

Yakima County Courts

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Superior Court Presiding Judge
David A. Elofson

Juvenile Court Presiding Judge
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CASE TYPE INFORMATION ON YAKIMA COUNTY SUPERIOR COURT DOCKETS

Criminal - Criminal dockets remain the same; we are hearing preliminary appearance, arraignments, bail motions, omnibus hearings, other motions and plea/sentencing hearings. Pursuant to the Supreme Court Order dated May 29, 2020, Superior Court shall hear matters by telephone, video or other means that do not require in person attendance when appropriate. Matters that require in person attendance can be held if those hearings strictly comply with social distancing and other public health measures. Superior Court Judges are also factoring in the current status of COVID infection rates in Yakima County. A team of court officers and county personnel continue to look at and discuss additional hearings that can be heard as we continue to move forward.

Criminal Jury Trials Yakima County Superior Court will resume jury trials in September. We have worked closely with our local Health District to ensure extensive safety precautions have been implemented to protect juror safety and public health as trials resume.

Jury trials are a key component to the fair administration of justice. Our jury trials have been suspended for many months as a result of the COVID-19 pandemic. The suspension of jury trials was needed to protect the health of court users and court staff. It gave us an opportunity to redesign our jury processes with the input of public health officials. Now it is critical that we restart jury trials.

Jury trials are considered "essential." One of the most important rights under both the United States Constitution and the Washington State Constitution is the right to a jury trial. As a result, our Court will resume conducting jury trials next month.

Jurors perform a critical role in providing access to justice. We are extremely grateful to our community members who will be performing this essential function and are doing everything we can to follow the recommendations given to us by the Yakima County Health District as well as the State of Washington Department of Health and the Center for Disease Control and Prevention.

We will continue to follow guidance from the Yakima County Health District, State of Washington Department of Health and the Center for Disease Control and Prevention to assure that the locations where jury selection, trials and deliberations take place are safe. We will:

1. Conduct jury selection at the Yakima Valley Sundome to aid in social distancing;
2. Take attendees' and participants' temperatures prior to entry to court areas with touchless thermometers;
3. Ask health screening questions of individuals before entering the locations being used to determine if anyone is ill or feeling ill to exclude them;
4. Require social distancing of six feet between participants and attendees;
5. Require the wearing of facial coverings during the process;

6. Provide appropriate facial coverings, hand sanitizer, gloves and locations to wash hands; and
7. Regularly clean the facilities using enhanced cleaning methods.

Civil Dockets are being conducted by Zoom with both telephone and video options in order to adhere to the CDC's social distancing guidelines and Yakima County Health District's current health directives. Information on these dockets is listed in more detail below. Every day we include a Zoom meeting link on our main calendar (found on the website) so that docket participants can access their hearings. In addition, you can find these links on the Superior Court website Court Operation Updates (Covid 19) in the blue ribbon, Court Participant Information, Zoom Links by Docket. Because we are now live streaming our dockets, we encourage all non-participants to observe court via YouTube. Each of our courtrooms are set up with a specific link. You can find the live stream links on our website: <https://www.google.com/search?q=yakima+county+superior+court&oq=yakima+c&aqs=chrome.69l5j46j0l5.1742j0j7&sourceid=chrome&ie=UTF-8>

Civil Trials: have resumed, utilizing Zoom with both telephone and video options whenever possible. In person attendance, if necessary, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures. Exhibits will need to be submitted the Clerk's office 24 hours prior to trial with the required exhibit form for hearings, provided by the Clerk.

Domestic Motions: Notice of Presentation following hearings conducted via Zoom due to social distancing requirements may be noted for presentation with five (5) court days' notice.

Domestic Trials: will be held utilizing Zoom with both telephone and video options, whenever possible. In person attendance, if necessary, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures.

NOTE: This new process will change the way that we need you to assist us in processing your trial.

A party needs to confirm their trial five (5) court days in advance of the trial date that is set by the Court Administration office. LCR 40(b)(4).

