

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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. 2020-13

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. Yet, court operations are  
5 recognized as essential and may often be conducted by alternative means, in  
6 alternative settings, and with extra measures taken for public safety; and  
7

8           WHEREAS pursuant to this Court's prior orders as well as prior Orders by the  
9 Washington State Supreme Court, this court has taken important steps to protect public  
10 health which ensuring continued access to justice and essential court services,  
11 including by strictly observing social distancing measures, holding proceedings  
12 remotely, suspending some in-building operations, and promulgating emergency rules  
13 as necessary; and  
14

15           WHEREAS, the response to prevent the further spread of COVID-19 must be  
16 continued beyond the timeframes in this Court's orders, as well as the Orders issued by  
17 the Washington State Supreme Court, while allowing the court to operate effectively and  
18 maintain effective and equitable access to justice; and  
19

20           WHEREAS on March 19, 2020 Chief Justice Debra Stephens of the Washington  
21 State Supreme Court adopted Corrected Order No. 25700-B-607, setting forth direction  
22 and authority to Presiding Judges of trial courts across the State to effectively  
23 administer their courts in response to this state of emergency, including the authority to  
24 adopt, modify, and suspend court rules and orders as warranted to address the  
25 emergency condition.  
26  
27  
28

1  
2           THEREFORE, pursuant to the Court’s authority to administer justice and to  
3 ensure the safety of court personnel, litigants, and the public,  
4

5           IT IS HEREBY ORDERED

6           (1) That the provisions of Pierce County General Orders 2020-02, 2020-03, 2020-  
7           04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-10, 2020-12 and Supreme Court  
8           Orders 25700-B606 and 25700-B607 (corrected), 25700-B-618 and 25700-B-  
9           625, 25700-B-640, 25700-B- 642 and 25700-B-646 are hereby incorporated  
10           herein.

11  
12           (2) All civil and criminal jury trials are subject to all social distancing requirements  
13           being in place such as to allow a safe environment for all participants. Written  
14           jury procedures should be referenced to follow the safety efforts put in place; and

15           (3) Effective as of March 17, 2020 and continuing until further order of the court all  
16           in-custody arraignments, in custody review hearings and in-custody pre-trial  
17           conferences, will be heard by video connected to the Pierce County Jail, except  
18           as may be required to accommodate court scheduling. CrRLJ 3.4(d) is hereby  
19           modified for all in custody court proceedings to be conducted by video.  
20

21           (4) Effective as of March 17, 2020 and continuing until further order of the court,  
22           upon the agreement of the parties criminal cases appropriate for “virtual court”  
23           may be conducted and will be available for public viewing through the Court’s  
24           website. CrRLJ 3.3(e)(8)  
25

26           (5) Pursuant to Supreme Court Order 25700-B-646, all cases continued based on  
27           the serious danger posed by COVID-19 is good cause to continue and  
28

1 constitutes an unavoidable circumstance under CrRLJ3.3(e)(8). The time  
2 between the last hearing held prior to March 17, 2020 and the next scheduled  
3 court hearing after October 15,2020 shall be EXCLUDED when calculating time  
4 for trial. CrRLJ 3.3(e)(3). After October 15, 2020 the court may further exclude  
5 time for trial under these rules based on individual findings of “unavoidable  
6 circumstances” due to COVID-19 or other circumstances.  
7

8 (6) Until further order of the Court, the District Court will continue to hear traffic and  
9 other civil infraction hearings (both contested and mitigation) by “virtual court”  
10 and will be available for public viewing through the Court’s website. The Court  
11 will continue to accept written statements submitted by mail (also known as  
12 hearings by mail).  
13

14 (7) The Court is amending LARLJ 6A requiring that all small claims cases must  
15 have mandatory mediation prior to setting for trial. In order to work through the  
16 backlog, some small claims matters will be directly set for trial. In addition, some  
17 claim cases will be set for On-line Dispute Resolution. Where possible, the court  
18 will continue to set cases for small claims mediation through the Center for  
19 Dialog and Resolution. All small claims trials will be held in person and will be  
20 required to comply with all public health safety measures.  
21

22 (8) The Court will continue to prioritize public safety in the scheduling of civil and  
23 criminal matters. The court retains the discretion to schedule hearings in person  
24 or by “virtual court.”  
25  
26  
27  
28

1 (9) Effective Tuesday, March 17, 2020, all due dates for any payments due to the  
2 court are extended until December 31, 2020. No referrals will be made to  
3 collections for past due payments until after December 31, 2020.  
4

5 (10) Litigants and attorneys who feel sick should not enter Pierce County  
6 District Court. Anyone deemed by the court or by court staff to exhibit illness  
7 symptoms may be ordered to leave.

8 (11) Litigants and attorneys who appear in Pierce County District Court are  
9 expected to adhere to the six-foot social distancing requirement from court staff  
10 as well as other litigants and attorneys or members of the public. All members of  
11 the public are expected to comply with facial covering requirements set forth in  
12 General Order 2020-12.  
13

14 (12) Pierce County District Court remains open. The public is encouraged to  
15 communicate with Pierce County District Court as follows:

- 16 a. By Calling: 253-798-7487  
17  
18 b. Using live chat: <https://piercecountywa.gov/101/District-Court>  
19  
20 c. By email: [PCDISTCRT1@piercecountywa.gov](mailto:PCDISTCRT1@piercecountywa.gov)

21 Litigants, attorneys and the public are encouraged to visit the Pierce County  
22 District Court website for updated information.

23 DATED this 4<sup>th</sup> day of November, 2020.  
24  
25  
26

27 /s/ Judy Rae Jasprica  
28 Judy Rae Jasprica, Presiding Judge