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**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: 20-16

**EMERGENCY ORDER #16**  
PUBLIC HEALTH EMERGENCY ORDER  
REGARDING RESUMPTION OF JURY  
TRIALS

WHEREAS: This Court's Emergency Order #15, entered May 13, 2020 specified a July 6, 2020 date for resumption of jury trials in civil cases; and

WHEREAS: This Court's Emergency Order #15 is consistent with the Washington Supreme Court's April 29, 2020 Second Revised and Extended Order Regarding Court Operations; and

WHEREAS: Governor Inslee's Safe Start Program continues to impose requirements of physical distancing, masking, frequent handwashing, frequent disinfection of surfaces, and similar measures recommended by the Washington State Department of Health, United States Center for Disease Control, and similar public health organizations; and

WHEREAS: Compliance with these public health directives reduces the capacity of this Court to conduct jury trials because of the size and configuration limitations of the County-City Building; and

1 WHEREAS: The logistics of locating alternative venues for safely conducting jury  
2 orientation and jury *voir dire* are complex and despite exceptional effort by court administration  
3 and County personnel will not result in an alternative location being available in a time frame  
4 that will assist the court in resumption of civil jury trials on July 6, 2020; and

5 WHEREAS: CrR 3.3 establishes time for trial rules in criminal cases which, in  
6 conjunction with other statutory and constitutional requirements, result in most criminal trials  
7 taking priority over civil jury trials, even with the Washington Supreme Court's tolling of the  
8 start of time for trial calculation until September 1, 2020; and

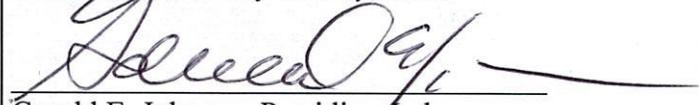
9 WHEREAS: It is important to the Court and civil litigants that trial date certainty be  
10 achieved;

11 As a consequence of the foregoing

12 **IT IS HEREBY ORDERED** that:

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- 14 1) Twelve-person civil jury trials will not commence until on or after November 1, 2020,  
15 such trial date being determined by the trial judge, in her or his discretion, and
  - 16 2) Six-person civil jury trials will not commence until on or after September 1, 2020, such  
17 trial date being determined by the trial judge, in her or his discretion.
  - 18 3) This Order shall not apply to civil jury trials under RCW 71.05 or RCW 71.09.
- 19

20 Dated the 22ND day of May, 2020

21   
22 Garold E. Johnson, Presiding Judge  
23 Pierce County Superior Court  
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