

**Municipal Court of Washington
for the City of Pasco**

In re:

**COURT OPERATION UNDER THE
EXIGENT CIRMUNSTANCES
CREATED BY COVID-19 AND THE
RELATED CORONOVIRUS**

ADMINISTRATIVE ORDER No. 20-01

WHEREAS, the Washington State Supreme Court has adopted Order No. 25700 – B – 602 granting emergency authority to this court to adopt, modify and suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency;

WHEREAS, this Administrative Order is being issued in response to the recent outbreak of Coronavirus Disease (COVID – 19) in Western Washington, which has been home to the first reported domestic case of the disease and some of the first significant community impacts from school and business closures. As of the date of this Order, there have been 17 confirmed cases of COVID – 19 in Eastern Washington and 769 cases in the State of Washington. This disease can pose a serious risk to citizens. 1 person in Grant County, Washington has died and 42 people state wide have died from this disease. Within the last 48 hours, an incarcerated person in the Benton County Corrections Center is suspected of the virus and is being tested; another person in Kadlec Medical Center has tested positive for the virus. On March 16, 2020, Governor Inslee further expanded protection against COVID – 19 by issuing a statewide emergency proclamation temporarily shutting down restaurants, bars and entertainment and recreational facilities until March 31, 2020. Furthermore, the proclamation prohibits all gatherings with over 50 participants; while gatherings with under 50 participants will be prohibited unless previously announced criteria for public health and social distancing are met;

WHEREAS, this court conducts various dockets and hearings in which 50 or more people are likely to attend;

GIVEN the identified and projected cases of COVID – 19 and the severity of risk posed to the public, and the above public health recommendations from the Governor's office,

IT IS HEREBY ORDERED, EFFECTIVE midnight Monday, March 16, 2020:

1. Criminal cases where a defendant is detained in custody on that particular criminal case will proceed as currently scheduled. New criminal cases where a defendant is detained on that particular case will continue to be scheduled for hearing per the usual rules and practice of the court;

2. Walk – in, incarcerated defendant arraignments and 1st appearance after a warrant will proceed as currently scheduled. New criminal arraignments, whether walk – in, daily walk – in or incarcerated will continue to be scheduled per the usual rules and practice of the court but scheduled 6 weeks from the arraignment date rather than 4 weeks;
3. Traffic and Non-Traffic Infraction hearings, Photo Enforcement Notice hearings, whether set for mitigation or contested hearing, will be continued pursuant to this Order to a date certain no less than sixty (60) days from the currently scheduled hearing date; All infraction hearings that require the appearance of any party or witness will be scheduled not less than 60 days from the date the request for hearing is received by the court;
4. Defendants with cases set for Mitigation and Contested Hearings will be provided the option of having a hearing submitted on written documents rather than attending the rescheduled hearing; all new mailed notices of hearing will include a notice of the availability of a hearing submitted on written documents;
5. Criminal Pretrial hearings currently scheduled between March 17, 2020 to and including April 15, 2020, will be continued to a date certain no less than 45 days from the currently scheduled pretrial hearing date; All other pretrial hearings set at arraignment hearings will be scheduled 6 weeks from the date of arraignment;
6. Domestic Violence No Contact Order Review Hearings will be reset to a date certain not less than 60 days from the currently scheduled hearing date;
7. For all hearings currently pending and for hearings on new cases filed during the pendency of this Order that are delayed by effect of this order, the delay/continuance shall constitute an excluded period for purposes of Speedy Trial or Hearing, CrRLJ 3.3, CrRLJ 4.1, IRLJ 2.2, IRLJ 2.6 and any other applicable court rule;
8. The notices for all hearings either set or delayed by this order will be mailed to the parties' address via U.S. mail. It is presumed, as required by either Statute or conditions of release, that Washington DOL or the court has the defendants' current address. Any party needing to update their mailing address should contact the Pasco Municipal Court at (509) 545-3491;
9. The courthouse remains open, however, the public is encouraged to contact the court via telephone or e-mail; and
10. This order may be modified consistent with the City's and the Court's continual assessment of the needs of the community as well as the recommendation of the Governor's Office and public health officials.

Dated: _____

3-16-2020



Pasco Municipal Court Judge