

FILED
IN COUNTY CLERK'S OFFICE

MAR 24 2020

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY KW DEPUTY

**IN THE SUPERIOR COURT OF WASHINGTON,
COUNTY OF PIERCE**

IN RE THE MATTER OF THE RESPONSE
BY PIERCE COUNTY SUPERIOR COURT
TO THE PUBLIC HEALTH EMERGENCY
IN WASHINGTON STATE

Emergency Order: 20-10

EMERGENCY ORDER #10
PUBLIC HEALTH EMERGENCY ORDER
REGARDING ALL CIVIL PROTECTION
ORDERS

This matter comes before the Court again on the COVID-19 public health emergency in Washington State.

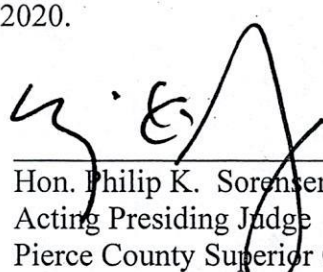
Pierce County Superior Court Emergency Order's 1 thru 9 as well as Supreme Court Order 25700-B-606 and 607 are incorporated by reference.

IT IS HEREBY ORDERED that:

- A. In an effort to reduce the incidents of close contact between Pierce County Court staff and members of the public the attached EMERGENCY TEMPORARY PROCEDURES FOR ALL CIVIL PROTECTION ORDERS is adopted effective immediately. This order shall not

1 extend past April 24, 2020, unless specifically addressed by the Pierce County Superior
2 Court Presiding Judge.

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4 DATED this 23rd day of March 2020.

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7 Hon. Philip K. Sorensen,
8 Acting Presiding Judge
9 Pierce County Superior Court

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EMERGENCY TEMPORARY PROCEDURES FOR ALL CIVIL PROTECTION ORDERS

Effective March 24, 2020

In accordance with the Washington Supreme Court's Chief Justice's Public Health Emergency Amended Order #25700-B-607, the following procedures will be in place for ALL petitions for civil protection orders, including civil standby/renewals/modifications/terminations (civil protection orders include domestic violence, sexual assault, anti-harassment, vulnerable adult, anti-stalking, and extreme risk protection orders) until further notice:

1. No personal appearances are permitted. Open remote kiosk locations may still be used to complete petitions. The Family Justice Center and the YWCA are available to assist by telephone or email.
2. Hearings may only be conducted in person if telephonic or video appearances are impossible or for other good cause. In these cases, social distancing and other public health measures shall be strictly observed.
3. All persons seeking a protection order/modification/termination/renewal or civil standby shall call the designated number to the Court/Clerk's office (253-789-8827). A staff person will answer the telephone, answer relevant questions without providing legal advice, and take all the information necessary to complete the petition and confidential information form, including the person's statement in support of the petition.
4. Petitioner must provide valid mailing address and/or email address prior to petition being submitted.
5. No signature shall be required if the petition is completed telephonically. The completed petition will be delivered to the Commissioner or Judge (for extreme risk and sexual assault petitions) for screening. Current screening procedures will remain in place, however, instead of in-person preliminary hearings, all such hearings shall be conducted by telephone or video conferencing. At the beginning of the hearing, the petitioner shall be sworn in and state under penalty of perjury that the statements in his/her petition are true and correct. Following that question, the commissioner will conduct the rest of the hearing. On the petition's signature line, it shall be attested that petitioner affirmed the provisions of the petition telephonically.
6. If the temporary order is granted, or if no temporary order is granted but a hearing is scheduled, the hearing date shall be 42 days from the date of the petition, unless the parties are intimate partners in which case the hearing date shall be in 24 days, or upon request of either party the commissioner determines there is good cause to schedule an earlier or later hearing date.
7. If practicable, copies of the petition, notice of hearing, additional statements, and any temporary order for protection ("initial pleadings") shall be electronically transmitted to the petitioner for service. If not practicable, court or clerk staff shall mail initial pleadings two copies to the petitioner.
8. Service of the initial pleadings on the respondent may be done by personal service or mail. Service by mail is authorized for all civil protection orders without requiring 2 attempts at personal service or other evidence of due diligence. Permission to serve by publication shall still require a court order before proceeding. A completed proof of service form shall be timely electronically filed by the petitioner.

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9. All self-represented persons shall be enrolled in the Clerk's full LINX access subscription (information to be provided by Clerk when Petition is completed).
10. Either party may still seek a civil standby order prior to hearing but shall follow the procedures above.
11. Except as provided in #2 above, all hearings for final protection orders ("court hearing") shall be via electronic means – telephone or video. All parties shall arrange with court/clerk staff electronic appearance or call CourtCall directly (phone links) at least 24 hours in advance of the court hearing.
12. Following the court hearing, all final orders shall be transmitted to the parties by the clerk's office by mail, email, text, or fax. Proof of this transmittal shall serve as proof of service.
13. For all pending court hearings (those cases where the initial pleadings have been filed prior to the date of these emergency procedures with a hearing scheduled), if the parties do not timely arrange to appear at the hearing by telephone or video, or unless the petitioner requests dismissal of the petition, reissuance orders (or amended notices of hearing) shall be entered by the court with a return date of 42 days or 24 days (for intimate partners) from the original hearing date. Such order or notice shall be transmitted to the parties by the clerk's office by mail, email, text, or fax. Proof of this transmittal shall serve as proof of service.
14. Should either party or both parties appear on the day and time of the court hearing, except for good cause, each party will be directed to attend the hearing telephonically. Instructions shall be provided to arrange this call.
15. Except as provided in these emergency procedures, all other provisions of the relevant statutes (RCW Chapters 26.50, 10.14, 74.34, 7.09, 7.92, and 7.94) shall remain in effect but applied liberally to reflect the reasoning in the Supreme Court's Amended Order.

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