FILED
IN COUNTY CLERK'S OFFICE

A.M. MAR 18 2020 P.M.

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

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

COUNTY OF PIERCE

IN THE MATTER OF THE RESPONSE BY THE SUPERIOR COURT OF THE STATE OF WASHINGTON, COUNTY OF PIERCE, TO THE PUBLIC HEALTH EMERGENCY IN WASHINGTON STATE	Emergency Order: 20-06 EMERGENCY **ORDER #6** PUBLIC HEALTH EMERGENCY ORDER REGARDING OPERATIONS AT PIERCE COUNTY JUVENILE COURT

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

Pierce County Superior Court Emergency Orders 1 through 5 are incorporated by reference.

WHEREAS, On February 29, 2020, Governor Jay Inslee declared a state of emergency in all counties in the state of Washington due to the public health emergency caused by the Coronavirus Disease 2019 ("COVID-19"); and

WHEREAS, On March 4, 2020 the Supreme Court of the State of Washington issued ORDER No. 25700-B-602 that the Presiding Judges of the Washington courts are authorized to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency; and

WHEREAS, On March 12, 2020, Governor Jay Inslee ordered all Washington schools, public and private, and all Washington universities, public and private, closed through April 24, 2020; and

WHEREAS, On March 16, 2020, Governor Jay Inslee ordered closure of all Washington bars, restaurants, clubs, entertainment venues, faith-based organizations and facilities, and other similar organizations and venues through March 31, 2020; and

WHEREAS, On March 16, 2020, Governor Jay Inslee ordered that gatherings in the State of Washington are to be limited to no more than 50 people through March 31, 2020; and

WHEREAS, During this state of emergency, it may become necessary for courts to close, relocate, or otherwise significantly modify their regular operations; and

WHEREAS, The Acting Presiding Judge in Pierce County has sufficient authority to effectively administer the Superior Court in response to this state of emergency, including authority to adopt, modify, and suspend court rules and orders as warranted to address the emergency conditions.

NOW, THEREFORE, pursuant to the Superior Court's authority to administer justice and to ensure the safety of court personnel, litigants, and the public,

IT IS HEREBY ORDERED THAT effective March 19, 2020 at Pierce County Juvenile Court:

1. All adjudicatory hearings are suspended until after April 24, 2020. Any case currently set for adjudicatory hearing between today's date and April 24, 2020 will be rescheduled for adjudicatory hearing five weeks from the currently scheduled adjudicatory hearing date.

2. All cases where there is only a pre-trial conference scheduled between today's date and April 24, 2020 will have the pre-trial conference rescheduled for five weeks from the currently scheduled pre-trial conference date.
3. All **out-of-custody** delinquency matters already pending shall be continued to after April 24, 2020. Arraignment on out of custody cases filed between today's date and April 1, 2020 shall be deferred until a date 45 days after the filing of charges. Good cause exists under CrR 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 JuCR 7.8(c)(1).
4. All **in-custody** delinquency matters shall be continued to after April 24, 2020, with the following exceptions:
    a. Scheduling and hearing of first appearances, arraignments, plea hearings, criminal motions, and sentencing hearings.
    b. Courts retain discretion in the scheduling of these matters, except that the following matters shall take priority:
        i. Pretrial release motions.
        ii. Plea hearings and sentencing hearings that result in the anticipated release of the respondent within 30 days of the hearing.
        iii. Parties are not required to file motions to shorten time in scheduling any of these matters.
5. The Court concludes that a continuance of these criminal hearings and adjudicatory hearings is required for the administration of justice. Based upon

the court's finding that the serious danger posed by COVID-19 is good cause to continue adjudicatory hearings, and constitutes an unavoidable circumstance under JuCR 7.8(e)(7), the time between the date of this order and the date of the next scheduled adjudicatory hearing are EXCLUDED when calculating time for adjudicatory hearing. JuCR 7.8(e)(3).

6. The Court finds that obtaining signatures from respondents for orders continuing existing matters places a significant burden on attorneys, particularly public defenders, and all attorneys who must enter detention facilities to obtain signatures in person. Therefore, for all matters covered in Sections 1, 2 and 3, this Order serves to continue those matters without need for further written orders. Additionally:
    a. Defense counsel is not required to obtain signatures from respondents on orders to continue delinquency matters through April 24, 2020.
    b. Defense counsel is directed to provide notice to respondents of new court dates.
7. Detention Reviews:
    a. Courts may agree to hear detention reviews on an expedited basis without requiring a motion to shorten time, but only if alleged victims or witnesses can be notified and have an opportunity to respond.
    b. Parties may present agreed orders for release of in-custody respondents, which shall be signed expeditiously.

c. If a hearing is required, the court shall use its discretion on when to schedule a hearing depending on the availability of witnesses and victims.

8. Outstanding Warrants: All outstanding warrants will be administratively quashed with a new date set; only upon appearance in the clerk's office, by the youth for whom the warrant was issued - with the following discretionary exception:

   a. Any youth charged with a Class A felony will be given a quash date for the next court day on the afternoon docket.

9. Probation officers may note a Detention Review hearing, Probation Violation or Revocation hearing for cases in which the Respondent has been adjudicated of a Class A felony, has a committable offense (either pretrial or adjudicated), Option B, SSODA, or a gun offense.

10. Courts are encouraged to consider allowing telephonic or video appearances for any scheduled criminal hearings between now and through April 24, 2020.

DATED at Tacoma, Washington this 18 day of March, 2020.

Honorable Philip K. Sorensen
Acting Presiding Judge
Pierce County Superior Court

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