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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 #11
COVID-19 Mitigation in
Spokane Superior Court

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

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

7 WHEREAS, this Court issued its Emergency Orders #1 through #10 to respond
8 to the state of emergency and mitigate the effect of COVID-19; and
9

10 NOW, THEREFORE, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY:
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- 12 1. Any person who is sick or in quarantine shall not enter the Courthouse;
- 13
14 2. Staff and visitors are expected to practice good hygiene by washing hands
15 frequently or by using hand sanitizer when hand washing is not practicable;
- 16
17 3. Frequently touched surfaces will be routinely cleaned with disinfectant;
- 18
19 4. Social distancing measures will be strictly enforced to the greatest extent
20 practicable in all Courtrooms and public areas in the Courthouse. Courtrooms
21 and court administration areas have been equipped with social distancing
22 markers to illustrate appropriate distancing. Each individual courtroom will have
23 a limited capacity due to social distancing.
- 24
25 5. All persons entering the Superior Court Courtrooms shall be required to wear a
26 mask, unless exempted under paragraph #6 below. Individuals actively
27 participating in a court proceeding may remove their masks if they wish. The
28 Court may also direct the removal of masks worn by active participants to facilitate
29

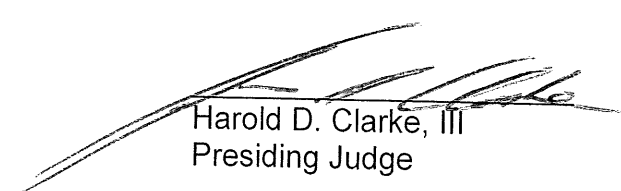
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2 clear communication and due process. "Active participant" includes those seated
3 at counsel tables, witnesses, judge and court staff.

4 6. Pursuant to the face covering directive issued by the local health office order, the
5 following individuals do not need to wear a mask:

- 6 a) Any child aged two years or less;
7 b) Any child aged 12 years or less unless parents and caregivers supervise
8 the use of face coverings by children to avoid misuse;
9 c) Any individual who has a physical disability that prevents easily wearing or
10 removing a face covering;
11 d) Any individual who is deaf and uses facial and mouth movements as part
12 of communication or an individual who is communicating with a person
13 who is deaf and uses facial and mouth movements as part of
14 communication;
15 e) Any individual who has been advised by a medical professional that
16 wearing a face covering may pose a risk to that individual for health-related
17 reasons;
18 f) Any individual who has trouble breathing or is unconscious, incapacitated,
19 or otherwise unable to remove the face covering without assistance.

20 7. Spokane County Superior Court may adopt further restrictions as necessary to
21 respond to the current state of emergency in order to mitigate the effect of COVID-
22 19 and will do so by further court order.

23 Dated: May 26th, 2020.

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25 
26 Harold D. Clarke, III
27 Presiding Judge
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