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SKAMANIA COUNTY,
FILED

MAY 21 2020

GRACE D. CROSS
SUPERIOR COURT CLERK

SUPERIOR COURT OF WASHINGTON
IN AND FOR KLINKITAT/SKAMANIA COUNTY

IN RE THE KLINKITAT/SKAMANIA
COUNTY SUPERIOR AND THE
PANDEMIC OUTBREAK OF THE NOVEL
CORONAVIRUS DISEASE (COVID-19)

: Case No.: 20-2 00003-30
: SECOND REVISED AND EXTENDED
: EMERGENCY ADMINISTRATIVE
: ORDER

WHEREAS, on February 29, 2020, Governor Inslee proclaimed a state of
emergency due to the novel coronavirus disease (COVID-19) outbreak in Washington;
and on March 13, 2020, President Trump declared a national emergency due to the
COVID-19 outbreak across the United States; and

WHEREAS, 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 six feet between people,
and encouraged vulnerable individuals to avoid public spaces; and

WHEREAS, consistent with these recommendations, Governor Inslee issued and
extended a "Stay Home, Stay Healthy" order directing non-essential businesses to

1 close, banning public gatherings, and requiring Washingtonians to stay home except to
2 pursue essential activities; and

3 WHEREAS, many court facilities in Washington are ill-equipped to effectively
4 comply with social distancing and other public health requirements and therefore
5 continued in-person court appearances jeopardize the health and safety of litigants,
6 attorneys, judges, court staff, and members of the public; and

7 WHEREAS, pursuant to this Court's orders on March 4 and 18, 2020, and April
8 13 and 29, 2020, many Washington courts have taken important steps to protect public
9 health while ensuring continued access to justice and essential court services, including
10 by strictly observing social distancing measures, holding proceedings remotely,
11 suspending many in-building operations, and promulgating emergency rules as
12 necessary; and

13 WHEREAS, the coordinated response from Washington courts to prevent the
14 further spread of COVID-19 must be continued beyond the timeframes in this Court's
15 prior orders while allowing courts to operate effectively and maintain effective and
16 equitable access to justice;

17 WHEREAS given the significant number of identified and projected
18 COVID-19 cases in Washington State, the severity of the risk posed to the public,
19 court personnel and litigants, and the child care needs of potential jurors,
20 witnesses, and other parties, and based upon the consistent and urgent advice of
21 all public health experts that proactive "social distancing" and limiting public
22 gatherings is essential to address the emergent healthcare concerns brought on
23 by the COVID-19 outbreak:

24 It is hereby ORDERED, pursuant to the authority of Washington State
25 Supreme Court Order No. 25700-B-602, as amended in Washington State

1 Supreme Court Order No. 25700-B-607, and revised and extended in
2 Washington State Supreme Court Order No. 25700-B-615 Washington
3 State Supreme Court Order No. 25700-B-618 and the authority as the
4 Presiding Judge of both the Klickitat County and Skamania County
5 Superior Courts:

6 GENERAL ORDERS:

- 7
- 8 1. The previously issued emergency administrative orders shall be
9 extended until July 6, 2020. The provisions of this order are effective
10 until July 6, 2020, unless otherwise stated herein.
- 11 2. Digital signatures as authorized under GR 30 shall continue to be
12 accepted as ordered by this court in its original emergency
13 administrative order of March 18, 2020. All court filings may be
14 electronically signed pursuant to the requirements of GR 30(d)(2).
15 Electronic signatures filed in compliance with GR 30(d)(2) shall bind
16 the signer and function as the signer's signature for any purpose,
17 including CR 11. GR(d)(3).
- 18 3. Until further order of this court, use of an electronic signature as
19 defined by Supreme Court Emergency Order is an acceptable means
20 for any judicial officer to sign any document requiring a judicial
21 signature.
- 22 4. All court hearing dates addressed by this court's emergency
23 administrative orders, supplemental emergency administrative order,
24 revised and extended emergency administrative order and second
25

1 revised and extended emergency administrative order shall be reset to
2 the corresponding date addressed by these orders and no further
3 notes for the corresponding court date need to be filed by the parties if
4 date is specified.

5 CRIMINAL CASES:

- 6 5. All criminal jury trials are suspended until after July 6, 2020.
- 7
- 8 a. Jury trials in Klickitat County Superior Court currently scheduled
9 for June 17, 2020 shall be continued until July 22, 2020. Jury
10 trials rescheduled for July 22, 2020 will be set for a status
11 conference hearing on July 6, 2020 at 10:00 AM, final review
12 hearing on July 15, 2020 at 9:00 AM and jury trial scheduled for
13 July 22, 2020 at 8:15 AM.
- 14 b. Jury trials in Skamania County Superior Court for June 8, 2020
15 shall be continued until July 13, 2020. Jury trials rescheduled
16 for July 13, 2020 shall be set for a status conference on June
17 11, 2020 at 11:00 AM and jury trial scheduled for July 13, 2020
18 at 8:15 AM.
- 19 c. Juvenile fact-findings scheduled in Klickitat County Superior
20 Court – Juvenile Division shall be continued until after June 18,
21 2020. All Juvenile fact-findings currently scheduled shall be set
22 for a review hearing on June 18, 2020 at 1:30 PM.
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1 d. Juvenile fact-findings scheduled in Skamania County Superior
2 Court – Juvenile Division shall be continued until July 15, 2020
3 at 1:30 PM.

