow a safe environment for all participants; and
- 12 (3) Effective as of March 17, 2020, all in-custody arraignments, in-custody review
13 hearings and in-custody pre-trial conferences, will be heard by video
14 connected to the Pierce County Jail. CrRLJ 3.4(d) is hereby modified for all in
15 custody court proceedings to be conducted by video.
- 16 (4) Effective as of March 17, 2020, all out of custody criminal matters are
17 continued until June 1, 2020 or as directed by further order of this Court
18 and/or the Supreme Court of Washington.
- 19 (5) To effectuate these continuances implemented by this general order, CrRLJ
20 3.3(the Time for Trial Rule for criminal matters), CrRLJ 4.1 (time for
21 arraignment) and IRLJ 2.6 (the time for hearing on civil infractions) are hereby
22 suspended. The time between March 17, 2020 and September 1, 2020 shall
23 be EXCLUDED when calculating time for trial. CrRLJ 3.3(e)(8)
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1 (6) For all matters scheduled for arraignment as of March 17, 2020, and all cases
2 filed between March 17, 2020 and July 3, 2020, the arraignment may be
3 deferred until a date 45 days after the continuation of criminal cases
4 implemented by this and all other referenced General Orders is lifted
5 (currently June 1, 2020). The new arraignment date shall be considered the
6 “initial commencement date” for purposes of establishing the time for trial
7 under CrRLJ 3.3(c)(1).
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9 (7) A continuance of these criminal hearings and trials is required in the
10 administration of justice. The Court specifically finds the ends of justice
11 served by this continuance outweighs the best interest of the public and
12 Defendant’s right to a speedy trial and a speedy arraignment due to the
13 unforeseen and unavoidable circumstances caused by the above enunciated
14 public health emergency.
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16 (8) Effective March 17, 2020, the following in-person civil proceedings will be
17 continued and rescheduled to a date after June 1, 2020:
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- 19 i) All in-person traffic and other civil infraction hearings (both contested and
20 mitigation). With the exception that the Court will hear, upon the
21 agreement of the parties, infraction by “virtual court” as authorized in
22 Pierce County District Court General Order No. 2020-05. The Court will
23 continue to accept written statements submitted by mail (also known as
24 hearings by mail). Until further order of the Court, the Court authorizes
25 filing of a Motion for Reconsideration following a court’s determination on
26 an initial written statement. IRLJ 3.5 (a)(4); LIRLJ 3.5 is so modified.
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- 1 ii) Small claims mandatory mediation hearings and trials.
- 2 iii) Civil preliminary trial hearings such as civil pre-trial conferences and all
- 3 motion hearings.
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- 5 iv) Name change hearings unless exigency can be shown; wherein, the court
- 6 may set an in-court or video hearing.
- 7 v) Impound of Vehicle or vessel hearings. Petition/Request for Hearing re:
- 8 Vehicle or Vessel impound may be filed on-line by visiting the Pierce
- 9 County District Court website at [https://piercecountywa.gov/101/District-](https://piercecountywa.gov/101/District-Court)
- 10 [Court](https://piercecountywa.gov/101/District-Court). Filing fees will be waived. All time frames required by RCW
- 11 46.55.120 are suspended. Court will review, in chambers, all petitions and
- 12 may schedule in-court proceedings if exigency is sufficiently shown;
- 13 otherwise all court hearings will be postponed until further Order of this
- 14 Court.
- 15
- 16 vi) Impound of animal hearings and other animal control type cases. All
- 17 Petitions/Requests for return of animals may be filed on-line by visiting the
- 18 Pierce County District Court website at
- 19 <https://piercecountywa.gov/101/District-Court>. Filing fees will be waived.
- 20 All court hearings will be postponed until further Order of this Court.
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- 22 vii) All Petitions for Order of Protection for both Harassment and Stalking may
- 23 be filed on-line by visiting the Pierce County District Court website at
- 24 <https://piercecountywa.gov/101/District-Court>. Filing fees will be waived
- 25 until further order of this Court.
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1 (9) Effective Tuesday, March 17, 2020, all requests for temporary Anti-
2 Harassment Orders will be reviewed in chambers based solely on the written
3 record. Hearings for final Orders will be scheduled as needed and at the
4 discretion of the Court. The Court reserves the right to continue any
5 scheduled full order hearings. To effectuate these continuances, the
6 maximum length of a temporary order issued pursuant to RCW 10.14.080(2)
7 (Harassment) and RCW 7.92.120(5) (Stalking) shall be suspended; however,
8 the maximum length of a temporary order shall not exceed 30 days subject to
9 further Order of the Court. The hearings on the Protection Order matters
10 shall be continued approximately 30 days to a date determined by the Clerk
11 of the Court. If service has been made, the parties will be notified in writing
12 by U.S. mail of the new court date. If service has not yet been made, the
13 Petitioner will be notified in writing by U. S. mail of the new court date with
14 instructions as to the requirement for service on the Respondent. Any party
15 needing to update their mailing address should contact the court.

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19 (10) A Defendant who contacts the Court by email or telephone seeking a hearing
20 to quash an outstanding bench warrant may have warrants quashed ex-parte
21 by the Court in Chambers so long as the defendant provides his or her
22 current mailing address and the case(s) does not involve an immediate threat
23 to public safety.

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25 (11) The Court reserves the right to maintain or schedule arraignments, pre-trial
26 hearings, and/or review/revocation hearings between today's date and June
27 1, 2020 in cases involving threats to public safety, including but not limited to
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1 domestic violence and driving while under the influence/physical control
2 offense.

3 (12) The Pierce County District Court Probation services are modified as follows:
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5 i) In-person probation appointments will be conducted telephonically. All
6 individuals currently on probation are expected to stay in contact with their
7 probation officer and be available for telephonic appointments as
8 scheduled. Any defendant released from custody who is on probation
9 supervision will be required to call the probation department at 253-798-
10 7595 within twenty-four (24) hours from release, unless that time would fall
11 on a Saturday or a Sunday, and then they must call the following Monday.
12

13 ii) All Work Crew commitments and Day Reporting classes with Probation
14 have been suspended. All defendants who have been directed to do Day
15 Reporting and Work Crew will be required to keep those commitments
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17 (13) Report to jail dates. For the duration of this order, all defendants should call
18 the court at 253-798-7487, for further instructions, prior to reporting to jail.

19 (14) Subject to further court orders, the provisions of General Order 2020-03
20 (payment of fines) and General Order 2020-05 (virtual hearings) are extended
21 and remain in effect until June 1, 2020.
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23 (15) Litigants and attorneys who feel sick should not enter Pierce County District
24 Court. Anyone deemed by the court or by court staff to be exhibiting illness
25 symptoms may be ordered to leave.

26 (16) Litigants and attorneys who appear in Pierce County District Court are
27 expected to adhere to the six-foot social distancing requirement from court
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