

FILED
IN COUNTY CLERK'S OFFICE

A.M. **MAR 13 2020** P.M.
PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY _____ DEPUTY

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

Cause No: 20 2 05474 2

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

EMERGENCY ORDER #2
PUBLIC HEALTH EMERGENCY ORDER
REGARDING JURY TRIALS

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

I. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health emergency posed by COVID-19.

II. On March 4, 2020, Washington Supreme Court Chief Justice Debra Stephens entered an Emergency Order that states, in part, as follows:

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

WHEREAS: the presiding judges in these counties need sufficient authority to effectively administer their courts 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.

1 NOW, 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 THAT:

4 1. The Presiding Judges of the Washington courts are authorized to adopt, modify, and
5 suspend court rules and orders, and to take further actions concerning court operations, as
6 warranted to address the current public health emergency;

7 2. Each court shall immediately transmit copies of emergency local rules adopted or
8 modified to address the public health emergency to the Administrative Office of the
9 Courts in Lieu of the requirements of General Rule 7;

10 3. Each court that closes pursuant to this Order or General Rule 21 shall sign an
11 administrative order closing the court, file the original with the clerk of the affected court,
12 and notify the Administrative Office of the Courts as soon as practicable.

13 III. On March 11, 2020 the governor issued the follow executive proclamation and order:

14 **FURTHERMORE**, based on the above situation and under the provisions of RCW
15 43.06.220(1)(b) and RCW 43.06.220(1)(h), to help preserve and maintain life, health,
16 property or the public peace, I hereby prohibit the following activities in King, Pierce and
17 Snohomish counties related to social, spiritual, and recreational gatherings, which
18 restrictions shall remain in effect until midnight on March 31, 2020, unless extended
19 beyond that date:

20 Gatherings of 250 people or more for social, spiritual and recreational activities
21 including, but not limited to, community, civic, public, leisure, faith-based, or
22 sporting events; parades; concerts; festivals; conventions; fundraisers; and similar
23 activities.

24 Violators of this of this order may be subject to criminal penalties pursuant to RCW
25 43.06.220(5).

IV. On March 12, 2020, Governor Inslee ordered all K-12 public and private schools
closed in Pierce County until April 24, 2020.

V. The COVID-19 virus poses a credible, serious health risk to the public, the litigants
and the court personnel. It is a responsibility of the court to balance the
administration of justice while taking all reasonable steps to help curtail the
transmission and spread of the COVID-19 virus.

1 Now therefore, under the authority granted by Chief Justice Stephens' Order and the
2 authority as the Pierce County Superior Court Presiding Judge;

3 **IT IS HEREBY ORDERED** that:

4 A. All criminal and civil jury trials are continued until at least April 24, 2020. The time
5 period of the continuances required by this Emergency Order will be excluded in
6 computing the time for trial pursuant to CrR 3.3(e)(3) and CrR 3.3(f)(2). The Court finds
7 that any delays for the time for trial are the result of compliance with this order are/were
8 unforeseeable due to the health crisis caused by the COVID-19 virus and are therefore are
9 excluded from computing time for trial by CrR3.3(e)(8),


10 B. This Emergency Oder shall *not* apply to any jury trials that are currently in progress.

11 C. This Emergency Order does not excuse any party or attorney from the obligation to
12 appear before the court at the time and on the dates set it any existing scheduling order.

13 **Note: This order does not alter the authority of the court to issue a warrant for a**
14 **defendant who does not appear in court on the date and time as previously ordered.**

15 D. The court will remain open and fully operational. All nonjury trial matters including,
16 without limitation all family law cases, are not affected by this order. Those case shall
17 proceed as currently scheduled.
18

19
20 DATED this 13th day of March 2020.

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