

**SPOKANE COUNTY DISTRICT COURT
STATE OF WASHINGTON**

IN THE MATTER OF THE EMERGENCY
RESPONSE TO THE THREAT TO PUBLIC
HEALTH

EMERGENCY ADMINISTRATIVE ORDER

NO. 10 Amendment to Emergency Order No.1

This matter comes before the Court on the public health emergency in Washington State and Spokane County:

- On Friday, May 1st, 2020, Governor Inslee announced that the “Stay Home. Stay Healthy Order” shall be extended until the end of May 2020.
- On April 29th, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court filed a “Second Revised and Extended Order Regarding Court Operations” further authorizing and directing Washington State Courts in their response to COVID-19. Specifically, Justice Stephen’s Order suspended all civil jury trials until at least July 6th, 2020. In addition, Justice Stephen’s Order suspended all criminal jury trials until at least July 6th, 2020. Justice Stephens also allowed all non-emergency civil matters and out of custody criminal matters to be continued until after June 1st, 2020.
- On April 21st, Governor Inslee stated during a press-conference, “...we will not be able to lift many of the restrictions by May 4.”
- On Monday, April 13th, 2020 Chief Justice Debra Stephens of the Washington State Supreme Court filed a Revised and Extended Order Regarding Court Operations further authorizing and directing Washington State Courts in their response to COVID-19.

- On April 2nd, Washington State Governor, Jay Inslee announced that he was extending the Washington State Stay Home, Stay Healthy Order through May 4th, 2020.
- On March 24th, 2020, Washington State Governor, Jay Inslee entered the “Stay Home, Stay Safe Order” statewide.
- On March 19th and March 20th, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court filed a Corrected Order and Amended Order further authorizing and directing Washington State Courts in their response to COVID-19.
- On March 17th, 2020, President Donald Trump and the Centers for Disease Control and Prevention (CDC) announced guidelines for the next fifteen (15) days to slow the spread of COVID-19. Those guidelines recommend limiting, as best as possible, all social gatherings to no more than ten (10) people.
- On March 14th, 2020, the Spokane County District Court was informed that a Spokane County District Court (SCDC) employee had been exposed to COVID-19.
- On March 13th, 2020, Washington State Governor, Jay Inslee ordered statewide school closure for six weeks amid the COVID-19 outbreak.
- On March 13th, 2020, President Donald Trump declared a national emergency due to the public health emergency posed by the spread of COVID-19.
- On March 4th, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court adopted Order No. 25700-B-602, granting emergency authority upon all Washington courts to adopt, modify, and/or suspend court rules and order, and to take further actions concerning court operations, as warranted to address the current state of emergency issued as an emergency order in response to the public health emergency that affects operation of trial courts in Washington State.
- On February 29th, 2020, Washington State Governor, Jay Inslee declared a state-wide emergency due to the public health emergency posed by the spread of COVID-19.
- Spokane County District Court’s courtrooms are high-volume courtrooms and collectively handle more than 100,000 matters each year for both the County as well as cities that contract with the Court for District Court services. Therefore, it is necessary for the Spokane County District Court to make modifications to the court operations to allow for the orderly transition to a system of work that will allow for implementation of systems and procedures that will meet the concerns and directives required.

Therefore, effective, Monday, May 4th, 2020, in addition to any previously entered Spokane County District Court Emergency Orders or Amendments, it is hereby ordered that:

- 1) Effective Monday, May 4th, 2020, all previous Spokane County District Court Emergency Order(s) and/or Amendments shall remain in effect until at least through May 31st, 2020.
- 2) Effective Monday, May 4th, 2020:
 - a. All **criminal jury trials** shall be suspended until at least July 6th, 2020.
 - b. All **civil jury trials** shall be suspended until at least July 6th, 2020.
 - c. A continuance of these criminal trials is required in the administration of justice. Based upon the Court's finding that the serious danger posed by COVID-19 is good cause to continue criminal trials and constitutes an unavoidable circumstance under Cr.RLJ 3.3(e)(8), the time between the date of this Order and July 6th, 2020 shall be EXCLUDED when calculating the time for trial. CrRLJ 3.3(e)(3).
 - d. **Out of custody criminal matters** may be continued until after June 1st, 2020, except (1) those motions, actions on agreed orders, status conferences or other proceedings that can appropriately be conducted by telephone, video or other means that does not require in-person attendance; and (2) matters that require in-person attendance but should be in the interest of justice be heard immediately, provided that any such hearings must strictly comply with current public health mandates.
 - e. Arraignment of **out of custody criminal cases** filed between March 18th, 2020 and July 3rd, 2020, may be deferred until a date 45 days after the filing of charges. Good cause exists under CrRLJ 4.1 to extend the arraignment dates. The new arraignment date shall be considered the "initial commencement date" for purposes of establishing the time for trial under CrRLJ 3.3(c)(1). Nothing in this section requires suspension of any proceeding, including therapeutic court proceedings, that can appropriately be conducted by telephone, video or other means that does not require in-person attendance.

- f. **Non-emergency civil matters** shall be continued until after June 1st, 2020. However, the Court may begin to hear non-emergency civil matters, so long as such matters can be appropriately conducted by telephone, video or other remote means, or in person with strict observance of social distancing and other public health measures.
- g. Any other prior Spokane County District Court Emergency Orders which are in conflict with the Washington State Supreme Court’s “Second Revised and Extended Order Regrading Court Operations” shall be superseded and the Spokane County District Court adopts, in its entirety, the Washington State Supreme Court “Second Revised and Extended Order Regrading Court Operations” as it applies to Spokane County District Court operations.

For all hearings currently pending and for hearings on new cases filed during the pendency of this order that are delayed by effect of this order, the delay/continuance shall constitute an excluded period for purposes of Speedy Trial, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule.

It is further ordered, all hearings delayed by this order will have notices mailed to the parties of the next scheduled hearing date via US mail. Any party needing to update their mailing address should contact the court clerk at (509) 477-4770 or via email at
Criminal and Infraction Clerk’s Office – dccasemgmt@spokanecounty.org
Civil Clerk’s Office – dccivil@spokanecounty.org

For all hearings not continued by effect of this rule, telephonic and video hearings will be permitted to the greatest extent possible to encourage social distancing as recommended by both the Centers for Disease Control and local public health officials.

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All courthouse locations will remain open except for the Spokane Valley Courthouse location; however, the public is encouraged to contact the Court via telephone or email. This order may be modified consistent with the Spokane County District Court's continual assessment of the needs of the community as well as the recommendations of public health officials.

DATED this 4th day of May, 2020.



Presiding Judge Jeffrey Smith