FILED
IN COUNTY CLERK'S OFFICE

MAY 13 2020

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY KMA DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF PIERCE

IN RE THE MATTER OF THE RESPONSE BY PIERCE COUNTY SUPERIOR COURT TO THE PUBLIC HEALTH EMERGENCY IN WASHINGTON STATE	Emergency Order: 20-15 EMERGENCY **ORDER #15** PUBLIC HEALTH EMERGENCY ORDER REGARDING EXTENSION OF SUPREME COURT ORDERS

This matter comes before the Court again on the COVID-19 public health emergency in Washington State.

In a continuing effort to reduce the incidents of close contact between employees of Pierce County Superior Court, members of the Bar, members of the public and any other entity or agency accessing the Court, the County-City Building, Juvenile Court (Remann Hall) and civil commitment proceedings (Western State Hospital); and,

Because certain previously issued Pierce County Superior Court Emergency Orders have referenced a termination date of the respective county emergency order(s); and,

Because those termination dates must necessarily change in response to the Governor's Proclamation 20-25.1 in which the *Stay Home-Stay Healthy* order was continued beyond May 4, 2020; and,

Because on April 29, 2020, the Supreme Court revised and extended their March 4, 2020, and March 18, 2020 (as amended March 20, 2020), and April 13, 2020 orders, with respect to Civil Matters, Criminal and Juvenile Offender Matters, as well as general Court Operations, *see*, http://www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Extended%20and%20Revised%20Supreme%20Court%20Order%20042920.pdf ; and,

Because on April 29, 2020, the Supreme Court revised and extended its April 15, 2020, order with respect to civil commitment proceedings, *see*, http://www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Civil%20Commitment%20Order%20042920.pdf; and,

Because on April 30, 2020, the Supreme Court revised and extended its April 3, 2020, order with respect to Dependency and Termination proceedings, *see,* http://www.courts.wa.gov/content/publicUpload/Supreme%20Court%20Orders/Supreme%20Court%20Order%20Dependency%20Termination%20Cases.pdf; and,

Because certain county practices and protocols may necessarily evolve or change to enable efficient and fair access to, and administration of, justice in this time of emergency;

IT IS HEREBY ORDERED that:

The general provisions of Pierce County emergency orders #1 though #14 are extended to comply with the Governor's phase-in programs releasing the *Stay Home-Stay Healthy* orders.

Additionally, certain time frames are extended including the criminal time for trial rules.

Specifically, civil jury trials shall be continued until at least July 6, 2020. Unless impossible, emergency civil matters must be facilitated via video, telephone or other means not requiring in-person attendance. Non-jury civil trials shall proceed as scheduled at the discretion of the court via video, telephone or other means beginning May 4, 2020.

Non-emergency civil matters may, at the discretion of the court, be continued until after June 1, 2020, with exceptions noted in the Supreme Court's order for matters that can be conducted by a means not requiring in-person attendance.

All criminal jury trials remain suspended until at least July 6, 2020. All out of custody criminal and juvenile offender matters may, at the discretion of the court be continued until after June 1, 2020, with exceptions noted in the Supreme Court's order for emergency proceedings and those matters that can be heard by a means not requiring in-person attendance. All in custody criminal and juvenile offender matters may be continued until after June 1, 2020, with exceptions noted in the Supreme Court order. In addition, the court may set hearings, with appropriate social distancing, for out of custody in-person plea and sentence proceedings.

Pierce County Superior Court Emergency Order #4 related to court operations is amended as it relates to mandatory court review hearings (sec. A.5). Judicial Assistants will work to contact parties by telephone or email for trial assignments and mandatory court review hearings to determine the status of the cases. As a result, the court will either issue a case schedule, continue the hearings or dismiss the action due to failure to timely prosecute a case, the court's inability to reach the parties or, a party's failure to appear at the scheduled hearing.

In addition to other directives pertaining to the Involuntary Treatment Act, as set forth in RCW 71.05, and the Behavioral Health Services for Minors Act, as set forth in RCW 71.34, civil commitment jury trials shall not commence before July 6, 2020, and may be extended further by future order.

If necessary to make clear that there is a basis for Pierce County Superior Court's various emergency orders, the Court hereby incorporates into each of our emergency orders, the Supreme Court orders in response to the COVID-19 heath crisis dated March 4, 2020, March 18, 2020 (as amended March 20, 2020), April 13, 2020, April 15, 2020, and April 29, 2020 as well

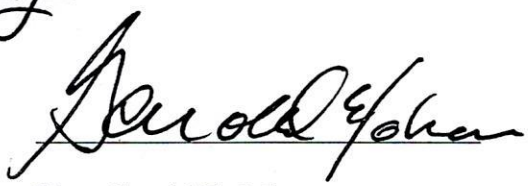
as any other Supreme Court order promulgated in response to COVID-19, together with any relevant Proclamation by Governor Inslee.

The intent of this order is to conform Pierce County Superior Court's Emergency Orders with the various Supreme Court COVID-19 response orders.

Any temporary Pierce County emergency protocol adopted and published may be updated or modified as necessary.

Any updates or modifications to temporary emergency protocols shall be reduced to writing and published on the Pierce County Superior Court and Tacoma-Pierce County Bar Association websites as they become available.

DATED this 12 day of May, 2020.



Hon. Garold E. Johnson,
Presiding Judge
Pierce County Superior Court

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