

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. 20-3

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-606 closing all courts statewide except for certain specific emergency hearings and has authorized individual courts 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 ten participants and “all gatherings under ten 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 20-2 and becomes effective March 20, 2020.
2. **CLOSURE OF SKAGIT COUNTY DISTRICT COURT AND SKAGIT COUNTY DISTRICT COURT PROBATION, ANACORTES, BURLINGTON, AND MOUNT VERNON MUNICIPAL COURTS** Pending further order of the Court, the Skagit County District Court and Skagit County District Court Probation, and the Anacortes, Burlington, and Mount Vernon Municipal Courts will be closed to the public for in person court appearances and for in person court business at the respective court offices.
3. **TELEPHONIC AND VIDEO COURT HEARINGS FOR CERTAIN CRIMINAL MATTERS**
The following matters will be heard as follows:
 - i. In custody criminal arraignments for all the above courts will be held in the video courtroom (Courtroom One) at Skagit County District Court at 8:30 am every weekday. Defense counsel and prosecuting attorneys shall appear in person in the video courtroom. In custody defendants will appear via video from the video studio at the Skagit County Community Justice Center. Special provisions have been made to allow private conversations as necessary between the defendant and defense counsel. These hearings will be recorded with the recordings available to the public via the Skagit County District Court website.
 - ii. The following criminal motions shall be heard for all the above named courts in the video courtroom (Courtroom One) at Skagit County District Court every Tuesday afternoon beginning at 1:30 pm, every Wednesday morning at 9:30 am, and every Friday morning at 9:30 am for criminal defendants held at the Skagit County Community Justice Center.
 1. Guilty pleas
 2. Motions to quash warrants
 3. Motions regarding bail
 4. Motions for TRO from custody
 5. Motions to review pre-trial release conditions
 6. Competency Hearings
 7. Any other Motion with the consent of a judicial officer

- iii. All paperwork necessary to **bring** a motion to the attention of the Court or to effectuate a change of plea shall be filed electronically to districtcourt@co.skagit.wa.us. Deadlines for filing shall be no later than 24 hours prior the calendar. Completed guilty plea paperwork shall be filed 4 hours prior the hearing.
- 4. **ANTI-HARASSMENT PROTECTION ORDERS** Anti-harassment petitions shall be through the method set out on the District Court website. A judge will review the request for a temporary order and determine whether or not to grant the temporary order. Service on the respondent shall be by mail. In the event a temporary order is granted, a hearing on whether or not to enter a final anti-harassment order will be conducted with the parties appearing telephonically, unless impossible. Instruction on how to access the court through telephonic appearance will be provided on the District Court website.
- 5. **EXCLUSION DUE TO ILLNESS** Any individual exhibiting signs of illness or feeling ill SHALL NOT enter the Skagit County District Court Courtrooms for hearing conducted via video court but shall, instead, either arrange for another attorney to handle the video court matter, reschedule the video court matter or appear telephonically.
- 6. **JURY TRIALS** Until further notice the Court will not confirm any jury trials prior to April 27, 2020. Counsel shall re-note said matters scheduled prior to that date for trial assignment.
- 7. **BENCH TRIALS** No bench trials will be heard prior to May 4, 2020. This includes all civil cases, small claims cases, and infractions.
- 8. **CRIMINAL MOTIONS** All Criminal motions currently calendared for out of custody individuals between the date of this order and April 24, 2020 are stricken with notice of the new calendar date provided to defense counsel, if the defendant is represented by an attorney, or to the defendant at the last known address if the defendant is pro se or has not obtained defense counsel. All parties should refer to Washington State Supreme Court Order No. 25700-B-606 for information on the length of such continuances and the effect of such continuances with respect to a criminal defendant's right to a speedy trial and other constitutional rights.

9. **TIME FOR TRIAL** The Court adopts by reference herein the findings and conclusions on Washington State Supreme Court Order No. 25700-B-606 as to the necessity of the above changes to the court schedules due to the COVID-19 pandemic.
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. **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. The Court will continue to review ex parte civil motions for default and motions related to garnishments, provided, however, these motions must henceforth be filed electronically.
12. **TRAFFIC INFRACTIONS** Individuals who are scheduled 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. Persons who do not agree to the terms of a trial by mail and prefer to have a hearing in person may request a hearing to be scheduled when court resumes a regular schedule. Traffic infraction matters set over pursuant to this request require waiver of the 120 time limit for scheduling such hearings.
13. **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.
14. **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.

15. **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 20th day of March, 2020

A handwritten signature in cursive script, appearing to read "Dianne Edmonds Goddard", written over a horizontal line.

Dianne Edmonds Goddard,
Presiding Judge