

IN THE MUNICIPAL COURT
FOR THE CITY OF TACOMA, STATE OF WASHINGTON

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| IN RE |) | AMENDED |
| COURT OPERATIONS UNDER THE EXIGENT |) | GENERAL ORDER |
| CIRCUMSTANCES CREATED BY PUBLIC |) | |
| HEALTH EMERGENCY IN WASHINGTON |) | NO. 2020-08 |
| STATE | | |

WHEREAS:

1. 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).
2. On March 4, 2020 Chief Justice Debra Stephens of the Washington State Supreme Court adopted Order No. 25700-B-602, granting emergency authority to the Presiding Judges of Washington courts to adopt, modify, and/or suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency that affects operations of trial courts in Washington State; and
3. On March 16, 2020, the Governor imposed additional restrictions prohibiting gatherings of more than 50 people and shut down restaurants, bars, and entertainment and recreational facilities within the State of Washington due to the danger of continued spread of coronavirus and the increasing danger the coronavirus presents to the health care system in the region, as well as directing all public and private schools within the State of Washington be closed from March 17 through April 24, 2020.
4. On May 1, 2020, 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 through at least May 31, 2020.

5. On May 29, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court issued an Amended Third Revised and Extended Order Regarding Court Operations #25700-B-626.
6. As of the date of this Order, there have been 4,272 confirmed cases of COVID-19 in Pierce County, over 49,000 cases in the State of Washington, and over 1,500 people in Washington State have died from the coronavirus.

Given the significant number of identified and projected cases of COVID-19 in the area, the severity of risk posed to the public and the above public health recommendations from local public health authorities,

NOW, THEREFORE, IT IS HEREBY ORDERED, that

The Washington State Supreme Court Order #25700-B-626 is incorporated as part of this court's order. Effective Tuesday, July 21, 2020, the June 22, 2020 Amended General Order #2020-07 is revised and extended as follows:

1. All criminal jury trials scheduled before this court will be rescheduled to a date after October 06, 2020 pending further order of the Court.
2. Effective Monday, July 27, 2020, all in-person criminal proceedings, with the exception of in-custody arraignments, in-custody review hearings, in-custody pre-trial conferences, and in-custody mental health competency hearings, will be continued and rescheduled to a date after August 14, 2020 pending further order of the Court, except those motions, actions on agreed orders, status conferences or other proceedings that can appropriately be conducted by telephone, video or other means that does not require in-person attendance. The Court reserves the right to maintain or schedule in-person arraignments, pretrial hearings, and/or review/revocation hearings between today's date and until further notice in cases involving threats to public safety, including but not limited to domestic violence and driving while under the influence/physical control offenses; provided that any such hearings must strictly comply with current public health mandates.
3. To effectuate these continuances implemented by this general order CrRLJ 3.3, the Time for Trial Rule for criminal matters, CrRLJ 4.1 time for arraignment and the time for hearing on civil infractions under IRLJ 2.2, IRLJ 2.4 and IRLJ 2.6, and any other applicable court rule are hereby suspended. The Court specifically finds the ends of justice served by the continuance outweighs the best interest of the public and defendant's right to a speedy trial due to unforeseen and unavoidable circumstances caused by the above enunciated public health emergency.

4. Effective Monday, June 1, 2020, all in-person traffic and other civil infraction hearings (both contested and mitigation) will be continued and rescheduled to a date after August 14, 2020, except those hearings that can be conducted by telephone, video or other means that does not require in-person attendance. The court will continue to accept written statements submitted by mail (also known as hearings by mail). Requests for hearings by mail may be made by email at MunicipalCourt@cityoftacoma.org or by phone at (253) 591-5357 Monday – Friday from 8:30 am – 4:00 pm. Until further order of the Court, the Court authorizes filing of a Motion for Reconsideration following a court’s determination on an initial written statement.
5. The Tacoma Municipal Court front counters will be open Monday – Friday from 12 noon – 4:00 pm. Staff in the court clerk’s office will be available by telephone: (253) 591-5357 from 8:30 am – 4:00 pm and/or email: MunicipalCourt@cityoftacoma.org. Court correspondence will be accepted via email and U.S. mail: Tacoma Municipal Court; 930 Tacoma Ave. S. Room #841; Tacoma, WA. 98402-2181. The court accepts all forms of payments. Payments can be made by mail or online at the Tacoma Municipal Court website: TacomaMunicipalcourt.org.
6. A defendant who contacts the Court by email or telephone seeking a hearing to quash an outstanding bench warrant may have it considered ex-parte by the Court in chambers so long as the defendant provides their current mailing address and the case(s) does not involve an immediate threat to the public.
7. Any individual seeking a motion or a hearing before this court should contact the court clerk preferably by email at MunicipalCourt@cityoftacoma.org or by phone at (253) 591-5357 Monday – Friday from 8:30 am – 4:00 pm.
8. Litigants and attorneys who appear in Tacoma Municipal Court are expected to adhere to six-foot social distancing from court staff as well as other litigants.
9. Litigants and attorneys who feel sick should not enter Tacoma Municipal Court. Anyone deemed by the Court or by Court staff to exhibit illness symptoms may be ordered to leave.
10. Defendants that are ill, have health compromising issues, or are over 60 years of age can have legal counsel request a reset of their Court hearing. If a defendant is not represented by an attorney, the defendant may contact the court directly to request a reset of their court hearing.

11. It is further ordered that for all hearings delayed by this order notices will be mailed to the parties of the next scheduled hearing date via US mail. Any party needing to update their mailing address should contact the court clerk by email at MunicipalCourt@cityoftacoma.org or by phone at (253) 591-5357.
12. The Court will remain open; however, the public is encouraged to contact the court via telephone Monday – Friday from 8:30 am – 4:00 pm at (253) 591-5357 or email at MunicipalCourt@cityoftacoma.org. Mail will continue to be received. The public is encouraged to continue utilizing available Court services as referenced above while following all applicable public health guidelines.
13. This order may be modified consistent with the Court’s continual assessment of the needs of the community as well as the recommendations of public health officials.
14. The Court may close for all but criminal video hearings with no advanced notice at the direction of the Presiding Judicial Officer; the clerks will mail all needed resets to the last known address if this occurs.

DATED: July 21, 2020



Drew A. Henke
Tacoma Municipal Court
Assistant Presiding Judge