

**COPY**

**FILED**

2020 MAY 27 A 8:33

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

AMENDED EMERGENCY  
ORDER # 4

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

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

WHEREAS, the Washington State Supreme Court has issued its Second Revised and Extended Order Regarding Court Operations, No. 25700-B-618, continuing to grant 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, this Court issued Emergency Orders 1-11, to respond to the  
3 state of emergency and mitigate the effect of COVID-19; and

4 WHEREAS, the Washington State Supreme Court has authorized  
5 Superior Courts to begin hearing non-emergency civil matters after June 1, 2020, so  
6 long as such matters can appropriately be conducted by telephone, video or other  
7 remote means, or in person with strict observance of social distancing and public  
8 health measures; and

9 WHEREAS, the Washington State Supreme Court has directed courts to  
10 follow the most protective public health guidance applicable to their jurisdiction, based  
11 on current guidelines from the Center for Disease Control (CDC), the Washington  
12 Department of Health (WDH) and the Spokane Regional Health District (SRHD).

13 WHEREAS, the CDC, WDH and SRHD guidelines currently include  
14 staying home if you are sick, washing your hands frequently, avoiding touching your  
15 face, use of hand sanitizer, routinely cleaning frequently touched surfaces with  
16 disinfectant, and social distancing of at least six feet.

17 WHEREAS, on May 20, 2020 the SRHD Health Officer issued his Local  
18 Health Officer Directive and a Face Covering Directive.

19 WHEREAS, The Face Covering Directive currently directs that all  
20 individuals at indoor or confined public settings must wear face covering over their  
21 noses and mouths if they are likely to be in contact with another individual who does  
22 not share their household and distancing of approximately six feet is not able to be  
23 maintained.

24 NOW, THEREFORE, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY:

- 25 1. After June 1, 2020, Amended Civil Case Schedule Orders will be issued for cases  
26 that had trial dates set in March, April, May or June of 2020, resetting deadlines  
27 with dates based on the information cited above. The new trial date assigned will  
28

1  
2 be reflective of the assigned Individual Calendar Department/Judge's trial  
3 availability;

4  
5 2. Counsel/Parties are encouraged to coordinate with each other and shall  
6 coordinate with the assigned Department's Judicial Assistant for available trial  
7 dates and issuance of an Amended Civil Case Schedule Order. Deadlines will be  
8 reset according to the new trial date;

9  
10 3. Civil discovery may resume June 1, 2020, so long as it can be conducted in  
11 compliance with social distancing and public health measures, current emergency  
12 orders, mandatory state and local guidelines, and follows Washington Court  
13 Rules;

14  
15 4. In conformity with the Washington State Supreme Court Emergency Order(s) and  
16 CrR 3.3, Spokane County Superior Court is obligated to resolve criminal,  
17 constitutional (e.g. sexually violent predator cases) and other statutory priority  
18 cases before it is able to try civil cases;

19  
20 5. Newly issued Amended Civil Case Schedule Orders may need to be modified, to  
21 accommodate Constitutional and/or statutory deadlines;

22  
23 6. This Amended Order supersedes the Court's Emergency Order #4; and


24  
25 ///

26  
27 ///

28  
29 ///

1  
2 7. The Court may amend this Order as necessary to continue to mitigate the effect  
3 of COVID-19, the continuing public health emergency, and their effect on the  
4 Spokane County Superior Court.  
5

6 Dated: May 27<sup>th</sup>, 2020.  
7

8  
9   
10 Harold D. Clarke, III  
11 Presiding Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24