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**EVERETT MUNICIPAL COURT
SNOHOMISH COUNTY, WASHINGTON
OFFICE OF THE PRESIDING JUDGE**

IN RE:

**CORONAVIRUS/COVID-19
PRECAUTIONARY MEASURES IV**

**GENERAL ADMINISTRATIVE
ORDER NO. 2020 – 07**

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This Court finds that there is a public health emergency caused by the spread of Coronavirus/COVID-19 in all Washington counties, including Snohomish County, and that an order to suspend certain court rules and to take further actions concerning court operations is needed to promote the safety of court employees, court participants and the general public; and

WHEREAS, on March 4, 2020, the Chief Justice issued Order No. 25700-B-602 in response to this public health emergency that affects the operation of trial courts in Washington, granting emergency authority to this court to adopt, modify, and suspend court rules and orders, as warranted to address this emergency;

WHEREAS, on March 13, 2020, Governor Jay Inslee ordered the closure of all schools in the State and, on March 16, 2020, ordered closure of all bars, restaurants and clubs in the State, in addition to limiting gatherings to no more than 50 people.

**NOW, THEREFORE, EFFECTIVE MARCH 18, 2020, UNTIL THIS ORDER IS
RESCINDED OR MODIFIED, IT IS HEREBY ORDERED:**

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1. Everett Municipal Court will continue to remain open during this emergency, at least until further order of this court. Staff are required to report to work unless otherwise directed. Staff who have underlying health issues or are feeling sick, running an

1 elevated temperature, or experiencing a cough or other respiratory problems are
2 directed to remain at home and take leave in accordance with City policy.

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- 4 2. The Probation Department is authorized to convert any face-to-face meetings with
5 defendants on probation to telephonic meetings. This does not create a right to a
6 telephonic hearing for any particular defendant; the Probation Department may
7 exercise this authority at its discretion.
- 8 3. The Jury Terms of March 23-24, 2020, April 6-7, 2020, and April 20-21, 2020, are
9 cancelled as Snohomish County jury operations will not be providing jurors through
10 at least April 24, 2020. This order shall constitute good cause for the court to reset
11 any cases set for jury trial in these terms and any such continuance will be an
12 excluded period, pursuant to CrRLJ 3.3 (e)(8).
- 13 4. Arraignments: Except for DUI/Physical Control or any domestic violence cases, all
14 arraignments currently scheduled shall be continued until after April 30. Except for
15 DUI/Physical Control or any domestic violence cases, all out-of-custody arraignments
16 not already scheduled, shall be set at least 60 days out from the date of violation when
17 notice is served on the defendant. In cases where defendant is summoned for
18 arraignment, such arraignment shall be scheduled at least 60 days out from date of
19 filing. To the extent that this order is in conflict with CrRLJ 4.1 time for arraignment
20 requirements, such rule is hereby suspended and/or modified so long as this order is
21 in effect.
- 22 5. Prosecutorial Offer of Diversion (POD) review hearings: POD review hearings shall
23 remain set as currently scheduled. Personal appearance is waived for any defendant
24 who has fully complied with the terms of their POD agreement.
- 25 6. Criminal hearings: Pretrial hearings currently set before April 30, 2020, shall be
stricken and are continued until after April 30, 2020. To the extent that this order
results in trial dates outside the time for trial limits under CrRLJ 3.3, such rule shall
be suspended and/or modified so long as this order is in effect.
7. Competency hearings: Out-of-custody competency hearings will continue to be heard
on the Monday and Wednesday motions calendar.

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8. Motions: All criminal motions currently calendared before April 30, 2020, with the exceptions noted below, are stricken from the calendar and may be re-noted after April 30, 2020. However, the following hearings are determined to be necessary and may be heard subject to a maximum calendar limitation of ten hearings:
 - a. Motions to quash warrants
 - b. Motions to review pre-trial release conditions
 - c. Protected party motions to rescind/modify No Contact Orders
 - d. Any other motion with the consent of the Court
 9. Hearings to reset dates upon warrant recall: In matters where a defendant has paid the recall fee to quash a warrant, defendant shall sign at the front counter for new pretrial/trial dates rather than being required to appear on a Friday arraignment calendar to reset dates.
 10. Order to Surrender Weapons compliance hearings: Firearms compliance hearings will remain as currently set and will continue to be set for review on the Wednesday motions calendar. Such hearings do not count toward the ten hearing maximum for the Wednesday motions calendar.
 11. Probation Review Hearings: All probation review/revocation hearings currently set before April 30, 2020, are continued to a date after April 30, 2020, except that the Court, upon review, may order individual cases to remain set as currently scheduled in the interest of public safety. Such continuances will toll jurisdiction for post-conviction cases and Court Monitored Deferral (CMD) cases. Probation hearings may also be specially set as needed by the court to address matters affecting public safety.
 12. Pretrial violation hearings: Hearings to address pretrial release conditions/alcohol monitoring violations may be specially set by the Court.
 13. Mental Health Alternatives Program (MAP) hearings: MAP hearings will continue to be heard as currently scheduled. Participants may be allowed to appear telephonically upon motion and for good cause shown.
 14. Jail calendars: Jail calendars will continue to be heard daily and shall be limited to a maximum of twenty defendants per calendar. With the consent of the Court and

1 subject to this limit, motions for release, TRO, and bail review may be heard on the
2 jail calendar.

3 DATED this 17th day of March, 2020

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6 **HON. AMY KAESTNER**
7 **PRESIDING JUDGE**
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