

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF THURSTON

Judge M. Brett Buckley

Judge Samuel G. Meyer

Judge Kalo Wilcox

Commissioner Paul Wohl

)	
In the Matter of Emergency Response)	Administrative Order
to a Threat to Public Health)	2020-008
)	Effective: September 10, 2020

WHEREAS, Washington has been in a state of emergency since Governor Inslee’s proclamation of February 29, 2020, due to the novel coronavirus pandemic (COVID-19); and

WHEREAS, during this pandemic, the Centers for Disease Control and Prevention and the Washington State Department of Health have recommended increasingly stringent physical distancing measures of a minimum of six (6) feet, encouraged vulnerable individuals to avoid public spaces, and encouraged everyone to wear facial coverings in public areas.

WHEREAS, Thurston County continues in Phase 3 of the Governor’s “Safe Start Phased Reopening” plan which includes mandated facial coverings in all public areas, physical distancing of six (6) feet or more, and limited gatherings of ten (10) persons or fewer; and

WHEREAS, Thurston County Public Health and Social Service’s current recommendations include wearing face coverings in all public areas, maintaining physical distancing of six (6) feet or more between non-household members, and limiting the number of people outside of your household you are exposed to in a given week; and

WHEREAS, Thurston County District Court serves Thurston County and the cities of Lacey, Tumwater, Rainier, and Bucoda and frequently serves over 150 litigants per day who appear with family, friends, and attorneys in a confined lobby space and inadequately sized courtrooms

making recommended physical distancing impossible to maintain; and

WHEREAS, on 29 May 2020, the Washington State Supreme Court issued order 25700-B-626, limiting trial court operations, modifying court rules and procedures to allow for physical distancing and compliance with public health directives, and encouraging courts to follow the most protective public health guidance applicable in their jurisdiction, as well as to continue to use remote proceedings;

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

IT IS HEREBY ORDERED:

General Provisions for Court Operations:

1. All jury trials are suspended and time for trial is stayed pursuant to CrRLJ 3.3(e)(8) regarding excluded periods. Jury trials will be rescheduled to a later date pending further order of the Court.
2. The IRLJ 2.6 requirement for time of hearing of civil infractions is suspended. Mitigation and contested hearings will continue to be heard by e-mail, remote platform, and mail.
3. To effectuate the continuances of criminal matters and civil infractions, the following are suspended: CrRLJ 3.3, time for trial in criminal matters; CrRLJ 4.1, time for arraignment in criminal matters; and IRLJ 2.6, time for hearing on civil infractions. The Court finds that continuances of these criminal matters and civil infraction matters is required in the administration of justice due to the unforeseen and unavoidable circumstances caused by the COVID-19 pandemic.
4. All persons present in the District Court building, including the lobby, offices, and courtrooms, must wear face coverings and observe physical distancing. The Court will address any requests to proceed without a face covering.
5. Anyone exhibiting any symptom of COVID-19 may not enter the District Court building. The Court may order anyone to leave who is exhibiting symptoms of COVID-19. If a party to a scheduled case is denied entry or requested to leave, then the court will reschedule the hearing.

6. The District Court courthouse is in partial closure. Access to the courtrooms is limited to the following: named parties and attorneys to a scheduled case, those under court order to be present, and court staff. The general public is prohibited from physically being present in the courtrooms.

With Respect to the Public's Access to Courtrooms:

7. The Court finds that the public health interest in suppressing the transmission of COVID-19 significantly outweighs the public's interest in being physically present in the courtrooms during court proceedings.
8. All court hearings will be live streamed to YouTube, recorded, and then stored on the Thurston County local area network. Archived hearings are available by written request made to the Thurston County District Court's Public Records Officer.
9. Any party to a proceeding or any member of the public who wishes to raise an objection to the Court's partial closure may do so by sending an email to the Court. The Court has provided a link to do so on our website, <https://www.co.thurston.wa.us/distcrt/about/virtual-court-calendar/>. The objection should state the nature of the proceeding, the basis for the objection, the status of the person making the objection, and the interest they believe has been violated by the partial court closure.
10. Notice that all court hearings of the Court are being live streamed to YouTube is provided on the Thurston County District Court website and Facebook page, through daily Twitter announcements, by a posting on the front door of the District Court building, and by notice to representatives of local print and broadcast media.
11. This order partially closing the District Court courthouse, is not case specific. It applies to all criminal and civil proceedings. This order will continue for as long as necessary to accomplish the goals of suppressing COVID-19 and safely reopening the Court. In making this determination, the Court will take guidance from federal, state, and local authorities and follow the most protective public health guidance applicable to our jurisdiction.
12. All other provisions of Washington State Supreme Court Orders are adopted

herein by reference.

13. This amended Order supersedes District Court Orders 2020-003 and 2020-004.

Dated this 10 day of September 2020



M. Brett Buckley, Presiding Judge