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4 IN THE SUPERIOR COURT OF WASHINGTON
5 IN AND FOR THE COUNTY OF CHELAN

6 IN THE MATTER OF: Emergency Response to a) ADMINISTRATIVE ORDER
7 Threat to General Public Health and Welfare,) OF THE COURT: 2020-4
8 Caused By the Coronavirus Disease 2019) NO. 20-2-00002-04
9 ("COVID-19"))

10 WHEREAS, on February 29, 2020, the State of Washington declared an emergency
11 due to the public health emergency posed by the global pandemic known as Coronavirus
12 Disease 2019 (COVID-19); and

13 WHEREAS, on March 4, 2020, Washington Supreme Court Justice Debra
14 Stephens entered Order No. 25700-B-602, in response to the declared public health
15 emergency in Washington State, that states, in part, as follows:

16 WHEREAS, during this state of emergency, it may become
17 necessary for court in these counties to close, relocate or otherwise
18 significantly modify their regular operations; and WHEREAS, the
19 presiding Judges in these counties need sufficient authority to effectively
20 administer their courts in response to this state of emergency, including
21 to adopt, modify, and suspend court rules and orders as warranted to
22 address the emergency conditions, NOW THEREFORE, pursuant to the
23 Court's authority to administer justice and to ensure the safety of court
24 personnel, litigants, and the public, IT IS HEREBY ORDERED THAT:

- 20 1. The Presiding Judges of the Washington courts are authorized to
21 adopt, modify, and suspend court rules and orders, and to take
22 further actions concerning court operations, as warranted to
23 address the current public health emergency;
- 24 2. Each court shall immediately transmit copies of emergency local
rules adopted or modified to address the public health emergency
to the Administrative Office of the Courts in lieu of the
requirements of General Rule 7;

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3. Each court that closes pursuant to this Order or General Rule 21 shall sign an administrative order closing the court, file the original with clerk of the affected court, and notify the Administrative Office of the Courts as soon as practicable.

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WHEREAS on March 13, 2020, the United States of America declared that a National Health Emergency exists due to COVID-19; and

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WHEREAS, on March 16, 2020 Governor Inslee issued a statewide emergency proclamation to temporarily shut down restaurants, bars, and entertainment and recreational facilities. In addition, all gatherings with over 50 participants are prohibited and all gatherings under 50 participants are prohibited unless previously announced criteria for public health and social distancing are met; and

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WHEREAS, on March 17, 2020, the Chelan County Board of Commissioners declared a state of emergency for Chelan County in response to the public health crisis caused by COVID-19;

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WHEREAS, Public health experts with the Washington State Department of Health, Chelan-Douglas Health District, and the National Center for Disease Control report that, though most persons contracting COVID-19 suffer mild symptoms, persons at a higher risk of serious illness from COVID-19 include people:

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- older than 60;
 - who have serious chronic medical conditions such as diabetes, heart disease, or lung disease;
 - who have weakened immune systems;
 - who are pregnant; or
 - who are sick or have recently been in contact with someone who is sick.

1 WHEREAS, on March 20, 2020, the Washington State Supreme Court by Order
2 No. 25700-B-607 (the "Washington State Supreme Court Order") mandated restrictions for
3 all hearings and trials in the superior courts of the State of Washington and limited the
4 manner in which hearings may be held in the superior courts, necessitating a significant
5 change in operations and procedures for the Chelan County Superior Court.
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7 WHEREAS, on April 13, 2020, the Washington State Supreme Court by Order No.
8 25700-B-615 (the "Revised and Extended Washington State Supreme Court Order")
9 extended and revised the mandated restrictions for all hearings and trials in the superior
10 courts of the State of Washington.

11 WHEREAS, on April 29, 2020, the Washington State Supreme Court by Order No.
12 25700-B-618 ("Second Revised and Extended Order Regarding Court Operations,"
13 hereinafter "Second Revised Order") extended and revised certain mandated restrictions
14 for hearings and trials in the superior courts of the State of Washington, necessitating an
15 extension and modification of this court's prior order regarding court operations.

16 WHEREAS, the Chelan County Superior Court adopts by this reference the
17 findings and conclusions set forth in the foregoing orders and resolutions; and

18 WHEREAS, the Court finds that the health and safety of the public, the parties to
19 any litigation in this Court, the employees of the Court and the employees within the law
20 enforcement community are at risk by said pandemic; and

21 NOW, THEREFORE, pursuant to the Court's authority to administer justice and to
22 ensure the safety of court personnel, litigants, and the public,

23 IT IS HEREBY ORDERED THAT:
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GENERAL

1. Pursuant to General Rule (GR) 21(a) and Washington State Supreme Court Order No. 25700-B-002 dated March 4, 2020, the Presiding Judge of Chelan County, Washington is authorized to adopt, modify, and suspend court rules and orders and to take further actions concerning court operations, as warranted, to address the current public health emergency.

2. Persons exhibiting symptoms of COVID-19, including fever, persistent cough, or shortness of breath SHALL NOT enter the 5th Floor of the Chelan County Law and Justice Building or Juvenile Justice Center (collectively, hereinafter "the Courthouse"). Any such person who does appear shall be refused entry by Courthouse Security staff. Persons who cannot enter the Courthouse or those at high risk for serious illness who wish to avail themselves of this order SHALL contact the appropriate judicial department to request other arrangements to be made related to their court business.

3. All persons present in any courtroom of the Superior Court shall, to the extent practicable, increase handwashing and use of alcohol-based sanitizers, exercise respiratory hygiene and cough etiquette (cover a cough or sneeze), and observe social distancing and maintain a distance of at least 6 feet from any other person. The judicial officer presiding over the courtroom shall retain the authority to exclude any person failing to obey this directive.

