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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 #8

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-615 (Filed April 13, 2020), suspending all civil and criminal jury trials until after May 4, 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

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WHEREAS, on March 20, 2020 the Washington State Supreme Court adopted Order No. 25700-B-607 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

WHEREAS, on March 18, 2020 the Washington State Supreme Court adopted Order No. 25700-B-606 suspending all civil jury trials and all civil matters until after April 24, 2020, among other orders; and

WHEREAS, on March 23, 2020, and extended on April 2, 2020, the Governor of the State of Washington has added additional restrictions on the citizens of the State of Washington due to the declared state of emergency concerning the Coronavirus Disease 2019 (COVID-19) with his Proclamation 20-25, Stay Home – Stay Healthy and extended with Proclamation 20-25.1; and

WHEREAS, this Court issued its Emergency Orders #1 through #7 to respond to the state of emergency and mitigate the effect of COVID-19; and

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

1. Criminal and Juvenile Offender Matters

- All criminal trials are suspended until June 1, 2020. a)
- Jurors summoned for trials set prior to June 1, 2020 shall be b) excused. Jurors shall be summoned for any trials set no sooner than June 1, 2020.
- All in custody and out of custody criminal and juvenile offender matters, except trials, shall be continued until after May 4, 2020 subject to the

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exceptions authorized by the Washington State Supreme Court Order No. 25700-B-615 (Filed April 13, 2020).

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

2. <u>Civil Trials/Matters</u>

- a. The Court will conduct no civil jury trials prior to June 1, 2020.
- b. The Court shall conduct no civil bench trials, including family law cases, until after May 4, 2020. Trials will only be conducted when strict social distancing guidelines can be observed. Civil Bench trials may be scheduled after May 4, 2020, in matters where remote presentations can be arranged by the litigants and/or counsel OR in matters where the Governor's/Supreme Court's mandates can be followed during all in Court proceedings.
- c. All non-emergency civil motions, including family law motions, are continued until after May 4, 2020. Motions will only be conducted in matters where remote presentations can be arranged by the litigants and/or counsel OR in matters where the Governor's/Supreme Court's mandates can be followed during all in Court proceedings.
- d. The non-contested dissolution calendar shall be suspended until further order of the Court.
- e. Guardianship hearings and annual audits affected by Emergency Orders #1 and #5 shall be rescheduled and/or are on hold until after May 4, 2020.
 - f. Child Support Hearings shall be continued until after May 4, 2020.

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

Dated: April _______, 2020.

Harold D. Clarke, III Presiding Judge

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