

**IN THE MUNICIPAL COURT OF THE STATE OF WASHINGTON
IN AND FOR THE CITY OF BLAINE**

**IN THE MATTER OF THE RESPONSE BY
WASHINGTON STATE COURTS TO THE
PUBLIC HEALTH EMERGENCY IN
WASHINGTON STATE**

**TEMPORARY ADMINISTRATIVE ORDER
NO. 2020-02**

WHEREAS, the World Health Organization has determined the spread of the new coronavirus has now reached worldwide pandemic levels; and

WHEREAS, people within Washington State and Whatcom County have been diagnosed with COVID-19; and

WHEREAS, the Governor of the State of Washington has declared a State of Emergency due to the COVID-19 outbreak, and the Whatcom County Executive has declared a Public Health Emergency for the County due to the COVID-19 outbreak; and

WHEREAS, the Whatcom County Health Department, per Dr. Greg Stern, has issued new recommendations to slow the spread of COVID-19 within Whatcom County which include, among other actions, the cancellation or postponement of non-essential public gatherings and that certain higher risk target populations should stay at home away from large groups of people as much as possible; and

WHEREAS, the Washington State Supreme Court has adopted Order No. 25700-B-602 which grants this Court emergency authority to

adopt, modify, and suspend court rules and order, and to take further actions as deemed warranted to address the current COVID-19 public health emergency and;

WHEREAS, the calling of prospective jurors and the jury selection process necessarily requires exposure to large groups of people which is a medically contraindicated activity under the current states of emergency;

NOW, THEREFORE, PURSUANT TO THE COURT'S AUTHORITY TO ADMINISTER JUSTICE AND TO ENSURE THE SAFETY OF COURT PERSONNEL, LITIGANTS, AND THE PUBLIC.

IT IS HEREBY ORDERED AND EFFECTIVE IMMEDIATELY, UNTIL FURTHER ORDER OF THE COURT:

Relating to COURT ADMINISTRATION

1. Effective Wednesday, March 18, 2020 the Court's Clerk window and Cashier window will only be open to the public from 9:00 AM to Noon.
2. Payments will continue to be accepted online, by mail, over the phone, and also by depositing in the Payment Drop Box located outside of City Hall.
3. The court will maintain regular hours of operation unless otherwise amended by further order and notice to the Administrative Office of the Courts.
4. A Judicial Officer will be available for any necessary hearings by use of video or telephone appearance and other appropriate means. Jail bookings will be held electronically or telephonically.
5. Emergency motions and agreed orders may be submitted by the parties to the Court by email, or mail. An answer will be returned in the same manner as submitted.
6. Civil infraction or contested hearings will be conducted by mail or over the internet by use of electronic proceedings. Contact the Clerk's Office for information about the process.

7. Probation functions will generally be limited to telephone meetings and all substance abuse monitoring will be addressed on a case by case basis. Contact Probation at 360-778-5450.
8. A Public Defender will be appointed to all in-custody defendants at no expense.
9. Defendants may apply for the Public Defender by contacting 360-332-8310 or by email at bcourt@cityofblaine.com.
10. All filings will be accepted via mail, email, or by deposit in the City Payment Drop Box.
Phone: (360)332-8310
Email at: bcourt@cityofblaine.com
Mailing and Physical Address: 435 Martin Street, Suite 3000
Blaine, WA 98230

Relating to CRIMINAL MATTERS

11. CrRLJ 4.1(A)(2) regarding "speedy arraignment" is hereby suspended until further order of this court.
12. CrRLU 3.3(e) (8): All continuances granted and matters ordered rescheduled by the Court while this order is in effect shall be "excluded periods" for the purpose of calculating time for trial.
13. The Court reserves the right to maintain or schedule hearings in criminal matters for cases involving threats to public safety: including but not limited to domestic violence offenses and driving while under the influence/ physical control.
14. Unless otherwise noted, the Court will hear in custody cases telephonically or electronically.
15. Attorneys of record will be notified by the Clerk of any court hearings.
16. Attorneys are encouraged to submit agreed orders for off docket review to the Court where appropriate accepted by US mail, email, or City/Court Payment Drop Box.
17. All warrant bookings will be reviewed by a judicial officer to determine whether release is appropriate and when the matter should be scheduled.
18. Any substantive or emergent motions will be filed with the Court. A determination will be made about time, method and place of hearing and

notice given to attorneys and defendants by phone, email, or US mail if time permits.

19. A defendant may contact the Court by email or telephone to quash a bench warrant at 360-332-8310 or by email at: Bcourt@cityofblaine.com. The request will be heard ex-parte by the Court. The defendant shall provide a current mailing address and if applicable a phone number and email address.
20. All persons ordered to check in with probation shall do so via telephone by calling (360)778-5450.

Relating to MOTIONS TO MODIFY OR REMOVE NO CONTACT ORDERS

1. A protected party may request forms by mail, or by calling or emailing the clerk at 360-332-8310 or bcourt@cityofblaine.com. The clerk will mail or email the necessary forms to the protected party and assist them in contacting the domestic violence victim's advocate, Caryl Dunavan. The forms may be returned to the Court for filing via mail, email, or deposit in the City of Blaine Payment drop box. A telephonic or video hearing will be set after the forms are returned and filed. Notice will be sent in the same manner received. If the filing came by deposit in the City of Blaine Payment drop box notices will be mailed.
2. Motions to remove or modify No Contact Orders will be scheduled at a place and time and by method determined by the judge. The attorneys, defendant, and protected party may each appear by telephone or video. The Clerk will send notice by US mail with instructions.
3. Decisions will be mailed to the parties by the Clerk.

Relating to CIVIL INFRACTION MATTERS

1. Operation of IRLJ 2.6 and GR 2.6 are hereby suspended until further Order of the Court.
2. Effective immediately, all civil infraction matters will be continued to June 9, 2020 or later. The clerk of the Court will send written notices to all parties. In lieu of the rescheduled hearing, parties have the option to submit a written statement by mail or electronically for a review in chambers and finding by mail. Contact the clerk's office at 360-332-8310 for any questions about written or electronic review.
3. Effective immediately, all new requests for in-person mitigation or contested hearings on civil infractions shall be scheduled for June 9, 2020 or later, or heard by written statement or electronic hearing pursuant to IRLJ 3.5. Written statements shall be sent to the court by mail, the City of Blaine Payment Drop box, email, or by the electronic hearing process.

DATED and SIGNED this 18th day of March, 2020.


Michael Bobbink, Judge
Blaine Municipal Court

