

IN THE KING COUNTY DISTRICT COURT
FOR THE STATE OF WASHINGTON AND THE CITIES OF AUBURN, BELLEVUE, BEAUX
ARTS, BURIEEN, CARNATION, COVINGTON, DUVALL, KENMORE, REDMOND,
SAMMAMISH, SHORELINE, SKYKOMISH AND VASHON ISLAND

IN THE MATTER OF THE EMERGENCY)
RESPONSE TO THE THREAT TO PUBLIC)
HEALTH.)
)
)

EMERGENCY
ADMINISTRATIVE ORDER
NO. 6-2020

This matter comes before the Court on the public health emergency in King County:

WHEREAS, on February 29, 2020, Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of the coronavirus (COVID – 19); and, on March 13, 2020, President Trump declared a national emergency due to the novel coronavirus (COVID-19) outbreak across the United States; and,

WHEREAS, the COVID-19 virus is a highly contagious virus with no known treatments or vaccine available and in response, Federal, State, and Local Governments have enacted unprecedented restrictions on the movement and gathering of the population; and,

WHEREAS, in response to the COVID-19 pandemic, the Centers for Disease Control (CDC) and Prevention and the Washington State Department of Health have recommended strict social distancing measures of at least six feet between people, and encouraged vulnerable individuals to stay at home to mitigate the spread of the virus;

WHEREAS, consistent with these recommendations, Governor Inslee ordered all schools closed and issued a Stay at Home Order for all persons in the State of Washington not engaged in defined essential employment or activities, and has enacted several other measures and protections consistent with the CDC guidelines and recommendations that impact court operations and case administration; and,

WHEREAS, Chief Justice Debra Stephens of the Washington State Supreme Court has adopted several Emergency Orders granting authority upon all Washington courts to adopt, modify, and/or suspend court rules and orders, and to take further

action, as warranted to address the public health threat posed by COVID-19 in a manner consistent with all CDC and public health guidelines; and,

WHEREAS, the King County District Court is a high volume court that handles more than 100,000 cases per year in multiple courthouse locations where it is not possible to adequately follow public health guidelines regarding cleaning and social distancing without modifications to court operations and facilities, and CDC recommendations, that persons particularly vulnerable to COVID-19 remain in isolation, have impacted the availability of staff and judicial resources, therefore, King County District Court must alter and modify its court operations in order to meet the directives of the Washington State Supreme Court, the Governor, and Public Health Officials;

NOW, THEREFORE, it is hereby ORDERED:

1. The King County District Court's previously issued Emergency Administrative Orders remain in effect except where superseded by this Order. This Order is effective through June 30, 2020 unless otherwise specified in the body of this Order.
2. The following King County District Court locations will remain closed to the public through June 30, 2020: Shoreline, Issaquah, Burien and Auburn. There will be no court on Vashon Island through at least June 30, 2020. The Redmond Courthouse will remain closed to the public until June 1, 2020 when it will be reopened during scheduled court hearings.
3. King County District Court will continue to hear criminal matters, where charges were brought by the State of Washington in the following locations:
 - a. Seattle jail matters scheduled at the King County Correctional Facility will be conducted via video to Rm E338 of the Seattle King County Courthouse
 - b. In-custody and other related out-of-custody matters, including second appearances and Motions to Quash Bench Warrants scheduled at the Kent Maleng Regional Justice Center will be heard in Rm GB
 - c. All other State out-of-custody matters may be scheduled in the Seattle, Kent Maleng Regional Justice Center, or Bellevue Courthouse locations. Redmond will be opened for limited court calendars beginning June 1, 2020.

4. SCORE and other in-custody hearings where charges were brought by a City contracting with King County District Court for services, and all other matters scheduled out-of-custody, will be heard in the following locations:
 - a. Cities of Shoreline, Kenmore, Redmond, Bellevue, Sammamish, Carnation, Duvall, Skykomish, and Beaux Arts at the Bellevue Courthouse; and
 - b. Cities of Auburn, Burien, and Covington at the Kent Maleng Regional Justice Center

All in-custody hearings will be held via video.

