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7 **IN THE DISTRICT COURT OF THE STATE OF WASHINGTON**
8 **IN AND FOR WHITMAN COUNTY**

FILED

JUN 15 2020

WHITMAN COUNTY DISTRICT
COURT

9
10 IN THE MATTER OF)
11) NO.061520
12 EMERGENCY RESPONSE TO PUBLIC)
13 HEALTH THREAT) THIRD EMERGENCY
(Coronavirus –COVID-19)) ADMINISTRATIVE ORDER
14)

15 THIS MATTER comes before the Court on the public health emergency in
Washington State and Whitman County:

16 WHEREAS, On February 29, 2020, Washington State Governor Jay Inslee signed a
17 proclamation declaring a State of Emergency exists in all counties in the State of
18 Washington due to the number of confirmed cases of COVID-19 in the state and directed
19 that the plans and procedures of the Washington State comprehensive Emergency
Management Plan be implemented; and

20 WHEREAS, on March 4th, 2020 Chief Justice Debra Stephens of the Washington
21 Supreme Court adopted Order No. 25700-B-602 (followed by Orders B-606, B-607, B-615
22 and B-618) granting emergency authority to the Presiding Judges of Washington courts to
adopt, modify and/or suspend court rules and orders, and to take further actions concerning
court operations as warranted to address the current public health emergency; and

23 WHEREAS, on March 13, 2020, President Donald Trump declared a national
24 emergency for the United States due to the COVID-19 health threat; and

25 WHEREAS, on March 15, 2020 the Centers for Disease Control and Prevention
26 provided guidance that large events and gatherings be cancelled or postponed for eight (8)
weeks; and

27 WHEREAS, on March 16, 2020 the Governor imposed additional restrictions
28 prohibiting gatherings of more than 50 people and shut down restaurants, bars, and
entertainment and recreational facilities within the State of Washington due to the danger of
continued spread of the virus and the increasing danger the virus presents to the health care
system in the region, and in addition, directed all public and private schools within the State
of Washington to close from March 17th through April 24, 2020, then subsequently extended
school closures through June 19, 2020; and

1 WHEREAS, Governor Inslee issued and extended a “Stay Home, Stay Healthy”
2 order directing non-essential businesses to close, banning public gatherings, and required
3 Washingtonians to stay home except to pursue essential activities. On May 1, 2020,
4 Governor Inslee extended this Order and announced a 4 Phased approach to reopening the
5 economy; and

6 WHEREAS, this Administrative Order is being issued in response to the outbreak of
7 COVID-19 in Washington State, which has been home to the first reported domestic case of
8 the disease and some of the first significant community impacts from school and business
9 closures. Given the number of identified and projected cases of COVID-19 in Washington
10 State and the severity of risk posed to the public, and given the above public health
11 recommendations; and

12 WHEREAS, conducting regular court hearings with large groups of persons in the
13 courtroom results in exposure to large groups of people which is contrary to the
14 recommendations of health authorities and contrary to the Governor’s proclamations under
15 the current state of emergency; and

16 WHEREAS, on April 28, 2020 the Washington Supreme Court entered the Second
17 Revised and Extended Order Regarding Court Operations No. 25700-B-618 extending and
18 amending previous orders.

19 WHEREAS, on May 29, 2020 the Washington Supreme Court entered the Third
20 Revised and Extended Order Regarding Court Operations No. 25700-B-626 extending and
21 amending previous orders.

22 WHEREAS, consistent with these recommendations and pursuant to the authority
23 given to this Court through the Washington State Supreme Court Orders 25700-B-602, 606,
24 607, 615, 618 and 626, and the authority granted to the Presiding Judge of the Whitman
25 County District Court pursuant to Washington State General Rule 29, this Emergency
26 Administrative Order is effective June 14, 2020 and shall remain in effect unless renewed,
27 modified or rescinded by the Presiding Judge for the Whitman County District Court.

28 WHEREAS, the latest Revised and Extended Order Regarding Court Operations No.
29 25700-B-626 states, “In all court operations, courts should follow the most protective public
30 health guidance applicable in their jurisdiction, and should continue using remote
31 proceedings for public health and safety whenever appropriate.” The order further states,
32 “courts should begin to hear non-emergency civil matters, so long as such matters can
33 appropriately be conducted by telephone, video or other remote means, or in person with
34 strict observance of social distancing and other public health measures.” The order also
35 states, “courts should hear (criminal) matters by telephone, video or other means that do not
36 require in person attendance when appropriate. In addition, courts may hear matters that
37 require in person attendance if those hearings strictly comply with social distancing and
38 other public health measures.”

39 WHEREAS, Whitman County entered into Phase Three of the State of Washington’s
40 Safe Start Phased Reopening Process on June 6, 2020.

