

IN THE DISTRICT COURT
FOR THE COUNTY OF SAN JUAN

IN THE MATTER OF THE RESPONSE BY)	EMERGENCY ORDER
SAN JUAN COUNTY DISTRICT COURT TO THE)	
PUBLIC HEALTH EMERGENCY IN)	No. 20-01
WASHINGTON STATE AND SAN JUAN COUNTY)	COURT OPERATIONS
)	

This matter comes before the Court on the public health emergency in Washington State and San Juan County. The actions set forth herein will take effect on March 17, 2020 and will remain in effect until further order of the Court, unless otherwise stated herein. If a date is stated herein, the date may be extended by further order of the Court.

The Court makes the following findings:

1. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the Coronavirus 2019 (COVID-19).
2. On March 4, 2020, Washington Supreme Court Chief Justice Debra L. Stephens entered Order No. 25700-B-602, in response to the declared public health emergency in Washington, granting presiding judges in Washington counties the authority 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.
3. On March 13, 2020, Governor Jay Inslee entered Proclamation 20-09, closing all K-12 public, private, and charter schools in the State of Washington from March 17, 2020, through April 24, 2020.

4. On March 13, 2020, San Juan County Council declared a state of emergency in San Juan County due to COVID-19 by enacting Resolution 08-2020, directing elected county officials to take actions deemed necessary to mitigate and prevent impacts and potential impacts to the health and well-being of the residents of San Juan County.

5. On March 16, 2020, Governor Jay Inslee entered Proclamation No. 20-13, limiting gatherings of 50 or more people in all counties.

6. According to the Washington State Department of Health, as of March 16, 2020, there are over 900 confirmed cases of COVID-19 in the State of Washington, with the vast majority of cases in Western Washington, and cases confirmed in nearby counties of Whatcom, Skagit, Snohomish, King, Island, and Jefferson. As of March 16, 2020, 48 deaths have been linked to COVID-19.

7. According to the Washington State Department of Health, the San Juan County Department of Health and Community Services, and the U.S. Centers for Disease Control and Prevention (CDC), to limit the spread of the disease, those entities recommend limiting person-to-person contact, including staying at least six (6) feet from other persons.

Given the significant number of identified cases of COVID-19 in Western Washington, the State of Washington, and the country, and the severity of the risk posed to the public, court personnel, and court participants, pursuant to the authority of Washington State Supreme Court Order No. 25700-B-602 and the authority as Presiding Judge of the San Juan County District Court,

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. All CRIMINAL JURY TRIALS shall be CONTINUED to a jury trial term after April 27, 2020. Due to the reduced ability to obtain an adequate number and spectrum of jurors, the inherent public health risk of sufficient numbers of potential jurors gathering for jury selection, the inherent risk to court staff, parties, and counsel, and the effect of public health recommendations on the ability of court staff and counsel to be present in the courtroom as well as for the public to be invited into the courtroom, the time period from the date this Emergency

Order goes into effect (March 17, 2020) to the continued trial date will be excluded in computing time for trial pursuant to CrRLJ (e)(3) and CrRLJ 3.3(f)(2). The Court further finds that the ends of justice served by continuing these cases outweighs the defendant's right to a speedy trial. The Court further finds that any delays for time for trial are the result of the unavoidable and unforeseen circumstances and are therefore excluded from computing time for trial by CrRLJ 3.3(e)(8).

2. All matters noted on the CRIMINAL CALENDAR on Wednesdays at 9:00 am will be heard in the **Superior Court Courtroom** instead of the District Court Courtroom until further notice, in order to provide more room for social distancing practices. Additionally, the following criminal matters are all continued:

A. Motions to show cause for probation violations and motions to revoke sentences scheduled for the probation calendar on Tuesday mornings at 9:00 am. These hearings will be reset to a date determined by the court clerk and probation officer.

B. Arraignments scheduled for the Wednesday 8:30 am calendar where the charge(s) filed with the court only include driving while license suspended in the third degree, no valid operators license, failure to transfer title, or some combination of those three charges. To effectuate these continuances, CrRLJ 4.1(a)(2) shall be suspended. These arraignments shall be continued approximately 90 days to a date as determined by the clerk.