5. All out-of-custody criminal matters (City and State) scheduled between May 4, 2020 and July 31, 2020 will be rescheduled to a new date and/or location consistent with the provisions of this Order and new notice mailed. Hearings may be conducted by video, telephonically, or in-person depending on the type of hearing set. Out-of-custody arraignments, testimonial hearings, bench warrant quash hearings, and trials shall be scheduled as in-person appearance hearings with social distancing provisions in place unless otherwise authorized by the judge.
6. Criminal Jury trials shall be suspended until at least July 6, 2020, or until such time as is required by good cause and in the administration of justice.
7. King County District Court clerk's offices will be open to the public on a limited basis between 8:30 a.m. and 11 a.m., Monday through Friday, at our Seattle, Kent Maleng Regional Justice Center, and Bellevue Courthouse locations. All courtrooms will be open to the public during scheduled hearings. Spectator space will be limited due to social distancing requirements. Recordings for any proceeding may be requested by email, in person at any clerk's office location during public hours. Anyone wishing to address the court regarding conditions of release on a scheduled in-custody case may also appear by telephone. If you wish to do so, please call 206-205-9200 in advance of the hearing for instructions.
8. The King County District Court Call Center (206-205-9200) will continue to operate Monday through Friday from 8:30 a.m. to 4:30 p.m.
9. New Petitions for Anti-harassment or Stalking Protection Orders or Motions to Modify, Extend, or Recall any type of Protective Order previously issued by a King County District Court will be scheduled at the Bellevue, Kent Maleng Regional Justice Center, or Seattle Courthouse locations until such time as the court is able to open all courthouse locations and resume its full operations. Petitions may be submitted by email at

KCDCOrders@kingcounty.gov or in-person during the limited customer service hours provided for in this Order. **Electronic filing is strongly encouraged.** Petition forms and instructions for electronic filing can be found on the King County District Court's website. Interpreter assistance may be requested by calling the clerk at 206-205-9200. All Protective Order Hearings shall be conducted via telephone or video unless it is impracticable to do so. New Petitions for Domestic Violence or Sexual Assault Protections Orders should be filed in King County Superior Court until further Order of the Court due to District Court staffing and limited courtroom availability.

10. Consistent with Governor Inslee's Proclamation 20-45, effective April 16, 2020 through May 12, 2020, Temporary Protective Orders issued *ex parte* by a King County District Court Judge, that do not affect child custody or remove a Respondent from their current place of residence, shall be effective for no less than 21 days and no more than 45 days pending a scheduled hearing on the merits and service upon the Respondent. *Ex Parte* Orders affecting child custody or removing a Respondent from their residence shall not exceed 14 days in duration pending transfer to King County Superior Court for further proceedings and service on the Respondent. *Ex parte* Temporary Orders may be extended for good cause shown for no more than 14 days at a time following the initial expiration date unless otherwise agreed by the parties. Alternative service may be authorized as allowed by Proclamation 20-45, EXCEPT that no Order shall issue by default unless the court is satisfied the Respondent has been served with a copy of the Petition, Temporary Order(s), if applicable, and Notice of the hearing date no less than 5 days prior to the scheduled hearing. The burden of proof is on Petitioner to show by a preponderance of the evidence that Respondent was served. Domestic Violence, Sexual Assault, and all other Civil Protective Orders where an Order to Surrender Weapons is also issued shall be served by Law Enforcement. This Order is subject to change as conditions warrant.
11. King County District Court will continue to accept filings not subject to mandatory e-filing until June 30, 2020 by email at KCDCCourtFilings@Kingcounty.gov. Motions or Pleadings (except Petitions for Protective Orders) sent to other email addresses will not be processed. When submitting documents for filing, each matter must be sent by separate email and indicate King County District Court and the proper courthouse location in the caption or it may be returned to the sender. Case numbers shall be included on each email filing submitted or it will be returned to the sender. Multiple pleadings attached to a single email submission will be rejected and returned to the sender for proper resubmission. Pleadings submitted by counsel or on behalf of counsel not properly signed, or that

otherwise fail to comply with applicable court rules or statutes, will be returned. Filing by email is strongly encouraged.

12. Community Courts remain suspended until further Order of the Court. Hearings may be scheduled at available courthouse locations or telephonic hearings held until outside locations and resource providers again become available.
13. Civil matters subject to mandatory e-filing shall be submitted electronically, EXCEPT that the on-line setting of in-court hearings remains suspended until June 30, 2020. Matters of a time sensitive or emergent basis may be heard if authorized by the court. Motions and Proposed Orders to request an in-court hearing shall be filed through the e-filing portal and the submitting party should then notify the clerk that the Motion has been filed so it can be expedited for Judicial review. If a hearing is authorized, it shall be conducted via video or telephonically unless impracticable to do so. Matters prohibited by Governor Inslee's Proclamation No. 20-49 shall not be filed until permitted and all interest calculations shall clearly set forth any applicable period of interest suspended by Proclamation 20-49.
14. Due to public health considerations and the need to prioritize criminal cases once jury trials resume, all Civil Jury Trials are suspended until at least September 30, 2020.
15. New Small Claims lawsuits may be filed, but hearing dates may be delayed due to courtroom capacity limitations. All parties shall be required to participate in mediation prior to the trial date unless waived by a judge. Mediations may be conducted by telephone or video through the Dispute Resolution Center (DRC) until public health conditions allow for the resumption of courthouse mediations.
16. King County District Court will continue its After Hours Search Warrant procedures. Law enforcement may call the court at 206-205-9200, Monday through Friday between the hours of 8:30 and 4:30, for electronic judicial review of search warrants. Law Enforcement should continue to file search warrant returns via email at KCDCSearchWarrants@kingcounty.gov.
17. All probation appointments scheduled between April 13, 2020 and June 30, 2020 shall be held via telephone unless otherwise directed by the supervising Probation Officer. Defendants may receive notice of their probation appointment via mail, email, or phone. Defendants may also call their Probation Officer to schedule their next appointment. Defendants should continue to comply with all conditions of sentence unless it is impossible to do