1 IT IS HEREBY ORDERED that EFFECTIVE IMMEDIATELY and UNTIL FURTHER ORDER
2 OF THE COURT:

3 Relating to COURT ADMINISTRATION:

- 4 1. The Court's clerk window at the Colfax location will be reopen to the public. The
5 Pullman clerk's office will reopen when Pullman City Hall reopens. Payments will
6 continue to be accepted by mail, over the phone and via the drop box located
7 outside the court facilities.
- 8 2. The Court will maintain regular hours of operation unless otherwise amended by
9 further order and notice to the Administrative Office of the Courts.
- 10 3. The court will recommence with its normal operations with in-person hearings in
11 Colfax pursuant to any/all limitations and procedures outlined in this order.
12 Pullman hearings will recommence its normal operations with in-person hearings
13 in Pullman as soon as the Pullman City Hall reopens.
- 14 4. All filings will continue to be accepted via mail, email, fax or by placing in the
15 Court drop box.

16 Whitman County Courthouse
17 PO Box 230
18 Colfax WA 99111
19 Phone: (509)397-6260
20 FAX: (509)397-5584

21 Pullman City Hall
22 325 SE Paradise St
23 Pullman WA 99163
24 (509)332-2065
25 (509)338-3318

26 Email: Please see District Court page at Whitmancounty.org

27 Drop boxes: Colfax – Clerk's Office counter – at the window
28 Pullman –located on the NW corner of Paradise & Kamiaken
Streets-marked Pullman City Hall

29 RELATING TO IN-PERSON HEARINGS

- 30 1. Litigants, attorneys and other court attendees who enter the Whitman County
31 Court Facilities are expected to adhere to a six-foot social distancing radius from
32 court staff, as well as other litigants and attorneys.
- 33 2. Pursuant to the order issued by the Washington State Supreme Court on May
34 29, 2020 and Governor Inslee's Safe Start Phased Reopening Process entered
35 on June 6, 2020, all courtroom attendees shall wear a mask or face covering
36 when entering and remaining in the courtroom, unless exempted (see below).
37 Any person actively participating in a court proceeding may remove their mask if
38 they wish. An "active participant" includes those seated at counsel tables,
including witnesses, attorneys and judge.
- 39 3. The follow individuals are exempted from the requirement to wear a mask:
- 40 a. Children two years or less.
 - 41 b. Children under the age of twelve unless parents or caregivers supervise
42 the use of the face covering to avoid misuse;
 - 43 c. Any person who has a physical disability that prevents easily wearing or
44 removing a face covering;
 - 45 d. Any person who is deaf and uses facial and mouth movements as part of
46 their communication or an individual who is communicating with a person
47 who is deaf and uses facial and mouth movements as part of
48 communication;

- 1 e. Any person who has been advised by a medical professional that wearing
2 a facial covering may pose a risk to that individual for health-related
3 reasons.
4 f. Any person who has trouble breathing, or who is unconscious,
5 incapacitated, or otherwise unable to remove a face covering without
6 assistance.
- 7 4. Litigants, attorneys and other court participants who are sick or experiencing flu-
8 like symptoms such as a cough, fever or other respiratory problems shall NOT
9 come into the court facilities, please contact the court via mail, email or phone.
- 10 5. Social distancing markers and other signage have been applied to the courtroom.
11 All attendees are expected to follow all guidelines. The courtroom will have a
12 limited capacity due to social distancing. However, all hearings will be live-
13 streamed at https://www.youtube.com/channel/UCi7BJN3F3wVP3q2Aaa7_QfA.
14 Please contact the clerks if you wish to participate in a scheduled hearing
15 remotely.
- 16 6. Frequently touched surfaces will be routinely cleaned and disinfected. Hand
17 sanitizer and other cleaning products are available in and around the courtroom.
- 18 7. If you are in a "high-risk" category, live with such an individual or do not feel
19 comfortable attending court in person, you may contact the clerk's office to
20 schedule a date and time to appear remotely utilizing video or tele-conferencing.
21 Persons in a "high risk" category include:
- Persons 65 years of age and older;
 - People of all ages with underlying medical conditions (particularly not
22 well controlled),
23 including –
 - People with chronic lung disease or moderate to severe asthma,
 - People who have serious heart conditions,
 - People who are immunocompromised,
 - People with severe obesity,
 - People with diabetes,
 - People with chronic kidney disease undergoing dialysis, and
 - People with liver disease; and
 - People who live in a nursing home or long-term care facility.
- 24 8. If a court participant refuses to wear a mask or face covering, they will be
25 required to leave the courtroom and may return without a mask or face covering
26 to have their case heard after all other cases scheduled for that time have been
27 completed.

28 This order incorporates by reference the Washington State Supreme Court Third
Revised and Extended Order Regarding Court Operations, No 25700-B-626. Both Orders
shall be posted at the Whitman County District Court Clerk's Office and online at
www.whitmancounty.org on the District Court page.

IT IS SO ORDERED.

This 15th day of June, 2020.


John Hart
Presiding Judge, Whitman County District Court