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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: 20-03
10 PUBLIC HEALTH THREAT CREATED BY
11 COVID-19

12 Pursuant to GR 21 and Washington State Supreme Court Order No. 25700-B-618 (filed
13 April 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

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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 16th and March 19th 2020 this Court entered Emergency Orders
27 20-01 and 20-02; 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-618,

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

15 Relating to COURT ADMINISTRATION

- 16 1. The Court's clerk window will be closed to the public until at least June 1, 2020.
17 Payments will continue to be accepted online, by mail, over the phone, and also via
18 the Court drop box outside of the Court.
- 19 2. The Court will maintain regular hours of operation unless otherwise amended by
20 further order and notice to the Administrative Office of the Courts.
- 21 3. The Judge will be available for any necessary hearings, video and telephone
22 appearances, mitigation or contested hearings via mail/email, emergency motions,
23 and agreed orders submitted by the parties.
- 24 4. Hearings will be conducted via video or telephone utilizing ZOOM whenever
25 possible.
- 26 5. ZOOM will not record. The court will maintain typical audio record of all court
27 proceedings.
- 28 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.

- 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 for instructions on how to
3 appear by video or telephone.
- 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.
- 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
11 Fax: (509) 244-1852
12 Mailing Address: 1208 S. Lundstrom Street
13 Airway Heights, WA 99001
14
15 Physical Address: 13120 W. 13th Ave.
16 Airway Heights, WA 99001

17 Relating to CRIMINAL MATTERS

- 18 1. All criminal jury trials remain suspended until at least July 6, 2020.
- 19 2. Bench Trials may be conducted remotely or in person with strict compliance with
20 social distancing or other public health measures.
- 21 3. Out of custody criminal matters will be heard via Zoom Video Court or Telephone
22 appearance or may be continued until after June 1, 2020.
- 23 4. Any matters requiring in-person attendance, which must immediately be heard, must
24 comply with social distancing and public health mandates.
- 25 5. CrRLJ 4.1(a)(2) regarding “speedy arraignment” is hereby suspended for 45 days on
26 matters filed between March 18, 2020 and July 3, 2020 in accordance with the
27 Washington State Supreme Court’s most recent order.
- 28 6. 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.
7. The Court will hear in-custody cases via video or telephone from the Spokane County
Jail.
8. Attorneys are encouraged to submit agreed orders for continuances off docket review
where appropriate.
9. Defense counsel are not required to obtain signatures from defendants for
continuances through at least June 1, 2020.
10. All warrant bookings will be reviewed by a judicial officer to determine whether
release is appropriate and when the matter should be scheduled.

- 1 11. Any substantive or emergent motions will be filed with the Court, scheduled on
2 Tuesdays, and will be held via Zoom Video and/or Telephone.
3 12. A defendant may contact the Court by email or telephone to quash a bench warrant at:
4 (509) 244-2773, or by email at: CourtMB@cawh.org. The request will be heard via
5 ZOOM video court on normal court days.

6 Relating to MOTIONS TO MODIFY OR REMOVE NO CONTACT ORDERS

- 7 1. A protected party may request forms by mail, or by calling or emailing the clerk at
8 (509) 244-2773 or emailing: CourtMB@cawh.org. The Clerk will mail or email the
9 necessary forms to the protected party. The forms may be returned to the Court for
10 filing via mail, email, Court drop box, or fax. A telephonic or video hearing will be
11 set after the forms are returned and filed.
12 2. Motions to remove or modify No Contact Orders will be scheduled on Tuesdays and
13 will be held via Zoom Video and Telephone.
14 3. Decisions will be mailed or emailed to the parties by the Clerk.

15 Relating to CIVIL INFRACTION MATTERS

- 16 1. Civil infraction matters will resume after June 1, 2020, as previously ordered. Parties
17 will have the option to submit a written statement in lieu of the rescheduled hearing
18 or may appear for court via telephone or video on a regular court day.
19 2. Written statement shall be sent to the Court by mail, the Court's drop box, or via
20 email.

21 Relating to PROBATION MATTERS

- 22 1. For persons on probation or pretrial monitoring (SOC), who are required to complete
23 community service (C/S), and which C/S is due during the period of "Stay Home Stay
24 Healthy", the requirement to C/S is hereby suspended until September 1, 2020 and
25 said C/S shall be deemed due after that date with the same amount of time to
26 complete as contemplated in the initial order.
27 2. All persons ordered to check in with probation shall do so via telephone by calling
28 (509) 244-2773.

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.

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

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

Supreme Court Order No. 25700-B-618 is hereby incorporated herein.

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Dated this 11TH day of May, 2020.



ANGELLE GERL, Municipal Court Judge