4 6. A continuance of these criminal and juvenile offender hearings and
5 trials is required in the administration of justice. Based upon the court's
6 finding that the serious danger posed by COVID-19 is good cause to
7 continue criminal and juvenile offender trials, and constitutes an
8 unavoidable circumstance under CrR 3.3(e)(8), CrRLJ 3.3(e)(8), and
9 JuCR 7.8(e)(7), the time between the date of this Order and
10 September 1, 2020 shall be EXCLUDED when calculating time for trial.
11 CrR 3.3(e)(3), CrRLJ 3.3(e)(3), JuCR 7.8(e)(3).

12 7. All other Klickitat County non-trial court hearings scheduled between
13 today's date and June 1, 2020 shall be scheduled for a review hearing
14 on July 6, 2020 at 9:00 AM, unless set per #5 supra.

15 8. All other Skamania County non-trial court hearings scheduled between
16 today's date and June 1, 2020 shall be scheduled for a review hearing
17 on June 11, 2020, unless set per #5 supra.

18 9. Arraignments on **out of custody** cases filed between March 18, 2020
19 and July 3, 2020 shall be deferred until a date up to 45 days after the
20 filing of charges. Good cause exists under CrR 4.1, CrRLJ 4.1 and
21 JuCR 7.6 to extend the arraignment dates. The new arraignment date
22 shall be considered the "initial commencement date" for purposes of
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1 establishing the time for trial under CrR 3.3(c)(1), CrRLJ 3.3(c)(1) and
2 JuCR 7.8(c)(1).

3 10. **In custody** criminal and juvenile offender matters shall be continued
4 until after June 1, 2020, with the following exceptions: (a) Scheduling
5 and hearing of first appearances, arraignments, plea hearings, criminal
6 motions, sentencing or disposition hearings or emergency matters.

7 Parties shall contact court administrator to schedule required hearing.

8
9 11. Hearings may be scheduled as needed upon agreement of the parties
10 and approval from the court administrator. Priority will be given for
11 (i) pretrial release and bail modification hearings; and (ii) plea hearings.

12 Parties are not required to file motions to shorten time in scheduling
13 any of these matters and will be scheduled through the appropriate
14 court administrator.

15 12. Juvenile court jurisdiction in all offender proceedings pending prior to
16 June 1, 2020 shall be extended until offender's next scheduled court
17 date after June 1, 2020.

18 CIVIL AND MISCELLANEOUS MATTERS:

19 13. All civil jury trials remain suspended until at least July 6, 2020. and will
20 be reset by the court administrator of the respective court.

21
22 14. All civil motion dockets scheduled between March 18, 2020 and June
23 1, 2020 are stricken and matters will need to be re-noted by the party
24 originally requesting the hearing. All civil motion hearings prior to July
25 6, 2020 will need to be set after consultation with the court

1 administrator for scheduling of the hearing. Non-emergency civil
2 matters will be scheduled by the court administrator as long as such
3 matters can appropriately be conducted by telephone, video or other
4 remote means, or in person with strict observance of social distancing
5 and other public health measures.

6 15. All dependency fact-findings and termination of parental rights trials
7 scheduled between March 18, 2020 and June 1, 2020 are hereby
8 continued until date set by court administrator following June 1, 2020.
9 The court hereby finds good cause exists for the continuance of these
10 trials.
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12 16. All truancy, at-risk youth and child in need of services hearings
13 scheduled between March 18, 2020 and June 1, 2020 are continued
14 until the earliest non-offender juvenile docket following June 1, 2020.
15 All truancy, at-risk youth and child in need of services motion hearings
16 prior to July 6, 2020 will need to be set after consultation with the court
17 administrator for scheduling of the hearing.
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19 17. All financial review hearings scheduled between March 18, 2020 and
20 June 1, 2020 are continued until a financial review docket following
21 June 1, 2020 and as set by the court administrator and/or clerk
22 responsible for handling financial review hearings.

23 18. Drugs No More review hearings shall be set as follows: (a) Klickitat
24 County cases shall be set for review on June 16, 2020 at 1:00 PM. (b)
25 Skamania County cases shall be scheduled by the court administrator.

1 19. Restitution hearings required to be scheduled between March 18, 2020
2 and July 6, 2020 are hereby continued until a date following July 6,
3 2020. The court finds good cause exists to continue restitution
4 hearings beyond 180 days. Restitution required to be set between
5 March 18, 2020 and July 6, 2020 are hereby extended until August 31,
6 2020.

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8 20. Telephonic appearances and participation will liberally be allowed for
9 all hearings conducted in Klickitat and Skamania County Superior
10 Court through July 6, 2020.

11 a. Litigants and/or attorneys will email telephonic request to
12 court administrator of the respective court. Klickitat County
13 telephonic requests shall be made by emailing to either
14 johnfv@klickitatcounty.org or maryh@klickitatcounty.org or
15 mailing request to Superior Court Administrator, 205 S.
16 Columbus Avenue RM 206, Goldendale WA 98620. Skamania
17 County telephonic requests shall be made by emailing to
18 bell@co.skamania.wa.us or mailing request to Superior Court
19 Administrator, PO Box 790, Stevenson, WA 98648.
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21 21. Any matters not addressed in this emergency order shall proceed in
22 the manner consistent with all State and Local Court rules.

23 DATED this 21st day of May, 2020.

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