

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KITTITAS COUNTY

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

) EMERGENCY
) ADMINISTRATIVE ORDER
)
) Dated March 17, 2020
)

Due to public health concerns the Kittitas County Superior Court is temporarily closed to the general public. Although the general public is discouraged from visiting the Court, the Court does remain open to deal with issues involving domestic violence, threats to physical security, threats to loss of housing, or other emergencies. Attorneys or individuals with pending cases should review the attached appendix for further detail.

As the situation changes, the Court remains open to modifications to comply with this rapidly changing environment. Please review <https://www.co.kittitas.wa.us/courts/superior> for the most recent information.

DATED this 17th day of March, 2020.



Scott R. Sparks, Presiding Judge

APPENDIX

This matter comes before the Court on a public health emergency in the State of Washington.

FACTS

1. 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 the coronavirus (COVID – 19). In response to said emergency the Superior Court is reducing operations to emergent matters;
2. The State and County are experiencing an increase in the numbers of people showing symptoms of and begin diagnosed with the current strain of coronavirus known as COVID-19. COVID-19 is known to be highly contagious and easily transmitted in public areas such as courtrooms;
3. On March 4, 2020, 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 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;
4. On March 6, 2020, the Board of County Commissioners for Kittitas County declared a state of emergency for Kittitas County in regard to COVID-19;
5. On March 11, 2020, Governor Inslee imposed additional restrictions prohibiting gatherings of more than 250 people within King, Snohomish, and Pierce County due to the danger of continued spread of the virus and the increasing danger the virus presents to the health care system in the region;
6. On March 13, 2020, Governor Inslee mandated closure of all Washington schools from March 17 through at least April 24, 2020 and extended a restriction on social gatherings of more than 250 people throughout the entire State of Washington;
7. On March 16, 2020, Governor Inslee announced temporary closure of restaurants, bars, gyms, movie theaters, and banned any social gatherings over 50 people throughout the entire State of Washington.

Whereas, as a result of said facts, the Court's operations have been modified **to decrease the necessity of people coming into the courtroom**, while still allowing the Court to conduct essential functions.

ORDER

IT IS HEREBY ORDERED, that effective immediately:

1. Jury and Bench Trials. The Court will conduct no trials until May 5, 2020. All parties are strongly encouraged to:
 - a. Settle their pending matters; or
 - b. Enter agreed orders continuing trial dates.

2. Adult Criminal Cases:

- a. Time for Trial and Arraignment suspended. CrR 3.3 (b) (time for trial) and CrR 4.1 (time for arraignment) are temporarily suspended until further notice.
- b. Signatures on documents. In lieu of obtaining personal signatures from defendants on documents filed in criminal cases, including pretrial release orders, case scheduling orders, or other documents on which a signature is traditionally required (but not including protection orders), attorneys may sign their initials on the signature line intended for the defendant, indicating they have notified the defendant of the contents of the order.
- c. First Appearances will be held upon the filing of a probable cause statements by the Prosecutor. They will be scheduled via the Court Administrator and counsel may appear telephonically.
- d. Arraignments. All out of custody arraignments will be re-scheduled for a date after May 4, 2020, by issuance of a summons.
- e. All in-custody arraignments in which the Defendant has counsel will be resolved via entry of agreed Scheduling Orders and Order on Arraignments.
- f. All pending in custody arraignments in which the Defendant does not have counsel will be heard as scheduled.
- g. Omnibus and Pre-Trial Hearings. The matters will be heard by entry of an agreed order. If the parties cannot agree on entry of an order they should contact the Court Administrator to have the matter special set.
- h. Status Hearings. All status hearings will be heard upon entry of a Notice of Readiness for Trial with a copy provided to the Court Administrator or with entry of an Agreed Scheduling Order.
- i. The Court will hear all guilty pleas and sentencings via special sets hearings scheduled through the Court Administrator's Office.
- j. Counsel are authorized to notify their clients that attendance at Court is discouraged unless necessary.

3. Juvenile Cases:

- a. Time for adjudicatory Hearing and Arraignment suspended. JuCr 7.6(a) and JuCr 7.8(b) are temporarily suspended until further notice.
- b. Signatures on documents. In lieu of obtaining personal signatures from Juveniles on documents filed in juvenile cases, including pretrial release orders, case scheduling orders, or other documents on which a signature is traditionally required (but not including protection orders), attorneys may sign their initials on the signature line intended for the defendant, indicating they have notified the defendant of the contents of the order.
- c. Modification Hearings. All juvenile modification hearings are hereby cancelled until after May 4, 2020. Emergent matters may be heard at the discretion of a judicial officer.
- d. Trials. No juvenile criminal trials will be held before May 4, 2020, unless specifically authorized by extraordinary reasons by the assigned Judge.
- e. Detention hearings will be held upon the filing of a probable cause statements by the Prosecutor. They will be scheduled via the Court Administrator and counsel may appear telephonically.
- f. Dependency Matters. Shelter care hearings may be scheduling on dependency matters via contacting the Court Administrator for a special set hearing. No other hearings will

be held until May 4, 2020, unless specifically authorized for extraordinary reasons by a judicial officer.

- g. Truancy/At-Risk-Youth Matters. All pending hearings will be continued until after May 4, 2020.
- 4. Domestic Cases.
 - a. Temporary orders. Only motions pertaining to emergent issues regarding child visitation or primary residency will be heard until May 4, 2020. Determination of the emergent nature of a motion will be made by judicial officers, who have authority to do any of the following:
 - Strike a motion that is not emergent;
 - Continue a motion until after May 4, 2020;
 - Schedule a hearing in which the parties are instructed to appear telephonically;
 - Schedule an in-person hearing.
 - b. Trials. No trials will begin before May 4, 2020, unless specifically authorized for extraordinary reasons by the assigned Judge.
- 5. Other Cases.
 - a. Guardianships. Parties are encouraged to schedule guardianship hearings after May 4, 2020. For regular review hearings, the parties need only appear in court if the review is contested or specifically requested by an assigned judge. A proposed order should be submitted to the court for signature on unopposed motions.
 - b. Protection Orders. The Court finds good cause to extend the time for a hearing on a protection order to 28 days. Judges will continue to review ex parte petitions to determine whether a temporary order is warranted. Judges will then determine the hearing dates within the 28-day period.
 - c. Civil trials. No jury or bench trials will be heard before May 4, 2020. Any trials set before that date should be noted for trial setting and stricken from the trial calendar.
 - d. Drug Court. Through May 4, 2020, these sessions will be suspended. The participants are not excused from the requirements of the program, and may be required to appear in court to address concerns of the drug court team, as ordered in the discretion of the presiding judicial officer.
- 6. Clerk's Fees.
 - a. The Court has, at the request of the Clerk, temporarily suspended all fax filing fees and increased options for free electronic filing.

For the latest information on court operations visit: <https://www.co.kittitas.wa.us/courts/superior> as the Court's Order may be modified consistent with the Court's continual assessment of the needs of the community as well as the recommendations of public health officials.

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