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4 IN THE SUPERIOR AND DISTRICT COURTS OF THE STATE OF WASHINGTON  
5 IN AND FOR YAKIMA COUNTY

6 In Re:

7  
8 EMERGENCY NOTIFICATION  
9 LIMITING COURT OPERATIONS  
10 RESULTING FROM PUBLIC HEALTH  
11 EMERGENCY

GENERAL ORDER NO.

GR21

12 WHEREAS, the state and this county are experiencing a rapid increase in the  
13 numbers of people showing symptoms of and being diagnosed with the current strain of  
14 coronavirus known as COVID-19; and

15 WHEREAS, COVID-19 is known to be highly contagious and easily transmitted in  
16 enclosed spaces like courtrooms and jury rooms of this court; and

17 WHEREAS, a State of Emergency has been declared by the President of the  
18 United States, the Governor of the State of Washington, the Board of County  
19 Commissioners for Yakima County and the City Council for the City of Yakima due to  
20 the Covid-19 outbreak; and

21 WHEREAS, Yakima County Superior Court and Yakima County District Court  
22 have consulted with the Yakima County Health Department concerning the current  
23 status of the COVID-19 virus as well as recommendations from the Health Department  
24 and the Center for Disease Control concerning attempts to contain and mitigate the  
25 spread of the virus; and

1 WHEREAS, the Washington State Supreme Court has adopted Order No.  
2 25700-B-602 granting our Superior and District Court emergency authority to adopt,  
3 modify, and suspend court rules and orders, and to take further actions concerning  
4 court operations, as warranted to address the current state of emergency;

5  
6 NOW, THEREFORE, IT IS HEREBY ORDERED:

- 7 1. All civil and criminal jury trials are suspended from March 16, 2020 through  
8 March 31, 2020.
- 9 2. The time period of March 16, 2020 to April 3, 2020 is an excluded period for the  
10 purposes of computing time for trial. See CrR 3.3(e)(3) and CrRLJ 3.3.
- 11 3. Yakima County Superior Court: The Superior Court takes the following  
12 emergency actions:
- 13 A. All criminal omnibus, readiness and diversion, mental health and drug court  
14 hearings are suspended until further order of the court. Counsel may set a  
15 case on the diversion docket in presentation of diversion orders.
- 16 B. Defendants in criminal jury trials scheduled between March 16 and March 31,  
17 2020 shall appear before the court for triage hearing on April 3, 2020 in Jail  
18 Courtroom 1 at 9:00 am, unless the Court has entered an agreed order,  
19 signed by the defendant and attorneys before that date.
- 20 C. All triage hearings set for March 20 and March 27, 2020 are continued to April  
21 3, 2020 at 9:00 am. Defendants are excluded from attendance at all triage  
22 hearings until further order of the court.
- 23 D. The Superior Court strikes, sua sponte, all hearings set for 9:00 am on April  
24 3, 2020, except triage hearings. Counsel may note these hearings at other  
25 times and dates.

1 E. Trial dates shall be set at arraignments until further order of the court.

2 F. Bench trials are not affected by this Order and will proceed as scheduled.

3 G. Juvenile Offender and Dependency Courts will continue to operate-telephonic  
4 appearance is encouraged.

5 H. Domestic matters will continue to be heard-telephonic appearance is  
6 encouraged.

7 I. Pretrial Services will perform all intake procedures and meetings with clients  
8 regardless of the level telephonically.

9 4. Yakima County District Court: The District Court, all Municipal Courts operated  
10 by Yakima County District Court and Probation Services takes the following  
11 emergency actions:

12 A. CrRLJ 4.1(a) shall be suspended for out of custody defendants. In custody  
13 defendant shall continue to be arraigned within 14 days. Counsel are  
14 encouraged to proceed to arraignment on behalf of the defendant in writing  
15 per CrRLJ 4.1 (g)(1).

16 B. The court will allow a defendant's waiver of personal appearance filed on their  
17 behalf by their counsel. Speedy trial on such matters will recommence when  
18 the defendant next appears in court.

19 C. All cases set on the Friday driving while license suspended calendar are  
20 continued.

21 D. IRLJ 2.2, IRLJ 2.4, IRLJ 2.6 are hereby suspended. The court will continue to  
22 hear infraction hearings if the parties submit written materials by mail, online  
23 or by emails without the need for any party to appear in court. All infraction  
24 hearings that require the appearance of any party will be rescheduled to a  
25 later date.

- 1 E. All small claim mediations are hereby continued.
- 2 F. All name changes are hereby continued. Parties who feel the matter needs to  
3 be heard on an emergent basis may file a motion to have the matter heard.
- 4 G. Parties and counsel are encouraged to consider alternative means of  
5 appearing (e.g., telephonically) for those matters which are already scheduled  
6 and/or time sensitive. Bench trials may not proceed telephonically.
- 7 H. Parties and/or their counsel who feel sick should not enter the courthouse.  
8 They should contact the court as soon as possible. A warrant will not issue for  
9 a criminal defendant who contacts the court prior to a scheduled hearing  
10 because of illness. A warrant that does issue will be quashed if the defendant  
11 absence was due to illness. When contacting the court to reschedule due to  
12 illness the parties shall provide a current address.
- 13 I. The Yakima County DUI Court shall continue as regularly scheduled. All  
14 participants are required to appear unless, they notify the Court or a team  
15 member that they are ill. The Court proceedings shall be relocated to a larger  
16 courtroom and each attendee shall adhere to the social distancing  
17 expectations. The attendance of observers who are considering entering DUI  
18 Court is prohibited until further order of the Court. To the extent possible, DUI  
19 Court team members may participate via telephone or other virtual meeting  
20 medium. Online AA meetings are authorized until further notice. UA's remain  
21 a mandatory requirement.
- 22 J. The Court will provide notice of future hearing to the parties for all matters  
23 reset as a result of this order.
- 24 K. Traffic safety classes provided by probation shall be canceled through March  
25 31st. The department will be reaching out to those who have classes

1 scheduled to keep them apprised of the situation and to facilitate  
2 rescheduling. The Court will be notified of the need to reschedule your class.

3 L. Anger management classes held in probation have been canceled.

4 M. In – person Probation appointments shall be limited to those who have been  
5 assessed as moderate or high risk. Those individuals supervised by the  
6 Department who have been assessed as low risk shall have appointments by  
7 phone.

8 5. This Order shall be reviewed on a weekly basis and may be modified as  
9 necessary to address the ongoing state of emergency. Yakima County Superior  
10 and District Court may issue their own separate orders modifying this order.

11 6. The Courts' regular schedule and procedures will be followed except as  
12 specifically provided in this Order.

13 Dated this 16<sup>th</sup> day of March 2020.

14 telephonic approved.

15 David A. Elofson, Presiding Judge  
16 Yakima County Superior Court

17  
18 Richard H. Bartheld

19 Richard Bartheld, Acting Presiding  
20 Judge, Yakima County Superior Court

21  
22 Brian Sanderson

23 Brian Sanderson, Presiding Judge  
24 Yakima County District Court