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5 IN THE MUNICIPAL COURT FOR THE STATE OF WASHINGTON  
6 IN AND FOR THE CITY OF AIRWAY HEIGHTS

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8 In Re: ADMINISTRATIVE ORDER  
9 COURT OPERATIONS UNDER THE NO: 20-04  
10 PUBLIC HEALTH THREAT CREATED BY  
11 COVID-19

12 Pursuant to GR 21 and Washington State Supreme Court Order No. 25700-B-626 (filed  
13 May 29, 2020) to address the current state of emergency and give direction and authority to this  
14 Court to continue operations under emergency conditions, adopt, modify, and suspend court  
15 rules and orders and to take further actions concerning court operations; and

16  
17 WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring  
18 a State of Emergency exists in all counties in the State of Washington due to the number of  
19 confirmed cases of COVID-19 in the state and directed that the plans and procedures of the  
20 Washington State comprehensive Emergency Management Plan be implemented; and

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22 WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency  
23 for the United States due to the COVID-19 health threat; and

24 WHEREAS, on March 15, 2020 the CDC provided guidance that large events and  
25 gatherings be canceled or postponed for eight (8) weeks.

26 WHEREAS, on March 16<sup>th</sup> and March 19<sup>th</sup>, and May 11, 2020 this Court entered  
27 Emergency Orders 20-01, 20-02, and 20-03; and

1           WHEREAS, on March 23, 2020, April 2, 2020 and May 1, 2020 the Governor of the  
2 State of Washington added additional restrictions on the citizens of the State of Washington due  
3 to the continued state of emergency concerning COVID-19; and

4           WHEREAS, conducting regular court hearings with large groups of persons in the court  
5 room results in exposure to large groups of people which is contrary to the recommendations of  
6 health authorities and contrary to the Governor's proclamations under the current state of  
7 emergency; and

8           WHEREAS, this Administrative Order is being issued in response to the continued threat  
9 of Coronavirus Disease (COVID-19) in Washington State; and

10           WHEREAS, the Court seeks to limit the number of in person hearings/contacts during the  
11 health emergency and provide adequate access to court, consistent with the most recent Supreme  
12 Court Order, No. 25700-B-626,

13           IT IS HEREBY ORDERED that EFFECTIVE IMMEDIATELY, and UNTIL FURTHER  
14 ORDER OF THE COURT:

15           Relating to COURT ADMINISTRATION

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- 19           1. The Court's clerk window will be open to the public. Limited persons will be present  
20 at the clerk window at one time. Payments will continue to be accepted online, by  
21 mail, over the phone, and also via the Court drop box outside of the Court.
- 22           2. The Court will maintain regular hours of operation.
- 23           3. The Judge will be available for any necessary hearings, video and telephone  
24 appearances, mitigation or contested hearings via mail/email, emergency motions,  
25 and agreed orders submitted by the parties.
- 26           4. Hearings will be conducted via video or telephone utilizing ZOOM whenever  
27 possible.
- 28           5. ZOOM will not be maintained as a court record. The court will maintain typical  
audio record of all court proceedings.
6. Hearings will be live streamed on YouTube to facilitate public access to court  
proceedings. Those videos will be available while court is in session. Those videos  
will not be maintained as a court record.

