

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

In Re:
EMERGENCY NOTIFICATION
LIMITING COURT OPERATIONS RE:
JURY TRIALS RESULTING FROM
PUBLIC HEALTH EMERGENCY

GENERAL ORDER NO.

GR21

WHEREAS, the state and this county are experiencing a rapid increase in the numbers of people showing symptoms of, being diagnosed with and hospitalized for COVID-19; and

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

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

WHEREAS, this Fall, the spread of COVID-19 began to accelerate. As of November 18, 2020, the rise in infections is not projected to ease until February 2021

<http://covid19.healthdata.org/united-states-of-america/washington?view=total-deaths&tab=trend>.

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2 WHEREAS, On November 15, 2020, Governor Inslee issued a new
3 proclamation, imposing new restrictions on social gatherings and other behavior. In
4 doing so, he explained, "[P]ositive COVID-19 related cases and hospitalizations have
5 been on a steady rise since early September; and, most alarmingly, from the latter part
6 of October through the first two weeks of November 2020, COVID-19 related
7 hospitalizations have risen sharply, putting our people, our health system, and our
8 economy in as dangerous a position as we faced in March 2020." State of Wash.
9 Office of the Governor, Proclamation 20-25.8 "Stay Safe - Stay Healthy Rollback of City-
10 by-City: Phased Reopening Responding to a COVID-19 Outbreak Surge" (Nov. 15,
11 2020).

12 WHEREAS, The Governor recognized in the Proclamation that "a significant
13 risk factor for spreading the virus is prolonged, close contact with an infected person
14 indoors," and that "several factors increase the risk for person-to-person COVID-19
15 transmission," including: (1) "the more that people and groups interact"; (2) "the longer
16 those interactions last"; (3) "the closer the contact between individuals"; and (4) "the
17 denser the occupancy for indoor facilities."

18 WHEREAS, on November 20, 2020, Washington Supreme Court Chief Justice
19 Debra Stephens issued a message to all Washington Courts, acknowledging the
20 dramatic rise of COVID-19 activity in the State and requested that all courts reassess
21 "the risk of in-person proceedings and the present ability to mitigate those risks
22 consistent with public health guidance."

1 WHEREAS, as of December 13, 2020 Yakima County has had 15,795 confirmed
2 COVID-19 cases, 298 deaths, 945 hospitalizations and currently has 47
3 hospitalizations. <https://www.yakimacounty.us/2410/COVID-19-Data-Dashboard>. And
4 that the ICU bed capacity as of December 10, 2020 was 0 at Astria Hospital in
5 Sunnyside and as of December 11, 2020, Virginia Mason Memorial in Yakima had 1
6 ICU bed available.

7 WHEREAS, upon consultation with the Yakima County Health Department, local
8 hospitals and continued recommendations from the Health Department and Center for
9 Disease Control concerning attempts to contain and mitigate the spread of the virus,
10 and FURTHER, based upon all the foregoing sources of information, the dramatic
11 increase in positive COVID-19 rates in Yakima County, and predictions that increases
12 will continue, this Court finds that now it is not reasonably feasible or safe to require
13 jurors, litigants and other participants to travel to the court and congregate in indoor
14 facilitates. Due to these circumstances and the serious danger posed by COVID-19, a
15 continuance of all jury trials is supported by good cause, required in the administration
16 of justice, and unavoidable circumstances.

17 WHEREAS, the Washington State Supreme Court has adopted Order No.
18 25700-B-602 granting our District Court emergency authority to adopt, modify, and
19 suspend court rules and orders, and to take further actions concerning court operations,
20 as warranted to address the current state of emergency;

1 NOW, THEREFORE, IT IS HEREBY ORDERED:

2 1. The Court, upon its own motion, and pursuant to Washington State Supreme
3 Court Order 25700-B-646 i-f12, concludes a continuance in these criminal jury
4 trials is necessary for the administration of justice;

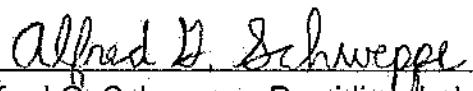
5 2. The Court finds that as of December 13, 2020 the serious danger posed by the
6 virus is good cause to continue criminal jury trials and constitutes an unavoidable
7 circumstance under CrR 3.3(e)(8). As such, the time between December 13,
8 2020 and the date of the next scheduled trial date is EXCLUDED when
9 calculating time for trial.

10 3. All civil jury trials are hereby suspended until February 1, 2021.

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12 Dated this 16th day of December 2020.

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14 
15 Alfred G. Schwegge, Presiding Judge
16 Yakima County District Court

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