

IN THE DISTRICT COURT FOR THE COUNTY OF SKAGIT, and
IN THE MUNICIPAL COURTS OF ANACORTES, BURLINGTON, and MOUNT VERNON
STATE OF WASHINGTON

IN THE MATTER OF

ADMINISTRATIVE ORDER

EMERGENCY RESPONSE TO
COVID-19 OUTBREAK

NO. 20-2

WHEREAS, the Governor of the State of Washington has declared a state of emergency in all counties of Washington due to the public health emergency caused by the Coronavirus Disease (COVID-19); and

WHEREAS, the Commissioners of Skagit County have also declared a state of emergency in Skagit County due to the same public health concerns; and

WHEREAS, the Washington State Supreme Court has adopted Order No. 25700-B-602 granting emergency authority to this court to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted, to address the current state of emergency; and

WHEREAS, the Governor of the State of Washington has ordered that all schools in Washington both public and private shall remain closed until April 24, 2020; and

WHEREAS, The Governor of the State of Washington has ordered the immediate temporary closure of restaurants, bars and entertainment and recreational facilities and has further prohibited gatherings with over fifty participants and “all gatherings under fifty participants unless previously announced criteria for public health and social distancing are met”; and

WHEREAS, The Presiding Judge has determined that all reasonably necessary steps to reduce Court population must be taken;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. **EFFECTIVE DATE** This order supersedes Administrative Order 20-1 and becomes effective March 18, 2020.
2. **EXCLUSION DUE TO ILLNESS** Anyone showing signs of illness or feeling ill SHALL NOT enter the Skagit County District Court Courtrooms, District Court offices, or the courtrooms or offices of Anacortes Municipal Court, Burlington Municipal Court, or Mount Vernon Municipal Court. Persons exhibiting signs of illness who enter any of the above locations will be asked to leave and shall leave immediately.
3. **HIGH RISK PERSONS** Persons in the high-risk categories for COVID-19 are encouraged to seek any relief provided in this order. The high-risk categories include:
 - People over 60 years of age
 - People with underlying health conditions, including heart disease, lung disease, or diabetes
 - People with weakened immune systems
 - Pregnant women
4. **NOTIFICATION TO THE COURT** Individuals who cannot appear due to illness or who wish not to appear due to at-risk status SHALL contact the appropriate person/entity to request other arrangements be made related to their court business. Those persons who are represented SHALL contact their attorney. Persons who are unrepresented SHALL contact the appropriate court at the following phone numbers:
 - Skagit County District Court at (360) 416-1250
 - Anacortes Municipal Court at (360) 293-1913
 - Burlington Municipal Court at (360) 755-0492
 - Mount Vernon Municipal Court at (360) 336-6205
5. **JURY TRIALS** Until further notice the Court will not confirm any jury trials until at least April 27, 2020. Counsel shall re-note said matters scheduled prior to that date for trial assignment.
6. **BENCH TRIALS** No bench trials will be heard prior to May 4, 2020. This includes all civil cases, small claims cases, and infractions.

7. **CRIMINAL MOTIONS** All Criminal motions currently calendared, with the exceptions noted below, are stricken from the calendar and may be re-noted after April 24, 2020. The following hearings are determined to be necessary and may be heard:

- Motions to quash warrants
- Motions regarding bail
- Motions for TRO from custody
- Motions to review pre-trial release conditions
- Competency Hearings
- Motions to rescind or modify No Contact Orders
- Any other Motion with the consent of a judicial officer

With the permission of a judicial officer, guilty pleas and sentencings may be scheduled for an in-person hearing. The other hearings listed above shall be conducted telephonically, through video conferencing, or at the Community Justice Center.

8. **ARRAIGNMENTS/FIRST APPEARANCES** The Court will continue to hold hearings on first appearance after arrest for all alcohol and/or drug related driving offenses which requires a mandatory first appearance. In addition, the court will conduct first appearance hearings on all domestic violence criminal charges which require a mandatory first appearance. In addition, first appearance hearings will be held for any individual who is in custody. For defendants in custody, these hearings will be conducted using existing video technology already in use by the court. First appearances for all other misdemeanors not specified above shall be set over to a date after May 1, 2020 selected by the judge. A specific order in each case shall be entered by the court with a new date for first appearance. This order continuing shall include a referral to the Office of Assigned Counsel, and criminal defendants may contact OAC with a copy of their order to screen for eligibility for a public defender. The time between the originally scheduled first appearance and the new first appearance date shall be excluded in calculating the time for first appearance pursuant to CrR 3.3(e)(8).