so due to circumstances beyond the control of the defendant. If self-help attendance is required, probationers may attend on-line self-help groups through June 30, 2020.

18. All Law Enforcement filings of Infractions will be accepted and processed consistent with the temporary suspension of time requirements authorized by the Washington State Supreme Court and King County District Court Administrative Orders. Defendants requesting a hearing on any type of infraction or tow hearing where the car is not still in impound, will be set out to a date up to 120 days beyond June 1, 2020. All court hearings scheduled between May 4, 2020 and July 30, 2020 will be rescheduled and new notice mailed. Hearing dates beyond that date may also be rescheduled and new notice mailed due to changes in court calendars and location availability. Hearings will be conducted by telephone or video until such time as the court resumes full in-person court operations. King County District Court will continue to process and review all Contested, Mitigation, or Deferral requests filed on-line or submitted by mail. All hearing dates are subject to change so parties are encouraged to call 206-205-9200 or check the King County District Court website prior to coming to court for updated information.

19. Interpreters scheduled for a hearing or authorized for a King County Office of Public Defense Interview, except for sign language Interpreters, shall appear by telephone or video unless authorized for an in-person appearance by a Judge in writing. Except for sign language interpretation, all interpreter jobs posted on the interpreter website shall be for telephone or video appearance only unless specifically scheduled as an in-person assignment. In-person interpretation should not be authorized unless it has been determined on the record or in written findings that no other reasonable alternative is available to prevent material prejudice to a party. If a scheduled assignment is changed to an in-person assignment, the Interpreter Coordinator shall immediately notify the assigned Interpreter to allow the interpreter an opportunity to decline the job. Interpreters classified by the CDC high-risk for COVID-19 is discouraged from accepting in person assignments. If an interpreter is scheduled to appear in person, 6-foot social distancing and all other CDC guidelines shall be followed except for the wearing of face masks if it would interfere with the ability to effectively or accurately interpret. This provision remains in effect through July 6, 2020 or further Order of the Court.

20. All King County District Court Ordered Commitments for King County Work Crew, King County Electronic Home Monitoring, or CCAP scheduled for report or intake between March 13, 2020 and June 30, 2020 are hereby

extended for up to 120 days from the original report or intake date indicated on the Commitment Order. For defendants who were unable to complete their King County Work Crew or CCAP commitment due to the COVID-19 emergency, King County Work Crew and CCAP personnel are hereby authorized to reschedule Defendants for completion of the applicable program commitment for up to 90 days following the resumption of operations. Defendants with report dates for jail or other programs not specified herein may Petition the Court for an extension.

21. Consistent with the Washington Supreme Court's Emergency Orders and the Governor's COVID-19 related Proclamations, all hearings, matters, and new cases currently pending or filed between March 18 and July 6, 2020 that are delayed as a result of this or any prior King County District Court Emergency Administrative Order, are made for good cause in light of the ongoing health crisis and shall be excluded periods for purposes of Speedy Trial, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, and any other applicable court rule, Order of the Washington State Supreme Court, or applicable Proclamation of the Governor. The Court finds that COVID - 19 presents a significant danger to the public at large and constitutes an unavoidable and unforeseen circumstance beyond the control of the Court or the parties that appear before the court. It is Further Ordered that all scheduled hearings delayed by this Order shall be rescheduled and notice sent via U.S. mail to the last known address of the necessary parties. Any party needing to update their mailing address should contact the court clerk at 206-205-9200.

This order may be modified consistent with the Court's continual assessment of the needs of the community as well as the recommendations of public health officials.

DATED this 4th day of May, 2020.



A handwritten signature in blue ink, appearing to read "J. Mahoney", is written over a horizontal line.