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TIMOTHY W. FITZGERALD  
SPOKANE COUNTY CLERK



**SUPERIOR COURT OF WASHINGTON  
FOR SPOKANE COUNTY**

IN THE MATTER OF THE RESPONSE BY  
SPOKANE COUNTY SUPERIOR COURT TO  
THE PUBLIC HEALTH EMERGENCY IN  
WASHINGTON STATE

No. 94-2-06940-8  
EMERGENCY ORDER #10

WHEREAS, the Governor of the State of Washington has declared a state of emergency in all counties of Washington due to the public health emergency caused by the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, The Commissioners of Spokane County, the Mayor of the City of Spokane and the Spokane Regional Health District have also declared a state of emergency in Spokane County due to the same public health concerns; and

WHEREAS, the Washington State Supreme Court has adopted Order No. 25700-B-618 (Filed April 29, 2020), suspending all civil and criminal jury trials until after July 6, 2020, in addition to 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

1  
2 WHEREAS, on March 23, 2020, April 2, 2020 and again on May 1, 2020, the  
3 Governor of the State of Washington has added additional restrictions on the citizens  
4 of the State of Washington due to the declared state of emergency concerning the  
5 Coronavirus Disease 2019 (COVID-19) with his Proclamations;

6 WHEREAS, this Court issued its Emergency Orders #1 through #9 to respond  
7 to the state of emergency and mitigate the effect of COVID-19; and  
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9 NOW, THEREFORE, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY:  
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12 **1. Criminal and Juvenile Offender Matters**

13 a) All adult criminal trials are suspended until July 6, 2020.

14 b) Jurors summoned for trials set prior to July 6, 2020 shall be  
15 excused. Jurors shall be summoned for any trials set no sooner than July 6, 2020.

16 c) All in custody and out of custody trial readiness hearings are  
17 cancelled until June 15, 2020.

18 d) All in custody and out of custody omnibus hearings are cancelled  
19 until September 4, 2020. Should either party desire an omnibus hearing, one may  
20 be scheduled on the motion calendar.

21 e) All out of custody arraignments are continued until June 1, 2020.

22 f) All RCW 10.77 stay hearings are continued until June 1, 2020  
23 unless an in-person hearing is requested by the State or defense.

24 g) All out of custody Juvenile Offender pretrials are continued until  
25 June 1, 2020.

26 h) All out of custody Juvenile Offender arraignments scheduled after  
27 May 11, 2020 can be heard in person provided the Governor's/Supreme Court's  
28 mandates can be followed during all in Court proceedings. Waivers of  
29 arraignment can also be presented without requiring an in person hearing.

1  
2 i) Juvenile offender trials may be held beginning June 1, 2020  
3 provided strict social distancing guidelines can be observed.

4 j) A continuance of these criminal and juvenile offender trials is  
5 required in the administration of justice. Based upon the court's finding that the  
6 serious danger posed by COVID-19 is good cause to continue criminal and  
7 juvenile offender trials, and constitutes an unavoidable circumstance under CrR  
8 3.3(e)(8), CrRLJ 3.3(e)(8), and JuCR 7.8(e)(7), the time between the date of this  
9 Order and July 6, 2020 shall be EXCLUDED when calculating time for trial. CrR  
10 3.3(e)(3), CrRLJ 3.3(e)(3), JuCR 7.8(e)(3).

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12 **2. Civil Trials/Matters**

13 a) The Court will conduct no civil jury trials prior to July 6, 2020.

14 b) Guardianship hearings and annual audits affected by Emergency  
15 Orders #1 and #5 shall be rescheduled and/or are on hold until after June 1, 2020.

16 c) Child Support Modification Hearings shall be continued until after  
17 June 1, 2020.

18 d) Persons subject to arrest on a Spokane County Civil Bench  
19 Warrant issued on behalf of the State of Washington under the caption:

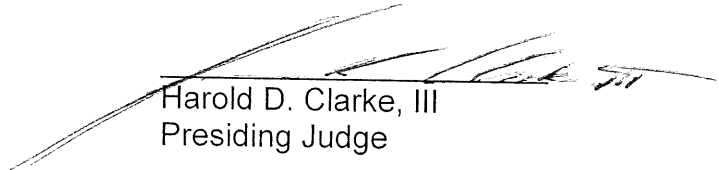
20 State of Washington on behalf of  
21 The Department of Social and Health  
22 Services, Division of Child Support

23 Shall not be arrested or booked into the Spokane County Jail until after midnight  
24 July 1, 2020. The warrant itself shall not be executed and remains active.

25 3. Spokane County Superior Court may extend the time frames in this Order as  
26 required by the continuing public health emergency, and if necessary, will do so by  
27 further order.  
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2 4. Spokane County Superior Court may adopt further restrictions as necessary to  
3 respond to the current state of emergency in order to mitigate the effect of COVID-  
4 19 and will do so by further court order.

5 Dated: April 5<sup>th</sup>, 2020.  
6 *May*

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9 Harold D. Clarke, III  
10 Presiding Judge  
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