

IN THE MUNICIPAL COURT FOR THE CITY OF LYNDEN
WHATCOM COUNTY, WASHINGTON

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 Washington State Supreme Court has adopted Order No. 25700-B-618, granting emergency authority to this court to adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency; and

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

WHEREAS, there are no criminal jury trials currently scheduled in Lynden Municipal Court (several jury trials have previously postponed); and

WHEREAS, the Court is committed to protecting the health and safety of our local community as well as anyone who sets foot in our courtroom, while at the same time protecting the constitutional rights of defendants.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Reopening of Wednesday Court Sessions Lynden Municipal Court is scheduled to reopen on Wednesday, June 10, 2020.
2. Jury Trials Jury trials shall be postponed until July 29, 2020, or a later date if deemed necessary to address the threat to public health.
3. Agreed Continuances There is no need for the attorney nor their client/defendant to come to court just for a continuance. The Court will accept a written, agreed order stipulating to good cause related to the COVID-19 pandemic, without the need for the defendant's signature. Attached is a sample Order of Continuance.
4. Illness Alert All persons are instructed not to come to court if they are sick. Attorneys shall instruct their clients of this safety measure. Further, a notice to this effect shall be posted on the Court's webpage to instruct anyone who is ill on a scheduled court date to contact the Court to reschedule. No person shall be permitted to enter the courtroom if they are exhibiting signs of illness. Any person sneezing or coughing shall be denied entry or asked to leave and reschedule.
5. Police Security and Distancing Outside the Courtroom The Lynden Police Department will assist by limiting access to the courtroom and directing "overflow" defendants to a designated area outdoors where social distancing can be observed or have defendants wait in their cars. Public defender cases will be staggered in the afternoon to help avoid overflow.
6. Social/Physical Distancing and Protective Masks Lynden Public Works (Maintenance) shall clean and prepare the courtroom in advance of reopening and remove some of the courtroom chairs to an adjacent room so that the remaining chairs in the courtroom are at least six feet apart. All who attend court are strongly urged to wear protective masks in the courtroom and in the vicinity of the building. Masks will be provided to persons who do not bring their own.

7. In Custody Defendants In custody defendants may continue to be seen at the downtown jail and jail alternatives center with routine safety measures in place. We shall continue to utilize phone conferencing and prepare orders to be faxed to the jail for delivery to a defendant as needed.

8. Infractions Pro se litigants are encouraged to submit written requests to mitigate infractions or, if they qualify, enter a deferred finding by mail. The Court will inform pro se litigants of its decision without oral argument or a hearing.

9. Future Orders This Order may be amended or withdrawn to address the on-going public health emergency.

DATED this 2nd day of JUNE, 2020.



Terrance G. Lewis
Presiding Judge, Lynden Municipal Court

IN THE MUNICIPAL COURT FOR THE CITY OF LYNDEN
WHATCOM COUNTY, WASHINGTON

CITY OF LYNDEN,
PLAINTIFF

CAUSE NO.

VS.

ORDER OF CONTINUANCE

DEFENDANT

BASED UPON Federal, Washington State, and Washington Supreme Court directives and guidelines in response to COVID-19, this Court finds, and the undersigned parties agree, there is good cause to continue the court hearing in the above-referenced matter from the defendant's currently scheduled court date to a future date and time.

FURTHER, the undersigned parties agree that neither the defendant nor his/her counsel need to appear in court at the time this Order is entered, and that the defendant shall be provided with a copy of this Order of Continuance by his/her counsel.

NOW, THEREFORE, IT IS ORDERED THAT the above-named defendant's new court date is as follows:

DATE: _____ TIME: _____ am/pm

DATED this _____ day of _____, 2020.

CITY ATTORNEY

Terrance G. Lewis
Presiding Judge, Lynden Municipal Court

ATTORNEY FOR DEFENDANT

ORDER OF CONTINUANCE