IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF OKANOGAN

In re: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY PUBLIC HEALTH EMERGENCY IN WASHINGTON STATE	Administrative Order No. 2021-004

WHEREAS, On February 29, 2020, Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of COVID-19 and;

WHEREAS, On October 13, 2020 the Washington Supreme Court adopted Fourth Revised and Extended Order Regarding Court Operations No. 25700-B-646 (Order No. 25700-B-646), granting emergency authority upon all Washington courts to adopt, modify, and/or suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency issued an emergency order in response to the public health emergency that affects operations of trial courts in Washington State; and

WHEREAS, on August 20, 2021, due to an increase of new COVID 19 cases statewide, Governor Inslee issued an Executive Order placing additional restrictions on the citizens of the State of Washington to include mandatory mask usage in indoor public places; and

WHEREAS, as of late summer, 2021, the spread of COVID-19 increased in Okanogan County at a higher rate than at any time in the pandemic, a "wave" which has subsided somewhat but remains at a level higher than at any time with the exception of late summer, 2020, and;

WHEREAS, to reduce spread of COVID-19, the United States Centers for Disease Control and Prevention and the Washington State Department of Health (DOH) recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing in smaller gatherings; and

WHEREAS, Supreme Court Order No. 25700-B-646, and the orders amended thereby, require the courts in this state to significantly alter current practices to protect public health; and

WHEREAS this Court can take steps to reduce the risk of infection inherent to extended indoor congregate settings by requiring masks and imposing distancing requirements, the increased transmissibility of the COVID delta variant is such that the Court likely cannot protect jurors and litigants seated for the long lengths of time a trial would require; and

WHEREAS Okanogan County Public Health officials have expressed concern that conducting jury trials could exacerbate community spread of the virus, placing further strain on local and regional healthcare systems; and

GIVEN the severity of risk posed to the public, and the above public health recommendations from public health authorities;

IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY:

1. CONTINUANCE OF DECEMBER, 2021 JURY TRIALS: No jury trials will be conducted during the month of December, 2021. Cases currently set for jury trial during this period will be re-scheduled as necessary at the currently-scheduled readiness hearings. These readiness hearings will be held via Zoom videoconference, and the parties are directed to appear remotely via Zoom as previously ordered.
2. SPEEDY TRIAL/HEARING: Pursuant to the authority granted by the Washington Supreme Court in paragraphs 12 and 23 of Order No. 25700-B-646 and as the Presiding Judge of the Okanogan County District Court, I find that the current spread of cases of COVID-19 is an unavoidable circumstance requiring the suspension of the time for trial rule pursuant to CrRLJ 3.3(e)(8). Therefore, the 30-day period between December 1, 2021 and December 31, 2021 shall be EXCLUDED when calculating time for trial in all criminal cases.
3. APPLICABILITY / DURATION: this Order modifies and supersedes any provisions of prior Administrative Orders that are in conflict. This Order shall remain in effect through December 31, 2021, unless later rescinded, modified, or extended by the Court, or unless superseded by further Order of the Supreme Court.

DATED this 17th day of November, 2021.

Robert W. Grim, Presiding Judge