

FILED
COUNTY CLERK

2020 JUN 17 P 3: 16

WHATCOM COUNTY
WASHINGTON

IN THE SUPERIOR COURT OF WASHINGTON
FOR THE COUNTY OF WHATCOM

IN THE MATTER OF RESPONSE TO PUBLIC
HEALTH RISK DUE TO COVID-19
PUBLIC HEALTH EMERGENCY

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CASE No. *20-2-00001-37*
TENTH ADMINISTRATIVE
ORDER

THE COURT ISSUES THIS ORDER for the reasons specified in the Court’s prior Administrative Orders beginning March 16, 2020, for the specific reasons listed below, and to clarify and update prior Administrative Orders as described herein.

WHEREAS the state of emergency declared by the Governor of this State and resulting from the current COVID-19 pandemic and described in this Court’s previous Administrative Orders, continues, and

WHEREAS the Washington State Supreme Court issued orders suspending all jury trials until at least July 6th, 2020, and this Court’s docket includes hundreds of jury trials currently scheduled for trial in July, 2020, and

WHEREAS the Washington State Supreme Court’s Third Amended Order permits local courts to “adopt measures to protect health and safety that are more restrictive than this Order, as circumstances warrant, including by extending as necessary the time frames in this Order,” and

WHEREAS this Court does not have the current ability to hold jury trials in a manner that is in accordance with state and local recommendations and is safe for the public and the participants in the trial, and anticipates that it will not be able to do so until August 17, 2020 at the earliest,

WHEREAS the Whatcom County Superior Court has convened a task force to draft protocols for holding jury trials in accordance with the recommendations of the Washington

Department of Health, the Center for Disease Control, and the Whatcom County Health Department.

THEREFORE IT IS ORDERED:

1. The Court will not conduct any civil or criminal jury trial until August 17, 2020. This date may be extended if the Court determines that a jury trial cannot be conducted safely and within the guidelines and recommendations of State and local public health authorities pertaining to jurors, parties, court personnel and the public.

2. The Court's Eighth and Ninth Administrative Orders are amended to clarify that hearings in criminal cases may be conducted remotely as provided in CrR 3.4.

Attorneys who represent criminal defendants who are *out of custody* may appear for first appearance and/or arraignment hearings in person, remotely by video or remotely by telephone. Attorneys who represent criminal defendants who are *in custody* must appear in person (either in the jail courtroom or in the courthouse) or remotely by telephone at the arraignment hearing. Remote video for attorneys is not available for in custody hearings due to the video system already in use for in custody defendants.

Attorneys who wish to appear remotely by either video or telephone in accordance with the rule above must notify the clerk's office by noon the day before the hearing, by emailing that request to SCCrRemote@co.whatcom.wa.us. The link to the remote video hearing will be published on the court calendar distributed prior to court.

The provisions of the Court's previous Administrative Orders are not affected by this order.

DATED this 17th day of June, 2020.



Deborra Garrett, Presiding Judge
Whatcom County Superior Court