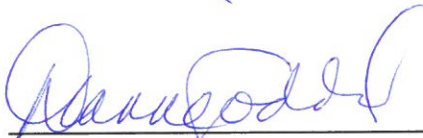
9. **TIME FOR TRIAL** The Court finds that the serious danger posed by COVID-19 is good cause to continue jury trials and pretrial hearings and is an unavoidable circumstance constituting good cause to continue jury trials and pretrial hearings. The Time for Trial provisions of CrR 3.3 are suspended until further Order of the

Court. With respect to traffic infractions, the time between the date of the originally scheduled contested or mitigation hearing and the new date for hearing shall be excluded in calculating the time to hear traffic infractions. Although the court rules governing traffic infractions do not include a provision for unavoidable or unforeseen circumstances affecting the time of trial, the court is applying the rule under CrR 3.3(e)(8) as authority to exclude this time period.

10. **CONTINUANCES IN CRIMINAL CASES** Criminal Counsel and the Prosecuting Attorney are urged to work in concert to continue all pre-trial criminal matters to a defined future date without requiring the defendants' appearance in court. While the Court has great confidence in the abilities of said attorneys, should this voluntary measure prove inadequate, the Court reserves the right to cancel all pretrial hearings that do not meet the criteria of paragraphs six and seven hereinabove.
11. **TELEPHONIC APPEARANCES** Telephonic appearances shall be allowed in all non-trial matters except as provided herein unless a judge, in his or her sole discretion, determines that a personal appearance is necessary. This order applies to both testimony and argument.
12. **TELEPHONE USE INFORMATION** Attorneys and pro-se litigants are encouraged and expected to make use of the telephonic attendance opportunities. The Court is establishing conference calling lines that will be used for telephonic appearances. Information regarding the telephone number and access code to be used for individual hearings and/or courtrooms will be posted on the court website. Telephonic participants are encouraged to use good telephone etiquette. The Court is formulating a protocol for telephone etiquette encouraging the use of mute feature and other recommendations to reduce inadvertent interruptions when making telephonic appearances. Further instructions on telephonic hearings will be provided on the District Court website as the information becomes available.
13. **PROTECTION ORDERS** Hearings on Anti-Harassment Protection Orders, and compliance hearings pertaining thereto shall be conducted as scheduled. Hearings on temporary orders shall take place on the ex parte calendar on the day the Petition is filed or the next Court day as provided by statute. The Court will liberally grant continuances with the provision that any existing temporary order will remain in effect during any period of continuance.

14. **CIVIL HEARINGS** No hearings on name change requests will be heard unless the court finds, after written request by the party seeking a name change, that the name change is sought for emergency reasons. Other civil motions may be heard telephonically. No in-person civil motions shall be heard as of March 18, 2020.
15. **TRAFFIC INFRACTIONS** Individuals who are schedule for traffic infraction hearings will receive a new date for their hearing by mail. Traffic infraction hearings, both contested and requesting mitigation, may be submitted to the judges for a decision through the trial by mail system. Trial by mail forms are available on the appropriate court web sites.
16. **RESERVATION** The Court reserves the right to modify or cancel any Court calendar upon short notice to accommodate any concerns regarding courtroom crowding and to facilitate reduction in courtroom population.
17. **SUSPENSION OF RULES** This Order modifies or suspends any and all court rules, both Local Court Rules and State Court Rules which are inconsistent with the terms set forth herein.
18. **EFFECTIVE DATE** This Order shall remain in effect until such time as the current Emergency has subsided to the extent that the Court may, in the Presiding Judge's estimation, resume less limited operations.

DATED this 18th day of March, 2020



Dianne Edmonds Goddard,
Presiding Judge