IN THE SUPERIOR COURT OF WASHINGTON
FOR THE COUNTY OF WHATCOM

FILED
COUNTY CLERK
2020 MAY -5 P 3:37
WHATCOM COUNTY
WASHINGTON
BY

IN THE MATTER OF RESPONSE TO PUBLIC HEALTH RISK DUE TO COVID-19 PUBLIC HEALTH EMERGENCY	))))	FIFTH ADMINISTRATIVE ORDER (AMENDMENT to COURT's FOURTH ADMINISTRATIVE ORDER)

NO. 20-2-00001-37

WHEREAS the Court's Order of May 1, 2020, contained more restrictive provisions regarding arraignment of defendants who are out of custody, and could result in difficulty or inability for persons present in the courtroom to maintain required distancing,

NOW, THEREFORE, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY:

Section B.3. of this Court's Fourth Administrative Order of May 1, 2020, is amended to read as follows:

ADULT AND JUVENILE CRIMINAL CASES:

3. *Deferral or Waiver of Arraignments – Out of Custody Defendants.*

a. Arraignments on charges filed after March 18, 2020 and on or before May 5, 2020, against defendants who are out of custody, are deferred until June 19, 2020. Arraignments on charges filed after May 5, 2020 are deferred until 45 days after the filing of charges. The new arraignment date shall be considered the "initial commencement date" for purposes of establishing the time for trial.

b. Defendants who are out of custody and represented by counsel may waive arraignment provided that their attorney submits to the Court, in advance of the arraignment hearing, a Notice of Appearance containing a request for entry of a plea of "Not Guilty" on behalf of the defendant, and the Court's "Advice of Rights" form signed by the defendant or signed by the defendant's attorney, which signature indicates that counsel has reviewed with the defendant the rights, charges and maximum penalties that are described therein.

DATED this 5 day of May, 2020.

Deborra Garrett, Presiding Judge