

N THE KING COUNTY DISTRICT COURT
FOR THE STATE OF WASHINGTON AND THE CITIES OF AUBURN, BEAUX ARTS,
BELLEVUE, BURIEN, CARNATION, COVINGTON, DUVALL, KENMORE, REDMOND,
SAMMAMISH, SHORELINE, SKYKOMISH AND VASHON ISLAND

IN THE MATTER OF THE EMERGENCY	)	EMERGENCY
RESPONSE TO THE THREAT TO PUBLIC	)	ADMINISTRATIVE ORDER
HEALTH.	)	
	)	NO. 9-2020

This matter comes before the Court on the public health emergency in King County:

WHEREAS, the King County District Court continues to operate under a State of Emergency due to the continuing COVID-19 health pandemic;

WHEREAS, the novel coronavirus that causes COVID-19 is highly contagious and the implementation of protective measures have necessitated changes to King County District Court operations;

WHEREAS, King County District Court recognizes the essential nature of court operations and the importance of ensuring access to courts during this health pandemic and has implemented safety measures and procedures as recommended by the Washington State Department of Public Health, infectious disease experts, and other public health officials to continue its operations while mitigating the risk to King County District Court staff and all court users;

WHEREAS, tracking of positivity rates for COVID-19 reveals a recent increase in the spread of COVID-19, and in response Governor Inslee has recently instituted additional restrictions on certain business activities and on indoor social gatherings in an attempt to reduce the rate of infection and spread of the virus;

WHEREAS, holding in-person jury trials brings additional groups of people into a courthouse which can contribute to the spread of the virus, therefore additional temporary measures are needed to protect the health of jurors, staff, and other court users;

NOW, THEREFORE, it is hereby ORDERED:

King County District Court is suspending jury trials until the week of January 11, 2021, and will continue to assess the suspension period on a bi-weekly basis. The bi-weekly evaluation could result in an earlier re-start of jury trials or extend the period of suspension, as conditions warrant. Jury trials currently underway may continue until conclusion.

The increase in the spread of the virus is an unavoidable circumstance that necessitates the exclusion of any suspension period from speedy trial calculations until such time as the jury trial can safely be conducted consistent with CrRLJ 3.3.

King County District Court will continue all other calendar operations as currently scheduled, and encourages video hearings, whenever possible and appropriate. Those unable to participate by video may still physically appear for their court hearing.

Except for arraignments for the crimes of impaired driving, domestic violence, stalking, harassment, or assault; criminal motion hearings requiring witness testimony; and certain bench warrant quash hearings, all criminal hearings may be conducted by video without the necessity of seeking prior permission from the court. A judge may still order the physical appearance of the parties in a specific case, as warranted.

Bench Warrant quash hearings may be conducted by video (no telephone) for bench warrants issued in an amount of \$5000 or less and the court is able to confirm the defendant's identity. Hearings for warrants issued in an amount over \$5000 shall still require the physical appearance of the defendant unless otherwise authorized by the judge prior to the hearing.

Defendants may continue to appear by telephone for pretrial and jury call hearings if they cannot appear by video. The presumptive use of video for criminal hearings as outlined herein continues until further Order of this court. To the extent this Order is inconsistent with other previously issued King County District Court Emergency Orders, this Order controls.

Except for Name Change Petitions, Parties shall appear remotely for King County District Court civil hearings, unless such appearances are impossible or a judge orders a party to physically appear. Persons seeking a Name Change are encouraged to wait if their circumstances allow them to do so.

For any persons needing to physically appear, all safety protocols shall be strictly enforced. Persons over the age of two who are unable to wear appropriate facial coverings due to published health exceptions and cannot appear by video, may have their hearings rescheduled until after January 29, 2021, and the period of continuance treated as an excluded period under CrRLJ 3.3. When persons must physically appear, all efforts shall be made to expedite the hearing and limit the amount of time any person remains in a courtroom. If a hearing is not ready to proceed with all parties present at the time the hearing is scheduled, the judge may continue the hearing to a future date, and the time period until the next date the hearing is held shall be excluded from the speedy trial calculation pursuant to CrRLJ 3.3.

The provisions of this Order may be extended or revised as conditions warrant.

Entered this 23rd day of November, 2020.

/s/ ***Susan Mahoney***

Chief Presiding Judge