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IN SUPERIOR COURT  
JEFFERSON COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR JEFFERSON COUNTY

IN THE MATTER OF  
THE RESPONSE TO PUBLIC HEALTH  
EMERGENCY RE: JURY AND OTHER  
TRIALS AND PROCEEDINGS

ADMINISTRATIVE ORDER

NO. 2020-06

WHEREAS, as a result of the COVID-19 pandemic, this Court has previously issued five Administrative Orders, designated as No. 2020-01; 2020-02; 2020-03; 2020-04; and 2020-05; and this Court adopts the findings set forth in those orders by this reference at this time; and

WHEREAS, on March 4, 2020, the Washington State Supreme Court adopted Order No. 25700-B-602 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 Washington Supreme Court has since adopted an AMENDED THIRD REVISED AND EXTENDED ORDER REGARDING COURT OPERATIONS, NO. 25700-B-626 filed May 29, 2020; and

WHEREAS, the Washington Supreme Court has issued an ORDER RE: MODIFICATION OF JURY TRIAL PROCEEDINGS, NO. 25700-B-631 filed June 18, 2020; and the Supreme Court's Resumption of Jury Trials Workgroup issued its report entitled "Resuming Jury Trials in Washington State -- Guidelines for Operations during the COVI-19 Pandemic—June, 2020" on or

about June 18, 2020, and this Court desires to adopt certain procedures consistent with the report in proceeding with jury trials and other in-person court proceedings;

NOW, THEREFORE, pursuant to the Court's authority to administer justice and to ensure the safety of litigants, attorneys, judges, commissioners, court staff and members of the public;

**IT IS HEREBY ORDERED THAT:**

1. Any person who is sick or in quarantine shall not enter the Jefferson County Superior Courtroom (hereinafter the "Courtroom").

2. Staff and visitors are expected to practice good hygiene by washing hands frequently or by using hand sanitizer when hand washing is not practicable, including prior to entry into the Courtroom.

3. Frequently touched surfaces will be routinely cleaned with disinfectant.

4. Social distancing measures will be enforced to the greatest extent practicable in the Courtroom. The Courtroom will have limited capacity due to social distancing.

5. All persons entering the Courtroom shall wear a mask which covers their nose and mouth, except as provided in Section 6 of this Order. The Court may direct the temporary removal of masks worn by active court participants to facilitate clear communication and/or due process. "Active court participant" includes those seated at counsel tables, witnesses, Judge, and court staff. The term shall also include prospective jurors when required to speak during the voir dire jury selection process.

6. The following individuals do not need to wear a mask in the Courtroom. However, the Judge in the Court's discretion may elect to exclude such individuals from the Courtroom from time to time if a mask is not worn in the interest of public health and safety.

a. Children under the age of two years.

- b. Children who are ages two, three or four years shall only wear masks with the assistance and close supervision of an adult.
- c. Persons with a medical condition, mental health condition or disability that prevents wearing a mask.

For purposes of this Order, a mask shall be a ‘face covering’ as defined in Washington State Department of Health Order of the Secretary of Health No. 20-03, dated June 24, 2020.

7. Prospective Jurors, Voir Dire and Accepted Jurors. Prospective jurors who are summoned to Superior Court shall be screened upon entry into the Courthouse building. The screening shall be with the Washington State Courts Health Screening Questionnaire dated June 17, 2020, and shall include taking of the juror’s temperature with a non-touch thermometer. If any person’s temperature is 100.4 degrees F/37.8 degrees C or greater, that person shall then and there be excused from the Courthouse. In addition, consistent with directions of Jefferson County Health Officer Tom Locke, MD, MPH, by email to the Superior Court dated July 06, 2020, if any juror answers “Yes” to any of the eight questions set forth on the Questionnaire, that person shall then and there be excused from the Courthouse. The Screener shall indicate on page two of the Questionnaire whether access to court facilities is Approved or Denied, shall indicate the reason for denial, and shall sign and date the form. Such denial shall be deemed an excusal from jury service as if done in open Court and will be approved by the Judge as such. However, the excusals described in this Section 7 for health reasons shall be an excusal from that particular trial and term of jury service. The juror’s term of service shall be deferred to a later time as determined by the Jury Administrator and/or Court Clerk.

Prospective jurors shall not be otherwise excused from jury service by a Screener, but rather they will be directed to the Courtroom. Any other excusal from jury service shall be done by the Court during the voir dire process in the Courtroom.

All jurors being approved to enter the Courtroom shall wear masks. If any person is exempt from wearing a mask by the terms of this Order, the person shall wear a face shield (hereinafter also referred to as a mask or face shield). The Court will provide one if the person does not have one. If for any reason a person exempt from wearing a mask is not able to wear a face shield or if one is not available, the Court may in its discretion exclude such person from the Courtroom in the interest of public health and safety.

Prospective jurors shall wear masks throughout the voir dire process unless directed or permitted otherwise by the Judge in accordance with Section 5 of this Order as an active court participant.

Jurors, once selected, shall wear masks throughout the trial in the Courtroom and the Courthouse, including during deliberations.

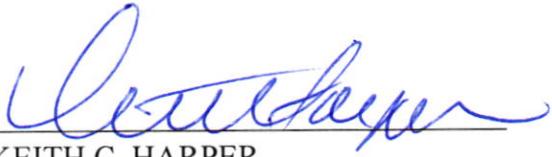
Social distancing shall be maintained throughout this process to the greatest extent practicable.

8. Any person who requests not to serve on a jury due to vulnerability to COVID-19 may, in the discretion of the Court, have his or her jury service deferred to a later time.

9. Jefferson County Superior Court may order and direct further restrictions as necessary to respond to the current public health emergency and to mitigate the effect of COVID-19 by further court order or otherwise. For good cause and in its discretion, the Court may waive any provision of this order or make alternative orders on a case-by-case basis if the Court deems the same necessary in the interest of public health and safety.

10. In the event that this Administrative Order conflicts in any way with the Washington Supreme Court's orders, then in such event the Supreme Court's orders shall prevail.

DATED July 12, 2020.

  
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KEITH C. HARPER  
Superior Court Judge