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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

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

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

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

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

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

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


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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.
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6 Dated: May 27th, 2020.
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9 Harold D. Clarke, III
10 Presiding Judge
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