SKAMANIA COUNTY
FILED

APR 15 2020

GRACE D. CROSS
SUPERIOR COURT CLERK

SUPERIOR COURT OF WASHINGTON
IN AND FOR KLICKITAT/SKAMANIA COUNTY

IN RE THE KLICKITAT/SKAMANIA COUNTY SUPERIOR AND THE PANDEMIC OUTBREAK OF THE NOVEL CORONAVIRUS DISEASE (COVID-19)	Case No.: 20-2-00003-30 REVISED AND EXTENDED EMERGENCY ADMINISTRATIVE ORDER

The actions set forth herein will take effect immediately and will remain in effect until May 26, 2020 or until further order of the Court, unless otherwise state herein. If a date is stated herein, the stated date may be extended by further Court Order.

A. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the coronavirus 2019 (hereinafter "Covid-19").

B. On March 4, 2020, Washington Supreme Court Justice Debra Stephens entered Order No. 25700-B-602, in response to the declared public health emergency in Washington State, allowing trial courts to modify their regular operations; and including the authority to adopt,

modify, and suspend court rules and orders as warranted to address these emergency conditions.

C. On March 13, 2020, Governor Inslee ordered all K-12 public and private schools in Washington State to close by no later than March 17, 2020. Subsequently all schools have been closed for the remainder of the calendar school year.

D. On March 13, 2020, President Trump declared a national emergency in the United States of America related to the COVID-19 outbreak.

E. Local county and municipal operations have entered declarations of emergency for Klickitat County, Skamania County, City of Goldendale, City of Bingen, City of White Salmon, City of Stevenson and City of North Bonneville.

F. On March 20, 2020, Washington Supreme Court Justice Debra Stephens entered amended Order No. 25700-B-607 providing additional direction to the Courts of Washington State to address the emergency created by the COVID-19 outbreak.

G. During this state of emergency, the Centers for Disease Control and Prevention and the Washington State Department of Health have recommended increasingly stringent social distancing measures of at least 6 feet between people and encouraged vulnerable individuals to avoid public spaces.

H. On March 23, 2020, Governor Jay Inslee issued a "stay at home" order requiring individuals not to leave their residences other than for essential services. The order currently is effective through May 4, 2020.

I. On April 13, 2020, Washington Supreme Court Justice Debra Stephens entered revised and extended Order No. 25700-B-615 providing additional direction to the Courts of Washington State to address the emergency created by the COVID-19 outbreak.

J. As of April 13, 2020, the Washington State Department of Health reported a total of 10,538 confirmed cases of COVID-19 with 516 deaths in Washington State. As of April 13, 2020, Klickitat County has fourteen (14) confirmed cases of COVID-19 with one (1) death and Skamania County has three (3) confirmed case of COVID-19. Our neighboring county to the west, Clark County, has two hundred twenty one (221) confirmed cases of COVID-19 and fourteen (14) deaths related to COVID-19. However, as reported by the Washington State Department of Health: Public health experts agree that the true number of people who have been infected with COVID-19 in Washington greatly exceeds the number of COVID-19 infections that have been laboratory confirmed.

K. Klickitat County and Skamania County constitutes one judicial district with one elected Superior Court Judge.

L. Pursuant to Chief Justice Stephen's March 4th and 18th order, many Washington courts have instituted emergency procedures such as

cancelling jury panels, limiting court hearings, or instituting "social distancing" in the courtroom, amongst other safety related measures. Given the significant number of identified and projected COVID-19 cases in Washington State, the severity of the risk posed to the public, court personnel and litigants, and the child care needs of potential jurors, witnesses, and other parties, and based upon the consistent and urgent advice of all public health experts that proactive "social distancing" and limiting public gatherings is essential to address the emergent healthcare concerns brought on by the COVID-19 outbreak:

Pursuant to the authority of Washington State Supreme Court Order No. 25700-B-602, as amended in Washington State Supreme Court Order No. 25700-B-607, and revised and extended in Washington State Supreme Court Order No. 25700-B-615 and the authority as the Presiding Judge of both the Klickitat County and Skamania County Superior Courts:

It is hereby ORDERED:

GENERAL ORDERS:

1. The previously issued emergency administrative order entered on March 18, 2020 and supplemental emergency administrative order entered on March 25, 2020 are hereby extended until May 26, 2020.
2. Digital signatures as authorized under GR 30 shall continue to be accepted as ordered by this court in its original emergency administrative order of March 18, 2020. All court filings may be electronically signed pursuant to the requirements of GR 30(d)(2).

Electronic signatures filed in compliance with GR 30(d)(2) shall bind the signer and function as the signer's signature for any purpose, including CR 11. GR(d)(3).

3. All court hearing dates addressed by this court's emergency administrative orders, supplemental emergency administrative order, and revised and extended emergency administrative order shall be reset to the corresponding date addressed by these orders and no further notes for the corresponding court date need to be filed by the parties if date is specified.

CRIMINAL CASES:

4. All criminal jury trials are suspended until after May 26, 2020.
    a. Jury trials in Klickitat County Superior Court currently scheduled for May 20, 2020 shall be continued until June 17, 2020. Jury trials scheduled for May 20, 2020 will be set for a status conference hearing on June 1, 2020 at 10:00 AM, final review hearing on June 15, 2020 at 9:00 AM and jury trial scheduled for June 17, 2020 at 8:15 AM.
    b. Jury trials in Skamania County Superior Court for May 11, 2020 shall be continued until June 8, 2020. Jury trials scheduled for May 11, 2020 shall be set for a status conference on May 28, 2020 at 11:00 AM and jury trial scheduled for June 8, 2020 at 8:15 AM.

c. Juvenile fact-findings scheduled in Klickitat County Superior Court – Juvenile Division shall be continued until June 11, 2020 at 1:30 PM. A review hearing/status conference shall be set for May 28, 2020 at 1:30 PM.

d. Juvenile fact-findings scheduled in Skamania County Superior Court – Juvenile Division shall be continued until June 10, 2020 at 1:30 PM.

