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5 IN THE MUNICIPAL COURT OF CHENEY
6 FOR THE STATE OF WASHINGTON, SPOKANE COUNTY

7 CITY OF CHENEY
8 CITY OF MEDICAL LAKE

EMERGENCY ADMINISTRATIVE
ORDER

9 In Re:

10 NO: 2020-02

11 COURT OPERATIONS UNDER THE
12 PUBLIC HEALTH THREAT CREATED BY
13 COVID-19

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

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

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

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27 WHEREAS, on March 14, 2020 Spokane County reported three confirmed COVID-19
28 cases.

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

3 WHEREAS, this Administrative Order is being issued in response to the outbreak of
4 Coronavirus Disease (COVID-19) in Washington State, which has been home to the first reported
5 domestic case of the disease and some of the first significant community impacts from school and
6 business closures. Given the number of identified and projected cases of COVID-19 in
7 Washington State and the severity of risk posed to the public, and given the above public health
8 recommendations from local public health authorities; and
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10 WHEREAS, conducting regular court hearings with large groups of persons in the court
11 room results in exposure to large groups of people which is contrary to the recommendations of
12 health authorities and contrary to the Governor's proclamations under the current state of
13 emergency; and
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15 WHEREAS, the Court seeks to limit the number of in person hearings/contacts during the
16 health emergency;
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18 IT IS HEREBY ORDERED that EFFECTIVE IMMEDIATELY, and UNTIL FURTHER
19 ORDER OF THE COURT:

20 Relating to COURT ADMINISTRATION

- 21 1. Effective Friday, March 17, 2020 the Court's Clerk window will be closed to the public.
- 22 2. Payments will continue to be accepted online, by mail, over the phone, and also by
23 depositing in the Court Drop Box located outside of the Court office. Credit Card fees
24 associated with online or phone payments are suspended until April 30, 2020.
- 25 3. The Court will maintain regular hours of operation unless otherwise amended by
26 further order and notice to the Administrative Office of the Courts.
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- 1 4. A Judicial Officer will be available for any necessary hearings by use of video or
2 telephone appearances and other appropriate means. Jail bookings will be heard at
3 Spokane County District Court or otherwise as appropriate.
- 4 5. Emergency motions and agreed orders may be submitted by the parties to the Court by
5 email, mail or, fax. An answer will be returned in the same manner a submitted.
- 6 6. Civil infraction mitigation or contested hearings will be conducted by mail or over the
7 internet by use of the electronic hearing process. Contact the Clerk's Office for
8 information about using the electronic hearing process.
- 9 7. Youth Court hearings are suspended until further order of the Court. Youth Court cases
10 where hearings have not been held will be returned to the Municipal Court for
11 adjudication.
- 12 8. Probation functions will generally be limited to telephonic meetings and all substance
13 abuse monitoring will be addressed on a case by case basis. Contact Probation at (509)
14 498-9260.
- 15 9. A Public Defender will be appointed to all in-custody defendants at no expense.
- 16 10. Defendants may apply for the Public Defender by contacting (509) 498-9231, or by
17 email at: CourtClerk@cityofcheney.org .
- 18 11. All filings will be accepted via mail, email, fax, or by deposit in the Court Drop Box.
19 Phone: (509) 498-9231
20 Email at: CourtClerk@cityofcheney.org
21 Fax: (509) 498-9332
22 Mailing and Physical Address: 611 2nd St
23 Cheney, WA 99004
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1 Relating to CRIMINAL MATTERS

2 12. CrRLJ 4.1(a)(2) regarding “speedy arraignment” is hereby suspended until further
3 order of this Court.

4 13. CrRLJ 3.3(e)(8): All continuances granted and matters ordered rescheduled by the
5 Court while this order is in effect shall be “excluded periods” for the purpose of
6 calculating time for trial.

7 14. Effective immediately, the Court will continue or reschedule criminal matters until or
8 after May 7, 2020. The clerk will notify the parties of a new court date with notice sent
9 by U.S. mail. Defendants may contact the Court to update a mailing address by
10 telephone at: (509) 498-9231, or by email at: CourtClerk@cityofcheney.org .

11 15. The Court reserves the right to maintain or schedule hearings in criminal matters for
12 cases involving threats to public safety: including but not limited to domestic violence
13 offenses and driving while under the influence / physical control.

14 16. Unless otherwise noted, the Court will hear in-custody cases at Spokane County
15 District Court or through other appropriate means.

16 17. Attorneys of record will be notified by the Clerk of any court hearings.

17 18. Attorneys are encouraged to submit agreed orders for off docket review to the Court
18 where appropriate accepted by US mail, email, fax or court drop box.

19 19. All warrant bookings will be reviewed by a judicial officer to determine whether release
20 is appropriate and when the matter should be scheduled.

21 20. Any substantive or emergent motions will be filed with the Court. A determination will
22 be made about time, method and place of hearing and notice given to attorneys and
23 defendants by phone, email, fax or US mail if time permits.

24 21. A defendant may contact the Court by email or telephone to quash a bench warrant at:
25 (509) 498-9231, or by email at: CourtClerk@cityofcheney.org . The request will be
26 heard ex-parte by the Court. The defendant shall provide a current mailing address,
27 and if applicable a phone number and email address.

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2 22. All persons ordered to check in with probation shall do so via telephone by calling
3 (509) 498-9260.

4 Relating to MOTIONS TO MODIFY OR REMOVE NO CONTACT ORDERS

- 5 1. A protected party may request forms by mail, or by calling or emailing the clerk at
6 (509) 498-9231 or emailing: CourtClerk@cityofcheney.org. The Clerk will mail or
7 email the necessary forms to the protected party. The forms may be returned to the
8 Court for filing via mail, email, fax, or deposit in the Court Drop Box. A telephonic or
9 video hearing will be set after the forms are returned and filed. Notice will be sent in
10 the same manner received. If the filing came by deposit in the Court Drop Box notice
11 will be mailed.
- 12 2. Motions to remove or modify No Contact Orders will be scheduled at a place, time and
13 by method determined by the judge. The attorneys, defendant, and protected party may
14 each appear by telephone or video. The Clerk will send notice by US Mail with
15 instructions.
- 16 3. Decisions will be mailed to the parties by the Clerk.

16 Relating to CIVIL INFRACTION MATTERS

- 17 1. Operation of IRLJ 2.6 and GR 2.6 are hereby suspended until further Order of the Court.
- 18 2. Effective immediately, all civil infraction matters will be continued to May 21, 2020
19 or later. The clerk of the Court will send written notice to all parties. In lieu of the
20 rescheduled hearing, parties have the option to submit a written statement or use the
21 electronic hearing process. Contact the clerk's office for information about using the
22 electronic hearing process at (509) 498-9231.
- 23 3. Effective immediately, all new requests for in-person mitigation or contested court
24 hearings on civil infractions shall be scheduled for May 21, 2020 or later, or heard by
25 written statement by mail or electronic hearing pursuant to IRLJ 3.5. Written statement
26 shall be sent to the Court by mail, the Court drop box, email, or by the electronic hearing
27 process.
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1 This Order may be amended or withdrawn as warranted to address the on-going public health
2 emergency.

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4 Dated this 17th day of March, 2020.

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7 RICHARD M LELAND
8 Cheney Municipal Court Judge
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