

IN THE LOWER DISTRICT COURT
FOR THE COUNTY OF KITTITAS

IN THE MATTER OF) ADMINISTRATIVE ORDER
EMERGENCY RESPONSE TO A)
THREAT TO PUBLIC HEALTH) NO. 2020-03

WHEREAS, there remains a declared state of emergency and additional immediate action by the court is required beyond that which was implemented by Administrative Order No. 2020-01,

AND WHEREAS, Kittitas County has been moved to Phase 2 of the Safe Start Washington plan established by Washington State Governor Jay Inslee's Proclamation 20-25.3,

NOW, THEREFORE, THE FOLLOWING IS HEREBY ORDERED:

- 1) All terms of Administrative Order Nos. 2020-01 and 2020-02 remain in effect unless expressly modified in the following sections of this order. This includes the continued suspension of deadlines imposed by the following rules: CrRLJ 3.3 and 4.1, IRLJ 2.2 and 2.6.
- 2) As long as Kittitas County remains in Phase 2 of the Safe Start Washington plan, the Lower Kittitas County District Court will reopen in the limited manner as described in the attached document: Lower Kittitas County District Court: COVID-19 Reopening Procedures, which is also adopted in this order. Criminal jury trials remain cancelled and will continue to be rescheduled at a date to be determined by the court. Should Kittitas County be moved back to Phase 1 then this order will be void and only the terms of Administrative Order Nos. 2020-01 and 2020-02 will remain in effect.
- 3) The Emergency Local Rule dated 4/20/2020 pertaining to physical access to the courthouse and/or courtrooms remains in place.

- 4) Case-by-case exceptions may be ordered at the discretion of the Court after consultation with the parties involved.
- 5) This order does not affect the Court's consideration of any matter that can be resolved without a hearing and parties are encouraged to do so when possible.
- 6) The above takes effect immediately and remains in place until further notice.

Lower Kittitas County District Court remains open and is available by email, telephone or fax. Mail will be received and processed usually by the next business day after receipt. The front window is available when court is in session to receive payments. Both criminal and civil intake desks remain open for filings.

DATED this 27th day of May, 2020.



Presiding Judge
Paul R. Sander
Lower Kittitas County District Court

Lower Kittitas County District Court: COVID-19 Reopening Procedures

Washington State Phase 2

Regular criminal pretrial & probation violation calendars resume with modified schedule *

Midday calendar (In-custody and mandatory hearing first appearances) resume ^

Protection Order calendar resume ~

Contested PV or 3.5/3.6 calendar resume with modified schedule **

Partial civil calendar (name changes and small claims) resume with modified schedule ^^

Contested Infraction hearings with attorneys resume with modified schedule ~~

No Monday arraignment calendar unless special set

No in person pro se contested/mitigated infractions hearings unless special set

No criminal trials

Health & Safety protocol

No one should enter the courthouse or courtroom if they are ill or have been diagnosed with an illness, regardless of having symptoms. The only people allowed in the courtroom will be:

- Parties whose case is being heard
- Supporters of parties and/or victim (no more than 4 & must all be same family unit)
- Members of public (to be determined by available seats & if all same family unit)
- Attorney for the next scheduled hearing

Everyone in the courtroom must either 1) be wearing a cloth mask or similar covering and maintain 6 feet social distance, or 2) be seated where a physical barrier is in place. Gallery seating is limited and reserved for victims and their supporters, defendant supporters, and members of the public wishing to observe. Only members of the same family unit should sit next to each other. Audio will be livestreamed with a link provided on the court's website during the hearing for individuals who are unable to attend the hearing. People waiting for court should only be in the hallway if, 1) their hearing is scheduled within the next hour and, 2) they are wearing a cloth mask or similar covering and maintain 6 feet social distance of others.

Failure to comply with these Health and Safety Protocols may result in a party's case being continued to a future date and persons being directed to leave the courthouse.

* PT and PV hearings currently on a calendar (except first appearance PV hearings) will be assigned specific times **IF AND ONLY IF** both parties indicate to the clerk by phone or email by noon of the preceding business day that a case is resolved (guilty plea or probation disposition) or needs a bail hearing. First appearance PV hearings will be held only at the defendant's request; otherwise defendants will be given application for court appointed attorney and case reset to PV hearing calendar on future date. Working copies of guilty plea statements and Deferred Prosecution paperwork should be provided to the court at least 24 hours before the hearing. Hearings will be scheduled 15 minutes apart for bail hearings and for cases with agreed dispositions and no victim statement. Hearings will be scheduled 30 minutes apart if disposition is not agreed or if victim statement being provided. Hearings will be completed approximately 5 minutes before the next hearing is scheduled to allow time for parties to exit, the next hearing's parties to sanitize table(s) and get ready. No hearings will be set after 11:00 or 4:00. Once set hearings are completed, remaining cases will be called and reset.

^ Midday hearings will be assigned specific times by the clerk and scheduled 15 minutes apart. Hearings will be completed approximately 5 minutes before the next hearing is scheduled to allow time for parties to exit, the next hearing's parties to sanitize table(s) and get ready. First priority will be given to in-custody first appearance cases. Walk-in mandatory first appearance cases will be scheduled sequentially as time allows but will not displace an existing afternoon calendar and may have to be heard at the end of the day.

~ Protection Order (Ex parte and Permanent) hearings will be heard as scheduled and set 60 minutes apart. Hearings will be completed approximately 5 minutes before the next hearing is scheduled to allow time for parties to exit, the next hearing's parties to sanitize table(s) and get ready. Any testimony provided will take place from tables. Any exhibits must be marked prior to commencement of hearing.

** Contested PV or 3.5/3.6 cases that are on a calendar will be assigned specific times by the clerk **IF AND ONLY IF** both parties indicate to the court by phone or email by noon of the preceding business day that the case is ready to proceed. Hearings will be scheduled either 30 or 60 minutes apart at the court's direction and with input from the parties. Any exhibits must be marked prior to commencement of the hearing. Hearings will be completed approximately 5 minutes before the next hearing is scheduled to allow time for parties to exit, the next hearing's parties to sanitize table(s) and get ready. No hearings will be set after 4:00 p.m. Once set hearings are completed, remaining cases will be called and reset.

^^ Civil cases involving name changes and small claims will be special set on the regular civil calendar. All other civil cases will be continued to a future date when the court reaches the next phase. Name changes will be set at 8:30 a.m. and limited to 3 cases per calendar. Small claims will be set for 9:00 a.m. and limited to 3 cases per calendar. Small claims will still be required to participate in mediation at the first set hearing. Small claims trials will occur at the second set hearing and will be set at 9:00 a.m., 10:00 a.m. and 11:00 a.m., if necessary. Small claims trials will be completed approximately 5 minutes before the next hearing is scheduled to allow time for parties to exit, the next hearing's parties to sanitize table(s) and get ready. Any testimony provided will take place from tables. Any exhibits must be marked prior to commencement of hearing.

~~ Contested Infraction hearings with attorneys that are on a calendar will be assigned specific times by the clerk **IF AND ONLY IF** defense counsel indicates to the court by phone or email by noon of the preceding business day that the case is ready to proceed. Hearings will be scheduled either 15 or 30 minutes apart at the court's direction. Any exhibits must be marked prior to commencement of the hearing. Hearings will be completed approximately 5 minutes before the next hearing is scheduled to allow time for parties to exit, the next hearing's parties to sanitize table(s) and get ready. No hearings will be set after 4:30. Once set hearings are completed, remaining cases will be called and reset.