Once the trial is confirmed, the Court Administrator's office will work to determine which cases can go to trial. The parties will receive notice from the Court Administrator's office at least two (2) court (business) days before the trial commencement date if their case will go to trial.

Once this occurs, the parties need to work to arrange for copies of their exhibits (documents) to be immediately exchanged with the other party. See LCR 40(e)(1) (which requires an exchange the week in advance of trial). Parties are also obligated to try to agree which exhibits are admissible. LCR 40(e)(1).

By 10:00 AM on the court (business) day before the trial is set to begin, the parties must file their exhibits with the Clerk of the Court. These are the exhibits that they intend to use at trial. The Clerk's office has a cover sheet to use specifically for trial exhibits so ask for this coversheet when filing these with the

Clerk's office. This will give the Clerk's office an opportunity to mark the exhibits prior to trial. It is preferred that the exhibits are in binders with numbered tabs.

On or before the date and time that the trial is set to begin, the parties must supply the judge with an extra set of copies of the exhibits (working copies) that they intend to have the court consider at trial. LCR 40 (e). It is preferred that the working copies are in binders with numbered tabs.

NOTE: The parties must scan their own documents for sharing during the trial. Neither the Court nor the Clerk of the Court is responsible for scanning and/or sharing documents for the parties' use during trial.

Each party (or their attorney) must ensure that all of the witnesses they intend to call to testify have been given all of the necessary information to be able to appear remotely. This includes, but is not limited to, the Zoom hyperlink, the Zoom telephone conference call number, the meeting ID, and any necessary Zoom password. Additionally, it is the parties' (or their attorneys') responsibility to ensure that their witnesses have the technological means to remotely appear at the appropriate time during the trial. All witnesses must be readily available remotely during the party's case so there is no delay in the trial.

Before the trial commences, the parties will notify the court which exhibits are agreed to without further need for authentication. LCR 40(e)(4).

Civil motions, including Community, Probate, Judge's personal Motions, Summary Judgments, and special set hearings have resumed utilizing Zoom with both telephone and video options, whenever possible. In person attendance, if necessary, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures.

Ex Parte - all ex parte orders shall be filed with the Clerk of the Court. Each order shall be affixed with a cover sheet. The Clerk will deliver the ex parte orders to the judicial officer for the Court's review and signature. The moving party will thereafter be notified of the Court's decision.

Unlawful Detainers – all matters continued until August 1, 2020 ([Proclamation by the Governor, 20-19.1 Evictions and Related Housing practices, dated June 20, 2020](#)), unless the case meets specific guidelines outline in the Governor's proclamation.

Domestic Violence/Anti-Harassment will be held utilizing Zoom with both telephone and video options, whenever possible. In person attendance, if necessary, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures. Emergency civil matters will continue to be a priority and Superior Court will hear all emergency civil matters. As is indicated in the latest Supreme Court Order, Judicial Officers have the discretion to set hearing dates and extend temporary protection orders based on the circumstances to reasonably allow for sufficient notice, remote appearance and presentation of evidence, while avoiding unreasonable delay. Reissuance orders may be similarly extended.

Yakima County Superior Court has placed Zoom hearing links and a telephone number on each of the protection orders that are issued during the hearing to ensure both parties understand and are provided the information for appearing at their next hearing. Appearing for court by Zoom is encouraged.

Domestic Hearings – all family law dockets will be heard using Zoom with both telephone and video options, whenever possible. In person attendance, if necessary, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures.

1. Proposed orders may be e-mailed to domesticworkingcopies@co.yakima.wa.us and [Domestic Confirmations](#) .
2. Agreed orders may also be e-mailed to domesticworkingcopies@co.yakima.wa.us and [Domestic Confirmations](#) .
3. Presentation hearings following an oral ruling should be rare. The Court will accept presentations after an oral ruling upon 5 days' notice. Presentations should be noted to the judicial officer who made the ruling.
4. Ex parte motions and proposed orders should be delivered to the clerk's office first.

