SKAMANIA COUNTY
FILED
JUL 29 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 FOURTH 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

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

WHEREAS, on May 31, 2020, Governor Inslee issued his Safe Start proclamation allowing a phased reopening process for counties while requiring that counties take necessary steps to ensure public safety as they progress through the stages of reopening; and

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

WHEREAS, pursuant to this Court's prior orders, the stakeholders in the justice system have taken important steps to protect public health while ensuring continued access to justice and essential court services, including by strictly observing social distancing measures, holding proceedings remotely, suspending many in-building operations, and promulgating emergency rules as necessary; and

WHEREAS, the coordinated response from our courts and other stakeholders in the court and justice system is necessary to prevent the further spread of COVID-19 and those responses must be continued beyond the timeframes in this Court's prior orders to allow the courts to operate effectively and maintain effective and equitable access to justice; and

WHEREAS 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 use of

facial coverings and proactive "social distancing" and limiting public gatherings is essential to address the emergent healthcare concerns brought on by the COVID-19 outbreak; and

WHEREAS, on July 24, 2020, Governor Inslee instituted additional restrictions regarding use of facemasks, and limitations on gatherings related to businesses. Governor Inslee further indicated that further restrictions could be forthcoming due to the increase in COVID-19 cases occurring in Washington State; and

WHEREAS, as of July 27, 2020, the Washington State Department of Health shows that Klickitat County has had 99 cases, 9 hospitalizations and 3 deaths and Skamania County has had 47 cases, 5 hospitalization and 1 death, which shows a significant increase over the past 30 days; and

WHEREAS, on July 28, 2020, Governor Inlsee indefinitely paused reopenings for all counties under the "Safe Start – Stay Healthy" County by County Phased Reopening proclamation. Governor Inslee has threatened additional rollbacks and potentially issuing another stay at home order if the number of cases continue to rise; and

WHEREAS the Klickitat County Commissioners have closed the Klickitat County Courthouse to the public due to COVID-19 concerns, which is still in effect. Alternative arrangements have been made to allow public access to filing with the Clerk's Office and to allow public access to the courtroom on designated court days, including use of video and/or telephonic appearances and escorted appearances into the courthouse via court personnel; and

WHEREAS as limited options exist within Klickitat and Skamania County exist to safely gather large groups of potential jurors to allow for proper social distancing; and

WHEREAS the courtrooms, jury rooms and other areas of the courthouse in Klickitat and Skamania County are currently being remodeled and updated to insure safety for all persons that come into the courtroom, jury room and other areas of the courthouse, including the purchasing and acquisition of additional safety equipment:

It is hereby ORDERED, pursuant to the authority of Washington State Supreme Court Orders related to court operations during the COVID-19 pandemic and the authority as the Presiding Judge of both the Klickitat County and Skamania County Superior Courts, as follows:

GENERAL ORDERS:

1. The previously issued Third Revised and Extended Emergency Order entered on June 24, 2020 shall remain in full force and effect other than the changes related to the trial dates that are addressed in this order.

CRIMINAL CASES:

1. A. Klickitat County Superior Court. All jury trials in Klickitat County Superior Court are suspended until at least September 23, 2020.

B. Skamania County Superior Court. All jury trials in Skamania County Superior Court are suspended until at least September 14, 2020.

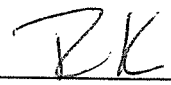
2. A. Klickitat County Superior Court. Jury trials scheduled in Klickitat County Superior Court for August 19, 2020 and September 9, 2020 shall be continued until September 23, 2020. Jury trials rescheduled for September 23, 2020 will be set for a status conference hearing on September 8, 2020 at 10:00 AM, final review hearing on September 21, 2020 at 9:00 AM and jury trial scheduled for September 23, 2020 at 8:15 AM.

B. Skamania County Superior Court. Jury trials scheduled in Skamania County Superior Court for August 10, 2020 shall be continued until September 14, 2020. Jury trials rescheduled for September 14, 2020 shall be set for a status conference on August 27, 2020 at 11:00 AM and jury trial scheduled for September 14, 2020 at 8:15 AM.

3. A. Klickitat County Superior Court. A continuance of criminal trials for cases filed in Klickitat County Superior Court is required in the administration of justice. Based upon this court's finding that the serious danger posed by COVID-19 is good cause to continue criminal trials, and constitutes an unavoidable circumstance under CrR 3.3(e)(8) & CrRLJ 3.3(e)(8), the time between March 18, 2020 and September 23, 2020 shall be EXCLUDED when calculating time for trial. CrR 3.3(e)(3) & CrRLJ 3.3(e)(3).

B. Skamania County Superior Court. A continuance of criminal trials for cases filed in Skamania County Superior Court is required in the administration of justice. Based upon this court's finding that the serious danger posed by COVID-19 is good cause to continue criminal trials, and constitutes an unavoidable circumstance under CrR 3.3(e)(8) & CrRLJ 3.3(e)(8), the time between March 18, 2020 and September 14, 2020 shall be EXCLUDED when calculating time for trial. CrR 3.3(e)(3) & CrRLJ 3.3(e)(3).

DATED this 28th day of July, 2020.



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