- 1 7. Any member of the public who wishes to be present for court may contact the clerk at  
2 (509) 244-2773, or by email at: [CourtMB@cawh.org](mailto:CourtMB@cawh.org) for instructions on how to  
3 appear by video or telephone. Information is also available on the Court's website.
- 4 8. For all cases scheduled, the clerk shall make reasonable efforts to inform the parties  
5 of how to appear for the hearing via telephone or video through ZOOM.
- 6 9. Defendants may apply for the public defender by contacting (509) 244-2773, or by  
7 email at: [CourtMB@cawh.org](mailto:CourtMB@cawh.org).
- 8 10. All filings will be accepted vial mail, email, fax, or by placing in the Court drop box.  
9 Phone: (509) 244-2773  
10 Email at: [CourtMB@cawh.org](mailto:CourtMB@cawh.org)  
11 Fax: (509) 244-1852  
12 Mailing Address: 1208 S. Lundstrom Street  
13 Airway Heights, WA 99001  
14  
15 Physical Address: 13120 W. 13<sup>th</sup> Ave.  
16 Airway Heights, WA 99001
- 17 11. Where a resolution, motion, or continuance is expected in a hearing, all documents  
18 submitted by attorneys are to be fully prepared and submitted to the court prior to the  
19 hearing. Attorneys are responsible for ensuring that the Court has received all  
20 documents prior to court.
- 21 12. Attorneys are expected to have communicated with their clients prior to court, or at a  
22 minimum, to have made every reasonable effort to do so.
  - 23 a. The Court will provide a means for private discussion with counsel for all  
24 hearings that involve a critical stage of the proceedings.
- 25 13. It is expected that attorneys will have negotiated and/or fully communicated with  
26 opposing counsel prior to court.
- 27 14. If a case is not fully prepared for court, the court may continue the matter on its own  
28 motion.
15. Staff and visitors are expected to practice good hygiene and frequent hand washing.
16. Any matters requiring in-person attendance, must comply with social distancing and  
public health mandates.
17. The court will limit the number of people who enter the court room at one time to  
provide for appropriate social distancing.
18. Persons appearing in court will be provided masks (or may use their own masks) and  
are strongly encouraged to wear masks while in the courthouse in accordance with  
current public health mandates.
19. Masks may be removed while at counsel table or addressing the court.
20. No person experiencing symptoms of illness will be permitted to enter the building.
21. Hard surfaces will be cleaned between hearings.

22. Court employees will wear masks while interacting with the public unless the employee is behind the clerk's window.
23. Bench Trials may be conducted remotely or in person with strict compliance with social distancing or other public health measures.

#### Relating to CRIMINAL MATTERS

1. All criminal jury trials remain suspended until at least July 6, 2020.
2. CrRLJ 4.1(a)(2) regarding "speedy arraignment" is hereby suspended for 45 days on matters filed between March 18, 2020 and July 3, 2020 in accordance with the Washington State Supreme Court's most recent order.
3. CrRLJ 3.3(e): The time between the date of this order and September 1, 2020 shall be "excluded" for the purpose of calculating time for trial in accordance with the Washington State Supreme Court's most recent order.

#### Relating to MOTIONS TO MODIFY OR REMOVE NO CONTACT ORDERS

1. A protected party may request forms in person, by mail, or by calling or emailing the clerk at (509) 244-2773 or emailing: [CourtMB@cawh.org](mailto:CourtMB@cawh.org). The Clerk will mail or email the necessary forms to the protected party. The forms may be returned to the Court for filing via mail, email, Court drop box, or fax. A telephonic or video hearing will be set after the forms are returned and filed.
2. Decisions will be mailed or emailed to the parties by the Clerk.

#### Relating to CIVIL INFRACTION MATTERS

1. Civil infraction matters will be held via ZOOM video, telephone appearance, or in writing.
2. The court will accommodate with an in person hearing where those methods are not available in a particular case.

#### Relating to PROBATION MATTERS

1. For persons on probation or pretrial monitoring (SOC), who are required to complete community service (C/S), and which C/S is due between March 16, 2020 and September 1, 2020, the requirement to C/S is hereby suspended until September 1, 2020 and said C/S shall be deemed due after that date with the same amount of time to complete as contemplated in the initial order.

This Order supersedes all previous COVID-19 emergency orders of this Court.

Audio recordings of court proceedings conducted during this time may be obtained and fees associated with such request will be waived until further order of the Court.

1 Any Court Rules which are inconsistent with the provisions of this Order are suspended while  
2 the Order remains in effect.

3 This Order may be amended or withdrawn as warranted to address the on-going public health  
4 emergency.

5 Supreme Court Order No. 25700-B-626 is hereby incorporated herein.

6 Dated this 11<sup>TH</sup> day of June, 2020.

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ANGELLE GERL, Municipal Court Judge