Status Hearings – Beginning Friday, **June 26, 2020**, status hearings will resume using Zoom with both telephone and video options, whenever possible. In person attendance, if necessary, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures.

Paternity – will be held using Zoom with both telephone and video options, whenever possible. In person attendance, if necessary, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures.

Therapeutic Courts will be held using Zoom with both telephone and video options, whenever possible. In person attendance, will be accommodated by prior approval of the court with strict observance of social distancing and the current public health measures.

ITA's will be held utilizing Zoom with both telephone and video options for all appearances.

CASE TYPE INFORMATION ON YAKIMA COUNTY JUVENILE COURT DOCKETS

Adoptions - Adoptions are being conducted remotely using Zoom. You can access the Adoption calendar and Zoom meeting links by visiting the Juvenile Court website.

Dependency – Dependency hearings are being conducted remotely using Zoom. You can access the Dependency calendar and Zoom meeting links by visiting the Juvenile Court website.

YAKIMA COUNTY JUVENILE COURTROOM ONE HEARINGS

On May 29, 2020 we received the Washington State Supreme Court's Amended Third Revised Order Regarding Court Operations No. 25700-B-626. Based on those orders, the Juvenile Courtroom One Calendar will proceed as follows effective June 9, 2020:

Offender Trials – will resume as scheduled utilizing remote means or in person with strict observance of social distancing and other public health measures.

JUVENILE OUT OF CUSTODY HEARINGS

Arraignments - will resume in person/remote hearings on June 1, 2020 with all hearings strictly complying with the current public health mandates. Attorneys and Respondents may appear remotely when requested. Hearings will be staggered throughout the week to limit the number of persons present in the courtroom if necessary.

CSR'S – will commence in person/remote hearings on June 1, 2020 with all hearings strictly complying with the current public health mandates. Attorneys/Respondents may appear remotely when requested. Hearings will be staggered throughout the week to limit the number of persons present in the courtroom if necessary.

Motions, Pretrials, and Plea and Sentencing Hearings – will be held utilizing telephone or video where possible. In person attendance will be accommodated utilizing the current public health mandates and staggering hearings throughout the week to limit the number of persons present in the courtroom if necessary. The Court will accommodate Plea and Sentences on misdemeanor and gross misdemeanor cases to be done remotely by telephone or video when requested by defense and agreed to by the State. Felony Plea and Sentences will be done in person.

ARY/CHINS Hearings – will resume utilizing telephone, video or other remote means, or in person with strict observance of social distancing and other public health measures.

Truancy Hearings – all cases for the current school year have been dismissed and will require new filings as needed for the 2020-2021 school year.

Diversion Termination Hearings – will resume as needed on June 1, 2020, utilizing telephone, video, or other remote means, or in person with strict observance of social distancing and other public health measures.

JUVENILE IN-CUSTODY HEARINGS

In-Custody Hearings – All in-custody offender matters will be heard remotely for the first 14 days the offender is in custody pursuant to the written request of Ms. Shute, Yakima County Juvenile Court Administrator, dated June 9, 2020. After the youth passes the 14-day mark, the youth may appear in-person in court if requested as scheduled with strict observance of social distancing and other public health measures. Attorneys and parents or guardians may also appear remotely when requested. The exception will be for any youth wanting to plead guilty to a felony offense or offenses-those pleas and dispositions will be done in person with strict observance of social distancing and other public health recommendations regardless of the 14-day requirement.

EMERGENCY ORDER REGARDING PUBLIC HEALTH IN THE SUPERIOR AND JUVENILE COURTS-

The Presiding Judge of Superior Court has signed an Emergency Order, effective June 25, 2020 that addresses the need for social distancing and the use of facial coverings. Please see the attached order. You can also access it on the Superior Court website at <https://www.yakimacounty.us/486/Superior-Court>.