4. For any hearings being conducted through June 1, 2020, attorneys and pro se parties may contact chambers to arrange for telephonic or video appearance.

Arrangements shall be made at least 1 work day prior to the court hearing by calling or emailing superiorcourt.judge@co.chelan.wa.us. However, consistent with the Supreme

1 Court's Second Revised Order, parties may appear in court for civil hearings beginning
2 May 5, 2020.

3 5. The Chelan County Superior Court remains open.
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6 **ADULT CRIMINAL CASES**

7 1. Pursuant to the Second Revised Order, the time between April 29, 2020 and
8 September 1, 2020 shall be excluded when calculating time for trial.

9 2. All pending criminal jury trials in this court scheduled to begin during May
10 2020 shall be continued to a date after July 6, 2020. Each such case shall be set for a Trial
11 Setting hearing on June 3, 2020, unless an order resetting trial is entered prior to that time.

12 3. All **out of custody** criminal matters that have been set on the regular
13 Monday or Wednesday Criminal Calendars shall be continued to after June 1, 2020.
14 However, the Court may schedule such matters to be heard consistent with the Second
15 Revised Order, paragraph 7. Parties and their attorneys shall return to Court for re-setting
16 hearing dates as follows:

- 17 a. Out of custody hearings originally set for March 23, 25, 30, April 1, 20, and
18 29, 2020 will be reset telephonically for new hearing dates on May 11,
19 2020.
20 b. Out of custody hearings originally set for April 6, 8, 13, 15, 22, 27 and May
21 4 and 6, 2020 will be reset telephonically for new hearing dates on May 13,
22 2020.
23 c. The court shall call the defendants for the May 11 and 13 calendars.

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2 d. In the event that the court is unable to reach a defendant by phone, any May
3 11 hearings shall be continued to June 8, and any May 13 hearings shall be
4 continued to June 10, 2020. Defendants will be expected to appear in
5 person on those dates.

6 4. If a party has hearings set on more than one of the dates listed above in
7 March, April, or May, then that party shall appear at the earlier of the resetting dates
8 applicable to their case.

9 5. Parties may submit an agreed Order Setting Trial Dates ex parte so long as
10 defendant has signed that order or defense counsel has obtained telephonic approval from
11 the client for entry of the order.

12 6. Except as provided in the Second Revised Order, all **in custody** criminal
13 matters shall be continued to after June 1, 2020 according to the schedule set forth above
14 for out of custody continuance/reset hearings, with the following exceptions:

- 15 a. Scheduling of first appearances, arraignments, criminal motions, plea and
16 sentencing matters.
- 17 b. The Court retains discretion in the scheduling of these matters, except that
18 the following matters shall take priority:
- 19 i. Pretrial release motions.
- 20 ii. Plea hearings and sentencing hearings that result in the anticipated
21 release of the defendant within 30 days of the hearing.
- 22 iii. Motions that may be dispositive of the case.
- 23 c. Parties are not required to file motions to shorten time in scheduling any of
24 these matters.

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2 7. The Friday Probation Violation calendars for May and June are stricken. All
3 defendants scheduled for these calendars are expected to appear for the July 17, 2020
4 calendar at 9:30 a.m.

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6 **JUVENILE CRIMINAL CASES**

7 1. All juvenile criminal cases shall be held in accordance with the Second
8 Revised Order.

9 **CIVIL CASES**

10 1. The Second Revised order permits resumption of in-person hearings for all
11 types of civil hearings, provided that that strict observance of social distancing and
12 compliance with other public health measures occurs. Attorneys and parties may choose
13 whether to appear by phone or other electronic means for civil hearings, or in person
14 through June 1, 2020. Individual judicial officers may request attorneys and parties to
15 appear remotely.

16 2. During the month of May 2020, the court will continue to attempt to
17 contact parties to determine if they wish to appear telephonically. Parties and counsel may
18 also make a request to appear remotely as described above in General section, paragraph 4.

19 3. Civil bench trials may resume immediately, so long as they are conducted
20 consistent with the Second Revised Order.

21 4. All parties, witnesses, attorneys, and guests appearing at any hearing or trial
22 in person will be expected to adhere to social distancing and other safety protocols.

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2 5. All Settlement Conferences scheduled between through June 1, are
3 administratively CANCELLED. Settlement Conferences will be waived or rescheduled per
4 future administrative direction and the requests of the parties.

5 **TRUANCY AND AT-RISK YOUTH CASES**

6 1. Truancy calendars are hereby canceled through May 15, 2020. Truancy
7 calendars will resume on or after May 18, 2020.

8 2. At-Risk Youth hearings are hereby canceled through May 15, 2020 except
9 in situations where there is a danger to the minor child or another person. At-Risk Youth
10 hearings will resume on or after May 18, 2020.

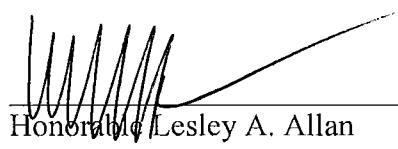
11 **DEPENDENCY CASES**

12 1. All dependency and termination hearings shall be conducted in accordance
13 with the Supreme Court's Extended and Revised Order Re: Dependency and Termination
14 Cases No. 25700-B-622 issued on April 30, 2020

15 **AMENDMENT OF THIS ORDER**

16 1. The Superior Court anticipates the need to amend and/or supersede this
17 Order as the COVID-19 public health emergency continues to develop and more
18 information becomes available.

19 DATED this 4th day of May, 2020.

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22 Honorable Lesley A. Allan
23 Presiding Judge
24 Chelan County Superior Court