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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: 20-02
10 PUBLIC HEALTH THREAT CREATED BY
11 COVID-19

12 Pursuant to GR 21 and Washington State Supreme Court Order No. 25700- B-602 which
13 granted emergency authority to this Court to adopt, modify, and suspend court rules and orders,
14 and to take further actions concerning court operations, as warranted to address the current state
15 of emergency; and

16 WHEREAS, on March 16, 2020 this Court entered Administrative Order 20-01; and

17 WHEREAS, the threat of COVID-19 continues to increase daily; and

18 WHEREAS, on March 16, 2020 Spokane County Detention Center declared a State of
19 Emergency for the agency; and

20 WHEREAS, due to the public health threat, the court finds that good cause exists to limit
21 unnecessary persons entering Spokane County Detention facilities as much as possible to prevent
22 the spread of COVID-19 within detention facilities for the protection of defendants, attorneys
23 and jail staff; and
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1 WHEREAS, Washington Supreme Court issued Order 25700-B-606, and this Court
2 desires to be consistent with that order and to make clear to the community how this Court will
3 proceed in operations,
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5 IT IS HEREBY ORDERED that EFFECTIVE IMMEDIATELY, and UNTIL FURTHER
6 ORDER OF THE COURT:

- 7 1. Administrative Order 20-01 remains in full force and effect except to the extent that it
8 is modified herein or is in conflict with Supreme Court Order 25700-B-606, in which
9 case the Supreme Court Order and this Order will control.
- 10 2. The Airway Heights Court clerk window will be closed to the public, but may be
11 staffed by from 7:00 am until 3:30 pm by one Court Clerk. If necessary, the court
12 may direct all court staff to work remotely.
- 13 3. Filings will continue to be accepted as set forth in Administrative Order 20-01.
14 However, if a matter is urgent the filing shall be sent via email to:
15 CourtMB@cawh.org.
- 16 4. The definition of “Court Day” under CrRLJ 1.4(d) is hereby suspended.
- 17 5. “Court Day” and “Judicial Day” shall be defined as “Tuesday of each week” for Airway
18 Heights Municipal Court while this order remains in effect.
- 19 6. The court will make judicial determinations of probable cause in accordance with
20 CrRLJ 3.2.1 (a) and (b) for all jail bookings including but not limited to DV,
21 DUI/Physical Control during the pendency of this order. These judicial reviews will
22 be conducted in the same manner as a typical “weekend review” by a judicial officer.
23 A public defense attorney shall be appointed in all such cases without a fee. The
24 Court will enter conditions of release where appropriate. Attorneys will be provided
25 copies of those orders by the Clerk.
- 26 7. For purposes of CrRLJ 3.2.1(d), if upon judicial review a defendant is held on bond,
27 the matter will be set for preliminary appearance on the next Court Day (as defined
28 above) and in accordance with Supreme Court Emergency Order 25700-B-606 (7)(a).
The Court will hear in-custody cases via Zoom video court or telephonically on Court
Days.
8. The Court will hear motions for modification of pretrial release conditions as soon as
possible, but no later than the end of the next Court Day. Motions or agreed orders as
to the modification of those conditions shall be presented to the court by email at
CourtMB@cawh.org and also to opposing counsel.
9. The Court will hear limited out of custody matters as required under RCW
46.61.50571 and RCW 10.99.045 on Court Days via video or telephone appearance.
All persons will appear for the scheduled court hearings via Zoom video or by

1 telephone unless impossible, in which case, the court may find good cause to continue
2 the hearing. The only person present in the courtroom will be the court clerk to
3 operate recordings. Members of the public may appear via Zoom video to maintain
4 the public nature of court proceedings. This can be done by contacting the court clerk
5 at (509)244-2773 or CourtMB@cawh.org and the clerk will provide a link to join the
6 proceedings.

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- 8 10. The Court will issue warrants for failure to appear ONLY upon a showing of a
9 substantial danger to the public.
- 10 11. Recordings of court proceedings conducted during this time may be obtained and
11 fees associated with such request will be waived until further order of the Court.
- 12 12. Any Court Rules which are inconsistent with the provisions of Administrative Order
13 20-01 or this Order are suspended while the Orders remain in effect.

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

16 Dated this 19TH day of March, 2020.

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18 ANGELE GERL, Municipal Court Judge