3. Any out-of-custody criminal defendant who is set for a review hearing, status hearing, or pretrial conference may request to appear telephonically, provided the defendant provides a current, valid working phone number to the court at least one (1) court day prior to the scheduled hearing date. The court clerk will make one call to the defendant at the number provided during the calendar. For example, a defendant appearing by phone for a pretrial conference set at 9:00 am must remain available until the conclusion of the court calendar at noon. A defendant who fails to answer when the court calls shall be treated as a failure to appear.

4. If you will miss a required court hearing because of illness, you must call your attorney, as well as the District Court Clerk's Office at 360-378-4017, and leave a message that

will be made a part of the record. The Court will NOT ISSUE A BENCH WARRANT for failure to appear due to illness; however, the Court reserves the right to request further information upon multiple absences and a bench warrant may be issued in the Court's discretion.

5. NO CIVIL JURY TRIAL will be set for a date prior to June 1, 2020. Additionally, the following civil matters are all continued until after April 27, 2020:

A. Infraction matters set for the first Tuesday morning of each month, both contested and mitigation hearings. To effectuate these continuances, IRLJ 2.6(a), (b), (d), (e), and (f) shall be suspended. The Court will continue to accept written statements submitted by mail or e-mail pursuant to IRLJ 2.6(c).

B. Small claims matters set for the third Tuesday of each month at 9:00 am.

C. Name change hearings.

D. Impound of vehicle or vessel hearings.

E. Impound of animals hearings.

6. Except for protection order hearings, all matters noted on the CIVIL LAW AND MOTIONS CALENDAR on Tuesdays at 2:00 pm and all special-set civil matters will be heard by phone or considered without oral argument, at the option of the noting party, unless the Court specifically requests oral argument. There will be no in-person hearings on the civil motions calendar until at least April 24, 2020.

7. Full-order hearings on CIVIL PROTECTION ORDERS, including anti-harassment, domestic violence, stalking, and sexual assault protections orders, will be conducted in the District Court Courtroom as normal. If the petitioner or respondent to a civil protection order hearing is unable to attend due to illness, the Court will consider a request to continue the hearing and extend any temporary protection order.

8. For all hearings that take place in-person in either Courtroom, the following requirements apply:

A. Each person in the gallery must sit at least six (6) feet apart.

- B. Each person must use the hand sanitizer at the counsel tables before addressing the Court or signing papers.
- C. The Court will not provide water to participants, but participants are invited to bring their own water bottles or to take a paper cup provided and fill it at the public water fountain in the hallway.

9. NO PERSON MAY ENTER THE COURTROOM IF SICK OR EXHIBITING ANY SIGNS OF ILLNESS, INCLUDING COUGHING. IF YOU ARE COUGHING, YOU WILL BE ASKED TO LEAVE.

10. Until further order, the District Court front counter will be operating at limited hours only. The front counter will be available for most paper filing and money transactions from 10 a.m. to 2 p.m., Monday through Friday. All court filings may be done through fax, at (360) 378-4099, or electronically by email, at dstct@sanjuanco.com. A document is considered electronically filed when a responsive email is provided by the Clerk. Everyone is encouraged to make any court or infraction payments through the payment deposit box, or by phone through Official Payments. Filing a petition for a civil protection order in person will still be permitted during our full business hours, from 8:30 am to 4:30 pm; the petitioner must ring the bell for service at the front counter if the counter is closed.

14. All screening by the public defender screener shall be by telephone until further order. The Public Defender Screener may be reached Monday – Friday from 9am – 12pm at: 360-370-7444.


15. Until further order, Court interpreters are permitted to appear by telephone.

19. This Emergency Order modifies San Juan County Local Court Rules.

This Emergency Order may be modified or further extended consistent with ongoing assessment of the current public health emergency based on recommendations of San Juan

County Department of Health and Community Services, Washington State Health Department,
and other appropriate agencies and public health officials.

DATED this 16th day of March, 2020.



Presiding Judge Carolyn M. Jewett