- Due to the reduced ability to obtain an adequate cross section of attentive and focused jurors, the state limitations of gatherings of more than 50 people, the requirements of social distancing of at least 6 feet, limitations on vulnerable adults avoiding public spaces, and the effect of the public health recommendations on the likely availability of witnesses, court personnel, and trial counsel to be effectively present in the courtroom, the time period of continuances by this Emergency Order will be excluded in computing time for trial pursuant to CrR 3.3(e)(3), CrR 3.3(f)(2), JuCR 7.8(e)(3), JuCR (f)(2) and related local court rules. The court further finds that the ends of justice served by continuing these cases outweighs the defendant's right to a speedy trial. The court further finds that any delays for time for trial are result of unavoidable and unforeseen circumstances and, therefore, are excluded from computing time for trial by CrR 3.3(e)(8) and JuCR 7.8(e)(7).

- Furthermore, the court suspends CrR 3.3 and JuCR 7.9 regarding time for trial and CrR 3.4 and related local court rules requiring the presence of the defendant, effective through May 26, 2020.

5. Other hearings may be scheduled as needed upon agreement of the parties and approval from the court administrator. Priority will be given for (i)pretrial release and bail modification hearings; and (ii)plea hearings. Parties are not required to file motions to shorten time in scheduling any of these matters and will be scheduled through the appropriate court administrator.
6. All other Klickitat County non-trial court hearings scheduled between today's date and May 26, 2020 shall be scheduled for a review hearing on June 1, 2020 at 9:00 AM, unless set per #5 supra.
7. All other Skamania County non-trial court hearings scheduled between today's date and May 26, 2020 shall be scheduled for a review hearing on May 28, 2020, unless set per #5 supra.
8. Arraignments on all cases filed between March 18, 2020 and May 26, 2020 shall be deferred until a date up to 45 days after the filing of charges. Good cause exists under CrR 4.1, CrRLJ 4.1 and JuCR 7.6 to extend the arraignment dates. The new arraignment date shall be considered the "initial commencement date" for purposes of establishing the time for trial under CrR 3.3(c)(1), CrRLJ 3.3(c)(1) and JuCR 7.8(c)(1).

9. Juvenile court jurisdiction in all offender proceedings pending prior to May 26, 2020 shall be extended until offender's next scheduled court date after May 26, 2020.

CIVIL AND MISCELLANEOUS MATTERS:

10. All civil bench trials scheduled between March 18, 2020 and May 26, 2020 are stricken and will be reset by the court administrator of the respective court.

11. All civil motion dockets scheduled between March 18, 2020 and May 26, 2020 are stricken and matters will need to be re-noted by the party originally requesting the hearing.

12. All dependency fact-findings and termination of parental rights trials scheduled between March 18, 2020 and May 26, 2020 are hereby continued until date set by court administrator following May 26, 2020. The court hereby finds good cause exists for the continuance of these trials.

13. Dependency review hearings scheduled between March 18, 2020 and April 24, 2020 are continued until the next dependency review hearing date in May 2020. Dependency review hearings will be held telephonically on the scheduled review hearing date.

14. All truancy, at-risk youth and child in need of services hearings scheduled between March 18, 2020 and May 26, 2020 are continued until the earliest non-offender juvenile docket following May 26, 2020.

15. All financial review hearings scheduled between March 18, 2020 and May 26, 2020 are continued until a financial review docket following May 26, 2020.

16. All non-emergent contempt hearings on parenting plan cases and child support cases currently filed or filed prior to May 26, 2020 are hereby continued to a date following May 26, 2020. The court hereby finds that contempt hearings based upon a parent's failure to follow the currently scheduled visitation plan is non-emergent and will need not be scheduled until a date following May 26, 2020. The court will continue to review motions for an order to show cause and to determine if an emergency exists and schedule those emergent hearing accordingly.

17. At the judicial officer's discretion, any temporary domestic violence protection orders, harassment, stalking, sexual assault protection orders, or vulnerable adult protection orders may be issued for more than 14 days in order to schedule a full hearing after May 26, 2020. The court to extent possible will follow the statutory timeframes suspended under Proclamation 20-45 (Apr. 10, 2020).

18. Any necessary civil emergent hearings shall be scheduled only after receiving authorization from the court administrator from the respective court wherein the matter is currently pending. Court administrator shall schedule any approved necessary emergent hearing.

19. Other non-emergent hearings may be scheduled as needed upon agreement of the parties and approval from the court administrator. The hearings shall be telephonic only.

20. Beginning March 18, 2020, the court will hold all hearings telephonically in Klickitat County Superior Court, unless alternative arrangements are approved by and made through the court administrator for Klickitat County. Telephonic appearances and participation will liberally be allowed for all hearings conducted in Skamania County Superior Court.

    a. Litigants and/or attorneys will email telephonic request to court administrator of the respective court. Klickitat County telephonic requests shall be made by emailing to either johnfv@klickitatcounty.org or maryh@klickitatcounty.org or mailing request to Superior Court Administrator, 205 S. Columbus Avenue RM 206, Goldendale WA 98620. Skamania County telephonic requests shall be made by emailing to bell@co.skamania.wa.us or mailing request to Superior Court Administrator, PO Box 790, Stevenson, WA 98648.

21. Any matters not addressed in this emergency order shall proceed in the manner consistent with all State and Local Court rules.

DATED this 15th day of April, 2020.

RK

Randall C. Krog, Presiding Judge of Klickitat/Skamania County Superior Courts