

**SPOKANE COUNTY DISTRICT COURT
STATE OF WASHINGTON**

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

EMERGENCY ADMINISTRATIVE ORDER

NO.4 Amendment to Emergency Order No.1

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

- As of March 24th, 2020, Washington State Governor, Jay Inslee entered the “Stay Home, Stay Safe Order” statewide.
- As of 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.
- As of March 16, 2020, Spokane County Superior Court suspended all jury summons until April 27th, 2020 and ordered that jury personnel for Spokane County Superior Court call off jurors summoned immediately. The Spokane County Superior Court ordered that the Superior Court would conduct no criminal jury trial until at least April 27th, 2020.
- As of March 16th, 2020, Washington State Governor, Jay Inslee ordered a statewide shutdown of all restaurants, bars, entertainment and recreational facilities. Governor Inslee also prohibited the gathering of more than 50 people. Gatherings of less than 50 people are prohibited unless previous criteria for public health and social distancing are met.
- As of March 15th, 2020, in King County, Washington there are approximately 420 confirmed cases and 37 deaths. On Friday, March 13th, 2020, Dr. Bob Lutz, Spokane

County Health Officer announced three (3) confirmed cases in Spokane County, Washington with expectations that number will increase.

- 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 14th and March 13th, 2020, Dr. Bob Lutz, Spokane County Health Officer recommended measures to slow the spread of COVID-19. Those recommendations included but were not limited to cancelling all scheduled events over 250 attendees for the next 30 days, effective immediately, and social distancing.
- 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, it is hereby ordered that effective Wednesday, March 25th, 2020, any previous Spokane County District Court Emergency Orders, and or provisions of emergency orders now in effect which conflict with the Supreme Court of Washington's Order No. 25700-B-606, filed on March 18th, 2020, and/or Corrected Order, filed on March 19th, 2020 and/or Amended Order filed on March 20th, 2020, shall be superseded and the Spokane County District Court adopts by reference, (See, The Supreme Court of Washington Order No. 25700-B-606, Corrected Order and Amended Order) in their entirety, as those orders relate to Spokane County District Court matters.

- With the exception, pursuant to RCW 10.99.045(2), a defendant who is charged by citation, complaint, or information with an offense involving domestic violence as defined by RCW 10.99.020 and **not arrested** shall appear in court for arraignment in person no later than fourteen days after the next day on which court is in session following the issuance of the citation or the filing of the complaint or information. The in-person hearing may be conducted via telephone and/or video at the discretion of the Court. If telephone and/or video is not possible the hearings may be conducted in person and the Court shall require that social distancing and public health measures be strictly observed.
- The Court shall hold **in-custody** plea hearings and show cause hearings that result in the anticipated release of the defendant from detention within 30 days of the hearing, Tuesday – Friday in the Public Safety Building, Video Courtroom #2, from 4:00 pm – 5:00 pm. Any party wishing to set an in-custody plea or show cause hearing may note that matter for hearing and provide notice to any party. The Court shall hear the matter on an expedited basis without requiring a motion to shorten time.
- Counsel may also set **in-custody** plea hearings and/or show cause hearings on the assigned judges’ matrix if the Tuesday-Friday, Video Courtroom #2 docket has reached its’ maximum capacity. In that event, the matter may be set for an in-person hearing. Should a hearing be set on a judges’ matrix for an in-person hearing the Court shall require that social distancing and public health measures be strictly observed.
- For any pre-trial release review orders, or post-sentence review orders, the Court may accept email/electronic notice of the parties’ agreement to release of in-custody defendants. The email/electronic agreement of the parties should be attached to the Courts’ Order of Release which shall be filed in each matter.
- If the parties do not agree to the release of an in-custody defendant, a motion may be set for hearing by the party seeking the release of the in-custody defendant. The Court shall hear the motion for release on an expedited basis without requiring a motion to shorten time, but only if victims or witnesses can participate on an expedited basis. Cons. Art 1 (section 35).

- For civil protection orders, petitioners can email their completed petition to the Civil Department for filing and processing at civilprotectionorder@spokanecounty.org, the petitions shall be reviewed Monday – Friday 1:15 PM to 3:15 PM.

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.

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 25th day of March, 2020.



Acting Presiding Judge Aimee Maurer