

**SPOKANE COUNTY DISTRICT COURT
STATE OF WASHINGTON**

IN THE MATTER OF THE EMERGENCY
RESPONSE TO THE THREAT TO PUBLIC
HEALTH

EMERGENCY ADMINISTRATIVE ORDER

NO. 2 Amendment to Emergency Order No.1

This matter comes before the Court on the public health emergency in Washington State and Spokane County:

- As of March 17th, 2020, President Donald Trump and the Centers for Disease Control and Prevention (CDC) announced guidelines for the next fifteen (15) days to slow the spread of COVID-19. Those guidelines recommend limiting, as best as possible, all social gatherings to no more than ten (10) people.
- As of March 16, 2020, Spokane County Superior Court suspended all jury summons until April 27th, 2020 and ordered that jury personnel for Spokane County Superior Court call off jurors summoned immediately. The Spokane County Superior Court ordered that the Superior Court would conduct no criminal jury trial until at least April 27th, 2020.
- As of March 16th, 2020, Washington State Governor, Jay Inslee ordered a statewide shutdown of all restaurants, bars, entertainment and recreational facilities. Governor Inslee also prohibited the gathering of more than 50 people. Gatherings of less than 50 people are prohibited unless previous criteria for public health and social distancing are met.
- As of March 15th, 2020, in King County, Washington there are approximately 420 confirmed cases and 37 deaths. On Friday, March 13th, 2020, Dr. Bob Lutz, Spokane County Health Officer announced three (3) confirmed cases in Spokane County, Washington with expectations that number will increase.

- On March 14th, 2020, the Spokane County District Court was informed that a Spokane County District Court (SCDC) employee had been exposed to COVID-19.
- On March 14th and March 13th, 2020, Dr. Bob Lutz, Spokane County Health Officer recommended measures to slow the spread of COVID-19. Those recommendations included but were not limited to cancelling all scheduled events over 250 attendees for the next 30 days, effective immediately, and social distancing.
- On March 13th, 2020, Washington State Governor, Jay Inslee ordered statewide school closure for six weeks amid the COVID-19 outbreak.
- On March 13th, 2020, President Donald Trump declared a national emergency due to the public health emergency posed by the spread of COVID-19.
- On March 4th, 2020, Chief Justice Debra Stephens of the Washington State Supreme Court adopted Order No. 25700-B-602, granting emergency authority upon all Washington courts to adopt, modify, and/or suspend court rules and order, and to take further actions concerning court operations, as warranted to address the current state of emergency issued as an emergency order in response to the public health emergency that affects operation of trial courts in Washington State.
- On February 29th, 2020, Washington State Governor, Jay Inslee declared a state-wide emergency due to the public health emergency posed by the spread of COVID-19.
- Spokane County District Court's courtrooms are high-volume courtrooms and collectively handle more than 100,000 matters each year for both the County as well as cities that contract with the Court for District Court services. Therefore, it is necessary for the Spokane County District Court to make modifications to the court operations to allow for the orderly transition to a system of work that will allow for implementation of systems and procedures that will meet the concerns and directives required.

Therefore, it is hereby ordered that effective Tuesday, March 17th, 2020, with the following exceptions, all currently scheduled Court hearings shall be postponed and rescheduled by the court clerks to another date.

- All motions for "Recall of a No Contact Order/Order of Protection" may be scheduled if a written motion and request to the ex parte judge is presented explaining the emergent need for the recall of the No Contact Order/Order of Protection. Upon a judicial determination of an emergent need, the Court clerk will set a hearing which may be accomplished via a telephonic or video hearing.
- It is necessary to suspend jury summons for public health reasons under the current emergency. For all pending Spokane County District Court criminal cases under CrRLJ

3.3 it is the Court's obligation to ensure compliance with the applicable time for trial rules.

- The Court, upon its own motion, concludes a continuance in these criminal jury trials are necessary for the administration of justice.
- All criminal jury trial scheduled to begin March 17th, 2020, through April 24th, 2020, shall be continued to at least Monday, April 27th, 2020 and all summoned jurors shall be called off immediately.
- The Court finds that as of March 16th, 2020 the serious danger posed by this virus is good cause to continue criminal jury trials and constitutes an unavoidable circumstance under CrRLJ 3.3(e)(8).
- Based on the Court's finding that the serious danger posed by the COVID-19 is good cause to continue criminal jury trials and constitutes an unavoidable circumstance under CrRLJ 3.3(e)(8), the time between the date of this order and the date of the next scheduled trial date are EXCLUDED when calculating time for trial. See CrRLJ 3.3(e).
- In addition, the Court is suspending application of CrRLJ 4.1, for all out of custody arraignments except for DUI/Physical Control and all domestic violence matters until April 27th, 2020. The Court shall issue notice of the continued court date.
- DUI/Physical Control and domestic violence matters shall continue as currently scheduled.

For all hearings currently pending and for hearings on new cases filed during the pendency of this order that are delayed by effect of this order, the delay/continuance shall constitute an excluded period for purposes of Speedy Trial, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule.

It is further ordered, all hearings delayed by this order will have notices mailed to the parties of the next scheduled hearing date via US mail. Any party needing to update their mailing address should contact the court clerk at (509) 477-4770 or via email at Criminal and Infraction Clerk's Office – dccasemgmt@spokanecounty.org
Civil Clerk's Office – dccivil@spokanecounty.org

For all hearings not continued by effect of this rule, telephonic and video hearings will be permitted to the greatest extent possible to encourage social distancing as recommended by both the Centers for Disease Control and local public health officials.

All courthouse locations will remain open; however, the public is encouraged to contact the court via telephone or email.

This order may be modified consistent with the Spokane County District Court's continual assessment of the needs of the community as well as the recommendations of public health officials.

DATED this 17th day of March, 2020.



Acting Presiding Judge Aimee Maurer