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

IN THE MATTER OF)	
)	NO. 070721
EMERGENCY RESPONSE TO PUBLIC)	
HEALTH THREAT)	NINTH EMERGENCY
(Coronavirus –COVID-19))	ADMINISTRATIVE ORDER
)	
)	

THIS ADMINISTRATIVE ORDER is being issued in response to the current pandemic outbreak of the Coronavirus Disease (COVID-19).

WHEREAS, the Washington State Supreme Court and Whitman County District Court have issued multiple Emergency Orders in response to the coronavirus pandemic. Through the emergency orders, the Washington State Supreme Court has specifically delegated to local courts the authority to adopt measures necessary to protect public health and safety of their communities and has directed courts to follow the most protective health guidance applicable in their jurisdiction. Further, General Court Rule 36(a) vests in the Courts the authority to establish reasonable protocols to protect the safety of employees, case participants and the public. Washington State and Federal cases support the authority of the courts to adopt reasonable procedures and rules regarding safety. See *State v. Hartzog*, 96 Wn.2d 383 (1981); *Jacobson v. Massachusetts*, 197 U.S. 11 (1905).

WHEREAS, there has been a marked decline in the number of COVID-19 cases locally and statewide, namely, Whitman County has reported on today's date 18 positive cases in the period from June 20, 2021 to July 3, 2021. This number is in the "Low Activity," in the Green Zone of the chart published by the Whitman County Public Health Department.

1 Statewide data reflects that 67 percent of Washingtonians 16 years of age and older and 55
2 percent of the total population are fully vaccinated. As a result of this data, Governor Inslee
3 issued the “Washington Ready” proclamation which re-opened the State of Washington on July
4 1, 2021.

5 WHEREAS, the Washington State Department of Health and Washington State Department
6 of Labor and Industries have updated their COVID-19 safety guidelines and recommend easing
7 certain COVID-19 requirements. The Washington State Supreme Court has indicated that local
8 jurisdictions shall create their own safety guidelines and procedures regarding courthouse
9 operations.


10 NOW THEREFORE, IT IS HEREBY ORDERED,

- 11 1. Masks will no longer be required in the Whitman County District Courtroom and Pullman
12 branch facilities for those people who have been fully vaccinated. A person is fully
13 vaccinated two weeks after the second dose in a two-dose series or two weeks after
14 they have received a single-dose vaccine.
- 15 2. Members of the public reporting for jury duty will be required to wear a mask in all areas
16 of the courthouse unless they sign an attestation that they have been fully vaccinated.
- 17 3. A person who otherwise might require a mask may remove it in the courtroom at the
18 discretion of a judicial officer in their courtrooms to ensure effective communication, to
19 enable compliance with ADA requirements, and to ensure the fairness of the
20 proceedings and avoid prejudice to any person.
- 21 4. Any person’s health and safety that is put at risk by wearing a face covering is exempt
22 from this policy. Special accommodations for ADA issues will be addressed on a case-
23 by-case basis. Children under the age of 2 years are not required to wear a face
24 covering.
- 25 5. All previous Emergency Administrative Orders not inconsistent with the Order remain in
26 full effect.
- 27 6. The Whitman County District Court and its offices in Colfax and Pullman remain open in
28 all other respects.

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IT IS SO ORDERED.

This 7th day of July, 2021.



John Hart
Presiding Judge, Whitman County District Court