

1
2
3
4
5
6
7 **IN THE DISTRICT COURT OF THE STATE OF WASHINGTON**
8 **IN AND FOR WHITMAN COUNTY**
9

10 IN THE MATTER OF)
11) NO. 120920
12 EMERGENCY RESPONSE TO PUBLIC)
13 HEALTH THREAT) FIFTH EMERGENCY
14 (Coronavirus –COVID-19)) ADMINISTRATIVE ORDER
15)

16 WHEREAS, On February 29, 2020, Governor Jay Inslee declared a state of emergency
17 due to the public health crisis posed by the spread of the coronavirus (COVID 19). This state of
18 emergency continues to the present day, and is expected to exist going forward. On November
19 15, 2020, Governor Inslee announced a doubling of coronavirus transmission rates had
20 occurred in the previous two weeks in Washington State, further endangering public safety.
21 Effective November 16, 2020, indoor social gatherings were banned for non-family members
22 until December 14, 2020. On December 8, 2020, Governor Inslee extended this order until
23 January 4, 2021.

24 WHEREAS, the State Supreme Court of Washington has previously authorized the
25 Presiding Judge of the District and Municipal Courts to suspend court rules as necessary to
26 promote the public safety while keeping the courts as open as possible, and this Court has
27 enacted Emergency Administrative Orders as follows:

- 28
- FIRST EMERGENCY ADMINISTRATIVE ORDER No.031720
 - SECOND EMERGENCY ADMINISTRATIVE ORDER No.050520
 - THIRD EMERGENCY ADMINISTRATIVE ORDER No.061520
 - FOURTH EMERGENCY ADMINISTRATIVE ORDER No.111920

1
2 WHEREAS, the latest public health numbers in Washington State indicate a substantial
3 increase of COVID-19 infections and in particular, Whitman County Public Health Department
4 reports COVID-19 levels in Whitman County remain at "High Activity," in the red zone on the
5 spectrum chart, defined as more than 75 cases per 100,000 people over 14 days. Whitman
6 County Public Health has reported "High Activity" levels each week for, at very least, the last
7 four weeks. This data indicates that there is danger in having indoor gatherings of any size, and

8 WHEREAS, this court has taken steps to ensure continued access to justice while protecting
9 the public safety and health,

10 NOW THEREFORE, IT IS HEREBY ORDERED

- 11 1) Jury trials are suspended, effective immediately until after January 4, 2021. This action
12 is deemed necessary as it is not physically possible to gather prospective jurors,
13 empanel a jury and allow that jury to deliberate, while maintaining the social distancing
14 requirements issued by our Governor and set out by the State Department of Health's
15 "Guidelines for Operations during the COVID -19 Pandemic" issued in June of 2020
16 regarding the resumption of jury trials.
17 2) Pursuant to the authority granted by the Washington State Supreme Court in paragraph
18 12 and 23 of Order No. 25700-B-646, the Judge of Whitman County District Court finds
19 that the current rise of cases of COVID -19 is an unavoidable circumstance requiring the
20 suspension of the time for trial rule CrRLJ 3.3(e)(8). Therefore, the time between
21 November 16, 2020 and the next scheduled court date after January 4, 2021 shall be
22 EXCLUDED when calculating time for trial. Furthermore, all jury trials currently
23 scheduled between today's date through January 4, 2021 are cancelled and shall be rest
24 after January 4, 2021.
25 3) After January 4, 2021, the court may further exclude time under these rules based on
26 individual findings of "unavoidable circumstance" due to COVID-19 or other
27 circumstances. Any future exclusion shall be made by subsequent Order of the court.
28 4) The District Court Clerk's Office in Colfax and in Pullman will remain open for regular
business hours.
5) All other court operations will continue to proceed with the use of in-person and virtual
appearances as described in this court's THIRD EMERGENCY ADMINISTRATIVE
ORDER No. 061520.

24 This order may be modified consistent with the Court's continual assessment of the needs of
25 the community as well as the recommendations of public health officials. Further, this order
26 incorporates by reference all previous orders issued by the Washington State Supreme
27 Court as well as this court in reference to the COVID-19 pandemic. All orders shall be
28 posted at the Whitman County District Court Clerk's Office and online with the Washington
State Administrative Office of the Courts website and at www.whitmancounty.org on the
District Court page.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

This 10th day of December, 2020.



John Hart
Presiding Judge, Whitman County District